

AUDIO_YORKSHIREGREEN_ISH2_SESSION 1_24052023

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00:26

Morning, everybody. It's now 10 o'clock and time for this hearing to begin. Before we go any further, can I just confirm that everybody in the room can hear me clearly? I'm getting a thumbs up from the back. Thank you. And could I also just confirm with Miss Evans that the live streaming and recording of this event has commenced? I'm getting a nod. Excellent. We're all up and running. I would like to welcome you to this issue specific hearing to on the Greenbelt environmental effects and construction matters in relation to the application made by national grid electricity transmission limited for the Yorkshire green energy enablement project, which we will refer to as Yorkshire green. My name is Jessica Powis. I've been appointed by the Secretary of State to be the lead member of the panel to examine this application. I'm now going to ask my fellow panel members to introduce themselves.

01:14

Good morning. My name is Annie Coombs. And I've been appointed to this panel.

01:18

And good morning, I'm Gavin Jones. And I've also been appointed to this panel.

01:23

So together we constitute the examining authority and our role is to examine the application and to report to the Secretary of State for energy security and net zero with a recommendation as to whether or not the development consent order should be made. Briefly To summarize, the proposed development is described in the application as comprising a new electricity substation and Overton together with new overhead lines of 400 kV and 275 kV and cable sealing and compounds. Also included as the removal of existing 275 KV overhead line the realignment and refurbishment and existing overhead line in the areas of northwest of York Poppleton Tadcaster and monk fryston. Two new sic cable sealing and compounds are proposed at Tadcaster, along with a new electricity substation at monk fryston. And realignment of 275 kV and 400 KV overhead lines in that location. The planning inspectorates case manager for this application is Sean Evans. Hopefully many of you in the room will have met her this morning. She's being supported this morning by Caroline hope. Well, Jennifer Savage is our colleague supporting remotely. So please don't hesitate to talk to any member of the case team if you need help to today's event or with the technology. I will run through a couple of housekeeping points before we go any further for those attending in person. Please set all phones and devices to silent and I'm going to apply my own advice right now because I haven't done that. Now I have. So we don't want to be interrupted by technology. So please keep interruptions to a minimum. The toilets that you've probably found that that is located out beyond the entrance lobby and past the

main doors and they're signposted. We're not aware of any fire alarm tests today. So if there was an alarm, then we need to exit back through the main reception and gather in the carpark we know there is a fire alarm test plan for tomorrow at 1pm. We we don't expect to be sitting at that point. So hopefully, we won't that won't affect us our sessions. A few other preliminary matters before we move into the substance of today's agenda. The hearing is being taken in a high undertaken in a hybrid way, which means that some present participants are present here with us at the venue and some are joining us virtually on teams. And we'll make sure that however you've decided to attend today you'll be given a fair opportunity to participate. And for those of you I know some from the council's you have some people who are present in the room and some who are remote, you could just tell us when to bring people in if that's the most straightforward way. If you are participating virtually and you wish to speak at any point in the proceedings, because you use the raised hand function or just switch your camera on either way will then hopefully be able to bring you in at the appropriate time. The hearing is being both live streamed and recorded and the recording will be made available on the Yorkshire green webpage for the benefit of the recording, then Could everybody present please make sure you speak clearly into a microphone that does involve getting uncomfortably close to a microphone, please. And when you speak the first time please make sure you introduce yourself by name for the benefit of the recording. It really helps us when it comes to reporting to make sure we know who's speaking at every given time. If you're observing or participating remotely, could you just in order to minimize any background noise make sure that you stay muted unless you're speaking please. We provided a link to our privacy notice in the notification for this hearing which we'll assume everybody's read, which just establishes how we use personal data. Please speak to the case study. If you've got any questions about that is the main messages it's very unlikely believe that the panel will ask you to put any sensitive or personal information into the public domain. And we would encourage you not to do that. However, we will be talking about specific locations in the course of today's hearing. And if you feel it's necessary to refer to particular locations, then we will help you to keep personal data out of the public domain because we will have to have that redacted, redacted from the recording if it enters the public domain. Again, if you need advice about this and speak to the case team in terms of the agenda, so we we started our examination of this application on the 22nd of March two months ago. It's a maximum six month examination period. So this is the second set of hearings that we've held. Today's hearing deals with matters relating to the proposed developments effects on the Greenbelt, other environmental effects and construction matters. And we've reserved all day today and tomorrow morning, if that's required to cover those matters. Tomorrow afternoon, starting at 2pm, we will hold a compulsory acquisition hearing, which is to deal with compulsory acquisition and temporary possession matters. And then finally, on Friday morning, starting at 10am, we will hold your further issue specific hearing on the draft development consent order. We held an accompany to site inspection yesterday, which was really useful day. And we will return in a moment some of our observations from that inspection. And so our agenda for today follows document we put out on the 15th of May, which is a multi page agenda. The reason it's so detailed as we wanted to make sure we had the right people in the room because it helps to focus minds and keep us to time. If you have a copy of that in front of you would help if anyone needs a copy. I know we have some spare. So again, please make yourself known to the case team if you need a copy of the agenda. We we this is for guidance only. And we might we may change the order as we go through and there may be items on that agenda that we don't need to cover in much detail today. Because we've we've found answers or we've seen things on site that's that have assisted in terms of the running order today, we plan to break for lunch around 1pm. We'll take a short break mid

morning and mid afternoon. And we will aim to finish for the day at around 5pm. And when we take breaks for the benefit of those joining us virtually please make sure you keep your cameras and microphones off during the breaks. Thank you. We will conclude the hearing as soon as we've received all the relevant contributions. If the discussions can't be concluded, because time gets too tight, then we may be necessary for us to prioritize matters and to defer some things to written questions. And we have the opportunity to put those out in a few weeks time. Likewise, if you can't answer any of the questions that we're asking today, either because the right person isn't here where you can't you don't have an answer to hand, then we might ask you just to put those in writing for deadline for which is the sixth of June for memory. I'm now going to hand over to Mrs. Ms. Coombs, who's going to ask our participants to introduce themselves.

07:57

Thank you Miss powers. I'm not going to ask those of you who are participating today. To introduce yourselves Could you introduce yourself stating your name and who you represent and please let us know which agenda item or items that you wish to speak on. If you're not representing an organization, please just confirm your name, summarize your interest in the application and confirm the agenda item upon which you wish to speak. We'll start with the applicant and its advisors first and if we could hear from whomever will lead the submissions today and any others who might make regular contributions.

08:33

Good morning, Richard Turney counsel instructed by Womble bond Dickinson on behalf of the applicant. I'm going to be leading the discussion. I'm joined by Mr. Charles Bishop, also of counsel who is assisting me and then I'll get the people who are going to speak on the first few agenda items to introduce themselves. We're going to have to change the people on the front row during the course of today.

09:05

Bethany Kingston consents office of national COVID and I'll be contributing to agenda item three.

09:15

Good morning, Steve Fowler National Grid. I'll be contributing on most of the agenda items today.

09:23

Good morning. My name is Edward Parnell. I am a associate at ws P consultancy. And I'm speaking on behalf of National Grid today. I was responsible for writing the planning statement. And I'll be talking about or speaking to agenda item for today. Thank you. Good morning. It's Neil Ferber from Haiti UK. I'm a landscape architect acting for the applicant. And I'll be speaking with regard to Glascott matters on agenda item five

10:00

That's all for the time being. Thank you. Though if we can move to others in the room I'll turn to North Yorkshire Council man.

10:13

Good morning. My name is Michael Reynolds Senior Policy Officer at North Yorkshire Council. Also in the room we have Fiona Elwood, principal Planning Officer attending virtually those Tim John's landscape architect against Item five, Giulia Casterton. And spell ecologist to speak against item seven. All Robert senior highway engineer to speak if needed against item 11. And Jack Harper, senior environmental health officer to speak against Item nine.

10:50

Thank you very much. I'm so just moving around the table Mr. Fletcher.

10:57

ESCA morning, Douglas Fletcher, resident of Lumbee and found a member of planet which is protected lumber against new environmental threats on discuss construction matters.

11:08

Thank you very much. And Mr. Stevenson.

11:11

Hello, Edward Stevens. Stevens LLP. I'm representing Pamela husband Julie's Paul Ballmer of *REDACTED* and the ROB family of Newlands farm.

11:22

Thank you very much. To anybody else in the room who wishes to speak during the hearing. I'm not seeing any hands up. So I'll turn to the virtual representatives now. So I think we have Mr. Baldry from city of York Council.

11:46

Yes, good morning. Mark Baldry development project senior officer at city council and I'm here to cover most of the agenda item direct and assist today.

11:59

Thank you, Mr. boardroom. And Ms. White from Leeds City Council.

12:08

Good morning. My name is Louise White. I'm a senior manager at least it Council. I am here to talk about various agenda items, which in particular, our agenda item for vibey to nine, a one, a nine C one C. Thank you.

12:33

Thank you very much. And I did have the North Yorkshire maybe we can ask the North Yorkshire school staff be present at the moment on the virtual link. Just so we can see their faces. Perhaps I'll see if they're available or not. And if they're not, it doesn't matter, because you've helpfully told us who will be speaking on which point so I have Mr. Roberts. The highways? No, perhaps not yet. Because that's later on the agenda. Miss caston? Principal ecologist. Morning Julia Casterton. Principal ecologist North Yorkshire Council. Thank you very much. Mr. Hopper. Environmental Health. Yes. Good morning.

Jack Harper. Environmental Health North Yorkshire Council. Thank you, Mr. Jones. Good morning, Tim. John's North Yorkshire counselor, Landscape Architect. Thank you Mr. Brown.

13:43

Good morning, Simon brown spatial planning manager from national highways.

13:47

Thank you very much. I'm so now turning to the Yorkshire Wildlife Trust and Miss Ellis.

13:57

Hi, Chloe Ellis representing Yorkshire Wildlife Trust. speaking against item seven. Thank you. And Mr. Kauravas. Hello, hello, Stuart Crothers. I'm representing Mr. Mrs. Cleary. Mr. Mrs. Cleary. Mr. And Mrs. Monken. Mr. And Mrs. Mongan. Mr. And Mrs. Mongan, Mr. Court, Mr. Mrs. Callie, Mr. And Mrs. Quinn. Mr. And Mrs. dundun. Mr. And Mrs. dundun and Mr. And Mrs. Collins, who are living on the traveler site.

14:34

Thank you very much.

14:37

I'm just observing at the moment.

14:40

i Yes. And I think we might have some questions for you later, Mr. Carruthers, so we'll bring you in when when that's appropriate. But thank you for attending.

14:48

No, no problem. For your information. They've just started resubmitting their planning applications to North Yorkshire.

14:57

Fine, thank you and I think finally Mr. Wait on behalf of Mr. Ingram

15:08

Mr. Wait here possibly not. Well, we met Mr. Bingham on site yesterday so I yeah, I'm having confirmation he's not here yet. So we'll cover items in a different way if he doesn't arrive later in the agenda and the Environment Agency

15:32

Good morning mustl Wilcox from the Environment Agency participate avec required around items seven a and Agenda Item eight.

15:43

Thank you. So anyone else who is there virtually who I haven't mentioned and asked to introduce themselves. Not seeing any. I've just had a note to say that Mr. Weight has confirmed he's only attending the compulsory acquisition hearing. So that is, we'll see him tomorrow afternoon. Um, so to all of our participants, as Miss Power said, it's, for the purposes of the recording, it's enormously beneficial if you could each time you speak, you can say your name, and who you're representing that just helps in terms of reporting later. So I'll now hand back to miss powers who will cover item two of our agenda? Thank you, Miss

16:29

Coombs. Okay, this is a brief one, but just to mention, so that we are holding this hearing to examine some of the matters that our reading and our site visits to date have indicated require scrutiny in a hearing format. That might be because there are areas of disagreement between the applicant and other parties on a topic or because there is a matter that we need to explore with the parties in order to satisfy ourselves that the relevant policy and legislative tests have been met. There are a number of topics that and themes that will not be covered in in the hearings over the next couple of days. That doesn't mean that we're not examining those matters, it just means that the topics that we deem at the moment can be dealt with primarily through written questions and submissions, and I would flag socio economic effects and historic environment as to such topics. There's also time reserved in July for any further issues specific hearings that we deem may be necessary. Our current view is that it may be possible to undertake any hearings in July in a fully virtual manner. So that would mean there would be no in person event. And we would just hold it via teams in the way that those joining us virtually today. But we will have to see how this week goes. And then we'll make a final decision about that format at the end of this week. The objective of this hearing is for us to explore the party's positions on certain issues and to understand the prospects of agreement on outstanding matters. Where disagreement remains at the end of the examination, we need to ensure that we have all of the evidence to enable us to adjudicate on those issues and to make a reasoned recommendation to the Secretary of State. This hearing will focus on effects of the proposed development where controls may need to put in place through the development consent order in order to mitigate those effects. We will need to pick those matters up again on Friday when we considered the draft development consent order. And finally, just a point on current conduct. So questioning issue specific hearings is led by the examining authority. This ensures that we're able to obtain the evidence that we need in order to make our recommendation. It doesn't assist us to have parties asking questions of each other across the table. If that happens, we will intervene. But if you have matters that you wish to raise with other parties around the table, then please raise them with us. And we will put the questions if relevant. Does anybody have any questions on any of those points that I've just made either in the room or virtually? I'm not seeing any indication. So in that case, we'll move straight on to Item three, item three on our agenda. It was a map an ability for us to pick up any matters coming out of the accompany site inspection because obviously we can't discuss merits on the site inspection. And so there were that we saw so much yesterday. It was really helpful day and thank you to national grid for such excellent organization because it really was a an excellent itinerary that was obviously well thought through. So it meant we saw an awful lot in one long day. So thank you. Also, thank you to the interested parties who gave quite a bit of their time, especially while actually all parts of the day to show us the points they were wishing to make. We have a few follow up points we just wanted to raise some of it's just signposting to where we're going to deal with things. Firstly, just to note in relation to the travelers site at the junction of the A one M and the a 63.

We met helpfully the enforcement officers from the north from North Yorkshire Council, we were advised that what we saw on site in terms of occupancy was probably slightly lower than is typical because some of the residents may be already on their way to attend the Appleby horse fair. And so just to note that we've had regard to that in terms of considering what we saw on site so we're factoring that in terms of the number of caravans and vehicles on site etc. In relation to Newlands farm, we saw sites requested in the written submissions there from Mr. Stevenson on behalf of Mr. Rabb. Just to note that in terms of where matters their claim related to the acquisition of land or rights, they will be dealt with at the compulsory acquisition hearing tomorrow afternoon, where they relate to health effects or transport access highways matters, they will be dealt with under the relevant items during today's and tomorrow morning's agenda, and matters relating to the effects on farming operations in a more kind of socio economic angle. So in terms of how they might affect the business operations, we will deal with those in written questions which will follow up to the hearings. The same is true of the matters raised by Mr. Blacker, who I know is not here today, but who showed us around the land in the vicinity of proposed pylon SP 005. Yesterday, we discussed on site the fact that you weren't going to be here and that we may ask any questions in writing about the potential effects on farming operations that won't be covered in hearings. When we're at the Tadcaster tea site, Mr. Fowler mentioned that discussions were underway regarding the potential to reorientate and slightly move the Western ceiling and compound. So just to record in this forum, that we were told that, and also just to mention, again, we will pick this up on in Ch one tomorrow afternoon is because it's a land matter, really. We visited Woodstock lodge the wedding and events venue and we were showing the location of some potential off site landscaping works. We will we may return to this under on Friday and issue specific hearing three in terms of side agreements, etc. Because we well, maybe it'd be helpful to have a brief update now from the applicant in terms of where discussions are. It was it was alluded to, but it wasn't really in this forum just to say, Where are the discussions on that planting, but seems to have been at the hearing agreement? Would it be possible to pick that out now? Miss Kington? Yeah,

22:13

yep. Bethany thinks in consensus for national grid. So we've been liaising with the owners of the venue. We've agreed a landscaping scheme. They're happy with what the proposed. So the next stage is to get a meeting, probably an in person meeting and a diary with them, and discuss how that will be implemented. And and when

22:39

they came. And we saw on site, the application of that potential planting, which was helpful. I think we won't go any further here. But we may come back to it on an industry specific hearing three. Okay. Thank you. And then we had a couple of specific questions of clarification, which arose from our final stop yesterday afternoon. I want to be clear about the firstly, about the way we're referring to the cottages there, because we've heard it and I think for at least three different iterations. So I've got on my notes, one and two skeleton springs, which is where we went down to yesterday. Okay, that's fine. And that's noted in our itinerary of where we were visiting. So that's in the public domain and fine. I know he's also been referred to as new farm cottages and of new spring. I think another I think we had another iteration from you this morning. Actually, Mr. Steven Simoni introduced us to

23:31

it a scalpel springs out of spring cost us

23:32

Excellent. Okay, a couple of points of clarification from the applicant, if we could. There was quite a, we looked at a hedge row at the access point between the A 19 and access to those that the farm and the properties down that in that area. The removal of that hedge row I think that we have a plan, which shows it quite clearly, which I think is the trees and hedgerows potentially affected plan, which I have as a PPS 051. And it's usually that one off the top of your head, but it's Section B sheet five of three or five, which is so for the for the benefit of Mr. Stevenson and his clients yesterday, there was a bit of confusion about which plan showed that and if a plan did, my understanding is that's the plan. could you just clarify that's the case. Mr. Fowler spoof on us good. Yes, that's correct. And that plan shows removal of the hedge row down to the extent of the farm. The larger farm buildings at the end of there, Mr. Stevenson

24:38

just Can you just say that reference again? Yes,

24:40

there's a p P dash 051. So it's just the Section B of the plans, which are called tree and hedgerows potentially affected plan. And it's sheet three of five. And you'll see you should see it marked on there. So that's just a point of clarification.

25:03

We were shown two alternative access points for tower, SP 005. They were suggested by affected persons. We will come back to this under ch one again. But Mr. Gibbs you want to pick up now the question about the undergrounding.

25:21

Yeah, we just weren't clear that if either of those two alternative accesses were to be used, then would the undergrounding at U four be necessary?

25:33

Steve file ash grid? No, we wouldn't need to underground that if we use the alternatives.

25:37

Thank you. That's all we needed clarifying at the moment.

25:42

Thank you. There was another point of clarification relation to vehicle movements. Mr. Jones, we tend to pick that one up. Yes.

25:50

Thank you Miss powers. Yes. I'd just like to get to the bottom of what is meant by vehicle movements. Because when we were at skeleton springs cottages yesterday, I think Mr. Farley said 68 movements.

So I said is that 34 in 34? Out? And he said, No, I think it was 68. It might have been slightly different. But you said no, it's double that it's 100. And whenever that will be 136 movements in total. So just really want to get to the bottom of what is a vehicle movement, because in your response to x q1, when I asked this rep 203 He just says a journey between an origin and a destination point on the local or strategic highway network is referred to either as a vehicle movement or vehicle trips was just is say 10 vehicle movements is that five in and five out was that 10 In and 10 out just so we're all you know, playing you know, singing from the same hymn sheet if you like and we all know what we're on about.

26:48

Steve Fowler's got apologies on site yesterday that was an error the 68 movements are in sir in and out so be 34 and 34 out so it is total number of movements, as mentioned in the traffic movers spreadsheet,

27:03

okay. So 68 movements would be for example, 34 and 34 says total maintenance. Okay, thank you.

27:12

Thank you very much. We are fired an awful lot of questions that yesterday Mr. Fowler, and you did a brilliant job of answering many of them. So thank you. The final one was just about the visual effects on the residents in that area. We were shown a couple of annotated plans by Miss husband and Miss eaves. They are plans that we don't have an examination yet. So we do need them submitted in so that everybody has an opportunity to see them. We don't need them shared today as such, but you've got them that's perfect. Ideally, they would be submitted electronically, a deadline for you got on the ability to copy them and or scan them somehow and get them into us by him. Thank you very much. So if that comes in at deadline for then everybody will have the opportunity to respond. And if the applicant wishes to make any comments then by deadline five that is the place to do that. And we will come back to the actual effects under landscape and visual under item five see today. Without delving into lots of detail about yesterday it does anybody else have any comments they'd like to map raise under this item. Mr. Stevenson?

28:17

Thank you, Adam Stevenson, skilled skeleton springs. I don't know whether it's the right time on the agenda to raise this. But I I want to explore vehicle movements in a bit more detail in the light of what came out of the site inspection yesterday, because there was a lot of information was given to us yesterday, and my clients, which unfortunately never been given to us before.

28:43

Perfect. Okay, well, we've got item 11. B, would you say is the most appropriate place, Mr. Jones, item 11. It will bring you in there. Okay.

28:52

I can just clarify on one point that you refer to on the ramps, please. Yes. Is that regarding the effects on the actual farming business? Yes, you're going to put questions to us. That's right. And then we'll respond.

29:04

Absolutely. There's, there's time in our timetable for some written questions to come from us on or before the 20th of June. So that would be the date by which we will put questions out. And then you'll have a deadline around three weeks later by which to respond. Or they look out. If you're getting email alerts from our website. That's the best way to know when we put things out. So if you don't know how to do that, ask the case team because they'll show it to us. So you don't have to be watching our website closely to see what happens you'll get an email alert when something happens. So

29:31

very kindly put me on the alerts already. Thank you very much. Thank

29:34

you. So look out for on the 20th of June. Thank you anything else arising from yesterday that anyone would like to raise? Okay. In that case, we'll plow on. We've got on the agenda there. Just we wanted to pick up a couple of matters because it has been a while since we've been in a hearing situation. And we've had a few rounds three rounds of submissions since the last time we met. The next one is about statements of common unground firstly, on the general status of that seems a common ground, we're finding the statement of commonality from the applicant really useful documents. So thank you very much for presenting it the information in that way. It's really useful version, we've read deadline, the deadline, three versions of that's very helpful. We note that some of the statements of common ground on now final signed versions, the remainder are signed drafts and a couple of agreed drafts, which I think is Environment Agency and Historic England. So just a reminder that we do need to sign stems with common grounds by the time we close in order to give them the full weight we need both parties to assign to those where they're agreed or not signed to just be aware that we need to get to a point even if they're still not fully agreed that they already signed so that we know that both parties agreed to the content. Okay.

30:49

If I understand, right, yeah. Going down, dated, please.

30:54

Historic England statement of common ground, just a quick one on this. We've noted that a deadline to Historic England have said they're basically content with the post development, the statement of commonality deadline three indicates that's agreed, but it's not signed by again by Historic England. So I wanted to clarify with the applicant, whether you plan to submit any update the deadline, one statement of common ground with Historic England or whether you consider that that's a completed piece of work.

31:22

Personally, Kingston national grid. So Historic England consider that they don't need to sign it because they've confirmed to you that they're happy with all the contents, I think the reason is they would have to go via their legal team, and they just don't think it's necessary. So it was our view that we can leave it

as it is with the email confirmation that they're happy with it and not push them to sign it. Okay. Unless you,

31:46

I think, ideally, would be signed, if you can, okay. Yeah, thank you. There's that deadline, one version also contains, it's got an appendix hasn't it with, with some submissions from Historic Environment, Historic England, which I think are submissions they made to you, and which sort of support what was in the statement of common ground. Just to note, we don't have those comments in any other, we don't otherwise have them in the examination library. So we'd prefer they don't get lost. So if you're finalizing that statement of common ground and managing to get a signed version, please keep those in there. Otherwise, we will lose them. And so it's useful to have the details. And then briefly, on the Environment Agency statement of common ground, we had a draft at deadline one. We note in the statement of commonality that you've had comments from the Environment Agency at deadline two but we haven't had an updated statement of common ground at deadline three. So just wanted to confirm or you still walk working towards final statement of common ground with the Environment Agency?

32:48

FS Nick international good. Yep. So Mark has moved on quite a bit with the Environment Agency. There's still a couple of matters outstanding. But we're fairly confident we can resolve those. And we'll be submitting an updated version at deadline five.

33:04

Excellent, thank you. Lovely. The next matter we had on our agenda was just about the environmental statement updates. So we've had since our last hearings, a number of updates being made to the submitted environmental statement. In some cases, and applicant would do this by submitting revised or updated versions of ES chapters into the examination. But in this case, the applicant has not directly revised any of the ES chapters, but instead is used agenda and a router documents to record the updates. And we note that the draft development consent order now defines the ES by reference to those who it expands the definition of the ES which is which is logical. Could you just explain, though, please, to the applicant, the reason for taking this approach to updating the environmental statement rather than revising the chapters themselves.

34:00

Breach attorney for the applicant? Yes, we thought that in the circumstances, given the nature of the updates and information that has been provided that rewriting and reissuing the environmental statement would be disproportionate and it's easier to see those changes in a separate document. Just very briefly, the sets of submissions are, as you've noted, some irata. Both that deadline one and deadline, three. So that's minor errors and omissions that we've spotted in the environmental statement. So it's just to have those together. And the deadline three submission is a consolidated version of those. So you don't need to go back to the deadline one submission. And then there's the addendum that we submit the deadline. On which I think we'll come on to anywhere in the landscape visual section, which is in respect of the traveler site. And then a deadline, three of part two of the addendum, which is updating some of the information from updated surveys on bat surveys and some further hedge surveys, and updating the cumulative effects assessment to reflect recent applications.

So, effectively by expanding that definition in the in the DCO draft ECA, we're able to incorporate all of those documents. And rather than reissuing those chapters and creating another round of substantial documents, we've taken the more focused approach to providing those updates, which is consistent with the regulations, I think either would be acceptable at this stage in the in the process under the regulations, but we thought it's the more efficient way to deal with it.

35:57

Okay. And that's the way you could plan to continue dealing with it as we go forward. Yes, that's

36:01

right. If we, if there are further, Eros, or I don't know if there are at the moment, but if if there are we'll issue reissue those, and obviously, we can provide a consolidated sheet of a router. But we'll identify clearly what was being added to

36:18

the consolidated, right and really help so that we're capturing things as we go on. We may need to think about whether there's a way of bringing together all of the attendance then there at the end, I don't know, if there's what we're thinking about is that when it comes to implementing the DCO. And for example, when the council's are discharging requirements, they in some cases are going to need to go back to the environmental statement, then also going to need to look at some irata document that corrects the environmental statement. And they may also need to look at a dender that updates the ETs and that's there's more of a paper trail there than there would be if it was just a straightforward update to the chapters. I don't know if you have to comment on that. Before I open up to the council's

37:00

registering for the outcome. I see the points. And I think what we probably need to think about is how do we make sure that there's a sort of single reference point, obviously, the router, we've already done that by producing the consolidation, a deadline array, and we'll do the same again. But I take the point that now we've got to a dender. So we want to make sure that those are all in a single place. But we take that to work out how best to do it. Yeah, let's say we've got the definition. So that is a sub legal gap. But it sounds like it's more practical issue that might arise for the local authorities. I

37:34

think so thank you, does it do it? The council's wish to come in at all on this point. Firstly, ask the those in the room. Thank you,

37:42

Michael Reynolds NYC. I think the approach taken in terms of amendments. Anytime we can have less pain to go through that is always welcome. So the approach taken during the examination is fine. I think we will just comment on anything. In terms of discharging requirements. This is again, of course the simpler, simpler way the one document that will be that will be better, but we can comment on that. And I'll discuss it as it goes on.

38:11

Thank you. And does anybody from Leeds City or city of York wish to come in on this point? Hello, as white lady to counsel.

38:22

I agree completely with Mr. Reynolds. Thank you.

38:27

Thank you. I would

38:29

like to have your counsel, again, echo the comments from Michael at North Yorkshire. You know, the consolidation or sort of limiting of the amount and volume of documents and paper will be welcomed.

38:45

Thank you. I think also we're conscious that sometime could it I know it's not planned to do but time could elapsed a number of months and even years could elapsed between the de su being made and then those documents being used for the discharge of requirements. So it's just about you know, staff people change people you understand things now may not be there anymore. And just making that absolutely clear. That's it sounds like the applicants taken going to take that away as an action. And to have a look at that. In cross checking the raw data against the original chapters and appendices. We've identified a few minor inconsistencies, we're not going to go through them in detail right now. But what I think we will probably do is just append a couple of bullet points to our action point list today that will just point out things that we've spotted so that maybe if you are doing a future Writer document, you could just correct those. That'd be very helpful.

39:38

Okay, I'm very conscious that we are I don't want to take too much time before we get into the matters that we've got other people here out there wanting to talk about effects as well. So we've got policy on our agenda here. And I think what we wanted to flag was that I think it was the day after our first written questions went out. We had the suite of revised draft national policy statements And the powering up Britain policy bundle published by the government. And we note that the MPs is our consultation drafts at the moment. So they don't carry the weight of designated national policy statements, but they could be important and relevant considerations for the purposes of our recommendation. I'm not going to ask for details submissions today. But I will ask that the applicant follows up in writing as opposed to hearing submission, if you would, a statement about any implications that you think there might be for the proposed development? Particularly maybe if that relates to the need case. But we do also have a specific just a specific question, which was relates to the new term of critical national pirate priority in draft en one and en five, which refers to also em three, which is talks about infrastructure that receives a certain status under those revised MPs. And I just wondered whether the applicant consider that the proposal element falls within the definition of a crisp, critical national priority. Infrastructure. Are you able to take that today or pull off and writing?

41:17

Rich Tony, for the applicant? I think we'll follow up on writing on those points. Thank you. I think just sort of key headline points, we have reviewed the new suite of compensation drafts, ensure there's not anything that sort of changes our position in terms of what we've said in the planning statement substance. But there are different points of emphasis that we might want to draw out. So we're happy to provide an update a written update after the hearing. And we can we can pick up their their specific question about whether we fall within that likely fall within that category. But obviously, this examination remains under the adopted MPSS.

42:06

Thank you must pass. I wonder if we just mentioned that we're assuming that any actions will be for deadline for unless we suggest otherwise? Or unless somebody says they can't do it by deadline for

42:18

registering for the African ungrateful, I might resign deadline five quite often. But we'll do that deadline for we're ready to do that. Thank

42:24

you. Thank you. And I will, we should have said at the beginning we I'm keeping a list of actions so that we will publish that after today. And we will include in there also an invitation for any other parties who wish to make any comments on the matter of the relevance of that powering up Britain bundle and the draft national policy statement. So there will be the opportunity for anybody who wishes to to comment on that. Did that does anybody here today wish to raise anything under either of those policy matters? I'm seeing no indications. Okay. In that case, unless there's anything else under item three, I'm going to suggest that we go on to look at Greenbelt. Excellent. So item four deals with Greenbelt matters.

43:19

Sorry, receiving message from the tasting rural good. So the proposed development will be cited would be cited partly within the green belts of both York and Leeds. And we know from written submissions to date, there are points of disagreement between the applicant and two of the councils, North Yorkshire and city of York about the applicants assessment of effects on the to greenbelts. We've asked some written questions on this topic. And we've read the responses to those questions, as well as the counselors position set out in their local impact reports and the applicants rationale satire in its planning statement. Our focus this morning is firstly to just get some further clarity about the differences between the parties. And secondly, to understand whether there's any scope for movement towards agreement on these matters. And night before we proceed any further, could I just check with the applicant? Is there any further update on agreement on Greenbelt matters since deadline three or just the position remain broadly the same

44:13

bridge attorney for the applicant? I think really broadly the same. It's a matter that we're continuing to discuss. But I think there's a difference between us that that we don't see being resolved at this stage.

44:23

That's fine. Thank you. That's that's the way we'd understood things. Small administrative point, do we have a plan somewhere in our many documents that shows both the green belts with the order limits overlaid? In the planning statement? We've got the study area overlaid but not the audit limits is there. I don't know whether you can point us anywhere else.

44:49

It would pan out p&l For National Grid. I think we'll need to check if we've overlaid it with the order limits. You're quite right in the planning statement we show the location of the New York Greenbelt, and the Leeds Greenbelt. And I'm just scrolling through now you're quite right, we show the study area rather than the order limit so we can engage, furnishing,

45:14

thank you. If there's, if there isn't one somewhere that you can point us to, then please submit one, it's if nothing else for the purposes of our reporting, but also from case anybody else needs to fully understand, which works for where. So green belt is a policy matter. So we do need to be fairly forensic and looking at the tests. So those who aren't here to talk about Greenbelt this morning, please bear with us, I promise, we won't be. Things won't be quite so dry as we move through the rest of our agenda. But we do need to work through things here because we need to be absolutely clear where everyone stands. I'm going to suggest we deal with Leeds City Council's position first and then moved on to look at North Yorkshire Council and the city of York together because there are some synergies that to some extent, so Miss White, if you're able to come on screen. Lovely. Thank you very much. So in terms of the Leeds position, obviously, we saw yesterday as well, the where the where the beginning of the Leeds City Council administrative areas. So we've got a very clear understanding of which parts of the proposed development fall within your administrative administrative area. So only we conducting works and the associated development would take place within the Greenbelt in the lead administrative area. And our understanding is that Leeds City Council doesn't have any, in principle objections to the applicants approach to assessing the effects on the Greenbelt, is that fair characteristic characterization of your position? Miss White,

46:39

it is yes, the exists, the pylons, and the overhead lines already exist. And given that it's just replacement of those lines, and then retention in works, we don't think that would have any additional impact on the Greenbelt. Certainly not any tangible effects of significance. I think the only disturbance, the only area where harm may arise would be that temporary disturbance through the construction activity. But I think that's tempered with the temporary nature of the development. And the physical impacts can be reversed. Plus, we've got embedded mitigation to reduce harm wherever possible. So I think we're reasonably happy with that. Just to add, it is our view that that harm I've just identified would in any event be outweighed by the very special circumstances put forward by the applicant. Given that it appears the scheme is of national importance. Thank you.

47:39

Thank you very much. That reflects everything we've read from your position. You do in your local impact report, you do refer to the kind of the permanent or some drilling in the background? I think that's not loving the people on the Can you hear that virtually Miss White? Oh, you're right, then. You

refer to also, you said, you say no, no greater effects on the Greenbelt than the existing infrastructure other than for where proposed works are required to provide permanent or temporary highway infrastructure or mitigation. I think you've just explained that. So what I mean, what we're really looking at there is a creation of some bell mouse on the on the off the ad, I think it's a 169. No, that's maybe not the right. It's fine. A 659. Is there anything else you wanted to flag in terms of actual work proposed works that might, that you that might affect Greenbelt?

48:33

I'm not particularly given their temporary nature, add a doubt in the overall scheme of works proposed under this that the elements which are proposed to take place in the Leeds district would take place for very long. Obviously, the major work, the physical works, in essence, are located outside Leeds. So I defer the comment on that to my other colleagues.

48:58

Thank you. That's understood. And you've mentioned already very special circumstances. That's very clear. So we won't go any further on there. Before we finish with you, Miss White on this point, does the applicant wish to come back on any of the leads points?

49:12

reached any for the outcome? No, that's very helpful clarification.

49:15

Thank you. Thank you, Miss White. Okay, so turning then to North Yorkshire in the city of York, where there appears to be a larger space between the position that you take and the applicants with regard to the assessment of effects on the Greenbelt? Firstly, a point of clarification, Mr. Reynolds, if I could in terms of what we have from North Yorkshire Council, we have a very helpful response to one of our written questions. But it does state that the response is provided on behalf of the Selby planning area, which obviously covers the southern portion of the scheme falling within the Leeds Greenbelt. So that's monk fryston substation and the tadka opposite Tadcaster. And, but it's, there are obviously lots of other elements that fall within the York Greenbelt such as Overton substation the shed actin Stiliyan compounds, which will be the former Hamilton and Harrogate areas. So just wants to be clear. Do your comments apply equally across the whole of the North Yorkshire district?

50:14

Michael Reynolds NYC? No, they don't. We had represent well, internal representations, I suppose from our officers at what, previous how I got into Humboldt and districts to say that they were not there, those concerns didn't apply to them.

50:31

Okay. Thank you. We'll see how we go then, because we'll see how we go when we ask some other questions on this. Okay.

50:47

So we're clear that the two councils do not agree with aspects of the applicants approach to assessing the effects on Greenbelt. So we're just going to explore some of the specific areas of disagreement, the first we are going to get into the detail of the MPP F briefly. So the first is regarding the the definition of the engineering operations. So in terms of the applicants position, our understanding is that the applicant considers the entirety of the proposed development reconstitute engineering operations in the in the sentence of paragraph 150 of the NPPF. So that's not to say that the applicant is arguing that everybody and everything in the proposed works would benefit from the exception in paragraph 150. But you but we will come on to talk about that. But at the moment, just to understand I'm getting a nod from Mr. Purcell, but upon now sorry. But yeah, that's that's your position? Is it? Pulling off National Grid? Yes. Thank you very much. We've read the justification for that position. Just like to explore it a little on the so on the substations in particular, could you explain the rationale for treating the substations and here we're only talking about monk fryston and Overton because Oswald wick is not within the Greenbelt. Could you explain the rationale for treating those substations as engineering operations?

52:03

Over personnel from National Grid, they are an engineering operation in the sense that they are carried out by engineers. They are a technical structure designed by electrical specialists. And in our view, they fall under paragraph 150. B as being an engineering operation.

52:32

Thank you, is there any case law or precedent for dealing with substations as engineering operations? Has it? Is it an approach to the national grids taken elsewhere? For example, that you're aware of? If it's not something you can answer now we can take that to an action point.

52:49

Registered if the applicant it's certainly an approach that national grid has taken elsewhere. But whether it's an approach that finds endorsements in an inspectors decision, or in a court hearing, there is some learning on this. But perhaps we'll take that away and put in a written note, to set out if there is any specifics, we want you to refer to thank you.

53:21

I'm going to ask the same question about the ceiling and compounds. So again, just briefly, the rationale for treating them I'm I'm assuming you're going to say the same thing, as you said for the substations over off national. Yes,

53:31

I would repeat the same point.

53:32

In that case, I'm going to ask you to do the same exercise in terms of any case law precedent, it doesn't necessarily need to be inspected decision, but you know, any anywhere where it's been accepted that those sort of scale of operation as well, can be and has been dealt with as inappropriate as engineering operations. To the city of York, then Mr. Baldry your local impact report states that you agree with the

applicant's approach of considering everything as engineering operations. And so just to clarify that you're just to clarify, that's actually your your position.

54:05

Yes. Yeah, it is. Yeah, we concur that the proposals are will generally be engineering operations, I think the differences, we have a sort of the openness aspect.

54:21

That's that we'll come back to that in a moment. Thank you. And so then moving to North Yorkshire Council, the position is a bit more nuanced and I'm and it's even more nuanced if there's a geographical divide. area. But on the basis of what we've had for the Selby planning area, let's just work on that basis for the moment. You've listed in your response to some of our written questions, elements of the scheme that are considered to be structures such as pylons, buildings, enclosures, fencing, etc, that you say just can't benefit from the exceptions in either para 149 or the definition of engineering operations. In parallel 150. So just for the avoidance of doubt, is it your position that some elements of the proposed development should not be treated as engineering operations?

55:11

I generally would turn from North Yorkshire Council, that that is the case. I think we we responded to this in the answer to your questions. And I think it depends on you taking the project together as a whole, or its component parts. And there are clearly some very specific component parts such as the monk fryston station, and the monk fryston. Station is it's a change of use of land. And it's also it involves new buildings, it's got there's quite a large control building on there, which is clearly just a very large building. And there's also a lot of equipment and structures. So we feel that doesn't benefit from from the 11415, OPPO referred it before was in wonderful nine.

56:02

Thank you. And so you've you've flagged that that the monkfruit price and substation I think I did I'd run quickly through other elements of the scheme. So to say anything else you'd fall out think would fall outside in terms of the cable ceiling and compounds? Would you say that that falls into the same category? Or would be something that could be engineering?

56:26

I think they would also fall within 149? I think they're they're not these exclusively an engineering operation. There are structures and development going on there.

56:41

Okay. I won't ask you about Ovid at the moment. So I think that's going to complicate things for the moment. In terms of new overhead lines, so we've also got some sections, are we conducting some completely new overhead line? Yeah, I my understanding from your submissions, is that for the conductors, your content, that could be engineering operations, but for the pylons, you're not? Is that correct?

57:04

I think for the new pylon. Yeah, yeah, we're not.

57:09

And I note that underground works, mainly you've been satisfied are can be considered as engineering operations, such as things like utility undergrounding, which I understand. Can I ask about temporary construction compounds?

57:25

I think they also would not necessarily benefit from being entirely engineering operations, because they would, even though it's on a temporary basis, this there may well be buildings in use of land, which would fall within the different categories. Okay.

57:46

Thank you. And then in terms of existing work, existing lines that would be conducted. My understanding is that you're more comfortable with those. Is that correct?

57:55

I think the just the replacement of existing line Yep. We an engineering operation modern the replace in the sense similarly with the replacement of the existing pylons. Okay.

58:05

The modern mesh is mainly modifications to pite. Yes. Okay. That's very helpful and clear. Thank you. With the Acolytes respond to any of that.

58:14

Rich 20 for the applicant? I think that's helpful. Again, it's I think the the issue between us on that analysis seems to be the North Yorkshire camps, take the view that if engineering activity also includes a change of use of land also includes the erection of a new structure, then it's not an engineering operation within the description in the policy. So I think that's the point of difference between us. And we'll address our submissions to that post hearing submissions to that. I don't think they'll benefit from sort of arguing the point out, there's a difference between us. And just just to reaffirm, North Yorkshire counts, haven't yet said it in the way that Leeds City Council helpfully did. But as I understand it, on VSC, we're still at one. So in a sense, it may be a debate that we don't need to go into sort of very special circumstances.

59:14

Thank you. Yeah, we'll come we will come back to very, very special circumstances in a minute. Okay, so if we were to follow this, the logic that North Yorkshire have just set out, then some elements of the of the proposed development would automatically constitute inappropriate development. And for those, we would not apply the tests in peril 150 as the applicant says that we should rather we'd move straight into the assessment about very special circumstances. We'll return to that in a moment. Before we do if we were to continue to follow the approach taken by the applicant and agreed by city of York that the entire project should be classified as an engineering operation on that basis, then para 150 requires us to request all elements of the PD to the proposed elements we assessed against the two tests in power

150 which is firstly that the development would preserve the openness of the Greenbelt. And secondly, that it wouldn't conflict with the purposes of including land within the Greenbelt. And our understanding that this is, as Mr. borderies already mentioned, where the applicant and the city of York vary in their positions. So for the applicant, our understanding of your case is that all elements of the of the proposed element would satisfy those two tests apart from the proposed substations and the cable ceiling and compounds. Where your position is that they are an acceptance that they would harm openness, and therefore they wouldn't benefit from the exception under 150. And therefore, they would constitute inappropriate development, and they will be subject to the very special circumstances test. I'm getting nods. So I think that our understanding is correct.

1:00:44

Which is only for the applicant? Yes, that's right. And that also means in respective cable ceiling and compounds and substations that the debates about whether engineering operations or not doesn't really matter, because we accept that they are inappropriate within the meaning of the policy.

1:00:57

Thank you. On that matter, on on sections of our new overhead line, we note that in the Hinkley connector project, the examining authority considered this in relation to the Bristol and bath Greenbelt. And they agreed that new overhead line could be classified as engineering operations. But they found that the new overhead line in that case would harm openness and therefore would constitute inappropriate development. That's not something that you think that's not the same view as obviously, that you're taking. Could you explain why the circumstances might be different in this case? Or is it something you'll follow up in your post hearing submissions,

1:01:39

reject any for the outcome, and I'll bring in Mr. Brunel if he wants to add something, but the basic difference is the different structures involved. So the lattice towers that are proposed in this case, as opposed to the T pylons that feature hengli, but I didn't miss anything.

1:01:58

Thank you, Richard. Now from National Grid, yeah, just to reinforce Rich's point, we are dealing with steel lattice structures, which our view enable you to have views through to the landscape and the countryside beyond. And therefore, in addition, their arrangement ensures that openness is preserved, in our view,

1:02:20

thank you.

1:02:22

That's helpful.

1:02:26

To the city of York, then just returning up to agree that the new substation overturn would harm openness, although we recognize that sits outside of your administrative area, we just like to explore

your position in relation to some of the other aspects of the project that fall within your administrative area.

1:02:42

Again, the cable ceiling and compounds do you have a view on those? When in terms of helping open this

1:02:52

the opposition on the openness of those would be the same as right. There's the substation that you know that there would be a degree of impact in that respect.

1:03:03

Thank you. And temporary construction compounds

1:03:13

Yes, again, there will be an impact on openness there, but we also acknowledged the fact that they are by their nature temporary, so they are not going to be a fixed landscape feature post development. And similarly with the RE conducting and sort of new or replacement pylons, we acknowledge that there will be an aspect of impacted during that construction phase that will sort of seem greater, but the end net result should be sort of, you know, something similar to the current situation, perhaps with one or two more additional pylons in various locations.

1:04:00

Thank you very much. Okay, and then just returning to North Yorkshire Council, just for the sake of testing the evidence. If you imagine that when in the scenario where we accept the applicants argument that the entire project could be classified as engineering operations, and therefore, it's all subject to the two tests in parallel 150. Just to test your views if we were to go down that route, without prejudice to your principal position in response to some of our written questions, firstly, on openness at the first of those two tests, you refer to specific effects on openness as a result of certain elements of the proposed development and so in particular, you've referred to significant effects on as a result of the monk fryston substation site, and also in relation to the new pylons, which is, I think matters you've already picked up with us. You've also talked then about the Tadcaster stealing and compounds is provided as presenting a greater than present effect. Is there anything else that you want? To say on those points,

1:05:03

nothing specific to add just that. If, as you say you group group, the entire project as an engineering operation within 150 News, let's consider the impact on openness and the various elements have varying degree on odd openness. And I think we've sort of set out in our answer to your questions.

1:05:22

Thank you. And we've got, and we've got a record of that. Finally, just on a point that you mentioned, in those written responses, you've talked about the need to consider the effect on openness in the context of the cumulative effects. And I think you're talking mainly around the area around the monk fryston

substations where there's, we know, two battery storage projects consented and possibly other development around there. What's the policy basis for saying that we need to look at the in the openness and the context of the cumulative effects there.

1:05:55

Thanks in terms of EIA development, yeah. Okay. So regulation, ISO regulations. Yeah. In that respect.

1:06:02

Thank you. Okay, so that's, that's points on openness. Is there anything the applicant would like to come back on before we move on to the second part of of para 150? No. Okay. So, the second test relates to the conflict with the purposes of the designation of the greenbelt and North Yorkshire. Your local impact report alleges some conflict with purpose see under para 138 of the NPPF, which is to assist in safeguarding the countryside from encroachment. Are there any development plan policies that you would like that we use consider that the proposed development would could also be in conflict with in terms of the purposes for designating the Greenbelt?

1:06:46

The policy that we've referred to as in the local impact report, and the key policy really is sp three. And sp three really reverts back to the NPPF. It asked me to be considered in terms of the NPPF. So that really just refers back to the five purposes and I wrote 138 See, the safeguarding the countryside from encroachment. So it's the link to that there's no other individual policy where we

1:07:15

thank you. And we've got copies of those policies. And that's a former Selby policy managers. Yeah, thank you. The applicant like to come back on that point.

1:07:24

Richard tourney for the applicant. I think just to emphasize that the York local plan, in the supporting text policy, SP two makes clear that the main purpose of the green belts around New York is to preserve the setting and special character of the historic city, unsurprisingly, in context. And one point that we emphasize is that when looking at harmed purposes, there is a material separation between the historic city of York and our works. And whilst that's not a complete answer, it does we say affect the analysis of how you approach conflict with purposes. We don't in our view, consider that there is a conflict with with Greenbelt purposes. Identity Mr. Parnell might want to develop that point a little bit.

1:08:14

Thank you.

1:08:16

Thank you, ever Palau from National Grid. So specifically looking at purpose see, of paragraph 138. And the concern from the local authorities about encroachment, I think we would make two key points, which is the construction of pylons and overhead lines would not act as a precedent for other forms of development. And I'll expand on that very briefly in a second. Our second point is they do not divert development away from more appropriate urban locations. So just expanding briefly on the first point

that they don't act as a precedent. It's our view they pylons and overhead lines would not be an enabler or a facilitator for other forms of development. And it's pretty more simply they do not draw development towards them. On the second point about the they are avoiding diverting development away from more appropriate urban locations. Their existence upon on an overhead line would not encourage development towards them in preference for urban development in urban locations. I just expand a bit further if I may. So it's our view that pylons are typically located in the countryside. They're very rarely located in urban locations. This is supported and evidence from the Eat Holford rules, in which the guidance is clearly applied to countryside locations. And just, I mean, I know the panel will be aware but obviously that the whole food rules are the basis on which developers put forward electricity transmission proposals, and they are set out in the MPs Holford rule one,

1:10:26

we don't go, we don't need we didn't even list them and we don't need them to build this. Great. Okay.

1:10:31

I'll just make that make a quick point on overdrawn if I may, that the notes to hopefully rule one, make clear that or it's clear from the where they sat out that the areas of highest amenity are located in the countryside. So therefore supporting our point that pylons are typically located in the countryside. So those areas have a host amenity B, A and B. Norfolk Broads, national parks, which is not where we are at the moment. And then for Holford rules, four, five and six, forgive me, I won't go into the detail of them. But that again, they talk about landscape characteristics that are typically more related to countryside locations rather than built up locations. So it in the round, it's our view that the construction of pylons and overhead lines don't lead to encroachment or urban sprawl. Thank you,

1:11:28

Miss Kim Jones coming? I don't think we've had the whole federal rules or indeed the whole lot rules and submitted into the examination. They are footnotes in one of the documents, but I think we need them there as documents in the in the examination library, please.

1:11:45

Understood what we have set them out in our planning statement

1:11:50

ated in there, are they these they are replicated

1:11:52

in all with the notes.

1:11:55

I would need to check that as I think

1:11:57

I'm referring to the notes. So I think we need the notes before us understood.

1:12:02

Thank you to put that as an action on our list. It raises the question about obviously, you're accepting that for substations and sealing in compounds that they wouldn't they wouldn't succeed and the openness test and therefore, I don't think the planning statement goes into the second test. And so I guess the question is Do do you also accept or do you not accept that the substations for example, would conflict with the purposes of designating the Greenbelt?

1:12:37

Open out from National Grid? Our view is that the cable ceiling ends and substations do not do not affect or harm the purposes of the Greenbelt. Okay, thank you.

1:12:47

That's very clear.

1:13:02

Yes, and North Yorkshire like to come in.

1:13:04

I just wanted to come back on that point, just very briefly, just that, regardless of whether you know, what the what the knock on effects are, or whether it would or wouldn't lead to any further development that our view is that these the development in itself is an encroachment because it provides new structures and buildings and equipment were non existent present. So in itself, it would it would be an encroachment.

1:13:30

Okay, that's very clear. Thank you. We'd like to come back to tourney

1:13:35

average soon if the applicant I just wanted to flag paragraph five dot 3.4 of the planning statement for a list of the Holford rules. But we can put them in as a separate document, but they're listed out there for just for your note.

1:13:50

Thank you. And we I was going to come to it in a lace I can't remember whether it's this meet hearing or another one. But the the whole lock rules as well, if we could have those. Thank you.

1:14:04

And so just to finish this point with North Yorkshire council. So we heard that your decisions that we've heard from you will relate simply to the former Selby planning area. So in terms of your in principle position for things like Overton substation site. Does the council have a single view about that? Or Or are you saying, because we have to look at this as a round in the round that that project and so if you're you're raising concerns about the way that the monk fryston substation has been assessed, we need to understand how you consider it, presumably the same assessment needs to apply for the the aspects

of the scheme and the north. So are you able to give us any more about that? Is it just that you're simply not ready?

1:14:58

It's difficult and we put We're not ready to at the present time, because as you're aware, local government reorganize. Absolutely. And he's very, very fresh and still functioning as individual authorities who will, you know, he's gradually coming together. But we haven't got a single spokesperson for this entire project this entire project in terms of the planning impacts,

1:15:18

but as what I do understand from what you said earlier, is that you're not raising concerns in the same way in the north of the scheme as you are in relation to the south

1:15:25

of escapes my understanding. Yeah. Okay. I think that's probably more related to the the degree and quantity of development that goes on within the different. Okay, all the districts Okay,

1:15:34

and we're picking up through your submissions that the monk fryston substation area as the sort of main focus for them the points that you're raising? I have Miss White from the early City Council. Thanks, Mr. Jones.

1:15:49

Hello, Louise wise to counsel. Just in respect of what the applicant just said, then I'd like to flag up the fact that new pylons do indeed attract other development. And I can example that in Leeds in particular, where there's difficulty with capacity, and occupation around substations, what we're finding now is planning applications being submitted for battery energy storage systems, which include new substations and their link physically into pylons, which run across the site. So there is risk there associated with what the applicants just said, Thank you.

1:16:30

Thank you for raising that. And it, I was going to also follow up very similar, which I'll put together with that, which is around what we see among Christ and playing out, which is battery storage schemes there, which presumably, are located there because they're next to an existing substation. Could you comment on that please the applicant

1:16:49

have to now from National Grid? So I think it needs to be quite clear that my answer was in relation to pylons and overhead lines. The situation the battery storage facility among fryston Is that it may well have been attracted to that location by the existence of the substation, that what we are saying as the applicant is that a pylon and an overhead line would not encourage development to come towards her. So that distinction between on overhead lines and substations,

1:17:19

that's fine, only the point. And that's exactly what I've recorded in my notes, but Miss White was actually recording that in relation to actual pylons was my understanding. Is that correct?

1:17:29

That is correct. Yeah, I can give you that working example, if you wish. We did refuse planning permission, that particular instance. But the point was, it connected directly into the existing pylons which ran across the site.

1:17:41

So it collects into a pylon rather than into a substation? Correct? Yeah.

1:17:45

And that's because of the massive capacity issues we have in electricity distribution, obviously, and where you can, you know, the point of connection so to speak in these it's heavily congested, it may or may not be in the other local authority areas, which we're discussing now. I think the increase of electricity as part of this project running through all these different local authority areas can only increase that capacity, and therefore there's an increased likelihood of bent such as Best developments coming forward and connecting directly into those pylons. Thank you.

1:18:20

Thank you. Okay, with the accolades come back,

1:18:25

Richard Turner for the applicant. Yeah, I think I might start as far as come in. But the short point is that you do need a point of connection, you can't connect a generating station directly into the pylon. So you need to create a new substation. So I don't know the specifics of the example. But it would have necessarily involve the creation of a new a new point of connection. And does that apply also to battery storage schemes? That's right, because they operate in the same way they need a new point of connection. I don't know Mr. Fowler wants to explain

1:18:57

the fire should yeah, that's right. Because typically battery storage operates at a lower voltage. So that the overloads that we we was National Grid run at 400 and 275 kV, and that they are typically cabled from there into a usually a substation connection. So like a month price and whether the battery storage are connected into the substation, not directly into the overhead line.

1:19:22

Miss Wait, I can see you have your hands on would you like to come back? Thank you, Mr. Fowler.

1:19:27

Sorry, that's a legacy hand however, if you would like the work in example, the capacity of the pile on me talking about that I can can provide that to you. Thank you,

1:19:36

okay. It may be best to do that by deadline for Thank you very much. Okay. I just have one further area to explore on the greenbelt and then we will move on, which is again, down to very special circumstances. So in the scenario in which we were to disagree with the applicants approach and considered more of the project would constitute inappropriate development because, for one reason or another It doesn't benefit from the exceptions in parrot 150. We would then be directed to by the by en one to go to the MPP F, which tells us that inappropriate development is by definition harmful to the greenbelt and should not be approved except in very special circumstances. Our understanding to the applicant our understanding from the planning statement is that if this was the situation, for example, if we found that the new overhead line would constitute an appropriate development for the sake of argument, then my understanding is that you would in any event rely on the various special circumstances case that you've set out on the planning statement and wants to check. That's correct understanding and getting nods. Thank you. And we appreciate the judgment on very special circumstances is one for us and ultimately, for the Secretary of State in terms of balancing greenbelt and in Greenbelt harm together with any other harm against other considerations that might weigh in favor of the development. And we've heard a little bit already, we've certainly seen it in writing from all of the council's about various special circumstances and the things that may weigh in favor of the scheme. I think we have everything we need in writing in terms of other considerations and matters weighing in favor of the proposal. But I will just check with the parties whether anybody would like to make any submissions on the point of other considerations, or in very special circumstances, we think we understand the cases quite clearly.

1:21:25

Yes, North Yorkshire funeral wouldn't know Future Council or just make the point that on. In any green belt case, we would normally decide whether it's appropriate or appropriate development, look at the openness and then you would identify all the other harms, and then assess at the end whether there are very special circumstances which outweigh the harm by appropriateness and the other harms before coming to conclusion. So on this case, we're certainly not in a position to be able to do that at this stage. And And furthermore, just adding the point that as a local authority, we don't really have the technical expertise to come back on whether the case for very special circumstances on the need for the facility exists or not, we don't have to take great expertise to to weigh that up. So we said in setting the common ground that that we would, the very special circumstances put forward are those put forward by the appellant and we agree that that is what they've put forward. But we're not in a position to technically challenge that or come to a different conclusion on that basis.

1:22:35

Thank you. And that's we were clear that that's an assessment we can only do once we've considered everything anyway, at the end of our consideration the scheme's legacy you want to come in, I just think Miss Stevenson had a point and I was just blessing you to that. Thank you. I wasn't looking to the far end, Mr. Stevenson.

1:22:52

Edward Stephenson, I have three points to make on the openness of the Greenbelt. First point is to do with overhead lines attracting development. My job is land agent, ideal with renewables. And it is my experience that overhead lines do attract development, particularly for battery storage. There has been

some discussion about substations and those habits and how the those haven't been happening socially. Those have to be connected. Yes. The substations that we see with battery storage, or new substations put in by the battery storage operators, not by national grid. So the badischer operators look for a pylon wherever it might be. They see if there's capacity through National Grid. If the answer comes back, yes, they design a substation. They speak to local farmers, and they try and negotiate to have battery storage, and the substation that belongs to that. Thank you so much, once again, regarding the openness of the Greenbelt around York, I've lived here for 55 years. I have seen the northern ring road being built. I have seen developments happen in the open consulted in in the Greenbelt. When we were on site yesterday at the substation side, we were informed by national grid that the area of the substation covers 15 acres. 15 acres that is not an acre, that's 15 acres. That's a significant size and the size of the operators that the height of the operators in that is up to up between 1450 meters. I'm not saying all of it, but parts of it all. So in my view, that is AC significant impact in the openness of the your Greenbelt.

1:25:04

Thank you. That's very clear.

1:25:05

The other point I have to have to ask is, if it has to be there, why does it have to be next to the 19? Why call it why can't it be on the west side of the main line, just on the opposite side of the road, opposite of the railway line between the railway line and Overton what that is much, much less impact on the openness of the countryside 1000s of cars a day, go down the 19. And they will see it all the time. If it is on the west side of the railway line, that is electric, electric, electrified already. So there are a lot of steel work above, in the skyline. So any, any structures would be mitigated by those.

1:26:08

Thank you for those points.

1:26:10

I'm more than happy to put those in writing, you can

1:26:13

be helpful if we ask all parties to put in a summary of what they've said basically, as at deadline for wishes to sixth of June. So yeah, please do put those points in writing with the applicant. Let's respond to those three points.

1:26:27

Richard, Tony, for the applicant. Just Just very briefly in response to Mr. Stevenson. The point about overhead lines we've made is that you need a new point of connection, whatever's coming in. And of course, the battery storage or solar or whatever it is, will have their own scheme facilities, but you need a point of connection to be provided into the, into the grid. So it's not as simple as just plugging into the pylon in terms of the location of the Ableton substation, and the need for it there. We considered various options in the site selection process. We've set that all out in the application documents, I don't propose to go through it. I think the one observation I would make on the way it's put is that whilst there

is a visual aspect to openness, which might have regard to particular receptors, the Greenbelt designation is primarily a planning designation. And if in short, a substantial new substation is required for this scheme in the in the Greenbelt. And whether it's one side of the railway line or the other in terms of Greenbelt, it will still have an impact on openness we accept that we accept it's a material impact on openness. And therefore we need shade very special circumstances. But just going back to North Yorkshire's point on on very special circumstances, completely accept that they're not going to pine on it. That's that's understood. And the reasons are well understood. We do say that this is there's a compelling case for this development, we've set that out in our submissions, and hopefully made that good for your purposes. So we do say that it's a point which should be resolved in the project's favor in any event.

1:28:20

Thank you. Thank you for your contributions, everybody, to the council have anything further to add in it? Thank you. I apologize slightly for having to go through that in such forensic detail. But it's really important for us in terms of our ability to report on the positions. And as we've heard, it's unlikely that you'll reach agreement, then we do need to be able to have a really clear understanding of where people lie in each of those respects. We are that's everything we have under Greenbelt. So I'm proposing that we will actually move to take a break because we're, we're approaching 1130 Mr. Turney

1:28:53

Burbridge. So if the applicant can I just add that the whole lot rules 5.4 dot two of the planning statements are set out there in full so the sort of into the laces. They're also in the design and access statement, but they're in the planning statement. Perfect.

1:29:11

That's very helpful.

1:29:15

I have Mr. Is that Mr. Carruthers? Hands up, Stewart HC. Mr. Crothers? Would you like to come in here?

1:29:25

Yeah, I've got one comment from Mike. We've just been through a planning appeal, where we had to go and demonstrate very special circumstances that travel a site. And the inspector was provided with a cost benefit analysis of a gypsy site in Essex. And that was costing the state 2.4 million a year. Now, he told us to go away and do one for the Hmong crisis. Now, it works out that if the gypsies were made homeless is going to come cost the state 800,000 a year. Now, one of the things that came up on it is that her majesty's Treasury has a green book for projects. And if you can have a score of two and above, then it's something that should happen. And it will be funded, if it's one or less than it should be funded. Now, I've looked through the data for this, and I can't find a cost benefit analysis for this project. There must have been one produced at some point, because it's going to be dependent on government money. Now, dclg also have a similar approach to this to her majesty's treasury. And that provides very

special circumstances because the social, economic and environmental benefits are compelling if you get a score over two. That's it.

1:30:59

Thank you. Does the applicant wish to come back on that point?

1:31:04

Reg 10, if the applicant, we're dealing with funding, I think on the agenda for the compulsory acquisition hearing, so maybe better still with it. But if we do need to say something more about the way in which the scheme is funded, happy to pick that up tomorrow or want to touch on it now.

1:31:25

Perhaps. Mr. Carruthers, I was going to ask the applicant to direct you to the information in the funding statements. And I think you're joining us on at tomorrow afternoon, aren't you at the compulsory acquisition hearing? Yes. So I'm if you had a chance to look at the funding statement, then we can pick this up under the appropriate agenda item then that would that suit your requirements?

1:31:53

That would be fine. But it's basically, I can't find a copy of it's a cost benefit analysis for the entire project. Now, I used to work in the public sector, and I can see that this would be a national infrastructure issue. So there must have been a cost benefit conducted on it at some point, which will provide the very special segment identify whether or not very special circumstances exist or don't. I have some knowledge of this area.

1:32:26

Perhaps Mr. Turney Yeah, just respond on that point

1:32:29

reached any for the applicant. So I just want to break that down a little bit. Because our very special circumstances case isn't is not a simple green book or other economic assessment between cost and benefit. We've set out a range of material planning considerations about reinforcing the grid about ensuring that the grid is going to be able to deliver new points of connection for renewable energy projects and therefore contribute towards the attainment of net zero. And we've set that all out in the planning statement. It's not dependent on a green book, simple Treasury based assessment and nor is that required by policy. We have explained, it's right to say that we haven't set out in the application documents a sort of full internal economic assessment of zoo Green Book or equivalent nature. But the funding statement, which is ABP hyphen, 070, explained the way in which the need case has developed and the way in which that has been approved to date through the through the auction process. So obviously, National Grid is carries out schemes such as this through funding via off gem of gems approval processes, rather than through a straightforward Treasury funding of the nature that Mr. Crothers was referring to. So I think in particular, he might be assisted by section three of the funding statement, which explains that process and the process of project assessment, which is ongoing. And then section four as well, which explains the way in which well, first of all explains the cost of the project and then explains how that funding is secured through the appropriate regulatory channels.

1:34:50

And I think also Mr. Carruthers, there was some helpful responses to our first round questions on the matter of funding. I don't have the question numbers to have And, but perhaps we can. I'll look at that during the break and we'll just pick us up when we come back.

1:35:09

Mr. Crothers, you still have your hand up? Is that a legacy hand or are you wishing to come back? And down up again? We're doing okay. cakey I'm sorry. Lovely. Okay, so we will have a break. Now I have on a lighter matter being told that National Grid have provided tea and coffee for anybody who would like some Is that correct? Yeah, I'm getting a nod. So and it's the room to the left of the main entrance. Is that right or? It's to the right to the right. Okay, so yes, so 10 coffee available for everybody, but not lunch, don't eat the applicants lunch. We will take 20 minutes break and we will return as 1155 and when we do we'll we'll move on to landscape and visual. Thank you, everybody.