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2 June 2023

Dear Ms Powis,

The Yorkshire Green Energy Enablement (Green) NSIP by National Grid Electricity Transmission PLC

Written summary of oral submissions by Leeds City Council to Issue Specific Hearings 2 and 3

ISH2: Agenda Items

4(a)(i) To explore the precise differences between the Applicant and the Councils (CYC, LCC and NYC) with regards the case for development in the York and Leeds Green Belts.

The Proposed Development falls within the Leeds Green Belt and the proposed work to take place within the Leeds district boundary would be limited in terms of effects on openness and permanence, as the pylons and overhead lines already exist on the land. Replacement of the overhead lines on the existing pylons and the associated res-stringing and retentioning works are not considered to have any tangible effects of significance on the openness of the Leeds district's Green Belt and as such, is unlikely to undermine the five purposes of Green Belt. The other harms to the Green Belt include potential for disturbance and some disruption along the Warren Lane public highway and to agricultural interests. Whilst these harms must be afforded substantial weight in accordance with para. 148 of the National Planning Policy Framework, it is acknowledged that the construction period would be temporary, the embedded mitigation should offset the potential for significant harm and, physical impacts can be reversed. We consider that the overall need for the development, which we afford status as a Very Special Circumstance of national importance, clearly outweighs the identified harms within the Leeds district.

4(b)(i) Having regard to the varied and linear nature of the Proposed Development, to understand from the Councils whether there are particular locations within the Green Belts where the effects on openness would be particularly pronounced, and conversely, whether there are locations where effects on openness would be avoided or at the lower end of the harm scale.

The Ceiling End Compound and the replacement taller pylon within the Selby district could affect the Leeds Green Belt, given proximity and potential for cross-boundary visibility. However, our comments relating to the Leeds Green Belt refer only to the extent of harm likely to be experienced within the Leeds district boundary and not beyond. We therefore defer this matter for consideration to North Yorkshire Council and the ExA.

5(e)(ii): To establish LCC's opinion on the Applicant's response to its point regarding retention of mitigation planting in perpetuity [REP3-031], response to Q5.4.7c), particularly the point regarding future works which could impact the permanent mitigation planting.

In principle, Leeds' position is that any removal and replacement and/or mitigation planting by any developer should be protected permanently as removal of it at a date following the 5-years maintenance period would i) not be sustainable and ii) undermine the purpose of delivering replacement or mitigation planting in the first place. Permanent replacement planting akin to the proposed mitigation planting should be provided for within Leeds and this could be secured within the s106 Agreement, which the relevant landowners could be party to. This would be in the interests of sustainability and climate change objectives.

There are differences between the terms used by the applicant relating to planting. This consists of protection, reinstatement, mitigation, enhancement and BNG provision. All terms should be clarified by the applicant in a Terms of Reference document to provide everyone with a clear understanding of the differences in planting, whether planting would be 'retained and protected' and 'removed and replaced'; and to also identify the differences between planting proposed for mitigation, enhancement and BNG purposes.

Leeds City Council has found some difficulty with the applicant's submission in determining what planting will be provided within the district and for what purpose. It is acknowledged that some or all information has not yet been finalised by the applicant and will be subject to the detailed design stage, however, it is considered key to know at this stage, by providing likely scenarios on drawings.

9(a)(i): The Applicant and NYC to comment on the differences between their preferred construction working hours, including out of hours working, and provide justification for their positions. LCC to explain its agreement to the working hours as detailed in 3.12.6 of the latest SoCG [REP3-022]

LCC has reached agreement with the applicant on the proposed core working hours because the embedded mitigation indicates that significant adverse effects on local amenity would not arise.

The working hours for piling are considered acceptable and are typically within the working hours that LCC originally proposed within its Local Impact Report.

LCC and the applicant now agree that the proposed out-of core hour operations are unlikely to result in significant adverse effects on the local community by way of noise, as justified within the application. The types of works that LCC has agreed to is listed within the revised Statement of Common Ground, though the applicant is aware that our preference is for works to be avoided wherever possible outside of the agreed core working hours.

In respect of the proposed 1-hour ramping-up and 1-hour ramping down periods, at both ends of the core working hours, we have been assured by the applicant that works within these periods are unlikely to result in significant adverse effects. Works will primarily relate to

administrative, staffing and site set-up by the site manager, which, given the embedded mitigation, is unlikely to result in significant adverse effects on local amenity.

ISH3: Agenda Items

4(e)(xviii) New Requirement 18 Approval of external colour and surface finish of permanent buildings having regard to the Design Approach to Site Specific Infrastructure.

We welcome new Requirement 18 in the dDCO to identify external colour and surface finishes for permanent buildings. This should also include fences. Recommended the application of a dark green colour in Green Belt locations and in high landscape designation areas. A balance or deal could be struck between the final colour finishes and screening mitigation, depending on what can be achieved.

4(f) To examine matters relating to the procedure for the discharge of Requirements, including those raised by CYC in [REP1-047] and [REP2-057], LCC in [REP2-076] and NYC in [REP1-056] and [REP2-082], and the Applicant's response.

Unable to comment at present and would be interested to see the mechanics of a Discharge of Requirements PPA. We echo Miss L. Woods' comments that there is uncertainty over the time taken to gain internal consultation responses and whether we could achieve the proposed deadlines for decision. That said, there is likely to be a lesser volume of information for Leeds City Council to review in comparison to the other Local Authority's.

Officers are not able to discharge the Requirements of a DCO under Leeds City Council's current Delegation Agreement. Leeds City Council also has existing Service Level Agreements to honour in selecting assistance from a third party. Further consideration is required with our legal colleagues.

Yours sincerely,

Louise White
Minerals and Waste Planning Team Leader