



The Planning Inspectorate

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To: The Applicant and all Interested Parties

Our Ref: EN020024

Date: 22 June 2023

Dear Sir / Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 9

Application by National Grid Electricity Transmission (NGET) for an Order Granting Development Consent for the Yorkshire Green Energy Enablement (GREEN) Project

Notification of Applicant's Intention to Submit a Request for Proposed Changes to the DCO Application

The Applicant gave notice to the Examining Authority (ExA) on 19 June 2023 of its intention to submit a request for proposed changes to the above application. The ExA used its discretion to accept the notification letter [[AS-020](#)] on 20 June 2023. This letter provides advice to the Applicant about the procedural implications of the proposed changes.

The Proposed Changes

The Applicant has submitted notification of up to four proposed changes to the application which relate to the following elements of the Proposed Development:

- Change 1: Shipton North reduction in Limits of Deviation
- Change 2: New Farm Cottage access
- Change 3: Shipton Cable Sealing End Compound access
- Change 4: Reorientation of the Tadcaster West Cable Sealing End Compound

Proposed changes 3 and 4 will only be included in the formal change request if relevant landowner consent is obtained.

The notification letter indicates that all of the land required in relation to each change would fall within the existing Order limits and Order land. Whilst there would be changes to the nature of certain land rights to be compulsorily acquired, all of the proposed changes relate to land already proposed for compulsory acquisition and there would in some cases be a reduction in the land required. Assuming this continues to be the case, the ExA is satisfied that The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the CA Regulations) would not be engaged.

The notification letter states that none of the proposed changes would be expected to result in any new or different likely significant environmental effects compared to those effects reported in the submitted Environmental Statement. The ExA notes that environmental information which confirms this will be submitted as part of the formal change request, alongside updates to relevant management plans and application plans. We would expect this to include full consideration of any hydrological (including Water Framework Directive) implications relating to the crossing of Hurns Gutter, as well as effects on trees, hedgerows and protected species in all locations.

The ExA notes that all four of the potential change requests seek to respond to concerns raised by landowners. Each potential change is relatively contained in scope and relates to site-specific matters raised during the Examination. In light of the above considerations, the ExA is satisfied that the proposed changes, whether considered individually or taken together, would not be so substantial as to amount to a materially different project from that which was applied for.

We note the engagement with landowners that has taken place in formulating the proposed changes, as described in Appendix A of the notification letter. We would expect that the Applicant is also in dialogue more widely with any other relevant Interested Parties such as local authorities, specific statutory parties (including the Kyle and Upper Ouse Internal Drainage Board in respect of Hurns Gutter), and all persons with an interest in the affected land, in order that they are prepared for the submission of the Change Application and ready to respond as appropriate.

To this end, the ExA would be assisted by a list of all plots that would be affected by the proposed changes as part of the formal Change Application. As a specific point, we would observe that where plots are proposed to be changed in the updated Land Plan and Book of Reference, new and unique plot numbers should be used, rather than reusing existing plot numbers as can be seen in the indicative plan provided at Appendix B to the notification letter. This will avoid any scope for ambiguity over plot numbers going forward.

Examination Timetable

The Applicant intends to submit a formal Change Application at Deadline 5 (11 July 2023). The ExA notes the list of application documents to be updated as a result of the proposed changes and expects that all such updates will be submitted at the same time as the Change Application.

If the ExA decides to accept the proposed changes, all Interested Parties will have an opportunity to make representations on the changed application during the Examination in line with the principles of fairness and reasonableness.

Our current view, which may be subject to change depending on the content of the Change Application, is that the proposed changes may be examined as follows:

- proposed changes to be considered as part of the planned Compulsory Acquisition and Issue Specific Hearings on 18/19/20 July;
- all Interested Parties to respond to the proposed changes by Deadline 6 (28 July 2023);
- submission of comments on responses to proposed changes by Deadline 7 (6 September 2023);

- potential for further written questions from the Examining Authority under Rule 17.

It is our view that this programme would enable a thorough examination of the proposed changes within the statutory timescales of the Examination and without a need to change the dates within the Examination Timetable contained in our Rule 8 letter [[PD-008](#)]. However, we emphasise that the submission of any proposed changes later than Deadline 5 could compromise our ability to examine them fairly and reasonably within the statutory timescales and would, at the very least, require amendments to the dates within the Examination Timetable. We therefore strongly encourage the submission of all proposed changes (and all supporting material) no later than Deadline 5.

Next Steps

In preparing its Change Application, the Applicant should pay close regard to the content of this letter and of Inspectorate [Advice Note 16](#) (AN16). In line with Figure 2b of AN16, the Change Application should include a statement setting out the rationale and pressing need for making each change and an update on any consents or licenses that may be required.

If you have any queries about any of the matters raised in this correspondence, please contact the Case Team using the details provided at the top of this letter.

Yours faithfully

Jessica Powis

Lead Member of the Examining Authority

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