YG-DCO-117

Yorkshire Green Energy Enablement (GREEN) Project

Volume 8

Document 8.23.1 Applicant's Written Summary of Oral Representations made at Issue Specific Hearing 2

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Version History

Document	Version	Status	Description / Changes
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1. About this document

1.1 Introduction

1.1.1 This document summarises the case put by the Applicant, National Grid Electricity Transmission plc (National Grid), at Issue Specific Hearing 2 on Green Belt, Environmental Effects and Construction Matters for the Yorkshire Green Energy Enablement (GREEN) Project (referred to as the Project or Yorkshire GREEN throughout).

1.1.2 The hearing opened at 10:00am on 24 May 2023 at Delta Hotels by Marriott York and closed at 11:42pm on 25 May 2023. The agenda for the hearing **[EV-005]** was published on the Planning Inspectorate's website on 15 May 2023.

1.1.3 In what follows, National Grid's submissions on the points raised broadly follow the items set out in the Examining Authority's agenda.

1.2 Attendees on behalf of the Applicant

1.2.1 Richard Turney, Counsel instructed by Womble Bond Dickinson (UK) LLP appeared on behalf of National Grid Electricity Transmission plc, the Applicant.

1.2.2 The following expert witnesses also made submissions throughout the hearing:

- Edward Purnell, WSP (Green Belt);
- Neil Furber, HCUK Group (Landscape and Visual);
- Andy Wakefield, Aecom (Arboriculture);
- Jo Mosley, WSP (Biodiversity);
- Stephen Anderton, WSP (Flood Risk and Water Resources);
- Steve Fowler, National Grid Electricity Transmission plc (Engineering and Good Design);
- Giles Hine, WSP (Noise and Vibration);
- Richard Morris, National Grid Electricity Transmission plc (Noise and Vibration);
- Rachel Dimmick, WSP (Air Quality and Health Matters and Cumulative Impact Assessment);
- Christopher Appleton, WSP (Traffic and Transport); and
- Bethany Kington, National Grid Electricity Transmission plc (Consenting).

2. The Applicant's Summary of Case on Item 3: Preliminary matters

2.1 Item 3.a. Issues arising from Accompanied Site Inspection

Table 2.1 – Item 3.a. Issues arising from Accompanied Site Inspection

Issued Discussed	Summary of oral case
i. Any matters arising from the Accompanied Site Inspection on 23 May 2023.	
The ExA sought an update in relation to the proposal for offsite planting at Woodstock Lodge.	National Grid confirmed that they are liaising with the landowners at Woodstock Lodge in relation to offsite planting. The scheme for offsite planting had been agreed with the landowners in principle. National Grid proposed to engage with the landowners to document the in principle agreement reached and discuss how the planting would be implemented in the event that development consent for the Project is granted.
The ExA sought clarification from the Applicant regarding removal of the hedgerow shown on sheet 3 of **[APP-051]**.	National Grid confirmed that Section B sheet 3 of the **Trees and Hedgerows Potentially Affected Plan (Document 2.11.1) [APP-051]** showed removal of hedgerow from the road (A19) to the larger farm buildings. National Grid confirmed that in the event of an alternative access point being used there would be no requirement for the removal of the hedgerow in this location.
The ExA sought clarification of whether undergrounding at U4 would be necessary in the event that the	National Grid confirmed that there would be no requirement for undergrounding of Work No. U4 in the event that the alternative access point suggested by affected persons was used.

Issued Discussed	Summary of oral case
alternative access point to Tower SP005 was used.	
The ExA sought clarification regarding vehicle movements and whether one vehicle movement included two trips. Refers to ExQ1 **[REP2-038]**.	National Grid confirmed that 68 vehicle movements consisted of 34 trips in and 34 trips out, so vehicle movements were expressed as the total number of movements.

2.2 Item 3.b. Matters arising from Examination submissions to date

Table 2.2 – Item 3.b. Matters arising from Examination submissions to date

Issued discussed	Summary of oral case
i. Statements of Common Ground	
The ExA required signed and dated SoCGs by the end of the examination and sought clarification regarding the status of any SoCG with Historic England.	National Grid explained that given matters with Historic England were agreed, Historic England did not consider it necessary to enter into a formal SoCG. National Grid noted the ExA's strong preference for a signed SoCG with Historic England to be submitted, and agreed to discuss this further with Historic England.
The ExA requested an update on the SoCG with the Environment Agency.	National Grid confirmed that they were confident that all outstanding matters would be resolved and agreed with the Environment Agency in time for submission of an updated version of the SoCG at Deadline 5.
ii. Environmental Statement updates, addenda and errata	
The ExA sought an explanation from the Applicant as to its rationale for preparing ES errata and Addenda.	National Grid explained that given the nature of the updates and information provided, it considered that amending the Environmental Statement would be dis-proportionate, and this would result in extensive updates to cross-references throughout the Environmental Statement. National Grid also consider that it is easier to see the changes in a separate document. Errata had been submitted at Deadline 1 and Deadline 3 (consolidated) to correct minor errors and omissions. In due course an updated consolidated Erratum could be prepared and submitted. An ES Addendum had been submitted at Deadline 1 to provide the visual impact assessment of the Project on the travellers' encampment. At Deadline 3, an ES Addendum (Part 2) had been submitted to provide updated information in respect of certain ecological surveys, bat surveys and further hedge surveys and have updated cumulative effects assessment to reflect recent applications. National Grid explained that the definition of the Environmental Statement in the draft **DCO (Document 3.1(C)) [REP3-004]** had been updated accordingly. National Grid considered that the approach adopted was consistent with the requirements of the EIA Regulations.

Issued discussed	Summary of oral case
	National Grid explained it intended to follow the same approach for any further updates required in respect of the Environmental Statement. National Grid recognised there was benefit in also seeking to consolidate any Addenda to provide a single point of reference and agreed to consider how this could be accommodated. National Grid also agreed to undertake a cross check of the Errata to correct any inconsistencies.

2.3 Item 3.c. Policy matters

Table 2.3 – Item 3.c. Policy matters

Issued Discussed	Summary of oral case
i. Planning for new energy infrastructure: revised draft National Policy Statements	
The ExA asked if the Applicant considered that the Project falls within the definition of a "Critical Infrastructure Project" as referred to in the draft NPS for Energy (Draft EN-1).	National Grid confirmed that the draft National Policy Statements (NPSs) had been reviewed and, in summary, they did not change National Grid's overarching position as presented in the Planning Statement **(Document 7.1) [APP-202]**. National Grid agreed to provide a written response, including its view on whether the Project would comprise a Critical Infrastructure Project and any implications for the Project's need case at Deadline 4.
ii. Powering up Britain	
	National Grid confirmed that it would also provide any comments on the suite of documents comprising 'Powering up Britain' at Deadline 4.

3. The Applicant's Summary of Case on Item 4: Green Belt

3.1 Item 4.a. Green Belt assessment

Table 3.1 – Item 4.a. Green Belt assessment

Issued Discussed	Summary of oral case
i. To explore the precise differences between the Applicant and the Councils (City of York Council (CYC), Leeds City Council (LCC) and North Yorkshire Council (NYC)) with regards the case for development in the York and Leeds Green Belts.	
The ExA asked the Applicant whether there was any scope for agreement with Local Authorities in relation to how the Project should be treated for Green Belt purposes. The ExA asked the Applicant to provide a plan showing the Green Belt overlaid on the Order limits.	National Grid confirmed that a plan showing the Green Belt overlaid with the Order Limits would be submitted at Deadline 4. National Grid and the Councils' positions on Green Belt were largely unchanged from that previously presented, although the matter was continuing to be discussed between the parties. LCC confirmed their position that there would be no additional impact on the Leeds Green Belt in respect of re-tensioning of the existing overhead lines. LCC considered that there would be no tangible effects of significance, acknowledging the disturbance through construction activity, which was temporary in nature and reversible. LCC considered that mitigation had been incorporated into the Project to reduce harm where possible and their view was that harm would be outweighed by the very special circumstances for the Project advanced by National Grid. NYC explained that the responses they had provided were expressed on behalf of the former Selby area rather than the wider North Yorkshire authority area. National Grid's position was that the Project was an engineering operation within paragraph 150 of the NPPF. The rationale for including substations as engineering operations was due to their primary design and technical function as electrical engineering works. The works were designed and operated by specialist electrical engineers, albeit housed in a structure. Accordingly, they fell to be considered under the exemption in paragraph 150(b) of the NPPF as an engineering operation.

Issued Discussed	Summary of oral case
The ExA asked whether there was any case law or precedent for treating substations in the Green Belt as engineering operations.	National Grid agreed to provide a written note to set out any specific case law or other precedent for this approach, specifically in relation to substations and cable sealing end compounds. CYC accepted National Grid's position that all elements of the Project would be engineering operations, but did not consider that all elements would preserve openness. NYC explained that its position, in respect of the former Selby area, is more nuanced and that it considers that there are some elements which cannot benefit from the engineering operations exception. In particular, NYC considered that the substation at Monk Fryston amounted to a change in the use of land. It comprised a new large control building as well as electrical equipment and NYC's position was therefore that it did not benefit from the exception. NYC also considered that the CESC would also fall within paragraph 149 of the NPPF and was not exclusively an engineering operation. NYC accepted that conductors fall within engineering operations but were not content for the new pylons to be treated as engineering operations, as opposed to new structures. NYC accepted that utility undergrounding works would be engineering operations. NYC confirmed that, in its view, temporary construction compounds would not amount to engineering operations. As with substations and CSECs, NYC considered that buildings and changes of the use of land would not amount to engineering operations. NYC are comfortable that replacement of existing lines and pylons would amount to engineering operation, but only to the extent that this did not include pylon modifications. National Grid noted that it was a clear point of difference with NYC that changes in the use of land or erection of new structures could not also amount to and benefit from the engineering operations exception. National Grid proposed to address this point in its written note but emphasized that the issue was largely academic. It was accepted that if NYC's approach was adopted it would be necessary to go straight to consider whether very special circumstances existed. Whereas National Grid's approach required all elements of the Project to be considered by reference to the tests in paragraphs 150 of the NPPF, namely whether openness would be preserved and whether there would be any conflict with the purposes for which the Green Belt was designated. National Grid's approach was that all elements of the Project would satisfy these tests save for substations and CSECs which were accepted to be inappropriate development by virtue of not preserving openness. National Grid had made the case that very special circumstances exist which weigh heavily in favour of granting development consent for the substations and CSECs. National Grid also relied on the very special circumstances case in the event that the Secretary of State considered that any element of the Project did not amount to engineering operations within the paragraph 150 exception. Ultimately, this rendered academic the debate as to whether all elements of the Project amounted to engineering operations.

3.2 Item 4.b. Effects on openness: geographical considerations

Table 3.2 – Item 4.b. Effects on openness: geographical considerations

Issues discussed	Summary of oral case
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.	
ExA noted on sections of new overhead line, note in Hinkley project, secretary of state considered this in relation to Bristol and Bath Green Belt – new overhead line could be classified as engineering operation but would harm openness. Explain why circumstances would be different.	National Grid explained that the pylon structures proposed for Hinkley Point C Connection were different to those proposed for the Yorkshire Green Project. The Yorkshire Green Project proposed to use steel lattice structures, as opposed to the 'T' pylons used for Hinkley. The steel lattice structures proposed for Yorkshire Green enable views through the pylons to the landscape beyond and, therefore, ensure openness is preserved. CYC considered there would be a degree of impact on openness from CSECs and temporary construction compounds, but noted construction compounds were temporary in nature. CYC considered similar impacts would arise from the construction effects of reconductoring. However, CYC's view was that the end net result would be something similar to the current baseline. NYC's view was that the various different elements of the Project would have varying degrees of impact on openness. NYC's position on this was set out in its answers to the ExA's first written questions **[REP3-031]**. In terms of conflict with development plan policies, which seek to safeguard the countryside from encroachment, Policy SP3 refers to the NPPF, in particular paragraph 138 “c”, but there were no other relevant policies. National Grid noted that Policy SP2 of the York Local Plan makes clear that the main purpose of the Green Belt is to preserve the setting and special character of the city of York. Therefore, when considering whether there was harm to the purposes of the Green Belt it was necessary to note the material separation between the historical city of York and the Project. Therefore, in National Grid's view the Project does not conflict with the purposes of the Green Belt.

Issues discussed	Summary of oral case
	When considering purpose (c) of paragraph 138 in relation to encroachment on the countryside, National Grid's view was that construction of pylons and overhead lines would not act as a precedent for other forms of development or an enabler or facilitator for other forms of development, because the Project would not draw development towards it. Second, the Project would not divert other development away from more appropriate locations. The existence of the Project would not encourage development towards it as a preference. In addition, pylons are typically located in the countryside and, in fact, are rarely seen in urban locations. National Grid explained that the Holford Rules supported this position. The guidance set out in the Holford Rules clearly applied to countryside locations. In particular, Rule 1 deals with overhead lines in areas of the highest amenity value in the countryside. Rules 4, 5 and 6 deal with landscape characteristics relating to countryside locations. In summary, National Grid's position is that the Project would not lead to encroachment on the countryside or urban sprawl. National Grid agreed to submit full copies of the Holford Rules and Horlock Rules at Deadline 4. NYC's position is that regardless of the knock on effects of the Project, the development in itself is an encroachment in that it would result in new structures and buildings where currently none are present. NYC confirmed its concerns in this respect related to Monk Fryston substation. LCC consider that overhead line projects do attract energy developments that wish to facilitate connection points in a heavily congested network. LCC was of the view that the battery storage development at Monk Fryston may have been attracted to its location by the existing National Grid substation at Monk Fryston. LCC was aware of schemes that had sought to connect directly into overhead lines and can provide an example of this at Deadline 4. National Grid responded that new point of connection is needed, typically battery storage schemes operate at a lower voltage and schemes would not connect directly into an overhead line, and instead they would typically connect into a substation.

3.3 Item 4.c. Way forward

Table 3.3 – Item 4.c. Way forward

Issues discussed	Summary of oral case
i. To explore the scope for any further movement toward agreement between the Applicant and the Councils on Green Belt matters.	
	NYC explained that it was not in a position to challenge National Grid's case on very special circumstances (**VSC**). In any Green Belt case, NYC would identify all other harms and assess at the end whether VSC would outweigh inappropriateness and any other harm. Mr Stephenson considered that: 1) overhead lines are attracting development, particularly for battery storage. Battery storage operators look for a pylon, and see if there is capacity through National Grid. 2) openness of the York green belt will be significantly impacted; we were informed by National Grid on the site visit that the area of the substation covers approximately 15 acres, that is significant size and has apparatus heights of up to 40/50 metres. 3) why does it have to be next to A19 why can it not be on west side of A19. Would be better sited if on west side of railway line, and have less impact, if between the railway line and Overton wood. National Grid responded that: 1) point about OHL need new point of connection. Battery storage schemes will require their own point of connection. It is not as simple as connecting direct to pylons. 2) and 3) The location of the Overton sub-station has been carefully considered during the site selection process as set out in the application documents. National Grid noted the visual aspect to openness of the Green Belt, but considered the designation to be primarily planning related. National Grid accepted that a substantial new sub-station is required in the Green Belt and whether on one side of the railway or not, that this would have an impact on openness and, as such, there was a need to demonstrate very special circumstances. In response to NYC, National Grid considered there was a compelling case for the Project to be sited within the Green Belt, and further considered that it had made good the case for very special circumstances for the Project as set out within its application submission, particularly the Planning Statement **(Document 7.1) [APP-202]**.

Issues discussed	Summary of oral case
ii. For those Green Belt matters that remain not agreed, to ascertain the best way forward in terms of presenting the cases on both sides for the ExA's consideration.	
	Mr Carruthers queried how the benefits of the project had been assessed against the Project's costs. National Grid responded that very special circumstances (VSC) is not an economic assessment. National Grid's VSC case was set out in the Planning Statement **(Document 7.1) [APP-202]** and comprised a range of material planning considerations relating to re-enforcing the transmission network to reduce constraint costs, facilitating the connection and delivery of renewable energy projects to the transmission network and contributing to the achievement of net zero. National Grid explained that an assessment of benefits against costs was not required by policy, and so the application was not supported by an economic assessment. The Funding Statement **[APP-070]** explains the way in which funding will be approved through the Ofgem process, including the process undertaken to date. In particular, Section 3 and Section 4 explain the cost of the Project and how funding is secured to deliver the Project. Further explanation in relation to funding has been provided in the **Applicant's responses to the ExA's first written questions (Document 8.9.1) [REP2-038]** (see Q4.7.1 to Q4.7.5).

4. The Applicant's Summary of Case on Item 4: Landscape and visual effects

4.1 Item 5.a. LVIA methodology – visualisations/ photomontages

Table 4.1 – Item 5.a. LVIA methodology – visualisations/ photomontages

Issues discussed	Summary of oral case
i. To understand from the Applicant if photomontages have adopted the worst-case scenario in terms of limits of deviation (LoD) for existing lattice pylons to be modified, which could result in up to 6m increase in height	
	With regard to whether the worst-case scenario has been adopted for photomontages in respect of LoD for the height of pylons, National Grid explained that the visualisations do not show the worst case, and are intended to illustrate the finalised engineering design. However, paragraph 6.8.19 of **ES Chapter 6, Landscape and Visual (Document 5.2.6) [APP-078]** confirms that the assessment itself is based on the maximum LoDs and, therefore, does take account of the maximum height of the pylons. The reason why this has not been illustrated in the visualisations is because the design has not been modelled on the maximum height. The maximum height would only be required for technical/ localised environmental reasons, for example, where it is necessary to increase height to maintain safety clearances. This will only occur where there are unexpected changes, for example in ground conditions, and it is highly unlikely that this would be required for all pylons. Therefore, if the photomontages were to show a 6m increase, this would present an unrealistic and potentially misleading visualisation. In summary, the visualisations have been prepared on the basis of the modelled design, which is the most likely, but not the worst case, however the assessment of effects in Chapter 6 Landscape and Visual of the ES **(Document 5.2.6) [APP-078]** has been undertaken on a worst case basis.
	National Grid confirmed that the LoD in respect of increased pylon height was only required for the new pylons and would not be required in respect of modifications to any existing pylons.

Issues discussed	Summary of oral case
ii. For the Applicant briefly to explain the role of visualisations in the LVIA, and its position regarding the level of sophistication and detail provided in a Type 3 visualisation (as set out in Landscape Institute Technical Advice Note TGN06/19) in response to NYC's comments on the completeness of representations of some of the infrastructure visualisations at Deadline 2 and Deadline 3	
When assessment is being undertaken – how much is visualisation being used as a tool - what else is being used?	National Grid explained that the purpose of the photomontages is to illustrate a reasonable approximation of the Project infrastructure, not a precise replication. In Section 8 of Table 2.3 of the **Applicant's comments on the Local Impact Reports (Document 8.10) [REP2-040]**, National Grid responded to NYC's queries on the level of detail in the Type 3 photomontages. National Grid acknowledged the missing details on the photomontages including insulators, steel cross arms and substation structures. National Grid confirmed this is not unusual at this stage of a project where full three-dimensional models of every infrastructure component are not yet designed in detail. In summary, National Grid explained that they do not consider these omissions would have any bearings on judgments made in the LVIA and the resultant conclusion on landscape and visual effects. National Grid confirmed that visualisations, and assessment of these, had been taken from agreed locations. In some cases, certain locations had been used as a proxy for assessment for nearby locations in order to make a judgment on what the magnitude difference in the views would be. Visualisations form only part of the picture in terms of assessment, and these are supplemented by other information. National Grid confirm that they also use ZTV's and site visits to establish the level of screening along certain routes, whether those are footpaths or roads. Detailed assessment is undertaken at those snapshot locations but that is only one part of the judgment when reaching the conclusion on each receptor effect. NYC confirmed they had undertaken site visits to inform their own judgements. NYC's concern related to the level of detail contained in the visualisations, and NYC explained they were unable to agree the assessment of magnitude of change based on the level of detail which the visualisations contained. The ExA asked NYC to confirm in writing and by Deadline 4, if NYC disagreed with any other aspect of the Landscape and Visual assessment (other than the visualisations). National Grid confirmed they would continue discussion with NYC through the Statement of Common Ground (SoCG), but welcomed written clarification from NYC on any points of disagreement. National Grid could not respond to NYC on this until NYC identified the precise concern.

Issues discussed	Summary of oral case
	The ExA asked NYC to explain its concern in relation to the low hedgerow by the A63 and whether this can be seen on the visualisation. NYC confirmed the issue was not with the baseline visualisations but with the proposed visualisations, which they considered to be inaccurate. There is an existing small hedgerow to the northern edge of the A63, and NYC's concern was that the mounding appeared to extend over the existing hedgerow which was not realistic. National Grid referred to **Additional Photomontages as requested by Examining Authority (Part 2 of 2) (Document 8.15) [REP2-046]** which shows the low hedgerow by the A63. National Grid attempted to clarify this point after the meeting with NYC via email. In short, the hedgerow to the south would be removed but there is no impact on the hedgerows along the A63 itself, although the mounding would appear closer because the substation is extended towards you in that view. NYC explained that their main concern with the visualisations was that the insulators were not shown and nor was some of the steel work to the pylon towers, so they were not able to agree with the judgements made in terms of magnitude of change. NYC explained that it would assist them if more detail could be provided in the visualisations. The ExA asked NYC if they accepted National Grid's point that only a certain level of information could be provided given the current stage of the detailed design, as well as National Grid's point that visualisations are only one aspect to consider when undertaking an assessment. NYC accepted that National Grid may not be able to provide more detailed visualisations at this stage, but considered that the level of information which had been provided was insufficient for them to perform their consultee role. The ExA asked NYC whether National Grid had met the requirements of best practice guidance TGN 06/19 in preparing the visualisations. NYC explained that their position was not that more needed to be provided to comply with best practice guidance, but that more would assist NYC's assessment of magnitude of change to determine whether the conclusions of the assessment could be agreed. The ExA stated that they would not be requesting further photomontages. National Grid explained that they consider that the suite of material presented is sufficient to make a judgment, noting that the visualisations are just one element which informs that judgement. For example, site visits and the design drawings should be used to cross-reference and inform judgements in order that the approach taken in the visualisations is proportionate. National Grid agreed to submit a statement, to be agreed with NYC if possible, to be added to the LVIA methodology which sets out a brief explanation of the level of detail for the visualisations and its appropriateness. National Grid noted that Technical Guidance Note 0619 was developed in response to disagreement as to the level of detail which would be appropriate at that stage of the project. National Grid deferred back to that note as being something that has tried to address these issues. National Grid confirmed that in the pre-application

Issues discussed	Summary of oral case
	stage, the use of type 3 visualisations (as per the landscape institute guidance) was agreed. National Grid agreed to prepare a note to explain what type 3 visualisations (as per the landscape institute guidance) achieves and if possible, seek to agree this with NYC. National Grid summarised that they are seeking an Order which sets parameters, but the visualisations represent the design as currently finalised.
iii. To hear from NYC in response to the Applicant's position which is set out in detail in its comments on LIRs [REP2-040], Appendix A, page 23 to 25 and on additional photomontages and assessments [REP3-034].	
A19 mounding and planting to be pointed out for the benefit of NYC. **[REP2-031]**	National Grid confirmed mounding, which would be up to 2m high, is located at number 5 on **(Document 5.4.3(C)) [REP2-031]**. The A19 can be seen on **(Document 5.4.3(C)) [REP2-031]** as the linear feature. There needs to be a break where the overhead line passes over the A19 and then the mounding extends to meet the existing hedgerow near number 2 on **(Document 5.4.3(C)) [REP2-031]**. NYC confirmed this was clear.
iv. For the ExA to understand if there is agreement on this matter.	
	National Grid confirmed there was no agreement at this stage and that National Grid were awaiting comments from NYC to be submitted to the Examination.
v. For NYC and CYC to give comments (if any) on: ○ **the additional photomontages and viewpoint assessments submitted at Deadline 2 [REP2-045] and [REP2-046];** ○ **the annotated photomontages showing the Rochdale envelope [REP2-047]; and** **the photomontages with vegetation affected [REP2-048].**	
	NYC confirmed they would respond to these points at Deadline 4. Leeds City Council and City of York confirmed they had no comments at this stage.
vi. To hear comments from any other IPs.	

Issues discussed	Summary of oral case
	Mr Stephenson confirmed his understanding that the visualisations did not show the worst case for the LoD pylon heights to increase by 6m, but that the LVIA had been undertaken on this basis.
vii. For the Applicant to respond.	
	National Grid confirmed that the worst case visual impact would be higher than that shown on the visualisations, but that the worst case for the limits of deviation had been taken into account in the written assessment. In summary, the photomontages show the expected engineering solution but in some circumstances the height of the pylons may need to be increased by up to 6m if, for example, local ground conditions are not as predicted. This is highly unlikely to be required for all pylons because the visualisations have been based on the design taking into account the existing conditions, where surveyed. However, limits of deviation are required to ensure that if the Project encounters an unanticipated problem, the pylons can be increased in height and the Project can still be delivered. This is not something which is expected on the basis of the known conditions and therefore it would give a false impression to show all pylons with an increase of 6m in the visualisations.

4.2 Item 5.b. LVIA Addendum

Table 4.2 – Item 5.b. LVIA Addendum

Issues discussed	Summary of oral case
i. For the Applicant to explain in more detail the rationale for assessing the traveller community at the junction of the A1(M) and A63 as a visual receptor having medium sensitivity (based on medium to high susceptibility to change and medium value of view) in the context of: ▪ **all other residential receptors in the LVIA being assessed as having high sensitivity;** ▪ **medium to high susceptibility to change not being defined in the LVIA methodology and not being used elsewhere [APP-110] para 1.3.12 to 1.3.16 and Table 6C.6;** ▪ **for air quality the traveller community is assessed as the same sensitivity as other residential receptors for dust emission [APP-085] para 13.9.24 to 13.9.26;** ▪ **for noise and vibration a high sensitivity, which is greater than other residential receptors (medium) is assigned, as the traveller community is described as a vulnerable sub-group [APP-086] para 14.7.13; and human health and well-being uses information from air quality and noise [APP-087].**	
	National Grid explained that the starting point when assessing visual impact is to consider how sensitivity is derived, and then to combine this with the value of the view and susceptibility to change. The approach taken is consistent with table 6.C 3 of the **LVIA methodology (Document 5.3.6C) [APP-110]** which notes that even with a medium value and high susceptibility, the methodology allows professional judgment to reach a conclusion can be made that overall susceptibility is either medium or high. The split category was intended to provide transparency. Should others consider the susceptibility of the travellers to change to be high, the judgment based on the methodology would still determine overall susceptibility to be medium. In practical terms, the assessment also recognises the flexibility of being able to turn the caravans. National Grid stated that it was necessary to acknowledge that the susceptibility of the receptors already living in close proximity to a pylon would be less than receptors who have a view where there are no pylons. National Grid referred to GLVIA 3[1] in this respect (an extract of which is appended as **Appendix A**). In particular, paragraph 6.35 of GLVIA 3 sets out how you assess visual sensitivity which is a combination of the value of a view and the susceptibility of users to that change. The division is not black and white, and there is a

[1] Landscape Institute & IEMA, (2013). Guidelines for Landscape and Visual Impact Assessment (3rd ed.). Routledge.

Issues discussed	Summary of oral case
	gradation in susceptibility to change. National Grid's assessment is that receptors living in a house with a fixed view and no views of pylons, will have a susceptibility which is higher than those who live directly next to a pylon in a moveable home. That is the context of how views have been assessed in the LVIA ES Chapter. National Grid acknowledged that other LVIA experts may come to an alternative conclusion on sensitivity, especially where there has not been a detailed consideration of susceptibility i.e., they could assess that the travellers (that live very close to an existing pylon and overhead lines in moveable accommodation) have an equivalent susceptibility and sensitivity to residents in permanent accommodation with fixed views where there are currently no pylons or other detractors visible, or where pylons are more distant and/or form a less dominant component of baseline views. Therefore, it is accepted that professional judgement may come to alternative conclusion on sensitivity. National Grid explained that even if the travellers are attributed a high susceptibility this would not change the LVIA conclusions during construction, which would remain as significant adverse effects. For operational effects at year 1, the conclusion on significance would change if a high susceptibility was used, but logically the conclusion should be not significant during operation, regardless of sensitivity, given that the new pylon will be moved further away than the existing pylon. In relation to noise sensitivity, people living in caravans have an inherently higher sensitivity to external noise than people living in permanent dwellings. This is because caravans are constructed with materials that typically have poor insulation against external noise sources. National Grid confirmed that they would consider the need for a site specific approach to mitigation for the travellers' encampment during the construction of the Project, which could be determined post consent but approved by NYC prior to commencement of development. National Grid agreed to consider the matters this might consider including aspects such as access arrangements, phasing, circumstances for relocation, screening, and community liaison.
ii. To seek views on the LVIA addendum from others present, as appropriate, including representatives from the traveller community, the land owners and/ or their agent, the liaison officer at NYC and other relevant officer(s) from NYC.	
	NYC confirmed they had nothing to add to the discussion. Nobody else wished to comment on this point.

4.3 Item 5.c. Outline landscape mitigation strategies and ongoing input to landscape mitigation proposals. Scheme for mitigation planting

Table 4.3 – Item 5.c. Outline landscape mitigation strategies and ongoing input to landscape mitigation proposals. Scheme for mitigation planting

Issued discussed	Summary of oral case
i. To understand in what way NYC considers that the outline landscape mitigation strategies do not complement the surroundings as they should and what changes the Council is seeking [REP2-083], response to Q5.4.7.	
	NYC confirmed that they met with National Grid on 19 May 2023 to discuss the outline landscape mitigation strategy **(Document 5.4.3) [APP-164]**, and have agreed a way forward on that (with specific comments still to be received by NYC to which National Grid will respond).
ii. To hear if NYC has worked with the Applicant and given further consideration to the level of detail required in the outline landscape mitigation strategies.	
	As above.
iii. To seek the Applicant's view on these matters and to establish a way forward.	
	National Grid confirmed that the discussions with NYC to date will not lead to any further submissions, and that NYC are content with the approach which has been taken in relation to the outline landscape mitigation strategy **(Document 5.4.3) [APP-164]**.
iv. For the Applicant to provide a full explanation as to how the scheme for mitigation planting (Requirement 8(1)(a)) would be drawn up and on what it would be based. Reference is made to an outline tree and hedgerow protection strategy (THPS) (R6(1)(g)), which is not provided. The Code of Construction Practice (CoCP) refers to a Tree Removal and Protection Plan (Annex C of the AIA, also not found – is this Annex 3I.3?) forming the basis of the tree and hedgerow protection strategy. Annex 3I.3 comprises maps, but no other information on how it would "minimise change to historic landscape character and setting" and how it would address new plantings rather than retention and protection of existing as stated in the CoCP [REP2-020]. Likewise, Requirement 10 which describes the THPS refers only to protection, removal and management, not new planting.	
	National Grid explained that the first limb of landscape mitigation was secured by Requirement 8(1)(a), which concerned all planting for the linear works. This planting must accord with the Arboricultural Impact

Issued discussed	Summary of oral case
	Assessment (AIA) upon which the Tree and Hedgerow Protection Strategy (THPS) will be based. Requirement 8(1)(b) secured the landscape mitigation for the non-linear works by reference to the outline landscape mitigation strategy **(Document 5.4.3) [APP-164]**. National Grid explained that the THPS will need to reflect the final engineering design, and therefore, cannot be produced until post consent. The AIA has been based on the reasonable worst case, taking into account any trees and hedgerows which could be affected as a result of movement within the limits of deviation. When the final design is known and the impact has been reduced and mitigated, the THPS will be the source on which to base the detailed plan to compensate for losses of any trees and hedgerows which could not be avoided. National Grid explained that the principles for mitigating tree and hedgerow losses are set out in the **Code of Construction Practice (CoCP) (Document 5.3.3B (B)) [REP2-020]**. National Grid considered that the **CoCP (Document 5.3.3B (B)) [REP2-020]** read with the THPS would be sufficient for the LPA to approve the scheme under Requirement 8(1)(a) and ensure the mitigation is delivered. Typically for the linear works, there would only be localised removal of trees and hedgerows. National Grid considered that compensating for those losses nearby would be an appropriate response. National Grid noted that localised removal of vegetation was scoped out of environmental impact assessment, as agreed by the Planning Inspectorate. NYC noted their comments in their Local Impact Report **[REP1-056]**, particularly raising concerns about the lack of mitigation for the linear works, and lack of detail on how the mitigation would be delivered and the locations for achieving replacement planting. National Grid explained that reinstatement of planting is dealt with at paragraph 2.3.21 of the CoCP **(Document 5.3.3B(B)) [REP2-020]** and also measure HE09 which is concerned with retention and restoration of trees and hedgerows. National Grid confirm there is a referencing error which refers to Annex 3I rather than to Annex C in the AIA **(Document 5.3.3I) [APP-102]**, and that this will be corrected. Generally, the thrust of Article 8(1)(a) is focused around retention and avoidance of harm to trees and hedgerows but also reinstatement. The word mitigation is perhaps what is causing confusion. Detail approved under Article 8(1)(a) is concerned with how and which trees and hedgerows are identified to be retained and protected, and where they are lost how they will be re-instated. In EIA terms re-instatement might be regarded as a mitigation measure, and retention is a mitigation measure because there would be a reduction of impact of the Project on the tree resource.

Issued discussed	Summary of oral case
	National Grid agreed to re-visit the drafting of Requirements 8 to 10, to consider whether the approach to be taken could be clarified. Mr Stephenson noted that his clients would be affected by visual impacts of the Overton substation. There is currently a gap in the hedge line along Hurns Gutter, which is otherwise fairly well screened with mature trees. Mr Stephenson's client wish to see a 2m bund created along the boundary which would have to be a minimum of 7m from Hurns gutter. Mr Stephenson's clients did not understand why a bund was located to the north west of Overton substation, or the purpose which a bund in this location would serve. Mr Stephenson considered that there were plenty of trees to screen views from Shipton by Beningbrough. National Grid explained that there are restrictions on the landscaping scheme as a result of potential flood risk in the area arising from the location of Hurns Gutter. National Grid confirmed that Flood Zone 3 did not extend to the entire land parcel, so it may be possible to include a bund in closer proximity to the substation. National Grid have set out the principles for landscaping at Overton substation in the ES. Mounding has been included along the A19 and Overton Road to restrict public views for cyclists and road users, which is the primary purpose for which mitigation has been designed. National Grid explained that private views do not have the same planning status, and that there is no protection of private amenity where the impact is not dominant or overbearing. The ExA agreed with this statement. Nonetheless, National Grid has considered the orientation of the property and how the external space is used. The garden area is densely hedged, and views from the property are largely restricted even in winter as a result of existing boundary planting. The greatest impact on the receptors would be from the pylons rather than Overton substation, and this could only be effectively mitigated through additional planting in gardens. National Grid agreed to discuss further with Mr Stephenson whether any planting or bunding could be included in the landscaping design to reduce the visual impact of Overton substation on his clients.
v. To hear from the Councils, if they are content with the response and with the information that would be available against which they would assess any post-consent mitigation planting schemes under Requirement 8(1)(a).	
	LCC stated that there should be a clear distinction between mitigation (avoidance) and compensation (replacement planting) in the drafting of the Requirements. LCC considered the discharge of the Requirement should be based on drawings, so that the approving authority understood what would be removed and how this would be replaced. LCC was unclear as to whether replacement planting was required for Leeds and it

Issued discussed	Summary of oral case
	would assist LCC to understand the potential for this. Post meeting note: National Grid confirm that there is no trees loss in LCC's administrative area. The City of York will respond to these matters in any further WQs from the ExA. However, it would assist them if the drafting can explain the approach to be taken and signpost to any relevant documents.

4.4 Item 5.d. Landscape and visual mitigation for construction phase

Table 4.4 – Item 5.d. Landscape and visual mitigation for construction phase

Issues discussed	Summary of oral case
i. To hear from NYC if it is satisfied with the Applicant's response to points raised in its LIR regarding harm to landscape and views during construction phase [REP1-056], para 8.24 and [REP2-040], page 16, Reference 8, which directs to the CoCP [REP2-020], Section 3.3.	
Also, whether there are any specific locations where NYC considers additional mitigation should be applied	NYC confirmed they have discussed this with National Grid and are now satisfied with matters. NYC understood that construction compounds had been located away from dwellings to minimise effects on residential receptors. Secondary mitigation measures included solid fencing, 2.4 metres high, had been incorporated. Where appropriate, temporary earth mounds would also be located around construction compounds, combined with planting. NYC considered this would be sufficient mitigation to reduce effects during the construction phase. Potential measures for temporary fast growing planting had also been discussed but rejected as set out in written representations to date. NYC was generally satisfied, and noted that additionally impacts on less sensitive boundaries could be reduced by placement of materials on the edge of the construction compound to screen activity. National Grid confirmed that this could be undertaken although mitigation measures to the sensitive boundaries through solid timber screen fencing and soil storage had already been proposed. Leeds City Council and City of York confirmed they had no comments.
ii. To hear from any other IPs who have comments on the adverse landscape and visual effects of construction compounds.	

Issues discussed	Summary of oral case
	Mr Fletcher commented on views looking across the Green Belt. Mr Fletcher asked whether the construction compounds could be camouflaged.
iii. To hear from the Applicant on this matter, whether there is a case for identifying certain locations for different treatment.	
	National Grid confirmed there are two construction compounds at Monk Fryston: (1) directly north of the substation site and east of Rawfield Lane, which is proposed to be largely screened by soil storage and would have no direct views into the compound and (2) to the west of Rawfield Lane, which is less visible because of vegetation, and would have solid timber fencing on three sides, as set out in the CoCP at paragraphs 2.3.10-2.3.11 **(Document 3.3.3B(B))[REP2-020]**. The key boundaries are the northern, western and eastern perimeter of the temporary compound at Monk Fryston west of Rawfield Lane where solid timber fencing is proposed. The perimeter of the compound east of Rawfield Lane would be surrounded by temporary soil storage that would minimise adverse landscape and visual effects. National Grid agreed to produce a diagram which illustrates the movement of soil around the construction compounds and how this would help reduce construction effects.

4.5 Item 5.e. Landscape management and maintenance

Table 4.5 – Item 5.e. Landscape management and maintenance

Issues discussed	Summary of oral case
i. To understand from the Applicant the differences between the management, maintenance and replacement proposed for planting on a) the land it acquires, for which there are outline landscape mitigation strategies and b) other areas of 'essential mitigation' as described in response to NYC's LIR [REP1-056], Reference 8, page 17	
	National Grid explained that in terms of the maintenance period for both the permanent landscaping at the non-linear sites and the replacement planting along the route of the overhead line, a period of 5 years was proposed. For the replacement planting, this would be handed back to landowners after the 5-year maintenance period, to manage as part of their usual practice thereafter. Areas of new landscape planting around the non-linear sites (delivered in accordance with the Outline Landscape Mitigation Strategy) would be retained by National Grid. If further management was required in the permanent landscaping areas, National Grid would have control to undertake that management. National Grid explained that the 5-year period was sufficient in both instances to ensure establishment of any planting, including areas of woodland planting. For the proposed areas of woodland planting, the mix would be approximately 30% larger trees and 70% smaller trees/shrubs. This would address the risk of trees growing in dense competition with one another. In areas of woodland planting where there is no public access, as with the Project, in general no additional management would be necessary after 5 years. By this time, trees should be established, and the species mix would ensure resilience and diversity. As part of the 5-year maintenance period, it would be expected that some thinning would be undertaken at year 4, including the removal of tree guards, which would mean no additional intervention would be required after year 5.
Photomontages after 15 years is what has been shown. If no management intervention between years 6 and 15 how can it be assured it will be delivering the	National Grid explained that the primary objective was to manage the planting in the first 5 years, and doing so would achieve the growth shown after 15 years, with little or no management after year 5. The starting point was to ensure good soil management, and in this respect the success of the planting was closely linked with the soil management plan. Failures usually occur as a result of soil compaction. Lack of irrigation also leads to failures and therefore, requirements for irrigation would be included within the management plan. It would be necessary to ensure the canopy shrub layer is established within the first 3 years, and this would leave 2 additional years to manage the planting thereafter. National Grid would expect their maintenance contractors to address any issues to minimise the need for management after the first 5 years, although would have the ability to undertake further management if required.

Issues discussed	Summary of oral case
mitigation that is set out to?	
What sort of future works might necessitate removal of mitigation planting	National Grid confirmed that the intention was to maintain planting for the lifetime of the Project but, as an operational site, it may not be possible to achieve that in all instances. For example, future development may come forward as has been seen at Monk Fryston in respect of recent battery storage schemes. This may require changes for new oversailing or new underground cables, for example.
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.	
	Leeds City Council (LCC) confirmed that in principle, any replacement/mitigation planting should be protected in perpetuity. Planting which could be removed after 5 years would not be sustainable and would undermine the purposes for planting. LCC considered this could be secured with the Section 106 Agreement with the relevant landowners being a party to that Agreement.
iii. To understand from NYC if its suggestion of a 30-year maintenance and replacement regime for planting is based on other projects and/ or specific growing conditions in the NYC area [REP2-083], response to ExA Q5.4.7 and Q5.4.8	
	North Yorkshire Council (NYC) confirmed that it had discussed with National Grid concerns that the maintenance period would not continue beyond 5 years. NYC wished to see a clear mechanism in place for ongoing woodland management, as the screening may not otherwise be in keeping with local character. NYC consider ongoing management is necessary to be confident that tree canopies will be successful. NYC explained that in the recent appeal decision for the battery storage site at Monk Fryston, their landscape consultant give evidence in relation to their concerns on a 5 year management plan. The landscaping plan included a higher percentage of larger tree stock, which meant there was a greater risk of those specimens failing. The hotter and dryer summers also necessitated a longer maintenance period. In that case, NYC explained that the Inspector required maintenance for the lifetime of the development. The City of York confirmed they were in agreement with National Grid's proposed maintenance and replacement period of 5 years.

Issues discussed	Summary of oral case
iv. To understand the Applicant's response to the different management and replacement requirements suggested in response to ExA Q5.4.7 and Q5.4.8 by the different Councils and NYC's statement in its LIR regarding a mechanism in the draft Development Consent Order (dDCO) to secure landscape as a permanent element of the scheme [REP1-056], para 8.13.	
	In summary, National Grid explained that planting of any kind would only be undertaken with the expectation that planting in perpetuity will be successful. Planting is proposed on land not within National Grid's control and on land which would be within National Grid's control. Outside of National Grid's control, replacement planting will be undertaken and maintained until established. For other areas, where permanent structural mitigation planting would be provided maintenance is only necessary to ensure that growth is established. An in perpetuity obligation would potentially impede future development of operational land, and therefore National Grid did not consider that this was a point on which agreement would be reached with NYC and LCC during the course of the Examination. Notwithstanding the above, National Grid agreed to consider the approach to maintenance of woodland planting beyond the initial 5 year establishment period.
v. To understand from the Applicant what the ongoing management and maintenance expectations of landowners would be after its proposed five-year period and how this could be secured in order to continue to deliver the mitigation.	
	National Grid confirmed that a note would be submitted on any discussions with landowners in relation to ongoing expectations for future management of planting.

5. The Applicant's Summary of Case on Item 6: Good design

5.1 Item 6.a. Applicant's Design Approach to Site Specific Infrastructure

Table 5.1 – Item 6.a. Applicant's Design Approach to Site Specific Infrastructure

Issues discussed	Summary of oral case
i. To examine the content of the Applicant's Design Approach to Site Specific Infrastructure (DASSI) document [REP2-049] and explore the views of the Councils on its adequacy for use in post-consent approvals.	
ExA commented that the document covers other topics but only one or two elements secured in the DCO; only surface and colour treatment of one material secured.	NYC stated that they are reasonably comfortable with the contents of the **DASSI (Document 8.18) [REP2-049],** which they noted contained options for use of different materials. NYC will consider further whether other design elements should be included in Requirement 18, and will respond on this at Deadline 4. Leeds City Council considered that the details needed to be provided upfront or submitted at a later stage in a document which requires approval. There should not be uncertainty as to the details to be brought forward. National Grid explained that the DASSI has a particular purpose, which is to give more detail as to how the non-linear works, particularly the substation will be designed, as well as to provide guidance for approval of Requirement 18. National Grid explained, therefore, that the scope of the DASSI is broader than the specific approval to be sought under Requirement 18. Most elements of the design will be driven by engineering and technical requirements. National Grid will consider whether there are any other elements, beyond what is already included in Requirement 18, that could be settled post consent.

6. The Applicant's Summary of Case on Item 7: Effects on biodiversity

6.1 Item 7.a. Assessment scope, methodology and assessment of effects

Table 6.1 – Item 7.a. Assessment scope, methodology and assessment of effects

Issues discussed	Summary of oral case
i. For the Applicant and NYC to give an update on the status of agreement in relation to the biodiversity assessment scope and methodology.	
	National Grid confirmed that recent discussions have taken place with NYC and biodiversity matters relating to the EIA scope and methodology have now been agreed. NYC confirmed that all areas of disagreement have fallen away. In relation to assessment scope and methodology those matters are now agreed.
ii. To understand areas of outstanding disagreement with NYC in respect of the updated Bat Survey Report [REP2-029].	
	National Grid has discussed the updated Bat Survey Report and ES Addendum with NYC, which has confirmed that all matters are now agreed. NYC confirmed that they were satisfied with the updated bat survey methodology and assessment.
Natural England been involved in discussions with Applicant – Bat roost in one tree	National Grid confirmed that it had discussed the bat roost with Natural England. The tree would be avoided and, accordingly, Natural England had confirmed there was no requirement for a letter of no impediment.

Issues discussed	Summary of oral case
Applicant received comments from Natural England – are these not in SOCG	National Grid confirmed that matters have all been agreed with Natural England, save in respect of Biodiversity Net Gain. The next version of the Statement of Common Ground with Natural England will be updated accordingly.

6.2 Item 7.b. Embedded measures: bird diverters

Table 6.2 – Item 7.b. Embedded measures: bird diverters

Issues discussed	Summary of oral case
i. For Yorkshire Wildlife Trust to elaborate on its position as set out in [REP1-026] that bird diverters should be utilised within the River Ouse and River Wharfe corridors.	
	Yorkshire Wildlife Trust (**YWT**) confirmed that its key concern relates to the crossing of the River Ouse, and potential for bird strikes which could cause population effects at designated site level. The species potentially impacted would be whooper swans and pink footed geese. YWT stated that these species are known to stop off in the Lower Derwent Valley and the Lower Ouse in considerable although varying numbers during spring migration. They are known to fly at lower levels along the river corridor in conditions of poor visibility and darkness, increasing the risk of collisions with overhead lines. YWT are less concerned with impacts arising from the River Wharfe (where the location of the existing overhead line crossing will not alter), but stated that there is still risk for impacts of bird strikes on local populations, including goosander, grey herons, mallards and mute swans. YWT clarified that it is collisions once overhead lines are operational rather than during construction that are of concern. YWT considers that bird diverters should be fitted on river crossings during construction and not left to retro-fitting after a problem may arise. YWT confirmed that it is not aware of an historic issue or bird collisions in the area as a result of the existing overhead lines at the River Wharfe or River Ouse. YWT has suggested that National Grid should obtain data on this from the York Ornithological Club. The relevant European sites are the Ouse Washes Special Protection Area (SPA) and the Nene Washes SPA (with respect to whooper swans); and the North Norfolk Coast SPA and The Wash SPA (with respect to pink-footed geese). YWT is unable to confirm the width of the corridor for the flight path, but will provide written submissions, supplementing their oral submissions where appropriate, at Deadline 4. YWT confirmed it is difficult to confirm the potential effect at population levels because any bird carcasses are likely to be scavenged before being recorded. YWT did not have data on the status of the species concerned.
ii. For the Applicant to explain its position on this matter, expanding on [REP1-026].	
	National Grid explained its position on bird diverters generally, which is an issue that has arisen elsewhere. National Grid does install and maintain bird diverters on overhead lines in some locations. National Grid does so where there is evidence of an identified risk or where there is historic evidence of collisions having

Issues discussed	Summary of oral case
	occurred. National Grid noted that YWT's concerns relate to the replacement of an existing overhead line at the River Ouse, albeit in a slightly different location, and reconductoring of an existing overhead line at the River Wharfe. National Grid stated that there was no evidence base for installing mitigation at either of these locations and, accordingly, National Grid considered there was no case for installing bird diverters. Effects on internationally designated sites for the species concerned as a result of the Project have been screened out by Natural England. National Grid's ornithologist has held a meeting with YWT to discuss their concerns. In terms of effects on designated sites, the conclusion of no significant effects on designated sites has been confirmed by Natural England. In carrying out the assessment for the **No Significant Effects Report (Document 6.4B) [AS-018]**, detailed discussions were held with Natural England at the scoping and screening stages. A 20km zone of influence was used, which is standard for a project of this type based on the maximum distance that relevant bird species will travel from roost/nest sites to foraging areas. Natural England agreed that the only sites which required consideration in the Habitats Regulations Assessment were the Lower Derwent Valley SPA/Ramsar. The sites to which YWT refer are approximately 130-180km south east of the Project. While National Grid understands YWT's concerns about birds from those locations migrating and stopping in the Lower Derwent/Lower Ouse, the risk of the Project causing increased bird strike on migrating species has been screened out, as confirmed by Natural England **[REP2-080**]. Geese and swans will generally fly above the height of the pylons, at heights of 150m+ above ground level during migration. Although flight activity may be influenced by changing weather conditions during their migration, with birds flying lower when visibility is poor, it is generally acknowledged that birds will begin their migrations in good weather conditions. Given the multiple potential migration routes which could be taken from sites 130-180km from the Project location, and the usual flight behaviour of birds during migration, it is extremely unlikely that significant numbers would migrate at low levels in bad weather along the River Ouse at the exact point of the overhead lines resulting in collisions and population effects at designated site level. National Grid therefore consider that the conclusion of no significant effects in the **No Significant Effects Report (Document 6.4 (B) [AS-018]** stands. National Grid summarised that this is a matter on which it is unlikely to reach agreement with YWT, but noted that National Grid's general guidance would continue to apply, to the extent that should evidence of bird strike be forthcoming at a later date, retrofitting of bird diverters could then be considered.
Explain what would happen if evidence	National Grid's approach is that bird diverters may be considered as a mitigation solution where there is evidence of collisions having occurred. In the first instance, consideration will be given as to whether any

Issues discussed	Summary of oral case
came to light re collisions Cost implications	issues can be addressed at source. For example, the issue might arise due to cropping patterns or land drainage issues, which could alter the interaction of bird populations with overhead lines if addressed. If this is not the case, and having consulted with relevant Local Authorities and Natural England and concluded that there is evidence that bird diverters would be appropriate in specific locations, they can be retrofitted subject to obtaining any relevant consents. National Grid stated that the cost of bird diverters would not be prohibitive, but fitting them would require an outage in which case, the greater cost may be the work needed to fit the diverters rather than the cost of supplying the bird diverters. National Grid notes that surveys were carried out to inform the **No Significant Effects Report (Document 6.4(B)) [AS-018]**, including eight months of winter transect surveys recording low flight activity. The survey results showed there were no records of whooper swan flying overhead or utilising habitats in the survey area. In addition, there were only three records of relatively small numbers of pink footed geese (peak count of 86 individuals) that were recorded flying very high during the core winter period (which is suggestive of birds wintering in the area rather than migrating).
Any comments from Councils	NYC confirmed it would defer to Natural England in relation to matters on European sites.

6.3 Item 7.c. Important hedgerow assessment

Table 6.3 – Item 7.c. Important hedgerow assessment

Issues discussed	Summary of oral case
i. To consider with the Applicant and Councils the effect on hedgerows in light of [REP2-027], [REP2-033], [REP2-034] and responses to ExQ1 [REP2-038].	
D3 addendum REP3-010 Applicant to summarise update	National Grid explained that the **ES Addendum (Part 2) (Document 5.2.21) [REP3-010]** was submitted to confirm the outcome of the important hedgerow assessment. The assessment was undertaken on those hedgerows considered to be potentially important in biodiversity terms. Nine hedgerows were due to be assessed, but two hedgerow could not be accessed at the time of the addendum being submitted. The remaining seven hedgerows were confirmed as not important. The Addendum updated the baseline information and did not result in any change to the conclusions of the environmental assessment presented in the ES (**ES chapter 8 Biodiversity, (Document 5.2.8) [APP-080]**). Since the addendum was submitted, an additional hedgerow has been surveyed and found to be not important. National Grid are continuing to agree land access to survey the remaining hedgerow.
Do councils have comments	NYC confirmed it had discussed matters with National Grid and agreed there was no change to the conclusions of the assessment. City of York Council and Leeds City Council had no further comments.
Para 1.4.4 refers to April 2022 – check supposed to be April 2023	National Grid confirmed there was a typographical error and that paragraph 1.4.4 of the **ES Addendum (Part 2) (Document 5.2.21) [REP3-010]** should refer to April 2023, and not April 2022.
One hedgerow not able to access – which one and any prospect	National Grid agreed to provide an update at Deadline 4 as to whether there was any prospect of accessing the remaining one hedgerow which had not been accessed to date. The hedgerow in question is HE045. The current status is that access has not yet been confirmed but is still being sought and a further update will be provided at Deadline 5.

6.4 Item 7.d. Biodiversity Mitigation Strategy (BMS)

Table 6.4 – Item 7.d. Biodiversity Mitigation Strategy (BMS)

Agenda sub-item	Summary of oral case
i. To explore any matters relating to the BMS with the Applicant and Councils.	
	National Grid accepted that the **Biodiversity Mitigation Strategy (BMS) (at paragraph 2.1.4) (Document 5.3.3D) [APP-097]** was based on the scope of works assessed in **Chapter 8, Biodiversity of the Environmental Statement (Document 5.2.8) [APP-080]**, which has now been supplemented by the **ES Addendum (Part 2) (Document 5.2.20) [REP1-013]**. National Grid will consider and confirm how the BMS will be updated in this regard.

6.5 Item 7.e. Biodiversity Net Gain (BNG)

Table 6.5 – Item 7.e. Biodiversity Net Gain (BNG)

Issues discussed	Summary of oral case
i. To understand the latest position with regard to agreement with Natural England and the Environment Agency on the approach to assessing BNG.	
Negotiations on s106 to secure BNG commitments noted.	National Grid confirmed that further discussions had taken place with Natural England and other relevant stakeholders on the approach to BNG and the means of securing BNG. The approach to BNG had been agreed with Natural England and other relevant stakeholders, as had the method of securing this through the Section 106 Agreement. The next versions of the SoCG would be updated accordingly. National Grid noted that the precise contents of the Section 106 Agreement had not yet been agreed.
ii. Building on Table 3.2 of [REP1-045], for the Applicant to provide an update as the status of negotiations on the draft s106 agreement.	
	National Grid explained that a draft Section 106 Agreement had been circulated to the Local Authorities. Leeds City Council had provided its comments and National Grid had responded to these and considered the draft to be broadly agreed. NYC had provided comments to which National Grid had responded. NYC's further comments were awaited. York City Council confirmed it had no comments on the draft Section 106 Agreement.
iii. LCC to elaborate on its comments on the draft s106 agreement [REP2-077].	
	LCC confirmed that a second version of the draft Section 106 Agreement had been received, but LCC had yet to review it. A submission had already been made by LCC on the section 106 Agreement for Deadline 4, but if LCC had further comments on the Section 106 Agreement following review of the second draft, additional Deadline 4 submissions would be made by LCC.
iv. NYC and CYC to provide any comments on the emerging draft s106 agreement in terms of its ability to address outstanding matters on BNG.	

Issues discussed	Summary of oral case
	CYC confirmed it had received the second version of the draft Section 106 Agreement and had no comments or issues in principle to resolve. NYC has received the second version but has yet to review it, so was not in a position to comment on it.
v. To understand any impediments to a s106 being agreed before the close of the Examination that secures the Applicant's BNG commitments.	
	National Grid explained that it was awaiting comments on the second version of the draft Section 106 Agreement from the Local Authorities, and would provide an update on progress at Deadline 4.
vi. To understand the latest position in terms of agreement between the Applicant and Natural England in respect of BNG, with reference to Table 5.1 of [REP1-025]	
	National Grid had broadly discussed the contents of the Section 106 Agreement with Natural England, but had not provided a copy of the draft to Natural England. National Grid's approach was to agree the draft with the Local Authorities before providing a copy to Natural England. However, the draft Section 106 Agreement would be submitted to the Examination at Deadline 4 so Natural England would have an opportunity to comment on it at that point, and in the event further matters were agreed, these would be captured in the SoCGs submitted at Deadline 5.
vii. To understand the latest position in terms of agreement between the Applicant and the Environment Agency in respect of BNG, with reference to [REP2-072] and [REP1-027].	
	The Environment Agency confirmed it would defer to Natural England and the Local Authorities in relation to comments on the Section 106 Agreement, and this could be reflected in the Statement of Common Ground submitted at Deadline 5.

7. The Applicant's Summary of Case on Item 8: Flood risk and water resources

7.1 Item 8.a. Flood Risk Activities Permits (FRAPs) and Water Framework Directive (WFD) compliance

Table 7.1 – Item 8.a. Flood Risk Activities Permits (FRAPs) and Water Framework Directive (WFD) compliance

Issues discussed	Summary of oral case
i. For the Applicant and Environment Agency to provide an update on the current situation regarding FRAPs and WFD compliance, focussing on any outstanding matters.	
	National Grid confirmed that a meeting had been held with the Environment Agency on 22 May 2023, to discuss outstanding matters. All matters were now agreed, save in relation to whether the Environment Agency would require a permit for any construction activities in the flood plain beyond 8m from a main river and whether all oversailing of the overhead line would qualify as an exempt activity for the purposes of environmental permitting. National Grid envisaged that agreement would be reached on these matters, which related to matters of detail rather than substance, before the Examination closed. The Environment Agency confirmed National Grid's summary was an accurate reflection of the current position.
Proposed works at Cock Beck EA's preference and when will know construction technique there.	National Grid confirmed that it is in discussion with Northern Powergrid as to the method for undergrounding the 11kV overhead line. National Grid agreed to provide a further update on the likelihood that this would be installed by using a trenchless technique, if required. National Grid anticipated this matter would be agreed before the close of the Examination.

Issues discussed	Summary of oral case
8 a b certified documents points REP3-031 response in detail. Anything to add to that.	National Grid confirmed that matters had been discussed and agreed with the Environment Agency. The issue related to securing the minimum finished site level for FRA purposes, and this had now been secured through its inclusion on the **Design Drawings (Document 2.15 (B) [REP2-011]**.
	The Local Authorities confirmed they had no comments on these matters.

7.2 Item 8.b. Flood Risk Assessment

Table 7.2 – Item 8.b. Flood Risk Assessment

Agenda sub-item	Summary of oral case
i. Whether the Flood Risk Assessment [APP-138] should specifically be secured in the dDCO.	
	National Grid confirmed that it considers the Environment Agency's concern has been addressed through discussions. The issue about reference to the FRA being secured via a requirement has been addressed, through including finished site levels on the updated **Design Drawings (Document 2.15 (B) [REP2-011]**.

8. The Applicant's Summary of Case on Item 9: Noise and vibration

8.1 Item 9.a. Proposed working hours

Table 8.1 – Item 9.a. Proposed working hours

Agenda sub-item	Summary of oral case
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].	
	Leeds City Council (LCC) confirmed that agreement had been reached with National Grid on construction working hours. With embedded mitigation LCC were satisfied that significant adverse effects on local amenity would not arise. LCC were also content that restrictions on piling were acceptable. LCC and National Grid had also agreed that works outside of core hours were unlikely to result in significant adverse effects due to noise impacts. Types of work that could take place had been agreed in the Statement of Common Ground (SoCG). LCC had also been assured that works within the start-up and shut down periods were unlikely to result in significant adverse noise effects on local amenity. North Yorkshire Council (NYC) explained that their main concern is primarily construction works taking place on Sundays and bank holidays. NYC would like to avoid construction works taking place on these days. NYC confirmed that a consensus had been reached on the start-up and shut down periods following a meeting held with National Grid on Monday 22 May 2023. National Grid confirmed that a meeting with NYC had taken place to discuss various construction works, as well as embedded mitigation for noise effects and the methodology for the construction noise assessment. There was a difference of opinion on whether Sunday working hours should be permissible. National Grid acknowledged that significant noise effects could arise during construction on the travellers' encampment from a combination of different works that may or may not be undertaken at the same time. However, screening and scheduling of noisy works could be undertaken to minimise impacts. National Grid

Agenda sub-item	Summary of oral case
	also acknowledged that this may result in residual significant impacts, but these would be of a short duration. National Grid agreed to give further consideration to how construction effects on the travellers' encampment could be mitigated through a site specific mitigation plan. NYC confirmed they were content with the construction noise assessment methodology. Noise levels reported within **Chapter 14, Noise and Vibration, of the Environmental Statement (Document 5.2.14) [APP-086]**, at Table 14.2.6 shows dominant construction noise. NYC stated that the Table does not account for maximum levels, and shows an average over the whole day. For example, maximum noise levels from reversing alarms were not shown. NYC considered this would result in noise impacts in quiet areas, such that construction works should not take place on Sundays and Bank Holidays. NYC considered that there should be scope to restrict working hours for construction of the Monk Fryston substation, noting that construction noise from replacement of overhead lines was likely to be of a short duration. NYC acknowledged that the noise mitigation scheme had been designed to meet the requisite standards. NYC was comfortable that National Grid could reduce levels to non-significant when assessed in line with the standards. However, NYC was concerned that the levels of noise being reported were still substantially in excess of existing background levels which receptors currently experienced. Mr Carruthers, who represented the travellers' encampment, confirmed that the travellers were not concerned with the potential for construction noise as a result of the Project. National Grid acknowledged NYC's standard working hours for construction. However, the assessment applied BS 5228 and it was necessary to consider whether NYC's standard working hours were required having regard to BS 5228. National Grid's position was that this was not necessary because the assessment had shown that significant effects would be avoided as a result of the mitigation measures contained in the **Code of Construction Practice (CoCP) (Document 5.3.3B(B)) [REP2-020]**, which would be secured through the Noise and Vibration Management Plan, and given the nature of construction activities. National Grid also explained that BS 5228 applied irrespective of the background noise levels, and made no allowance where background noise levels were below 65dB. Given the urgency of delivering the Project and the need to meet the Earliest In Service Date (EISD) National Grid did not agree it was reasonable to reduce the construction working hours when the assessment concluded that there would be no significant effects. In practice, the Project would be constructed at pace, with teams working shift patterns throughout weekends and bank holidays. This is a standard approach in the construction industry and necessary to enable the Project to be delivered in a timely fashion.

Agenda sub-item	Summary of oral case
	National Grid also noted that the methodology for assessing construction noise impacts is agreed with NYC, and that BS 5228 was accepted to be the approved code of practice. Construction noise impacts on receptors had also been reduced by siting of the Project away from residential areas. Assessing the average sound level over a 10 hour period is standard and it would be inappropriate to move away from that, as a different methodology would then be needed for every project. The approved code of practice levels, do not differentiate between underlying background levels. However, in considering the thresholds to apply, National Grid had given consideration to the underlying background levels by selecting the lowest category. In summary, National Grid considered that sufficient measures to mitigate noise impacts from construction had been suitably secured to warrant construction works proceeding at the times proposed.
What would implications be for programme if NYC's preferred hours were to be adopted.	National Grid confirmed that there could be quite significant implications if NYC's preferred construction working hours were applied. National Grid explained that the construction programme was already tight and linked to a large outage sequence, where outages could only be secured at certain points in the year and for certain time periods. The working hours proposed were needed to meet the construction programme and the outage requirements. In addition, it is necessary to ensure the infrastructure is ready to accommodate the new overhead lines. For example, eight transformers would need to be delivered and ready for installation at the substation at certain points. It would be difficult to reschedule these deliveries once orders had been placed, and this could lead to equipment being held at Ports. NYC stated that other matters to be considered included the precise location of construction compounds and the traffic routeings for construction. National Grid responded that traffic has been assessed and is negligible in noise terms. In terms of micrositing of the temporary construction compounds, National Grid were confident that the assessment allowed for some margin of error, so any change would not lead to materially different conclusions for the noise and vibration assessment.
ii. To understand the scope for any movement towards agreement within the timescales of the Examination.	
	Mr Fletcher questioned whether construction works at the site would be shut down if noise levels exceeded 55dB. National Grid explained that BS 5228 set a threshold for significant noise during the daytime (7am to 7pm) of 65db; evenings and weekends at 55dB; and during the night-time at 45dB.

Agenda sub-item	Summary of oral case
	NYC summarised their concern. NYC accepted that the threshold for significant effects in BS 5228 applied a criteria of 65dB during day time hours. However, background levels around Monk Fryston were 30dB. Given the very low background levels, NYC considered that construction noise of 65dB had potential to result in significant effects, even if this was below the threshold for significant effects contained in BS 5228. The ExA confirmed that if agreement could not be reached on this matter between the parties, final position statements were likely to be required by Deadline 7.

8.2 Item 9.b. Construction and operational noise

Table 8.2 – Item 9.b. Construction and operational noise

Issues discussed	Summary of oral case
i. To test the noise assessment methodology and explore approaches to securing mitigation for noise in the DCO (having regard to NYC's comments in section 7 of its LIR [REP1-056] and in the latest SoCG with NYC submitted at D3 [REP3-018]).	
Explain reasoning for changes to wording of AP15-03 – does this mean screening will be applied even if temporal criteria not met?	NYC explained they had concerns with the methodology used for the operational noise assessment, particularly in respect of the screening out of receptors. NYC had discussed this with National Grid and NYC confirmed it understood it to be likely that the conclusions would be the same following the relevant standards, but that it needs highlighting that the assessment methodology shouldn't be agreed or relied upon. NYC explained this was the view of the former Selby district only and that NYC was also content with the outcomes of the operational noise assessment. NYC confirmed their position would be reflected in the next iteration of the Statement of Common Ground (SoCG) which is a non-agreement on the assessment methodology but agreement with the outcome of non-significant impacts. National Grid explained that it has been using a separate methodology to assess operational noise from overhead lines since 1993 (TR[T] 94). Methodology is referenced although not by name in the policy statement for energy number 5 as a method for assessing overhead line noise. National Grid explained that BS 4142 cannot be used during wet weather conditions which is, generally speaking, when the overhead noise would originate. Therefore, the standard approach is not to apply BS 4142 where a more representative methodology is available. National Grid's methodology is more representative and therefore is the correct methodology to use. The National Policy Statement for Electricity Networks (EN-5) at paragraph 2.9.8 explains the problem with using BS 4142. National Grid has developed an alternative methodology as referred to at paragraph 2.9.9 of EN-5 which says an alternative noise assessment method to deal with rain induced noise is needed. The methodology used is therefore considered to be in accordance with EN-5 and should be regarded as acceptable. National Grid explained that the methodology used to assess overhead line noise for the Project was a new methodology which had not previously been used, but will be used on other DCO projects which will be coming forward in due course. The methodology being used is based on the previous methodology used by
What status does methodology have in terms of planning weight.	

Issues discussed	Summary of oral case
	National Grid, which is referred to in EN-5. It has been developed carefully taking into account available guidance, including World Health Organisation guidance, and relevant legislation. National Grid explained that overhead line noise is fairly unique and not inherently noisy. Noise is fundamentally based on external factors and therefore using BS 4142 as the primary assessment method is not the best approach as explained in EN-5. National Grid's screening approach is based on absolute noise levels, and therefore builds in a level of conservatism. It contains elements of BS 4142, including penalties applied to noise levels to take account of tonal character. It uses a noise prediction method which predicts slightly higher noise levels, as previously explained. National Grid explained that there are not many ways to validate the method because it is unique, there are not many people with the specialism to comment on the method. However, National Grid did seek feedback from a portfolio of consultants, while developing the methodology. On this basis, National Grid are confident it is an appropriate methodology. In Selby area, will still be a 275kV line, the future line will in effect operate in the same way. For that part of the project there is really no issue about operational noise in a planning context. The aim of the method is to screen out the necessity to use the BS 4142 assessment. NYC explained their reservations in using the methodology, which screens out receptors at 37dB. In NYC's view a specific methodology should be used, similar to that used to assess noise from wind farms, which are also linked to weather conditions. NYC noted that residential receptors were assigned a medium sensitivity, and considered they should be given a high sensitivity. However, NYC accepted that whilst there was disagreement on the methodology, the conclusions drawn were agreed. In response to NYC's concern on the 37dB screening criteria, National Grid explained that when the screening takes place this assumes noise occurs from the overhead line all the time, and at Tier 1 screening, assumes “wet” noise is present for 100 percent of the time. There will be higher levels of noise during rainfall for a certain percentage of time, but it does not occur all of time. The 37 dB Tier 2 screening level is set as it is because it is assuming worst-case wet noise level is occurring, BS 4142 contains guidance on how to take account of non-continuous noise sources. National Grid had presented noise charts in a technical appendix for the screening but they are not the sound levels one would use for the BS 4142 assessment because they assume noise is occurring all the time, when for the majority of the time, noise of that level will not be occurring. If a lower threshold was set, this would not act as a filter to screen out non-significant noise. Therefore, the approach allows National Grid to ensure its designs are appropriate from the outset. This is the right approach, because once overhead lines are operational, there is little that can be done to reduce noise impacts.

Issues discussed	Summary of oral case
	Mr Fletcher asked what the increase in noise would be for the new high voltage cables that would be installed at Monk Fryston. National Grid explained that a higher voltage cable can result in lower noise impacts. At Monk Fryston a triple AC conductor is proposed, which is the quietest cable available. This cable has been accepted for use on other National Grid projects. National Grid explained that there is a balance to be met between the increased size of the pylons and the type of conductors. However, in this particular case, National Grid would expect the noise emitted to reduce slightly.

8.3 Item 9.c. Noise and Vibration Management Plan (NVMP)

Table 8.3 – Item 9.c. Noise and Vibration Management Plan (NVMP)

Issues discussed	Summary of oral case
i. To examine the concerns of NYC regarding the NVMP, as stated in the latest SoCG [REP3-018,] and to consider how the NVMP is to be secured and managed/monitored, to include views from NYC, LCC and CYC.	
	NYC confirmed they had no additional concerns with the **Noise and Vibration Management Plan (Document 5.3.3H) (NVMP) [APP-101]** beyond its incorporation of the construction working hours and related matters in relation to the construction noise assessment as previously discussed. The only outstanding issue is the core construction working hours. National Grid confirmed that they were content the **NVMP (Document 5.3.3H) [APP-101]** was appropriately framed and that the contractor will be able to comply with the measures contained within it. A degree of flexibility had been incorporated through the tailpiece, but as much as possible had been finalised pre-consent to enable swift progress post-consent should development consent be granted for the Project. National Grid's objective was to confirm as much as possible at this stage of the process. NYC would like additional comfort on the process for making changes set out in the **NVMP (Document 5.3.3H) [APP-101]**. LCC and City of York confirmed they had no comments on the NVMP. National Grid responded that the NVMP **[APP-101]** should not itself contemplate possible amendments, as this was achieved through the Requirement contained in the draft **DCO (Document 3.1 (C)) [REP3-004]**. Schedule 4 of the draft **DCO (Document 3.1 (C)) [REP3-004]** also deals with applications under requirements, that includes 'any consent agreement or approval'. National Grid noted that the **NVMP (Document 5.3.3H) [APP-101]** also contained provisions in Section 5 to deal with any significant amendments from predicted sound levels through applications under Section 61 of the Control of Pollution Act 1974. NYC acknowledged the potential under the **NVMP (Document 5.3.3H) [APP-101]** to submit Section 61 applications and the scope to agree these with the contractor on a case by case basis.

8.4 Item 9.d. Vibration

Table 8.4 – Item 9.d. Vibration

Issues discussed	Summary of oral case
i. The Applicant to provide a brief explanation of the vibration mitigation techniques that are detailed in paragraph 2.2.21 of the NVMP [APP-101].	
	National Grid agreed to provide a brief written summary of all vibration mitigation techniques set out in paragraph 2.2.21 of the **Noise Vibration Management Plan (Document 5.3.3H) [APP-101]**.
ii. NYC to expand on any concerns it might have regarding vibration assessment methodology or embedded measures.	
	NYC stated that their only concern is in relation to vibration, which relates to the threshold criteria adopted within **NVMP (Document 5.3.3H) [APP-101]** of 15mm/s where 10 is intolerable and 1 is tolerable with advance warning given to residents. The threshold criteria is based on the potential for structural damage rather than on the likelihood of complaints. NYC would like to ensure vibration levels above 1 mms are not exceeded but acknowledged that would be difficult to achieve. NYC also confirmed that they had no vibration concerns in relation to the Selby locality. National Grid directed the ExA to table 14.1.9 of **Chapter 14, Noise and Vibration of the Environmental Statement (Document 5.2.14) [APP-086]** which set out the vibration assessment criteria. High magnitude would occur at greater than 10mm per second (not 15mm/s). 15mm per second specifically relates to the riverbank of the Ouse in relation to the Canal and River Trust's concern regarding riverbank stability. Peak particle velocities are a way of measuring instantaneous vibration. The reference in the vibration criteria to 1mm/s being tolerable for a certain amount of time notwithstanding some form of advance warning, is in accordance with the approach recommended in BS 5228 (Part 2). However, National Grid stated that it was important to realise vibration has been scoped out by the nature of the location of any vibratory works. The only receptors close enough to vibratory works which would be potentially affected were the riverbank and the travellers' encampment at Monk Fryston. The assessment had considered the potential for vibration from impact piling works at Monk Fryston, but this method is not considered suitable considering the ground conditions. Therefore, vibration would be avoided at the travellers' encampment, and no significant cumulative intra-project noise and vibration effects would be likely with the avoidance of impact piling. Mitigation for the travellers' encampment was secured through the **Noise and Vibration Management plan (NVMP) (Document 5.3.3H) [APP-101]**. If any changes were required, this would need to be dealt with through the section 61 process.

9. The Applicant's Summary of Case on Item 10: Air quality and health matters

9.1 Item 10.a. Effects on local residents

Table 9.1 – Item 10.a. Effects on local residents

Issues discussed	Summary of oral case
i. Mr and Mrs Rab to provide further commentary on the health concerns that have been raised in [REP2-131] and the Applicant to respond.	
	In general, Mr Stephenson summarised that his clients' concerns related to the close proximity of the Cable Sealing End Compounds (CSECs) to their business operations. Mr Stephenson explained that his clients had arranged a meeting with National Grid to discuss these concerns further, and an update on this could be provided at Deadline 5. National Grid agreed to provide the ExA with the distance between the farmhouse and the CSEC, as well as between the dairy buildings and the CSEC.
ii. Mrs Husband / Ms Eves / Mr Bulmer to elaborate on the concerns relating to dust set out in [REP2-132] and the Applicant to respond.	
	Mr Stephenson explained that his clients were concerned with the potential for dust to cause a nuisance in relation to their residential amenity and to the effectiveness of their solar panels which are on the roof of the dwelling, facing the access road. Mr Stephenson's clients consider that the construction traffic has been routed to close to the dwelling. Mr Stephenson also noted a concern in relation to piling operations. National Grid explained that Table 3.9 of the **Code of Construction Practice (CoCP) (Document 5.3.3B (B) [REP2-020]** contains a set of measures which address potential impacts from dust. In particular, measures have been included to mitigate impacts from 'track out'. These include, at AQ 31-AQ37, sweeping access and local roads, inspecting temporary access roads to ensure the structure of the road is not causing dust as a result of being used by construction vehicles. There is also a process which explains how complaints will be handled and addressed in the event that problems do occur.

Issues discussed	Summary of oral case
	National Grid explained that it would expect residents to have direct liaison with National Grid in the event of any complaint, with the Local Authorities engaged in matters concerning ongoing compliance.

10. The Applicant's Summary of Case on Item 11: Traffic and transport

10.1 Item 11.a. Update on matters outstanding / not agreed in Statements of Common Ground

Table 10.1 – Item 11.a. Update on matters outstanding / not agreed in Statements of Common Ground

Issued discussed	Summary of oral case
i. Network Rail regarding Easements and the Framework Agreement, as set out in the latest SoCG [REP3-026].	
	National Grid confirmed that National Rail was not attending the hearing. Negotiations were ongoing to secure agreement for an easement crossing over the railway line. National Grid's hope and expectation was that an agreement would be concluded before the close of the Examination.
ii. NYC regarding the CTMP and details of the proposed workshop that is referred to in the latest SoCG submitted at Deadline 3 [REP3-018].	
	National Grid confirmed that it was engaging proactively with NYC. A workshop had been arranged for Wednesday 7 June to discuss the concerns that NYC may have. National Grid explained that the **Construction Traffic Management Plan (CTMP) (Document 5.3.3F) [APP-099]** would be a final plan if development consent was granted, and National Grid welcomed any comments on the CTMP at this stage. NYC were concerned with the potential for numerous applications to be made at short notice, with little resource to deal with this. NYC recommended site meetings at all access points before any work commences on site. NYC were particularly concerned over the Skelton area where pylons would be replaced, and how access would be afforded to achieve this. NYC also had concerns as to how traffic would be managed from the A63 via the A1 for works taking place at Monk Fryston. NYC said that individual accesses needed to be assessed against visibility, existing local use, and working hours. NYC said the Authority is a rural one and a commitment was needed from National Grid as to how traffic movements would be managed in light of the rural nature of the roads. NYC was concerned as to how the Project would be managed.

Issued discussed	Summary of oral case
	The City of York confirmed that the Statement of Common Ground (SoCG) was agreed and reflected the current position with National Grid. LCC confirmed it had no further comments. National Grid explained that the workshop was primarily intended to progress discussions with NYC. The City of York were welcome to attend, although National Grid's understanding was that all matters were agreed with the City of York, as set out in the Statement of Common Ground (SoCG).
iii. National Highways regarding the matters set out in the SoCG [REP1-034] and any further assessment work required (having regard to the comments made in [REP3-016]).	
	National Highways confirmed that all technical matters raised had been satisfactorily addressed by National Grid. National Grid agreed that all 15 points raised by National Highways were now resolved and the **Statement of Common Ground (SoCG) (Document 8.5.14) [REP1-034]** could be updated to reflect this at Deadline 5.

10.2 Item 11.b. Construction traffic matters

Table 10.2 – Item 11.b. Construction traffic matters

Issues discussed	Summary of oral case
i. Access to, and configuration of, the Temporary Construction Compounds. To include an explanation from the Applicant of the differences between the number and layout of TCCs that are depicted in the Works Plans versus those depicted in the Construction Traffic Management Plan (CTMP).	
	National Grid explained that the AIL drawings contained in the **Construction Traffic Management Plan (Document 5.3.3F) [APP-099]** do not show all Temporary Construction Compounds (TCCs) because they are intended to show the access arrangements for AIL movements only (and not access movements to TCCs). National Grid explained that TCCs are indicated on the **Works Plans Sections A-F (Document 2.6.1 to 2.6.6) [REP1-004 to REP1-009]**. NYC raised concerns on the visibility for and location of access point 89 in relation to Overton substation. NYC stated that National Grid has discussed widening the approach road. NYC was concerned this could involve the removal of additional hedgerows. NYC wanted to discuss each individual access point with National Grid and assess each site access before the close of the Examination. National Grid responded that NYC has already been consulted on visibility for each access point, and this was done at an early stage in the application process. The results were presented within the **CTMP (Document 5.3.3F) [APP-099]** but National Grid had agreed to discuss this further with NYC at the forthcoming workshop. National Grid acknowledged that no recent physical meeting had taken place on site with NYC, but National Grid had responded to NYC's concerns in writing. NYC commented that National Grid did engage with the highway authority, but this was a desktop study only. National Grid confirmed that the preliminary design work had progressed to a stage where an assessment as to suitability of accesses had previously been provided to NYC. Engagement was ongoing and National Grid was hopeful the forthcoming workshop would resolve any outstanding issues. National Grid considered that no further assessment is required at this stage because the list of accesses had been available to the Local Authorities as part of the application process.
ii. Development of the CTMP.	

Issues discussed	Summary of oral case
	National Grid confirmed that the **Construction Traffic Management Plan (CTMP) (Document 5.3.3F) [APP-099]** is intended to be a final version. The initial draft version was produced in consultation with the relevant planning and highway authorities as explained in paragraph 1.2.1. Full details of engagement were set out in Table 12.5. The CTMP committed to further engagement and consultation following the detailed design work. This engagement is intended to be around detailed design and would not result in updates to the CTMP but would inform details of traffic management works. Those details cannot be agreed until a contractor has been appointed. CYC and LCC confirmed they had no comments on the CTMP.
iii. Assessment of the need for bellmouths and for passing places to be constructed, and considerations regarding their layout.	
	Mr Stephenson stated that his clients' representation **[REP2-132]** was not able to refer to traffic movements because these were only supplied on the day the representation was due to be submitted. Mr Stephenson stated that regarding receptor 1 there were 1,349 HGV movements and 940 or 950 light vehicle movements spread over the contract. At SP005, National Grid proposed an access road between SP007 and SP006, and from SP006 to SP005, with a bridge over Hurns Gutter to access between SP006 and SP005. Mr Stephenson considered an alternative access route should be taken to minimise impacts on his clients. National Grid explained that there is no specific plan showing the proposed access routes, as these can in theory be anywhere within the Order limits. National Grid needs to retain flexibility and access routes have been assessed on that basis. National Grid needed to make a judgment on a suitable access point. Stripe Lane was not considered suitable for all of the construction traffic generated given it is narrow with limited scope for passing places. An access between SP005 and SP006 also required a bridge over Hurns Gutter. 1,309 HGV movements and 949 LGV movements were expected over a construction programme lasting 198 weeks, which equated to less than one movement per hour. There would be a peak of 60 HGV movements and 44 LGV movements per day during the peak week. The access has an existing bell mouth and National Grid's position was that access by the residents would not be hindered and could feasibly be managed. The Project has allowed for a bi-dimensional bell mouth and passing places typically spaced every 200 metres, although it was expected that traffic levels could be managed without the need for this. National Grid explained that the contractor would manage deliveries and banksmen would direct and hold traffic while movements take place. National Grid considered that one movement an hour could be managed on site, and this would be preferable to physical interventions of road widening. If movements could not be managed in this

Issues discussed	Summary of oral case
	way, it would be necessary to widen the bellmouth and the road. Any stopping of vehicles would need to be undertaken on the access track and not the adopted highway. Stripe Lane (as an alternative) was not considered to be a suitable access as physical works would be required to accommodate the proposed movements. Stripe Lane is a very narrow road with limited passing places. There is limited potential to extend and widen Stripe Lane. National Grid's proposed route enabled some movements to come from SP007 with some from the bridge over Hurns Gutter. This gave more flexibility to manage movements through different routes. National Grid confirmed that the alternative access proposed by Mr Stephenson's client is being considered and a response to this will be provided by National Grid at Deadline 4. In respect of his clients at New Farm Cottages, Mr Stephenson said that there had been confusion as to whether a hedge would be removed. Mr Stephenson said that National Grid had confirmed on a site meeting in March 2023 that no hedge would be removed. However, Mr Stephenson understood that National Grid would remove 150m of hedge, which extended all the way to the farm buildings. Mr Stephenson also stated that National Grid's proposed access would result in traffic leaving the A19 earlier than necessary. With regards to the New Farm Cottage access point, National Grid explained that a response would be provided at Deadline 4 with an assessment of the alternative means of access proposed by Mr Stephenson's clients. Whilst powers had been included in the draft DCO to remove the hedge, this would only be required if it was necessary to install passing places. It was not anticipated that the entire length of hedgerow would be removed, but flexibility was needed along the entire length of hedgerow as the location of the passing places was not yet fixed. National Grid stated that the daily flow of vehicle movements was relatively low, and National Grid's proposed access was therefore considered suitable. Although Mr Stephenson had suggested that the alternative route would remove traffic on the A19, construction traffic would still need to use the A19 to travel to and from the main Overton compound with National Grid's proposed route. Mr Fletcher considered that a strategic view for access across the entire area was needed. Traffic impacts at Monk Fryston needed to be considered in light of the accident history. The ExA asked NYC to respond to Mr Fletcher's point as to why NYC had not previously supported a reduction in speed limit. NYC responded to say that there is a lot of detail which goes into changing speed limits and confirmed a written response would be provided at Deadline 4.

Issues discussed	Summary of oral case
	National Grid referred to Table 12.5 of **Chapter 12, Traffic and Transport, of the Environment Statement (Document 5.2.12) [APP-084]**. This provided a summary of engagement on traffic matters with Sustrans, CYC, and particularly NYCC as the local highway authority at page 18. National Grid confirmed that NYC did not agree that a speed reduction at Monk Fryston was necessary, and this was NYC's position from May 2022. From National Grid's perspective, whilst it was accepted this was a junction onto an 'A' class road, the left-in/left-out provision would reduce greatly the potential for conflict and offered an appropriate solution.
Looking at issue of bellmouths, figure 3F2 [APP-099] provides proposed construction design of illustrated layout for bellmouths, worst case scenario 39m width – number of considerations, when will specific design for bellmouths be identified and what consultation process with LA's will there be to reach final design for bellmouths	National Grid confirmed that the detailed design for the bellmouths would take place once the contractor was appointed, based on the final design of the overhead line and substation. National Grid would seek to agree the access design with the local highway authority in advance of discharging the DCO requirements. The **CTMP (Document 5.3.3F) [APP-099]** set out the approach to consultation.

Issues discussed	Summary of oral case
How will number of passing places be ascertained.	National Grid explained that the number of passing places will be ascertained as part of the detailed design once the contractor has been appointed. Passing places would be designed as part of the access track. Where passing places are located in the adopted highway there would not be consultation with landowners. For internal access tracks (not on the adopted highway) National Grid would seek to engage with landowners as part of the detailed design process. Mr Stephenson requested that his clients be consulted on passing places at Newlands Farm. There was a single track road leading to the farm, and 25,000 traffic movements were anticipated for that stretch of road during the Project. Mr Stephenson's client was concerned that there would be insufficient passing places which could impact his client's farming operations. National Grid agreed to consider this further. It was in National Grid's interests to avoid any conflict between National Grid and local residents. It was not appropriate for in principle objections to be raised post consent where access was to be taken within the public highway. National Grid was making use of the highway to reduce impacts, but this meant it would be necessary for highway modifications. In response to Mr Stephenson's query over which party would need to give way to the other, National Grid confirmed that the public highway is for everyone's use. Mr Stephenson considered that a farmer using the public road network in connection with their business, should not need to give way as a result of a change in the use of a road from the Project. National Grid responded that the need to manage traffic management was recognised and that powers had been included in the draft Order for this purpose, including the creation of passing places and traffic management. National Grid recognised that careful thought needed to be given as to how vehicle movements are managed. Physical provision and possible traffic management provision would need to be considered, as would engagement with landowners. National Grid explained that the use of banksman was a standard measure used to manage the interaction of other users on the road. It was in National Grid's interest to ensure banksmen were in place.
iv. Potential for the scheduling of deliveries outside peak times, e.g. for the Monk Fryston substation to reduce conflict at the junction onto Rawcliffe Lane.	
Any comments on NYC comments how would that be controlled in practice.	NYC confirmed that there was a typing error in their **Local Impact Report** [**REP1-056**] which referred to deliveries to be scheduled along Rawcliffe Lane, instead of Rawfield Lane. National Grid confirmed the correct name should be Rawfield Lane. National Grid explained that rather than commit to specific mitigation measures for specific locations, a number of possible mitigation measures had been set out in the **Construction Traffic Management Plan (CTMP) (Document 5.3.3F) [APP-099]**. Section 4 of the CTMP explains how potential traffic and transport impacts of

Issues discussed	Summary of oral case
	construction traffic during the construction phase of development would be minimised. In addition, scheduling of deliveries was not considered appropriate as mitigation because this would have a detrimental impact upon the construction programme. National Grid noted the concerns which had been raised at paragraph 12.8 of NYC's **Local Impact Report [REP1-056]**. In relation to the A63 and the Monk Fryston substation, site observations have indicated the junction itself does not suffer from any significant capacity concerns. In terms of accident statistics, only one accident was recorded, in 2017, over the past 5 years and this did not involve HGVs. National Grid is satisfied that appropriate mitigation measures had been agreed for this location, and this was discussed in May 2022 with NYC. National Grid had previously recommended a speed reduction in this location, but this was rejected by the local highway authority in favour of a left-in/left-out approach. It was understood by National Grid that this approach had been agreed with NYC. In accordance with paragraph 7.3.12 of the **CTMP (Document 5.3.3F) [APP-099]**, a delivery management system would be used to ensure appropriate delivery of material and equipment in line with the construction programme. This would limit traffic movements to agreed thresholds within set parameters, for example, certain time periods. The delivery management system would include tailored measures agreed by the contractor in consultation with relevant stakeholders, including discussions with the Local Highway Authority on mitigation measures contained within the **CTMP (Document 5.3.3F) [APP-099]**. It would be used to limit vehicle movement and times, which would be recorded and used to monitor and track effectiveness. This would have the potential to limit deliveries outside of peak times, although it is envisaged that timings would also need to meet the constraints of the construction programme. NYC confirmed that the purpose of the workshop is to discuss these specific matters, and that NYC will provide an update to the ExA at Deadline 5.

10.3 Item 11.c. Public Rights of Way (PRoWs)

Table 10.3 – Item 11.c. Public Rights of Way (PRoWs)

Issues discussed	Summary of oral case
i. Having regard to the updated PRoW Management Plan [REP2-024], the Applicant and Local Highway Authorities to provide an update on the status of discussions regarding managing the impacts on PRoWs, for example temporary closures and diversions during construction operations.	
Agreed in outline – question to NYC expectations of PRoW plan during and after	NYC confirmed it had reviewed the updated **Public Rights of Way Management Plan (Document 5.3.3G (B)) [REP2-024]** and was generally content, subject to adding a few points of detail. In particular, NYC would like clarification that only the affected part of the footpaths would be temporarily closed. A meeting had been arranged with National Grid to discuss this further and NYC expected to be able to provide an update on this at Deadline 5.

11. The Applicant's Summary of Case on Item 12: Cumulative effects

11.1 Item 12.a. Cumulative effects with other projects ('inter-project effects')

Table 11.1 – Item 12.a. Cumulative effects with other projects ('inter-project effects')

Issues discussed	Summary of oral case
i. For the Applicant to briefly explain its D3 updates to the cumulative effects assessment [REP3-010] [REP3-011] [REP3-013].	
Update to long list of developments and figures	Since the submission of the application for development consent, National Grid have kept track of planning applications to enable updates to be made to the **Cumulative Effects Assessment (Document 5.3.18A (B) [REP3-011]**. This has resulted in six additional developments being included on the long list, which have been screened in accordance with the standard methodology as set out in **ES Chapter 18: cumulative effects (Document 5.2.18) [APP-090]**. From that, two developments have been included on the short list, a solar farm at Nether Poppleton and a residential development at Tadcaster. These developments have been appraised which identified the potential for cumulative landscape and visual effects during construction of the Project and the solar farm, if construction periods were to overlap. The ES also considered cumulative effects of the Project with Lumby Quarry. National Grid has reviewed the new information submitted in support of this application to see if this would alter the conclusions previously reached, and has confirmed that this has not resulted in any change to the significance of cumulative effects previously concluded.
	NYC confirmed that the application for the fish farm adjacent to the Monk Fryston substation site was formally approved earlier this month. ExA commented on the new ID135 which is the 500 houses in Tadcaster area brought forward into the shortlist, there was potential for cumulative effects when combined with the proposed development in relation to soils and agriculture.

Issues discussed	Summary of oral case
	National Grid explained that the new housing development at Tadcaster (ID135) had potential for cumulative effects in relation to impacts on soil and agriculture. There was an increase in the cumulative total area affected from 135 hectares to 180 hectares. This increased the magnitude of the effect, but the effect remained significant, with no changes to the overall assessment. National Grid noted that there was no application submitted for ID135 to date, so the level of certainty of the cumulative effect occurring was low. The ExA noted that a solar scheme was proposed at Nether Poppleton (ID136) within the vicinity of XCP-007, which had potential for temporary significant cumulative effects during construction on landscape character and views from Public Rights of Way (PRoWs). National Grid noted that the period of construction would be limited in duration and existing embedded mitigation would mitigate potential effects as far as possible where the construction programmes aligned. National Grid agreed to confirm what embedded mitigation was included in the Solar Farm application. CYC stated that the proposal was currently at EIA screening stage. The area of the scheme overlaps with the Order Limits where the overhead line would be permanently dismantled. National Grid agreed to confirm whether any further mitigation was required to address potential cumulative impacts or whether this would be addressed by existing embedded mitigation. The ExA queried whether the existing embedded mitigation would do all that could be done to mitigate potential significant cumulative landscape and visual effects at this point in time. Significant but localised effects on landscape character and visual amenity of PRoW users along the River Ouse would occur as a result of the Project in any event, regardless of whether the solar farm development was constructed. The EIA Screening Report for the Solar Farm concludes that there is no potential for significant construction and/or operation landscape and visual effects from the solar farm. Consequently any temporary cumulative effects would be as a result of the construction of the Project (up to 2 years) which has already adopted embedded measures to minimise adverse effects from the identified receptors. Furthermore the solar farm applicants screening report makes references to further landscaping proposals which will be provided as part of the planning application which would infill existing vegetation where necessary and provide new areas of planting where required to limit the visual impact of proposed solar farm. However, no plans showing the extent or location of such mitigation planting are available at this stage of the application. Overall, given the short term duration of effects. it is considered that no additional embedded mitigation measures are required to mitigate potentially significant cumulative landscape and visual effects. NYC asked whether the solar farm proposal in Selby had been considered in the CIA. National Grid explained that they would need to be provided with the precise details of the solar farm proposal to be able to check this.

Issues discussed	Summary of oral case
	National Grid agreed to confirm the position at Deadline 4. A response is provided on this in relation to ISH2 Action Point 32 **(Document 8.23.4)**. CYC had been notified of a potential NSIP application by Boom Power for the East Yorkshire Solar Farm. National Grid agreed to check that this had been considered in the CIA. A response is provided on this in relation to ISH2 Action Point 33 **(Document 8.23.4)**.
Cumulative noise effect being identified new farm and woodhouse farm – construction noise effect. Short temporal has been downgraded to non-significant. Short duration	National Grid agreed to respond to this point in writing. The ExA noted that the short duration of construction works was a factor in concluding that no significant cumulative effects were likely from both Yorkshire GREEN and the Nether Poppleton Solar Farm during construction phases should these overlap. The ExA queried what the duration effect would need to be for a significant effect to occur. Post Hearing Note: As set out in paragraph 14.9.17 of **ES Chapter 14: Noise (Document 5.2.14, [APP-086])** the guidance from Annex E of BS 5228-1:2009+A1:2014 which refers to noise effects for a period of 10 or more days of working in any 15 consecutive days or for a total number of days exceeding 40 in any 6 consecutive months has been considered in determining the magnitude of effect. Noise levels at New Farm and Woodhouse Farm (represented by Receptor ID YOR08) were only found to exceed the relevant construction noise thresholds during night time working, with the exceedance resulting from pulling bonds over scaffold closest to pylon ID XC422 (50dB). The duration of these works is not expected to exceed the temporary criteria from BS 5228. Furthermore, it is assumed that the construction working hours for the solar farm would be limited to daytime hours.
Lumby Quarry – conclusion in ES addendum potential for significant adverse effects on biodiversity– does that take account response to ExA first questions when talking about co-	National Grid confirmed that a positive meeting had been held with Lumby Quarry, who had shared their proposals with National Grid. National Grid confirmed they believe there is a solution whereby impacts can be minimised. National Grid explained that Lumby are currently considering National Grid's proposals to see if the planting plans can be amended and how construction of both projects can be facilitated, either by programming of construction works and/ or amending planting plans by agreement. National Grid agreed to consider whether it was necessary to secure future co-operation between the parties.

Issues discussed	Summary of oral case
ordination and ability to minimise effect through co-operation.	

11.2 Item 12.b. Interaction of environmental effects associated with the Proposed Development ('intra-related effects')

Table 11.2 – Item 12.b. Interaction of environmental effects associated with the Proposed Development ('intra-related effects')

Issues discussed	Summary of oral case
i. To consider the potential for the accumulation of, and interrelationship between, effects of the Proposed Development on people and places, with reference to para 4.2.6 of NPS EN-1 and Regulation 5(2)(e) of the EIA Regulations 2017.	
Not raised during hearing.	-
ii. To explore the potential for intra-related effects on occupiers of the Travellers' Site at the junction of the A1(M) and the A63.	
Aware of duties under equality act	Mr Carruthers, on behalf of the travellers' encampment, confirmed the travellers were aware of the level of construction noise which would occur at the Monk Fryston site as a result of the Project. They work in the construction industry and understand this. They simply want to be allowed to remain in situ whilst the construction works are ongoing. They are in the process of re-submitting their planning application, and have held discussions with National Grid on potential mitigation during the construction works. There are around 10 landowners, who have asked National Grid to leave certain infrastructure behind so this can then be used by the site owners. Mr Carruthers agreed to provide a written summary of his oral submissions at Deadline 4. National Grid responded that in relation to the **Book of Reference (Document 4.3) [APP-071]**, the Land Registry had been checked and only 4 land owners were noted on the title. This is not summarising given the HMLR position is to name only 4 registered legal owners. However, National Grid do not have any evidence of the other landowners and so cannot add them to the Book of Reference. National Grid is confident the **Book of Reference (Document 4.3) [APP-071]** is up to date as per the recent Land Registry searches. In terms of mitigation, National Grid has treated the site as a receptor notwithstanding its planning status. An update to the assessments were provided at the outset of the Examination to ensure a complete assessment had been undertaken. Given the sensitivities of the travellers' encampment, National Grid agreed with taking a site specific approach to mitigation, reflective of the combination of mitigation measures already contained in existing documents but tailored to the needs of the site. National Grid is engaging with the owners and occupier of the travellers' encampment through Mr Carruthers as their agent. National Grid recognise the request for a new water and power supply which can be used by the

Issues discussed	Summary of oral case
	occupiers, but that is not something which would be considered to mitigate the Project or therefore something which National Grid could provide. National Grid would compensate the landowners and occupiers as appropriate, and they may choose to use that compensation towards provision of new infrastructure. National Grid would work sensitively around the site, ensuring appropriate temporary mitigation measures are in place. National Grid agree that this mitigation could be usefully reflected in a single plan, which could be prepared prior to commencement of construction.
One way of mitigation to re-locate?	National Grid agreed that one way of mitigating construction impacts on the travellers' encampment was to temporarily re-locate the travellers during the construction works. However, this could only be taken forward through liaison and agreement with the occupiers, and only if there was a need to temporarily relocate them during construction. No commitment could be made to constructing at the site at a particular time of year given the urgency to deliver the Project and the programme required for construction. However, National Grid would liaise with the occupiers on the co-ordination of construction works and the physical mitigation proposed for the construction works. National Grid had prepared site specific mitigation plans for other projects. National Grid accepted that it may assist to take the more generic points in the **Code of Construction Practice (CoCP) (Document 5.3.3B) [REP2-020]** and set out how these would apply for the specific site, so it is known in advance which methods will be deployed and in what way. National Grid agreed the plan could be finalised prior to construction. National Grid confirmed that they did not consider there was a need for site specific mitigation plans at any other location affected by the Project but acknowledged that the status of the travellers warranted special provision and recognised the benefits of doing so. In respect of the position on landownership, National Grid will check the Land Charges register for details of other owners. National Grid noted that Mr Carruthers had been requested to provide details of all the landowners, but these had not been forthcoming to date.
iii. To explore the potential for intra-related effects on other particular places or communities during the construction period	
Not raised during hearing.	-

Appendix A Extract from Guidelines for Landscape and Visual Impact Assessment

6.25 The potential extent to which the site of the proposed development is visible from surrounding areas (the ZTV), the chosen viewpoints, the types of visual receptor affected and the nature and direction of views can all be combined in well-designed plans. Existing views should be illustrated by photographs or sketches with annotations added to emphasise any particularly important components of each view and to help viewers understand what they are looking at. It is important to include technical information about the photography used to record the baseline, including camera details, date and time of photography and weather conditions.

Predicting and describing visual effects

6.26 Preparation of the visual baseline is followed by the systematic identification of likely effects on the potential visual receptors. Considering the different sources of visual effects alongside the principal visual receptors that might be affected, perhaps by means of a table, will assist in the initial identification of likely significant effects for further study. Changes in views and visual amenity may arise from built or engineered forms and/or from soft landscape elements of the development. Increasingly, attention is being paid to the visual effects of offshore developments on what may be perceived to be valued coastal views.

6.27 In order to assist in description and comparison of the effects on views it can be helpful to consider a range of issues, which might include, but are not restricted to:

- the nature of the view of the development, for example a full or partial view or only a glimpse;
- the proportion of the development or particular features that would be visible (such as full, most, small part, none);
- the distance of the viewpoint from the development and whether the viewer would focus on the development due to its scale and proximity or whether the development would be only a small, minor element in a panoramic view;
- whether the view is stationary or transient or one of a sequence of views, as from a footpath or moving vehicle;
- the nature of the changes, which must be judged individually for each project, but may include, for example, changes in the existing skyline profile, creation of a new visual focus in the view, introduction of new man-made objects, changes in visual simplicity or complexity, alteration of visual scale, and change to the degree of visual enclosure.

6.28 Consideration should be given to the seasonal differences in effects arising from the varying degree of screening and/or filtering of views by vegetation that will apply in summer and winter. Assessments may need to be provided for both the winter season, with least leaf cover and therefore minimum screening, and for fuller screening in summer conditions. Discussion with the competent authority will help to determine whether the emphasis should be on the maximum visibility scenario of the winter condition of vegetation, or whether both summer and winter conditions should be used. The timing of the assessment work and the project programme will also influence the practicality of covering more than one season.

6.29 As with landscape effects an informed professional judgement should be made as to whether the visual effects can be described as positive or negative (or in some cases neutral) in their consequences for views and visual amenity. This will need to be based on a judgement about whether the changes will affect the quality of the visual experience for those groups of people who will see the changes, given the nature of the existing views.

> Methods of communicating visual effects are covered in Chapter 8.

Assessing the significance of visual effects

6.30 The visual effects that have been identified must be assessed to determine their significance, based on the principles described in Paragraphs 3.23–3.36. As with landscape effects, this requires methodical consideration of each effect identified and, for each one, assessment of the nature of the visual receptors and the nature of the effect on views and visual amenity.

Sensitivity of visual receptors

6.31 It is important to remember at the outset that visual receptors are all people. Each visual receptor, meaning the particular person or group of people likely to be affected at a specific viewpoint, should be assessed in terms of both their susceptibility to change in views and visual amenity and also the value attached to particular views.

Susceptibility of visual receptors to change

6.32 The susceptibility of different visual receptors to changes in views and visual amenity is mainly a function of:

- the occupation or activity of people experiencing the view at particular locations; and
- the extent to which their attention or interest may therefore be focused on the views and the visual amenity they experience at particular locations.

6.33 The visual receptors most susceptible to change are generally likely to include:

- residents at home (but see Paragraph 6.36);
- people, whether residents or visitors, who are engaged in outdoor recreation, including use of public rights of way, whose attention or interest is likely to be focused on the landscape and on particular views;
- visitors to heritage assets, or to other attractions, where views of the surroundings are an important contributor to the experience;
- communities where views contribute to the landscape setting enjoyed by residents in the area.

Travellers on road, rail or other transport routes tend to fall into an intermediate category of moderate susceptibility to change. Where travel involves recognised scenic routes awareness of views is likely to be particularly high.

6.34 Visual receptors likely to be less sensitive to change include:

- people engaged in outdoor sport or recreation which does not involve or depend upon appreciation of views of the landscape;
- people at their place of work whose attention may be focused on their work or activity, not on their surroundings, and where the setting is not important to the quality of working life (although there may on occasion be cases where views are an important contributor to the setting and to the quality of working life).

6.35 This division is not black and white and in reality there will be a gradation in susceptibility to change. Each project needs to consider the nature of the groups of people who will be affected and the extent to which their attention is likely to be focused on views and visual amenity. Judgements about the susceptibility of visual receptors to change should be recorded on a verbal scale (for example high, medium or low) but the basis for this must be clear, and linked back to evidence from the baseline study.

6.36 The issue of whether residents should be included as visual receptors and residential properties as private viewpoints has been discussed in Paragraph 6.17. If discussion with the competent authority suggests that they should be covered in the assessment of visual effects it will be important to recognise that residents may be particularly susceptible to changes in their visual amenity – residents at home, especially using rooms normally occupied in waking or daylight hours, are likely to experience views for longer than those briefly passing through an area. The combined effects on a number of residents in an area may also be considered, by aggregating properties within a settlement, as a way of assessing the effect on the community as a whole. Care must, however, be taken first to ensure that this really does represent the whole community and second to avoid any double counting of the effects.

Value attached to views

6.37 Judgements should also be made about the value attached to the views experienced. This should take account of:

- recognition of the value attached to particular views, for example in relation to heritage assets, or through planning designations;
- indicators of the value attached to views by visitors, for example through appearances in guidebooks or on tourist maps, provision of facilities for their enjoyment (such as parking places, sign boards and interpretive material) and references to them in literature or art (for example 'Ruskin's View' over Lunedale, or the view from the Cob in Porthmadog over Traeth Mawr to Snowdonia which features in well-known Welsh paintings, and the 'Queen's View' in Scotland).

Magnitude of the visual effects

Each of the visual effects identified needs to be evaluated in terms of its **size or scale**, the **geographical extent** of the area influenced, and its **duration and reversibility**. 6.38

Size or scale

Judging the magnitude of the visual effects identified needs to take account of: 6.39

- the scale of the change in the view with respect to the loss or addition of features in the view and changes in its composition, including the proportion of the view occupied by the proposed development;
- the degree of contrast or integration of any new features or changes in the landscape with the existing or remaining landscape elements and characteristics in terms of form, scale and mass, line, height, colour and texture;
- the nature of the view of the proposed development, in terms of the relative amount of time over which it will be experienced and whether views will be full, partial or glimpses.

Geographical extent

The geographical extent of a visual effect will vary with different viewpoints and is likely to reflect: 6.40

- the angle of view in relation to the main activity of the receptor;
- the distance of the viewpoint from the proposed development;
- the extent of the area over which the changes would be visible.

Duration and reversibility of visual effects

As with landscape effects these are separate but linked considerations. Similar categories should be used, such as short term, medium term or long term, provided that their meaning is clearly stated with clear criteria for the lengths of time encompassed in each case. Similar considerations related to reversibility apply, as set out in Paragraph 5.52. 6.41

Judging the overall significance of visual effects

To draw final conclusions about significance the separate judgements about the sensitivity of the visual receptors and the magnitude of the visual effects need to be combined, to allow a final judgement about whether each effect is significant or not, as required by the Regulations, following the general principles set out in Chapter 3, and also in Chapter 5 in relation to landscape effects. Significance of visual effects is not absolute and can only be defined in relation to each development and its specific location. It is for each assessment to determine the approach and if necessary to adopt a consistent approach across all the EIA topic areas. 6.42

As indicated in Chapter 3, there are two main approaches to combining the individual judgements made under the criteria (although there may also be others): 6.43

1. They can be sequentially combined into assessments of sensitivity for each receptor and magnitude for each effect. Sensitivity and magnitude can then be combined to assess overall significance.

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