

YG-DCO-126

Yorkshire Green Energy Enablement (GREEN) Project

Volume 8

**Document 8.24 Applicant's Comments on Interested Parties' Deadline
4 Submissions**

**Final Issue A
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Version History

Document	Version	Status	Description / Changes
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11/07/2023	A	Final	First Issue
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1. About this document

1.1 Introduction

- 1.1.1 This document provides National Grid Electricity Transmission plc's (National Grid) (the Applicant) response to Interested Parties' submissions made at Examination Deadline 4 for the Yorkshire Green Energy Enablement Project (Yorkshire GREEN or the Project), where National Grid considers a response is required.
- 1.1.2 National Grid has reviewed all Interested Parties' submissions made at Deadline 4 but has not provided comments on all responses if not deemed necessary. For the avoidance of doubt, where National Grid has chosen not to comment on matters raised by Interested Parties this is not an indication that National Grid agrees with the point or comment raised or opinion expressed.
- 1.1.3 The responses provided in this document are either in the form of a short response providing National Grid's latest position on the matter, a cross-reference to the most relevant documentation, or a more detailed response where this is considered relevant to clarify matters.

2. Applicant's Response to Interested Parties' Deadline 4 Submissions

2.1 Canal & River Trust

Table 2.1 – Canal & River Trust: Response Submission for Deadline Four [REP4-034]

Reference	Topic	Applicant's Response
Paragraphs 1-12	Article 54 (Temporary closure of, and works in, the river Ouse)	National Grid considers that the submissions made by the Trust are resolvable through appropriate Protective Provisions. Article 54 confirms that it is subject to the controls contained within Part 3 of Schedule 15 of the draft DCO (Document 3.1(D)).
Paragraphs 13-15	Schedule 15 (Protective Provisions)	National Grid have reached agreement with the Trust regarding the wording of the Protective Provisions and this is reflected in the updated wording within Part 3 of Schedule 15 to the draft DCO (Document 3.1(D)) .

2.2 Leeds City Council

Table 2.2 – Leeds City Council: Copy of letter to Applicant regarding Leeds City Council's second response to Version 1 Draft S106 Agreement [REP4-035]

Reference	Topic	Applicant's Response
General	Leeds City Council comments on V1 of the Draft S106	National Grid can confirm that the comments from Leeds City Council on the draft S106 were received directly on the 22 May 2023, and the S106 was subsequently updated to reflect comments from all Local Planning Authorities, where received. National Grid will continue to work with the Local Planning Authorities to seek to reach agreement on the S106, prior to the close of examination.

Table 2.3 – Leeds City Council: Response to ISH2 Action Points [REP4-036]

Reference	Topic	Applicant's Response
ISH2 Action Point 9	Additional development was attracted by the presence of existing pylons.	<p>National Grid have reviewed the application referenced, and note that the proposal was to connect into a 132kV overhead line, operated by the Distribution Network Operator. This application also requires the construction of a substation to connect into the overhead line and use of transformers to step down the voltage as typically small battery storage connections operate at 11kV or 33kV.</p> <p>National Grid operate at 275kV and 400kV, and a connection into an overhead line would require a new substation to be built, as well as large supergrid transformers to step down the voltage. This would be a very expensive connection which would usually mean that a connection for a project of that nature would not be financially viable. For projects of this nature National Grid typically make connection offers at existing substations.</p> <p>Therefore, National Grid's view continues to be that the presence of the pylons proposed as part of the Project, will not attract additional development.</p>

Reference	Topic	Applicant's Response
ISH2 Action Point 32	Location and planning status of the solar farm that was referred to as being close to the Leeds City Council boundary within the former Selby area.	National Grid can confirm that Hayton House Solar Farm (2021/1502/SCN) has been considered in the cumulative effects assessment (ES Chapter 18: Cumulative Effects, Document 5.2.18, [APP-090]) and is included on both the cumulative effects Long List (ES Appendix 18A: Cumulative Effects Assessment: Long List of Other Developments, Document 5.3.18(B), [REP3-011]) and short list (Table 18.9, Document 5.2.18, [APP-090]) as proposed development ID102. The assessment identified no significant cumulative effects (Section 18.6, Document 5.2.18, [APP-090]). It is noted that a scoping report for this development was recently submitted to North Yorkshire Council which has adopted a scoping opinion for the proposed development (2022/1306/SCP). The information provided in the scoping report indicates no change to the conclusions of the cumulative effects assessment that significant effects are not likely.

Table 2.4 – Leeds City Council: Written summary of oral submissions by Leeds City Council to Issue Specific Hearings 2 and 3 [REP4-037]

Reference	Topic	Applicant's Response
	Leeds City Council have requested clarification in terms of some specified terminology	<p>National Grid has sought to respond to the request for clarification set out in the written summary of oral submission by Leeds City Council.</p> <p>In respect to the different terms used relating to planting, these are clarified below:</p> <ul style="list-style-type: none"> • Protection - Where trees lie close to working areas, but are to be retained, there may be a requirement to protect the tree including its rooting zone in accordance with BS 5837 to ensure they are not accidentally damaged or removed. This is detailed within paragraph 1.9.9 of the Arboricultural Impact Assessment (Document 5.3.3I(B) (part 1 of 3) [REP4-010]). Annex 3I.4 (Outline Arboricultural Method Statement) (Document 5.3.3I(B) part 3 of 3) [REP4-012] provides

Reference	Topic	Applicant's Response
		<p>further details of the protective fencing proposed. Final details of tree protection measures will be provided as part of the Tree and Hedgerow Protection Strategy (THPS) secured via Requirement 6(1)(g) and Requirement 9 of the draft DCO (Document 3.1(D)).</p> <ul style="list-style-type: none"> • Reinstatement - This refers to where planting would be re-instated to its original location and condition, or as close to that as possible. For example, sections of hedge may need removing for a temporary period for construction works, and where possible these would be re-instated once construction works are completed. Similarly, tree removal may be required and once works are complete, new trees would be replanted as close to their original position as possible. This is detailed in measure HE09 of the Code of Construction Practice (Document 5.4.4B(B)) [REP2-020]. To note, 'reinstatement' and 'replacement' are used interchangeably within the application. • Mitigation - In the context of planting, tree planting mitigation is set out in Table 1.10 of the Arboricultural impact assessment (Document 5.3.3I(B) part 1 of 3) [REP4-010]. The Project has taken the approach of, where possible, embedding measures into the scheme to reduce impacts, for example avoiding ancient woodland and veteran trees through design work. • Enhancement - In the context of planting, no enhancement measures are proposed, apart from a small area of ornamental tree and shrub planting associated with Woodstock Lodge wedding venue which is being secured outside of the DCO process. However, National Grid's commitment to delivering 10% BNG (detailed below) will likely result in additional tree planting, which would offer enhancement compared to the current baseline. • BNG provision - Biodiversity Net Gain (BNG) does not form part of the Project for which development consent is being sought. However, National Grid have committed to delivering 10% BNG on a voluntary basis and will secure this via a S106 agreement with the relevant Local

Reference	Topic	Applicant's Response
		<p>Planning Authorities. Biodiversity Net Gain will be delivered in addition to any biodiversity measures secured via the DCO. However, there may be some overlap between the DCO and BNG, for example areas used to provide landscape mitigation under the DCO may also contribute towards BNG. The amount of BNG required, and the delivery of this, will be detailed in due course, in line with the draft S106 agreement.</p> <p>National Grid propose adding the terms 'reinstatement', 'mitigation' and 'enhancement' into the Glossary (Document 1.4) [APP-004] for clarity, and this will be done at Deadline 6. These terms will be defined more generally, rather than specifically relating to planting. BNG is already included within the Glossary (Document 1.4) [APP-004]. National Grid does not consider that 'protection' needs to be added into the Glossary, as this is more clearly described within the AIA, as detailed above.</p> <p>In terms of planting within Leeds City Council's administrative area, Sheet 2 of the Trees and Hedgerows Potentially Affected Plan Section D (Document 2.11.4) [APP-053] shows a number of trees and hedges 'potentially affected'. This is defined within the Arboricultural Impact Assessment (Document 5.3.3I(B) part 1 of 3) [REP4-010] as '<i>vegetation outside of the conductor swing but still within the Limits of Deviation</i>'. It will be determined during detailed design whether any of these trees or hedges will be impacted, and this will be confirmed within the Tree and Hedgerow Protection Strategy (THPS), to be submitted under Requirement 6(1)(g). This will be produced in accordance with the plans set out in Requirement 5(2), including the Code of Construction Practice and any tree loss will be replaced with new planting in accordance with Requirement 10(1) of the draft DCO (Document 3.1(D)) submitted at Deadline 5.</p>

Table 2.5 – Leeds City Council: Update on the draft s106 Agreement [REP4-038]

Reference	Topic	Applicant's Response
General	Confirmation the Leeds City Council will continue to work with National Grid, on progressing the S106	National Grid can confirm that it is working closely with Leeds City Council, and the other host Local Authorities to progress the S106 agreement. National Grid anticipate reaching agreement on this prior to the close of examination, and anticipate submitting this at Deadline 7.

2.3 National Highways

Table 2.6 – National Highways: Response Submission for Deadline Four [REP4-029]

Reference	Topic	Applicant's Response
Paragraphs 1 to 3	Introduction, ISH2 and ISH3 - General text	<p>National Grid recognises the concerns raised by National Highways ("NH").</p> <p>As set out and evidenced previously by National Grid (see Table 2.8 Document 8.20 [REP3-032]), National Grid consider that the Project will not result in significant adverse impacts on the Strategic Road Network, particularly in relation to the proportional increase in traffic flows at receptors on the SRN or on local road network arms leading to junction with the SRN (detailed in Table 12.28 of Document 5.2.12 [APP-084]). No accesses are proposed directly onto the SRN, (accesses in the vicinity of the SRN: AP6, AP7, AP28, AP29, AP30 and AP31 would not adversely impact on the SRN and where relevant, consultation with the relevant local highway authority will occur relating to mitigation measures to ensure this). AIL deliveries will be consulted with National Highways as set out in Section 3.6 of the CTMP (Document 5.3.3F [APP-099]), via the ESDAL system. This will ensure that the impact of AIL movements on the SRN is minimised. The Order Limits cross the SRN only at the A64 (west of Tadcaster), highways crossing RD14 in Figure 3F.8 of the CTMP (Document 5.3.3F [APP-099]), and the Order Limits are adjacent to the A1(M) in the vicinity of Junction 42. These interactions are not anticipated to adversely impact on the safe, efficient working of the SRN. The CTMP Section 7 (Document 5.3.3F [APP-099]) outlines highways condition surveys, under consultation with National Highways, would be undertaken, where relevant, these would ensure the impact of the construction traffic is of nil detriment to the SRN. The CTMP (Section 8.1, Document 5.3.3F [APP-099]) also commits to liaising with NH on mitigation and remedial measures as required.</p> <p>National Grid's works will have limited impact on the SRN as set out above. National Grid have two overhead line crossings over the SRN which are an</p>

Reference	Topic	Applicant's Response
		<p>existing crossing to be re-conducted over the A64, and a realigned crossing over the A1 / A63 roundabout. Both of these crossings will be protected by scaffolding, which will be designed to the relevant safety standards to ensure that the SRN is adequately protected during the works. As part of the second realignment, a streetlight is required to be exchanged for a hinged solution. All works will be designed and constructed to the relevant safety standards, and will require consultation with NH, to ensure that the project will not affect the safe operation of the SRN.</p> <p>Whilst National Grid maintains its position that the powers contained within the articles allow appropriate and necessary flexibility, it recognises the need for NH to have a mechanism of control should these powers be used in a manner which affects the strategic road network. The most appropriate way to achieve this is through proportionate protective provisions, which have now been included in the draft DCO (Document 3.1(D)). In this respect, National Grid note NH's confirmation at paragraph 1.3 that NH "<i>does not object to the principle of the development subject to the inclusion of adequate protections to manage any potential interface between the Authorised Development and the highway</i>". The responses given in respect of each specific article below explain how the protective provisions now included in the draft DCO (Document 3.1(D)), more specifically, resolve the concerns raised by NH.</p> <p>For specific justification regarding the 28-day notice and deemed approval period, please see response to question 5.1.3(b) in the Applicant's Response to Examining Authority's Second Written Questions (Document 8.25.1).</p> <p>Additionally, amendments have been made to the draft DCO (Document 3.1(D)) to make it consistent that deemed approval runs from the date any notice is received across all instances. Additionally, the fact that deemed approval applies would be included on all notices where relevant.</p>

Reference	Topic	Applicant's Response
		<p>Furthermore, the protective provisions themselves include a mechanism for approvals by National Highways for works affecting its undertaking. This process allows for conditions to be applied by National Highways as necessary and sets a longer approval period for works which are not purely an oversail at least 4m above the strategic road network.</p>
3.9 Table	Article 11(1), 11(2) and 11(3).	<p>Within the protective provisions placed on the face of the draft DCO in Part 6 of Schedule 15 to the draft DCO (Document 3.1(D)) National Grid has proposed that the authorised development cannot be carried out under on or above the strategic road network within 4 metres vertically of the lowest point without the approval of National Highways. As a result, it is National Grid's view that any interference caused (if at all) will not be a serious detriment to NH carrying on its undertaking..</p> <p>Paragraphs 64(1), 64(2) and 64(3) (construction of the specified works) of Schedule 15, Part 6 provide as follows:</p> <p><i>64.—(1) The undertaker must give National Highways 28 days' notice in writing of the date on which the specified works will start unless otherwise agreed by National Highways.</i></p> <p><i>(2) For specified works which are in, on or over the strategic road network for which National Highways is the highway authority, the notice referred to in subparagraph (1) must include the following details unless otherwise agreed by National Highways:</i></p> <p><i>(a) evidence that a stage 1 and stage 2 road safety audit has been carried out and all recommendations raised by them or any exceptions are approved by National Highways;</i></p> <p><i>(b) the programme of works has been approved by National Highways;</i></p>

Reference	Topic	Applicant's Response
		<p>(c) <i>the detailed design of the specified works comprising of the following details, insofar as considered relevant by National Highways, has been submitted to and approved by National Highways—</i></p> <ul style="list-style-type: none"> (i) <i>the detailed design information including scaffolding to oversail the strategic road network, incorporating all recommendations and any exceptions approved by National Highways under sub-paragraph (a)</i> (ii) <i>details of the proposed road space bookings;</i> (iii) <i>the identity and suitability of the contractor and nominated persons;</i> (iv) <i>a process for stakeholder liaison, with key stakeholders to be identified and agreed between National Highways and the undertaker;</i> (v) <i>information demonstrating that the walking, cycling and horse riding assessment and review process undertaken by the undertaker in relation to the specified works has been adhered to in accordance with DMRB GG142 – Designing for walking, cycling and horse riding; and</i> <p>(d) <i>where necessary, a scheme of traffic management has been submitted by the undertaker and approved by National Highways such scheme to be capable of amendment by agreement between the undertaker and National Highways from time to time;</i></p> <p>(3) <i>The undertaker must comply with National Highways' road space booking procedures prior to and during the carrying out of the specified works and no specified works for which a road space booking is required shall commence without a road space booking having first been secured from National Highways.</i></p>

Reference	Topic	Applicant's Response
		<p>This ensures that, where the authorised development involves works directly to the SRN, there is provision for approval of those works by NH. There is no deemed approval for this detail. Therefore, whilst the article applies deemed approval for the principle of the work, all details are subject to a separate process in the protective provisions, allowing greater control for NH.</p> <p>In addition, it is not envisaged that any such works would be undertaken to the SRN. In particular, the previous entry for the 'A659/A64 West Bound On Slip Road' has been removed from Schedule 6 of the draft DCO (Document 3.1(D)). As a result, National Grid has proposed that no works in carrying out, maintaining or diverting the authorised development may be carried out on, under or over the strategic road network at a distance within 4 metres vertically of the lowest point of the ground unless with the consent of National Highways.</p>
	Article 12(3)	<p>Appendix A to the Explanatory Memorandum (Document 3.2(D)) provides clear justification for the disapplication of each provision within the 1991 Act. This demonstrates that where a provision is being disappplied, there is an alternative protection applicable through the DCO requirements or mitigation plans. Moreover, of the 10 provisions listed for disapplication, four are not yet in force and so only six specific provisions, which are currently active, are being sought to be disappplied by National Grid. These are fully justified pursuant to the explanation given in Appendix A of the Explanatory Memorandum (Document 3.1(D)).</p>
	Article 13(1), Article 13(2), Article 13(4), Article 13(5)	<p>As confirmed under the response to Article 11 above, paragraph 64(2) of the protective provisions for the benefit of NH provides the requisite control for any works "in, on or over" the strategic road network, with a differing approvals process for works which are at least 4m vertically above the strategic road network.</p> <p>Moreover, paragraph 63 (works outside the Order limits) provides protection for any works outside of the Order limits on the strategic road network on the following terms:</p>

Reference	Topic	Applicant's Response
		<p>"If the undertaker proposes to carry out works to the strategic road network that are outside of the Order Limits in connection with the authorised development, the undertaker must enter into an agreement with National Highways in respect of the carrying out of those works prior to the commencement of those works".</p>
	<p>Article 14(1), Article 14(2), Article 14(4), Article 14(5), Article 14(8)</p>	<p>Paragraph 64(3) (construction of the specified works) of Schedule 15 Part 6 requires that: "<i>the undertaker must comply with National Highways' road space booking procedures prior to and during the carrying out the specified works and no specified works for which a road space booking is required shall commence without a road space booking having first been secured from National Highways</i>". Accordingly, were any temporary stopping up of the strategic road network proposed, this would be subject to NH processes being followed.</p>
	<p>Article 16(1), Article 16(2)</p>	<p>Please see National Grid's response to Action Point 15 in Applicant's Response to ISH3 Hearing Action Points (Document 8.23.9).</p> <p>In summary, National Highways have a consultation right in the same respect as they would have if permission for an access was sought under the Town and Country Planning Act 1990 (TCPA) regime. Additionally, Requirement 14 provides an approval right for the relevant highway authority, which is not subject to deemed approval, in relation to the detail of works to construct or temporarily alter any new or existing means of access to a highway to be used by vehicular traffic.</p>
	<p>Article 19(1), Article 19(3), Article 19(4), Article 19(9)</p>	<p>Article 19 is a highly precedented provision in overhead line DCOs and more generally.</p> <p>Further, National Grid do not envisage making any connections into National Highways' drainage systems as part of the Project.</p> <p>In addition, for works "in, on or over" the strategic road network, the protective provisions now included in the draft DCO secure pursuant to paragraph 64(2) as referenced above that details must be submitted for "(c) <i>drainage and</i></p>

Reference	Topic	Applicant's Response
		<i>ducting as required by DMRB CD 535 Drainage asset data and risk management and DMRB CS551 Drainage Surveys standards for Highways;"</i> .
	Article 21(1), Article 21(3), Article 21(5), Article 21(8).	<p>NH has not substantiated what the safety concerns would be regarding National Grid's power to undertake surveys on land, having provided prior notice.</p> <p>However, if the survey works would involve any works "in, on or over" the strategic road network, the definition of "specified work" within the protective provisions would be triggered and so the protective measures afforded through such provisions would apply.</p>
	Article 26(1), Article 26(3)	<p>The powers of acquisition granted through Article 26 are subject to the specific purposes identified and are still subject to the controls of the requirements and protective provisions.</p> <p>Paragraph 64(5) (construction of the specified works) of Schedule 15, Part 6 confirms that "<i>the undertaker must permit and must require the contractor to permit at all reasonable times persons authorised by National Highways (whose identity must have been previously notified to the undertaker by National Highways) to gain access to the specified works for the purposes of inspection and supervision of the specified works.</i>"</p>
	Article 35(1), Article 36(1), Article 37(1) Article 38(1) Article 39(1)	As stated above in response to article 26, the protective provisions require access to be afforded to National Highways at all reasonable times.
	Article 45(1), Article 45(2), Article 45(8)	<p>Article 45 requires consent for TROs which are included within Schedule 14, as well as any additional TROs sought by National Grid.</p> <p>Before the powers under Article 45 can be used by National Grid, National Grid is required to first consult with the chief of police and the traffic authority in whose area the road is situated. Only following this prior consultation would the 28 days' notice be given in writing. Additionally, National Grid must</p>

Reference	Topic	Applicant's Response
		<p>advertise the TRO as is specified by the traffic authority. Therefore, to the extent that the TRO affects the strategic road network, National Highways would be fully consulted under the provisions contained within Article 45.</p> <p>It should be noted that only two TROs are proposed on the SRN in schedule 14 of the dDCO. These relate to (1) the rolling road block which is necessary to install the overhead line over the A64 (between points TR45 to TR46 on the Traffic Regulation Order Plan Section D [APP-059]) and (2) the ability to install necessary signage and remove any vegetation on the A659/A64 Westbound Onslip in connection with the installation of the overhead line over the A64 (between points TR47 and TR48 on the Traffic Regulation Order Plan Section D [APP-059]).</p>
Paragraph 3.10	ISH3 - Schedule 1	<p>The associated development works listed in Schedule 1 have been justified within Appendix D of the Applicant's Response to Open Floor Hearing 1 (OFH1) and Issue Specific Hearing 1 (ISH1) Hearing Action Point (Document 8.4.2) [REP1-018]. Specifically in relation to item "(i) works required for the strengthening, improvement, maintenance, or reconstruction of any streets", this was recorded as being "required to widen the roads at Overton Road and Corban Lane for deliveries to site". It is not intended that this power be used for any works to the strategic road network but National Grid appreciates that there is the potential for this to be widely construed. However, any works listed within Schedule 1 as associated development will be subject to the same controls as elsewhere within the draft DCO (Document 3.1(D)). In relation to NH's undertaking, the main control is contained within the protective provisions included at Schedule 15 of the draft DCO (Document 3.1(D)).</p>
Paragraph 3.11	Protective Provisions	<p>National Grid continue to negotiate protective provisions with National Highways. National Highways has requested its standard form protective provisions are included in the draft DCO for this Project. However, given the scale of the works affecting the strategic road network, National Grid consider this is neither proportionate, necessary nor justifiable. National Grid has included within the draft DCO (Document 3.1(D)) submitted at Deadline 5</p>

Reference	Topic	Applicant's Response
		<p>protective provisions for the benefit of National Highways, which are considered appropriate given the level of interference with the strategic road network as a result of the Project.</p>
<p>Paragraph 4.2</p>	<p>CAH1 - The possibility of any of its interests being extinguished.</p>	<p>National Grid acknowledges National Highways' concerns. Whilst the DCO does allow for extinguishment of interests where land is compulsorily acquired, National Grid's preference is to reach a voluntary agreement with National Highways which would remove the need to exercise compulsory acquisition powers which if exercised could extinguish rights held. National Grid has sought to engage with National Highways and is seeking guidance from National Highways through discussion on how it would prefer to deal with National Grid under a voluntary agreement basis; whether that be by way of an easement agreement or by utilising provisions contained within the New Roads and Street Works Act 1991 in an attempt to mitigate impact on National Highways' ability to fulfil its statutory or licence obligations.</p> <p>National Highways has appointed an external firm of Chartered Surveyors to act as its agent in relation to the Project's interface with National Highways' interests and there has been initial communication between the appointed agent and National Grid's land agents.</p> <p>Compulsory Acquisition of land is a matter of last resort. National Grid's preference is to avoid acquisition and ownership of areas of highway land, which after construction would become non-operational land and National Grid remains committed to proactively engaging with National Highways to identify a mutually satisfactory outcome for both sides, where willing on both sides has already been demonstrated.</p>
<p>Paragraph 4.3</p>	<p>CAH1 - Safety implications for the SRN</p>	<p>The same principles apply here to National Grid's response to paragraph 4.2 above. National Grid is committed to proactively engaging with National Highways to identify a mutually satisfactory outcome for both sides which would avoid use of compulsory purchase powers.</p> <p>As set out within the Protective Provisions, National Grid must have the design of any protective works over the SRN approved by National Highways</p>

Reference	Topic	Applicant's Response
		<p>prior to any works commencing. National Grid will design a suitable crossing protection method, typically scaffolding that allows the operation and maintenance of the SRN. Protective Provisions for the benefit of National Highways are set out at Schedule 15 of the draft DCO (Document 3.1(D)).</p>
Paragraph 4.5	CAH1 - and interests located within the local highway authority network	<p>National Grid acknowledges National Highways' view that it is unnecessary to acquire the freehold of land within the local highway network and reiterates comments made at paragraphs 4.2 and 4.3 above. National Grid has safeguarded its ability to acquire certain plots of existing road and verge land because they are required for widening works associated with access for Abnormal Indivisible Load's, and for the widening of Overton Road to two lanes. National Grid is currently engaging with National Highways and North Yorkshire Council to reach voluntary agreement to the mutual satisfaction of both parties and has asked for National Highways' input and guidance on the best way to achieve this.</p>

2.4 North Yorkshire Council

Table 22.7 – North Yorkshire Council: Post-hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the ExA [REP4-041]

Reference	Topic	Applicant's Response
N/A	Applicant's updated Compulsory Acquisition, Temporary Possession and Statutory Undertakers Schedules of Negotiations, Powers Sought and Objections .	<p>National Grid acknowledges North Yorkshire Council's concerns relating to National Highways' land interests located within the local highway authority network. National Grid's preference is to reach a voluntary agreement with National Highways which would remove the need to exercise compulsory acquisition powers which if exercised, could extinguish rights held. National Grid has sought to engage with National Highways and is seeking guidance from National Highways through discussion on how it would prefer to deal with National Grid under a voluntary agreement basis whether that be by way of an easement agreement or by utilising provisions contained within the New Roads and Street Works Act 1991 in an attempt to mitigate impact on National Highways' ability to fulfil its statutory or licence obligations.</p> <p>National Highways has appointed an external firm of Chartered Surveyors to act as its agent in relation to the Project's interface with National Highways' interests and there has been initial communication between the appointed agent and National Grid's land agents.</p> <p>Compulsory Acquisition of land is a matter of last resort. National Grid's preference is to avoid acquisition and ownership of areas of highway land, which after construction would become non-operational land and National Grid remains committed to proactively engaging with National Highways and North Yorkshire Council in respect of areas of the highway which are owned by National Highways but now maintained by North Yorkshire Council further to the de-trunking process, to identify a mutually satisfactory outcome for both sides. In addition to National Grid's engagement with National Highways, it has also engaged with North Yorkshire Council and held a meeting at the beginning of June 2023 at which time National Grid explained its preference to reach a voluntary agreement rather than exercise compulsory acquisition powers. National Grid remains committed to reaching voluntary agreement</p>

Reference	Topic	Applicant's Response
		and believes willing has been demonstrated by National Highways which National Grid trust North Yorkshire Council supports.

Table 22.8 – North Yorkshire Council: Post-hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the ExA [REP4-041] Appendix A – Responses to Action Points required for Deadline 4

Reference	Topic	Applicant's Response
ISH2 Action Point 11	Methodology and conclusions in relation to the magnitude of landscape and visual effects	<p>National Grid draws NYC's attention to ES Chapter 6: Landscape and Visual (Document 5.2.6) [APP-078], that states at paragraph 6.9.50 that <i>"The Operation Year 15 assessment of the LCA and LCTs recognises the long term adverse effect of 45m to 60m high pylons within the LCAs and LCTs that, in the main, comprise relatively open agricultural landscapes, where the growth of new planting would typically have a limited role in reducing pylon visibility across the landscape."</i></p> <p>This conclusion is supported by the City of York Council Local Impact Report [REP1-047] that reaches similar conclusions at section 8.6 where it recognises that <i>"opportunities to screen or limit the visual impact of the pylons and overhead lines are acknowledged to be limited given their design, scale, nature, and general function."</i></p> <p>National Grid draws NYC's attention to paragraph Q11.4.4 of the Applicant's response to Examining Authority's First Written Questions (Document 8.9.1) [REP2-038] that states:</p> <p><i>"National Grid considers that the Outline Landscape Mitigation Strategy provided in Figures 3.10 to 3.12 (Document 5.4.3(B)) [AS-017] and described in ES Chapter 3: Description of the Project (Document 5.2.3) [APP-075] comprises reasonable outline mitigation that is sufficiently detailed in the absence of a detailed engineering design, to demonstrate that likely significant landscape and visual effects would be mitigated where possible and appropriate in line with paragraph 5.9.8 of NPS EN-1. A detailed</i></p>

Reference	Topic	Applicant's Response
		<p><i>landscape strategy that accords with the Outline Landscape Mitigation Strategy (Document 5.4.3(B)) [AS-017] and a scheme for mitigation planting that accords with the arboricultural impact assessment that the Tree and Hedgerow Protection Strategy (THPS) is required to be prepared in accordance with are secured under Requirements 8 and 10 in the draft DCO (Document 3.1(B)) [AS-011] and will be submitted to discharge those requirements once the detailed engineering design has been completed.”</i></p> <p>National Grid also draws NYC’s attention to the description of why there are no detailed proposals for mitigation outside the substations and CSEC at Table 2.3, Section 8, Landscape (AIA) in the Applicants Comments on Local Impact Report, Document 8.10 [REP2-040], which states:</p> <p><i>“As stated in paragraph 9.16 of the Local Impact Report, the final level of tree loss will be confirmed via the Tree and Hedgerow Protection Strategy secured via Requirement 10(1) of the Draft Development Consent Order (DCO) (Document 3.1(B)) [AS-011]. In addition, the scheme for mitigation planting is secured via Requirement 8 of the draft DCO and will be based on the final extent of tree and hedgerow loss. This will reflect the location and nature of removed trees and hedges and allow the most effective mitigation feasible. The Project will mitigate tree removals across the extent of the scheme (not just at substation or CSEC locations) and the approach to reinstatement planting is set out in ES Chapter 3 Description of the Project (Document 5.2.3) [APP-075] at paragraphs 3.6.59 to 3.6.61. This document explains that the majority of reinstatement planting would be at the same location as the loss apart from where it is not possible due to the infrastructure or associated easements and in those cases, a suitable location would be found as close as possible to the original planting.”</i></p> <p>National Grid recognises that there would be unavoidable significant adverse effects for some visual receptors and as stated in Table 2.3, Section 8, Landscape (LVIA) in the Applicants Comments on Local Impact Report, Document 8.10 [REP2-040]: <i>“it is clearly not possible to mitigate all significant visual effects, especially where localised sections of public rights of</i></p>

Reference	Topic	Applicant's Response
		<p><i>way and highways pass under new overhead lines and in close proximity to new pylons....The restrictions on mitigation with planting for transmission infrastructure includes the inability to plant trees within easements for overhead lines and maintenance access”.</i></p> <p>In terms of the individual visual receptors cited by NYC, the constraints to the provision of landscape mitigation in those particular locations, and the appropriateness of what is proposed in terms of replacement planting is set out below. National Grid considers that, with one exception near Overton Substation, there are no further reasonable mitigation measures that could be adopted in those locations to reduce the identified localised significant effects upon visual amenity.</p> <p>It is acknowledged that views of the Overton Substation would be available to users of National Cycle Route 65 during the operational period and that those views could be further mitigated by allowing existing roadside hedgerows at the northern end of Overton Road to grow to a taller height. This management proposal would be implemented in the landscape management plan secured under Requirement 8 of the draft DCO.</p> <p>Significant effects on visual amenity would occur during the construction and operational phase from a localised section of the Jorvic Way long distance footpath (River Ouse to Shipton). The embedded mitigation proposed ensures that no temporary construction compounds would be located near the River Ouse corridor. Inevitably, the decommissioning of the 275kV XC Overhead Line, the installation of temporary pylons and the construction of new pylons would cause visual clutter and this is recognised in the Appendix 6G Visual Receptor Assessment at Table 6G.31 in Document 5.3.6G [APP-114]. It is considered that there is no reasonable additional mitigation to avoid this temporary significant effect.</p> <p>The visibility of the new 275KV overhead line would be significant for a localised section of the Jorvic Way during the operational phase, although beneficial elsewhere along the route where pylons and overhead lines are</p>

Reference	Topic	Applicant's Response
		<p>permanently removed. It is considered that there is no reasonable mitigation to avoid this localised significant effect where overhead lines cross the public right of way and pylons in this open landscape.</p> <p>It is acknowledged by National Grid that significant effects during construction and operation would occur from public rights of way east of Shipton and from the ORPA on the track to Newlands Farm. It is considered that there is no reasonable mitigation to avoid the localised significant effects where overhead lines cross the Public Rights of Way east of Shipton and the ORPA along Newlands Farm track and pylons would be clearly visible.</p> <p>The Shipton CSEC is not an area identified for additional mitigation planting over and above reinstatement planting. Replacement (reinstatement) planting is secured under Requirement 10 in the updated Draft DCO (Document 3.1(D)) and details would be provided upon completion of the detailed engineering design to avoid extensive abortive design work. The approach to reinstatement planting is set out in Chapter 3 Description of the Development (Document 5.2.3) [APP-075] at paragraphs 3.6.59 to 3.6.61 and explains that the majority of reinstatement planting would be at the same location apart from where it is not possible due to the infrastructure or associated easements and a suitable location would be found as close as possible to the original planting. The growth of reinstatement hedgerow planting along Newlands Lane would be effective in limiting the majority of views of the CSEC from the closest receptors (walkers on the ORPA along Newlands Lane) but would not screen the additional pylons as demonstrated by comparing Viewpoint 9 photomontages at Year 1 and Year 15 in Figures 6.39b and 6.39c of 5.4.6 (Part 5 of 15) of ES Chapter 6 Landscape and Visual Figures (Document 5.4.6 Part 5 of 15) [APP-171]. The rationale for not including additional tree planting within the hedgerow is that it would not be possible to eliminate localised significant effects from Newlands Lane as sections of the route lie within the easement of the overhead lines and consequently oblique views of the new taller pylons would be unavoidable. The full context is set out at Table 6G.32 of Appendix 6G Visual Receptor Assessment (Document 5.3.6G) [APP-114] where it is stated that: “Given</p>

Reference	Topic	Applicant's Response
		<p><i>the close proximity of the existing 400kV Norton to Osbaldwick (2TW/YR) overhead line to the ORPA and the isolated location of the ORPA (that is not well connected to the wider PRoW network), no specific landscape measures are proposed to address the visibility of the new structures associated with the Project CSECs”.</i></p> <p>In terms of landscaping along the route of the overhead lines, the reinstatement planting strategy would apply as set out in Chapter 3 Description of the Development (Document 5.2.3) [APP-075] at paragraphs 3.6.59 to 3.6.61. A summary of the long-term significant visual effects experienced by users of localised stretches of recreational routes and highways in the North West of York Area, which would occur as a result of the unavoidable and close proximity of new pylons to the receptors affected including where public rights of way or roads pass under the new overhead lines, is set out in ES Chapter 6 Landscape and Visual (Document 5.2.60) [APP-078]. At paragraph 6.14.1 it is stated that <i>“The landscape within the LVIA Study Area also contains some high sensitivity visual receptors including public rights of way and scattered dwellings that are common receptors frequently found in lowland agricultural landscapes all across the U.K. In all cases, the detailed assessment indicates that it is the presence of the taller pylons, rather than lower-level infrastructure, including substation gantries and CSECs, that would be the primary contributors to the localised significant long-term landscape and visual effects.”</i></p>
ISH2 Action Point 12	Statement (agreed with NYC if possible) to be added to the LVIA methodology, which sets out a brief explanation of the level of detail and its appropriateness which has been included in the visualisations.	<p>National Grid propose to add the following statement agreed with NYC to section 1.3 ‘Visual Receptor Assessment’ of ES Appendix 6C Landscape and Visual Impact Assessment Methodology, Document 5.3.6C, [APP-110]). This agreed update is included in an update to the ES Errata (Document 5.2.19(C)) which is submitted at Deadline 5.</p> <p>The statement agreed with NYC is:</p>

Reference	Topic	Applicant's Response
		<p>The purpose of the photomontages produced for the visual assessment is to illustrate a reasonable approximation of the Project infrastructure. This is in line with Technical Guidance Note (TGN) 06/19 (Landscape Institute, 2019, Visual Representation of Development Proposals). Paragraph 1.2.12 of TGN 06/19 states that with regards to visualisations “the degree of detail shown will typically be relative to the design and/or planning stage that has been reached”. At the time of completing the photomontages in 2022 full three-dimensional models of every infrastructure component were not designed in detail as would be typical for an infrastructure Project at this stage of development prior to consent and detailed design. Therefore, some of the detail of the pylons such as insulators and steel cross arms are not included in the photomontages. Paragraph 1.2.13 of TGN 06/19 states that “Two-dimensional visualisations, however detailed and sophisticated, can never fully substitute what people would see in reality. They should, therefore, be considered an approximation of the three-dimensional visual experiences that an observer might receive in the field.” Type 3 photomontages have been produced for the Project which as stated in paragraph 4.4.3 of TGN 06/19 “are intended to represent design, form and context to a reasonable degree of objectivity and accuracy, one which can be understood and relied on by competent authorities and others”. Therefore, taking into account the guidance set out in TGN 06/19 the level of detail shown in the Project photomontages is considered sufficient to inform the landscape and visual impact assessment.</p>
<p>ISH2 Action Point 13</p>	<p>Written submission of what additional information is considered to be required at this stage regarding landscape mitigation.</p>	<p>National Grid considers that maintenance for 5 years is sufficient to ensure establishment of the planting as set out in Table 4.5 Applicant's Written Summary of Oral Representations made at Issue Specific Hearing 2 , Document 8.23.1. In addition, a longer management period (years 6 to 15) covering woodland planting linear the substations and illustrated in the Outline Landscape Mitigation Strategy, has been included in updated Requirement 8 in the draft DCO (Document 3.1(D)) submitted at Deadline 5.</p>

Reference	Topic	Applicant's Response
ISH2 Action Point 18	Written comments on the DASSI, and the extent to which its commitments are secured in the dDCO (New Requirement 18) [REP3-004].	<p><u>Details of fencing and acoustic enclosures</u></p> <ul style="list-style-type: none"> The size and design of the acoustic enclosures will be determined during the detailed design stage, following the selection and contract award of the specific supergrid transformers. The design cannot be completed until the exact make and model of the transformers are known, and the design of the noise enclosures will be specific to that transformer. The noise enclosures are a technical element of the substation, similar to the substation equipment and there is no flexibility in their design. The acoustic enclosures will be subject to the maximum heights as detailed on the parameter plans (Document 2.15 (B)) [REP2-011]. The only scope for variation is in respect of external colour of the noise enclosures, and this have been included in the update to Requirement 18 of the draft DCO (Document 3.1(D)) submitted at deadline 5. National Grid have set out their position in detail on green palisade fencing in part f) of question 7.0.1 of the ExA's second round of question response (Document xxx), on why green palisade fencing has higher maintenance requirements, a significantly lower lifespan and to effectively repaint the fencing there is a need to do this in a controlled factory environment, leaving safety concerns on site during this period. On this basis, National Grid are not proposing to include the approval of fencing by the relevant authority as part of the DASSI. The DASSI has however been updated to clarify that all fencing will be galvanized steel, not a short section of green fencing facing Rawfield Lane as previously included. Further to this, <p>the adoption of green fencing is not considered necessary as the boundary of the CSEC's and substations would either not be visible from public locations or would be predominantly screened by intervening planting, even in winter. At Overton and Monk Fryston Substations, permanent earth mounding and the growth of planting would restrict views towards the boundary fence of the proposed substation. At the Monk Fryston Substation, there is an existing painted</p>

Reference	Topic	Applicant's Response
		<p>green galvanized steel fence on the frontage of the substation to Rawfield lane, however the poor condition of this fence, with paint flaking off, demonstrates the challenges of maintaining a consistent finish.</p> <p>At the Shipton CSECs, the reinstated hedgerow along the Newlands Farm track would restrict views of the boundary fences to the CSECs. At Tadcaster the reinforced planting along the A659 and a new boundary hedgerow would restrict views of the western CSEC and the eastern CSEC would be surrounded by native scrub planting in fleeting views from the A64 dual carriageway. On the basis that there is mitigation planting and screening in place then the adoption of green palisade fencing is not something National Grid feel is justifiable. In addition to this, the equipment contained within the substation will be a galvanized steel, so any other fencing colour would contrast with the electrical equipment.</p> <p><u>Materials and colour for surfacing for roads and footpaths</u></p> <ul style="list-style-type: none"> National Grid do not consider it appropriate for the surfacing of roads or footpaths to be included for approval. In effect the majority of the roads are contained within the substation footprint and are at ground level and there are very few instances in which these will be visible from a public accessible location, so National Grid do not feel that this should be subject to approval. Therefore, this has not been included in the updated Requirement 18 in the draft DCO (Document 3.1(D)) although the scope for variation remains in the Design Approach to Site Specific Infrastructure (DASSI) to be determined as part of the detailed design of the Project by National Grid and its contractor(s). <p><u>Mitigation Planting</u></p> <ul style="list-style-type: none"> The planting schedules have included a wide range of predominantly native species (up to 36 species for woodland and woodland edge and 9 species for hedgerows). These are based on the tree and shrub species recorded in the area as set out in the AIA and knowledge of

Reference	Topic	Applicant's Response
		<p>additional species that would be appropriate to facilitate a diverse planting mix that would offer the best possible resilience to climate change and tree diseases. The Outline Landscape Mitigation Strategy plant schedules are not fixed and for the detailed landscaping schemes covered by Requirement 8 of the draft DCO (Document 3.1 (D)), will require approval by the relevant planning authority, so is not required to be covered by the DASSI further or Requirement 18.</p> <p><u>Permanent Building Materials</u></p> <ul style="list-style-type: none"> Requirement 18 of the draft DCO (Document 3.1 (D)) states that any permanent buildings at Overton and Monk Fryston Substations must not be completed until details of the external colour and surface finish of the permanent buildings have been submitted to and approved by the relevant planning authority, and that the details must be produced having regard to the DASSI, and this will include any relocated buildings. For any reused and/or relocated buildings, any cladding material proposed shall either be of identical specification to that of the existing cladding or, if a proposed change is made by the local authority, must be compatible with the structure of the existing building. If no compatible alternative is available, the existing cladding material would be reused on any relocated building.
ISH2 Action Point 28	Whether the pre-application discussions summarised in Table 12.5 of [APP-188] accurately reflect the discussions with the Council regarding the potential application of a speed reduction in the vicinity of the junction between A63 and Rawfield Lane and the Applicant's proposal to use a left-in / left-out arrangement.	<p>Yes, National Grid consider that the pre-application discussions with NYC summarised in Table 12.5 (Document 5.2.12 [APP-084]) accurately reflect the discussions relating to potential mitigation at the A63/Rawfield Lane junction. This includes details of previous discussions around a speed limit reduction on the A63 and the Council's suggestion to provide a left-in/left-out arrangement to facilitate development generated trips during the construction phase.</p> <p>It should be noted that the summary of the meetings provided in Table 12.5 of Document 5.2.12 [APP-084] incorrectly states a meeting occurred between National Grid and NYC on 5 February 2022, when this meeting actually</p>

Reference	Topic	Applicant's Response
		<p>occurred on 1 March 2022, however, this does not affect the contents of the meeting summary presented in Table 12.5 which remains accurate and representative of the discussions held with the Local Highway Authority. This error is updated in the ES Errata document submitted at Deadline 5 (Document 5.2.19(C)).</p> <p>A workshop subsequently took place on 7 June 2023, which was attended by National Grid and NYC to discuss highways matters. During this workshop National Grid discussed, once more, the highways considerations set out within the relevant sections of Table 12.5 (Document 5.2.12) [APP-084], as reflected in the submitted Statement of Common Ground (SoCG) (Document 8.5.2 (B) [REP3-018]. Officers of NYC acknowledged the strategy, with confirmation of the Local Highway Authority's agreement in principle provided in relation to the adoption of a left-in/left-out arrangement (as a more suitable form of mitigation than a speed limit reduction on the A63 corridor). The updated position of NYC on highways matters is summarised in an updated SoCG submitted at Deadline 5 (Document 8.5.2(C)).</p> <p>Following the 7 June 2023 workshop, comments were received from NYC regarding any outstanding highways matters and, as per above, the note did not raise any issues with the Local Highway Authority recommended A63/Rawfield Lane junction management.</p>
ISH2 Action Point 32	Location and planning status of the solar farm that was referred to as being close to the Leeds City Council boundary within the former Selby area.	<p>NYC has responded to the ExA to confirm the location and planning status of this potential development. A screening opinion (2021/1502/SCN) has been adopted for the development, details of which have been submitted to the ExA. A scoping opinion has been requested but not yet been adopted and no planning application submitted to date. National Grid can confirm that Hayton House Solar Farm has been considered in the cumulative effects assessment (ES Chapter 18: Cumulative Effects, Document 5.2.18, [APP-090]) and is included on both the cumulative effects Long List (ES Appendix 18A: Cumulative Effects Assessment: Long List of Other Developments, Document 5.3.18(B), [REP3-011]) and short list (Table 18.9, Document 5.2.18, [APP-090]) as proposed development ID102. The assessment</p>

Reference	Topic	Applicant's Response
		<p>identified no significant cumulative effects (Section 18.6, Document 5.2.18, [APP-090]). It is noted that a scoping report for this development was recently submitted to North Yorkshire Council (2022/1306/SCP). The information provided in the scoping report indicates no change to the conclusions of the cumulative effects assessment that significant effects are not likely.</p>

2.5 Stepensions Rural LLP on behalf of Benjamin Rab and Fiona Rab

Table 2.9 – Stepensions Rural LLP on behalf of Benjamin Rab and Fiona Rab: Post-hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the Examining Authority [REP4-030]

Reference	Issue Raised by IP	Applicant's Response
Paragraph 1-4	Alternative locations for the siting of the Cable Sealing End Compounds.	<p>National Grid note the comments made by Stepensions Rural LLP on behalf of Benjamin Rab and Fiona Rab: Document Post-hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the Examining Authority [REP4-030].</p> <p>In relation to Paragraph 1, National Grid acknowledges that the Interested Party (IP) does not object overall to the proposed project but they do object to the specific location of the sealing end compounds due to be located on the farm. National Grid would refer to the Applicant's Comments on Written representations and other Interested Parties' Deadline 2 Submissions (Document 8.20) [REP3-032] at Table 2.10 (ref 4.1) which sets out the engagement that National Grid have held with the IP and the measures that have been taken to mitigate the impacts of design on the farm.</p> <p>Paragraphs 2, 3 and 4 relate to the two alternative locations for the CSEC's (the north westerly alternative and the south-easterly alternative). National Grid's response on both of these alternatives is documented in the Applicant's Comments on Written representations and other Interested Parties' Deadline 2 Submissions (Documents 8.20) [REP3-032] at Table 2.10 (ref 4.2).</p> <p>In relation specifically to Paragraphs 4(f) and 4(g) National Grid have held a number of meetings with the landowner and occupier of Newlands Farm, along with their agent, in order to explain the mitigation of the impacts that the siting of the Cable Sealing End Compounds would have on the farming business and the economic impacts of the scheme. The Applicant would again refer to the Applicant's Comments on Written representations and</p>

Reference	Issue Raised by IP	Applicant's Response
		other Interested Parties' Deadline 2 Submissions (Documents 8.20) [REP3-032] at Table 2.10 (ref 4.1). National Grid were asked to consider as an action point arising out of CAH1 whether the extent of the northern part of the Shipton North CSEC could be limited or moved to accommodate farming activities better, and their response is set out in the Applicant's Response to Compulsory Acquisition Hearing 1 (CAH 1) (Document 8.23.5) [REP4-028] at Table 2.1 (Action Point 3) and forms part of the change application submitted at Deadline 5.
Paragraph 5	Potential alternative permanent access track to the Cable Sealing End Compounds.	National Grid have put a proposed alternative access forward to Mr Stephenson and held a meeting on 16 June 2023 to discuss to ensure it was in the location expected. This proposed access was said to be acceptable to Mr Stephenson. A formal letter was issued on 19 June to both the landowner and occupier to advise of the written request to the Examining Authority seeking changes to the Project, informing them of Change 1 (Shipton North Reduction in Limits of Deviation) and seeking agreement on Change 3 (Shipton Cable Sealing End Compound Access). National Grid have received a signed formal letter from Mr Stephenson in respect of his clients the landowner and occupier in support of the change and providing written consent.

Table 2.10 – Stepsons Rural LLP on behalf of Benjamin Rab and Fiona Rab: Issue Specific Hearing 2 (ISH2) Action Points [REP4-031]

Reference	Topic	Applicant's Response
Action Point 22	Request for a meeting	National Grid met with Mr Stephenson and his clients on Friday 16 June 2023.
Action Point 30	Construction traffic and proposed alternative access.	a) National Grid note the deliveries required for the farming operations, and National Grid will manage the construction traffic to seek to minimise the impact on deliveries during the construction phase. This will be undertaken by the installation of passing places along the public

Reference	Topic	Applicant's Response
		<p>highway, which provide additional passing places to those provided in the bellmouths to be installed, as well as coordination with the Agricultural Liaison Officer (ALO), as set out in the Code of Construction Practice (Document 5.3.3B(C)) and the Traffic Coordination Officer (TCO) as set out in the Construction Traffic Management Plan (Document 5.3.3F (B)) submitted at Deadline 5. To aid understanding National Grid have submitted an illustration of what the road could look like with passing places shown (this is for illustration purposes only, and may vary a during detailed design), in Appendix A of this document.</p> <p>b) 25,525 vehicle movements (two way) shown in Appendix 12A Traffic Modelling Tables (Document 5.3.12A [APP-148]) are indicated for Access Points (AP) 95, 96, 97, 98 and 99. 12,858 of these movements will be to access point 95, which is on the junction of Corban Lane, with HGV movements coming from the east on Corban Lane turning right into this bellmouth, therefore will not be travelling further up Newlands Lane.</p> <ul style="list-style-type: none"> i. National Grid are not proposing to double the size of the road for the construction period as it is not necessary, suitable passing places will be included along the lane during the construction period. ii. National Grid are proposing to construct passing places to allow construction and farm traffic to pass on the lane. National Grid are awaiting the submission of a sketch of what suitable passing places would look like from Mr. Stephenson's the land agents and his clients point of view but have produced the above referenced illustration as this information has not yet been provided. iii. National Grid are not proposing a connecting road between the two construction compounds. The construction compounds are for use by separate contractors (overhead line contractor and CSEC contractor) and have separate access points, AP95 for the southern compound and AP98 for the northern compound.

Reference	Topic	Applicant's Response
		<p>Constructing a road between the two compounds would involve an additional stone access track and the removal of an additional amount of tress on the boundary between the two different land holdings which is not required. This change would also move the access onto another party's land. National Grid do not believe this isrequired, with traffic being managed along the lane, and passing places, and bellmouths being installed.</p>

2.6 Stepensions Rural LLP on behalf of Mrs Pamela Husband, Ms Gill Eves and Mr Paul Bulmer

Table 2.11 – Stepensions Rural LLP on behalf of Mrs Pamela Husband, Ms Gill Eves and Mr Paul Bulmer: Post hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the Examining Authority and comments on any oral submissions put at the Hearings [REP4-032]

Reference	Topic	Applicant's Response
Paragraph 1	The IP considers that the substation proposed at Overton will affect the openness of the Green Belt	<p>National Grid has considered the impact of the Project on the Green Belt within the Planning Statement (Document 7.1) [APP-202]. As detailed within section 7.3.93, '<i>...it is recognised by virtue of the density of infrastructure, and the size of its physical footprint, together with the requirement for security fencing, the substation works at Overton Substation ... may be considered to be inappropriate development as it would not preserve the openness of the Green Belt. As such, very special circumstances would be required to justify their development as set out below...</i>'.</p> <p>Section 7.3.98 of the Planning Statement goes on to set out the Very Special Circumstances for the Project. This is supported by the Updated Needs Case (Document 7.4) [APP-205] which sets out the urgent need for the Project. National Grid consider the very special circumstances for the Project clearly outweigh any harm to the Green Belt and any other harm as a result of the Project.</p>
Paragraph 1.5	The IP suggests that siting the Overton Substation on the west side of the York to Edinburgh railway line would be preferable, compared to the current location.	<p>Within the Corridor and Preliminary Routeing and Siting Study 2021 (Document 7.8) [APP-209], land to the west of the East Coast mainline was considered for the proposed substation, specifically parcels YN3a and YN4a (amongst others).</p> <p>Parcels were considered in combination with overhead line routes, and an appraisal for each option is provided within the summary tables. Summary tables 4.4, 4.5, 4.6 and 4.8 consider parcels YN3a and YN4a, in combination with two different overhead line corridors.</p>

Reference	Topic	Applicant's Response
		<p>In summary, options including land parcels YN3a and YN4a were less favourable than the option taken forward, partly due to the significant access constraints associated with these land parcels.</p> <p>Table 4.7 sets out the appraisal summary for the option taken forward (Option B.YN3b), and section 4.9 sets out why, on balance, this was considered the preferred option. This was due to the fact that, when compared with other options, it had fewest constraints, or constraints that could be feasibly managed through the implementation of mitigation.</p> <p>This option was taken forward to non-statutory and then statutory consultation. As detailed within section 4.4.9 and 7.3.11 of the Consultation Report (Document 6.1) [APP-195], the majority of respondent supported the location of the proposed Overton substation</p>
Paragraph 2	The IP states that they consider the pylons associated with the Project will attract new development.	<p>National Grid is aware of instances where applicants for other developments (such as battery storage or solar farms) have sought to connect into lower voltage overhead lines, such as 132kV overhead lines, operated by Distribution Network Operators.</p> <p>However National Grid operate at 275kV and 400kV, and a connection into an overhead line would require a new substation to be built, as well as large supergrid transformers to step down the voltage. This would be a very expensive connection which would usually mean that a connection for a project of that nature would not be financially viable. For projects of this nature National Grid typically make connection offers at existing substations.</p> <p>Therefore, National Grid's view continues to be that the presence of the pylons proposed as part of the Project, will not attract additional development.</p>

2.7 Yorkshire Wildlife Trust

Table 2.12 – Yorkshire Wildlife Trust: Post-hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the ExA [REP4-043]

Reference	Topic	Applicant's Response
Paragraph 7	Biodiversity – bird diverters and the mitigation hierarchy	<p>As defined in the Cross Sector Biodiversity Initiative (CSBI) guidance¹, the mitigation hierarchy (avoid, minimise, restore, offset) is “..a framework to manage <i>the risks and potential impacts</i> of development projects on biodiversity..”</p> <p>As explained by National Grid at Issue Specific Hearing 2 (ISH2) and in Section 6.2 of Applicant's Written Summary of Oral Representations (Document 8.23.1) [REP4-023], the risk of significant effects on sensitive species' populations resulting from collisions with the overhead lines at river crossings as a result of the Project is extremely low, and the risk of increased bird strike on migrating species has been scoped out, as confirmed by Natural England [REP2-080].</p> <p>Yorkshire Wildlife Trust'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. Therefore, in National Grid's view there is negligible increased risk of collisions as a result of the Project. Results of winter transect surveys for the two key species referenced by Yorkshire Wildlife Trust did not record any whooper swan flying overhead or utilising habitats in the survey area; and only three records of relatively small numbers of pink footed geese (peak count of 86 individuals) were recorded flying very high during the core winter period (which is suggestive of birds wintering in the area rather than migrating) (No Significant Effects Report (Document 6.4(B)) [AS-018]). Further to this (and to assist the Examining Authority with a response to a question posed</p>

¹ CSBI (2015). A cross-sector guide for implementing the mitigation hierarchy. Prepared by the Biodiversity Consultancy on behalf of IPIECA, ICMM and the Equator Principles Association: Cambridge UK.

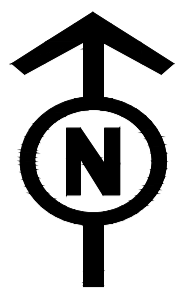
Reference	Topic	Applicant's Response
		<p>during ISH2 on population levels), current population trends indicate a 111% (pink-footed goose) and 239% (whooper swan) increase over the period 1993 to 2019², which further supports the conclusion that population level effects would be extremely unlikely.</p> <p>National Grid does not agree with the statement by Yorkshire Wildlife Trust that the Project would fail to accord with the mitigation hierarchy in the absence of bird diverter installation. The mitigation hierarchy is the overarching principle which has guided the approach to biodiversity throughout the Project, including numerous design reviews to consider how best to avoid potential effects on sensitive features wherever possible, and the embedding of environmental measures into the Project as set out in Section 8.6 ES Chapter 8 Biodiversity (Document 5.2.8) [APP-080].</p> <p>Best practice guidance advocates a proportionate approach to the assessment of ecological effects. As stated in the Chartered Institute for Ecology and Environmental Management (CIEEM)'s Ecological Impact Assessment (EclA) Guidelines³, an EclA should be 'proportionate to the scale of the development and complexity of its potential impacts' and 'scoping should be proportionate to potential effects' and 'emphasis in EclA is on "significant effects" rather than all ecological effects'.</p> <p>The Biodiversity Mitigation Strategy (Document 5.3.3D) [APP-097] details the embedded environmental measures which enact the mitigation hierarchy, including <i>Measure 3 Minimise land take and micro-site</i> (which seeks to avoid key features), and will ensure that the Project continues to apply the mitigation hierarchy throughout detailed design and construction, as secured</p>

² Frost et al. (2021). Waterbirds in the UK 2019/20: The Wetland Bird Survey. BTO, RSPB and JNCC, in association with WWT. British Trust for Ornithology, Thetford. <https://www.bto.org/our-science/projects/wetland-bird-survey/publications/webs-annual-report>

³ CIEEM (2018, updated 2019). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal. CIEEM, Winchester.

Reference	Topic	Applicant's Response
		<p>by Requirement 5 of the updated Draft Development Consent Order (Document 3.1(D)).</p> <p>Based on the evidence to date and consultation with Natural England, due to the negligible risk of population effects at designated site level resulting from the Project (the Yorkshire Wildlife Trust's key concern), it is concluded that the fitting of diverters would constitute a disproportionate level of mitigation. The approach taken within the Project is in line with a balanced application of the mitigation hierarchy. Furthermore, as stated by National Grid in ISH2, and in accordance with its approach to overhead lines nationally, should evidence come to light of collisions at these locations in the future, the retrospective installation of bird diverters would be considered.</p>

Appendix A Illustrative Plan: Access during construction phase – Shipton



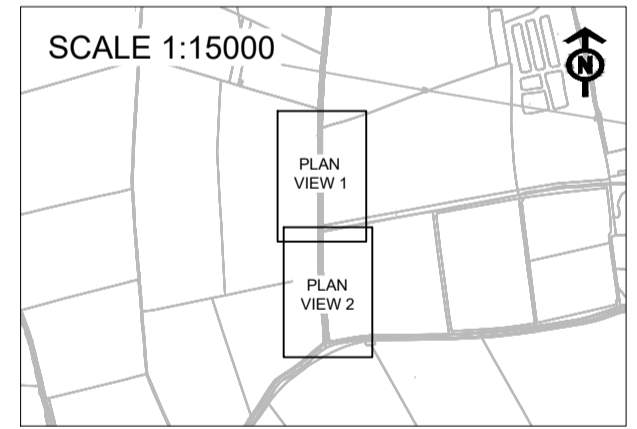
NATIONAL GRID (YORKSHIRE GREEN ENERGY ENABLEMENT PROJECT)
 ILLUSTRATIVE PLAN: ACCESS DURING CONSTRUCTION PHASE - SHIPTON
 REGULATION 5(2)(o)
 SHEET 1 OF 2

Legend

- ORDER LIMITS
- EXISTING HEDGEROW
- EXISTING TREE CANOPY
- EXISTING ROADS
- EXISTING BT UNDERGROUND CABLE
- EXISTING BT OVERHEAD LINE
- PROPOSED OVERHEAD LINE
- PROPOSED PASSING BAY, TEMPORARY WIDENING WORKS REQUIRED
- PERMANENT ACCESS ROAD
- PROPOSED PERMANENT CORBAN LANE WIDENING
- TEMPORARY CONSTRUCTION COMPOUND
- TEMPORARY ACCESS ROAD
- HEDGEROW TO BE REMOVED
- POTENTIAL HEDGE REMOVAL DUE TO BEING IN CLOSE PROXIMITY OF PROPOSED TEMPORARY ROAD WORKS

Notes

1. THIS DRAWING IS SCALED AT PAPER SIZE A1. THEREFORE ANY PRINTS TAKEN AT SMALLER SIZES WILL AFFECT ACCURACY OF THE MEASUREMENT UNITS AND SHOULD NOT BE SCALED AGAINST.
2. FOR ADDITIONAL DETAIL ON THE PLAN SUITES, PLEASE REFER TO DOCUMENT 2.3 PLAN GUIDANCE DOCUMENT, LOCATED IN VOLUME 2 OF THE DCO APPLICATION.
3. NO UNAUTHORIZED DISCLOSURE, STORAGE OR COPYING.
4. ALL SPATIAL COORDINATES RELATE TO THE ORDNANCE SURVEY, BRITISH NATIONAL GRID (OSGB36).
5. THIS SKETCH IS TO DEPICT THE PROPOSED OVERHEAD LINE ACCESS AND ANY TEMPORARY WIDENING WORKS ANTICIPATED DURING THE CONSTRUCTION PHASE OF THE PROJECT. WHILST THIS SHOWS INDICATIVE PASSING BAY REQUIREMENTS, FINALISATION OF THESE DETAILS WILL BE COMPLETED DURING DETAILED DESIGN WHERE LOCATION, SIZE AND GEOMETRY OF THESE WORKS ARE SUBJECT TO CHANGE. ALL WORKS WILL REMAIN WITHIN THE SHOWN ORDER LIMITS.



Coordinate System: British National Grid

Sheet X Centroid Coordinate: 456532

Sheet Y Centroid Coordinate: 459908

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Issue	Date	Remarks	Drawn	Checked	Approved
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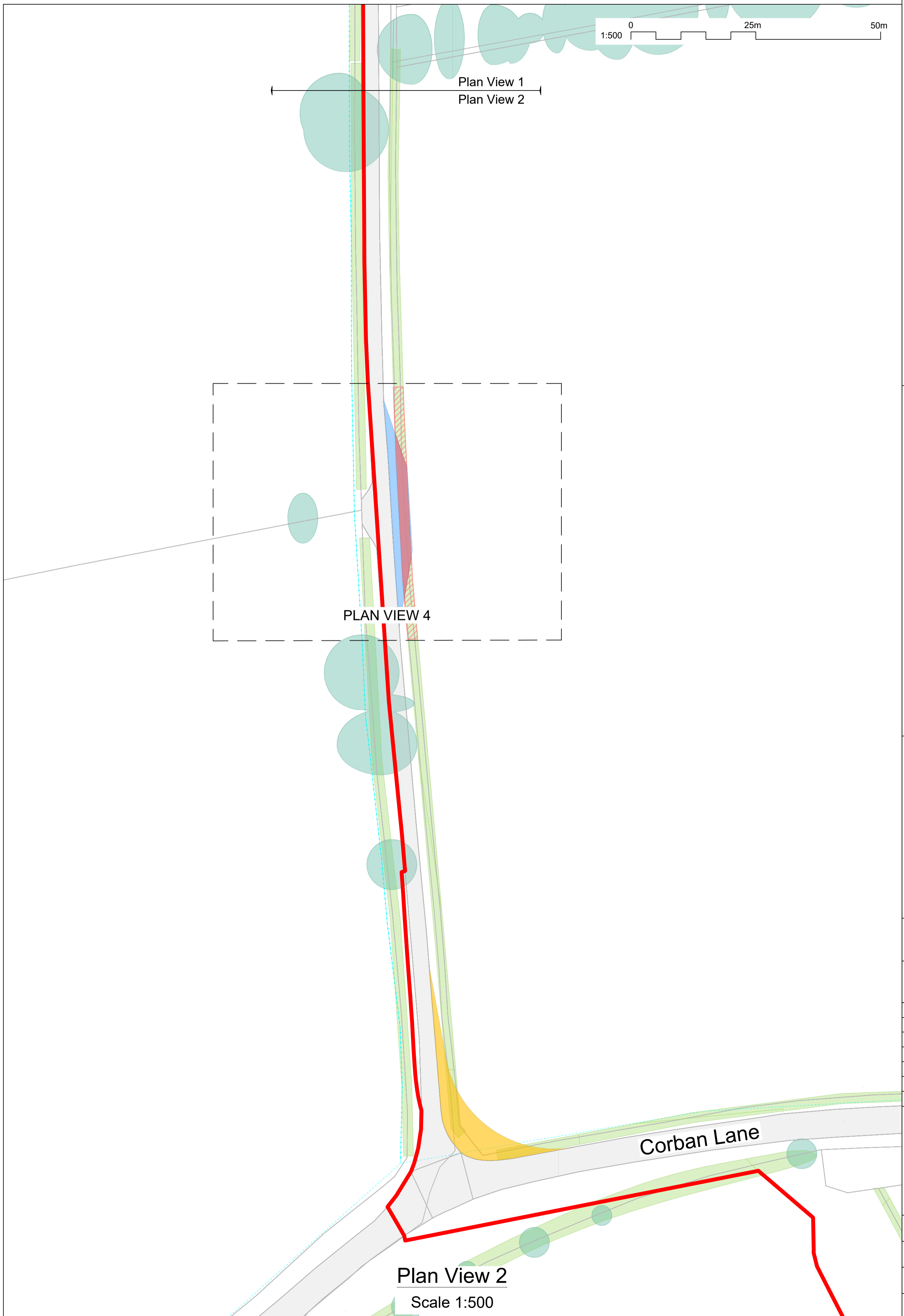
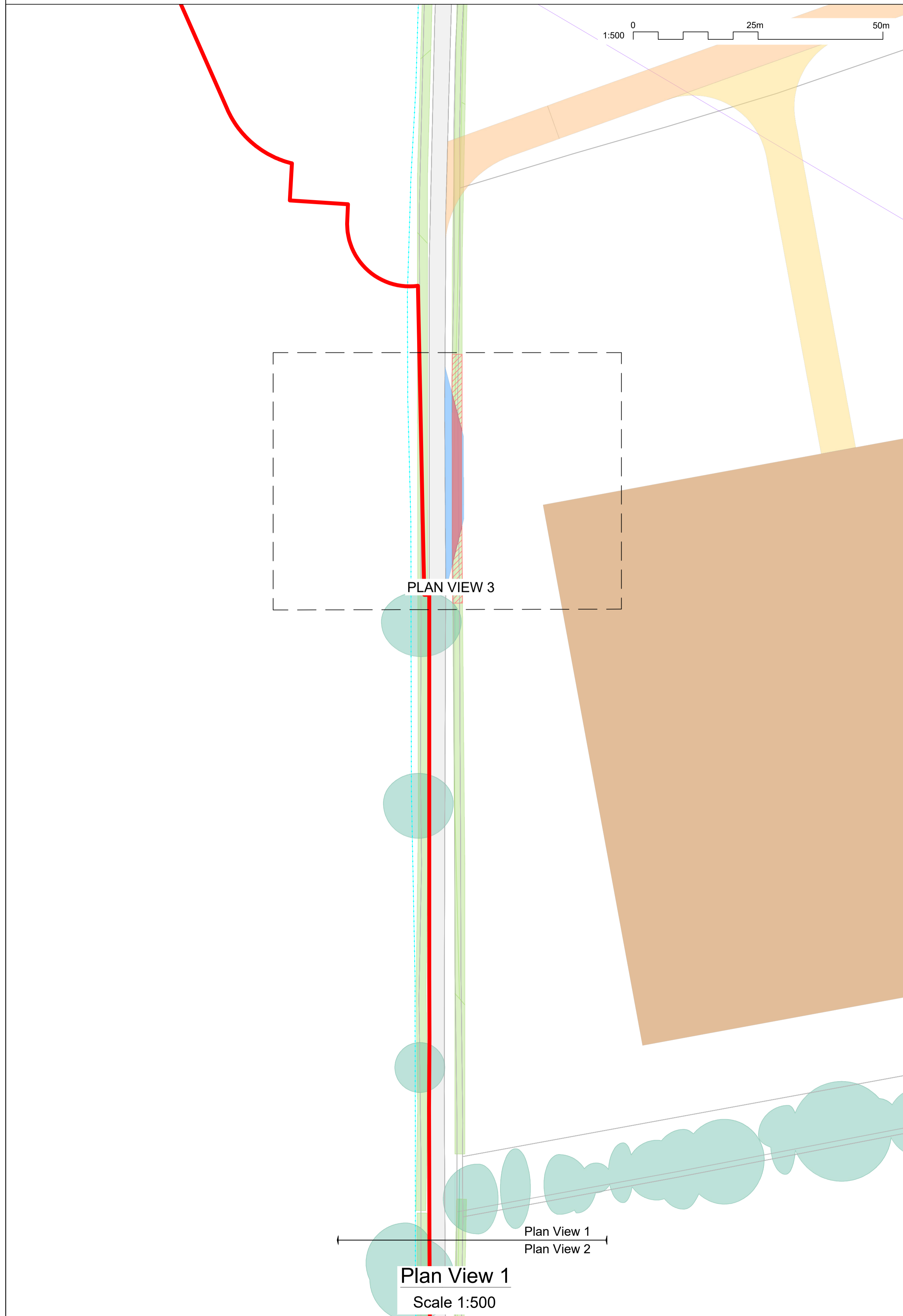
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 (YORKSHIRE GREEN ENERGY
 ENABLEMENT PROJECT)
 ILLUSTRATIVE PLAN: ACCESS DURING
 CONSTRUCTION PHASE - SHIPTON
 REGULATION 5(2)(o)
 SHEET 1 OF 2

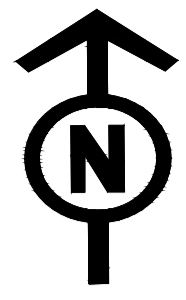


Application Number
 EN020024

National Grid Drawing Reference
 DCO_D5/ExQ2/Q4.3.1_1

Scale	Sheet Size	Sheet	Issue
1:500	A1	SHEET 1 OF 2	A





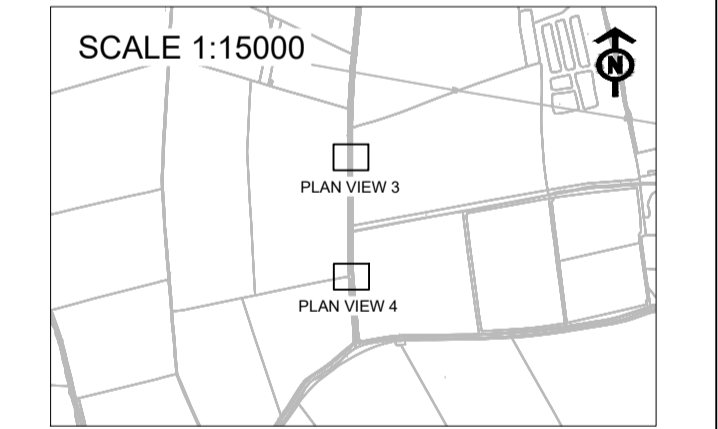
NATIONAL GRID (YORKSHIRE GREEN ENERGY ENABLEMENT PROJECT)
ILLUSTRATIVE PLAN: ACCESS DURING CONSTRUCTION PHASE - SHIPTON
REGULATION 5(2)(o)
SHEET 2 OF 2

Legend

- ORDER LIMITS
- EXISTING HEDGEROW
- EXISTING TREE CANOPY
- EXISTING ROADS
- EXISTING BT UNDERGROUND CABLE
- PROPOSED PASSING BAY, TEMPORARY WIDENING WORKS REQUIRED
- TEMPORARY CONSTRUCTION COMPOUND
- HEDGEROW TO BE REMOVED
- POTENTIAL HEDGE REMOVAL DUE TO BEING IN CLOSE PROXIMITY OF PROPOSED TEMPORARY ROAD WORKS

Notes

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Coordinate System: British National Grid
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Sheet Y Centroid Coordinate: 459908

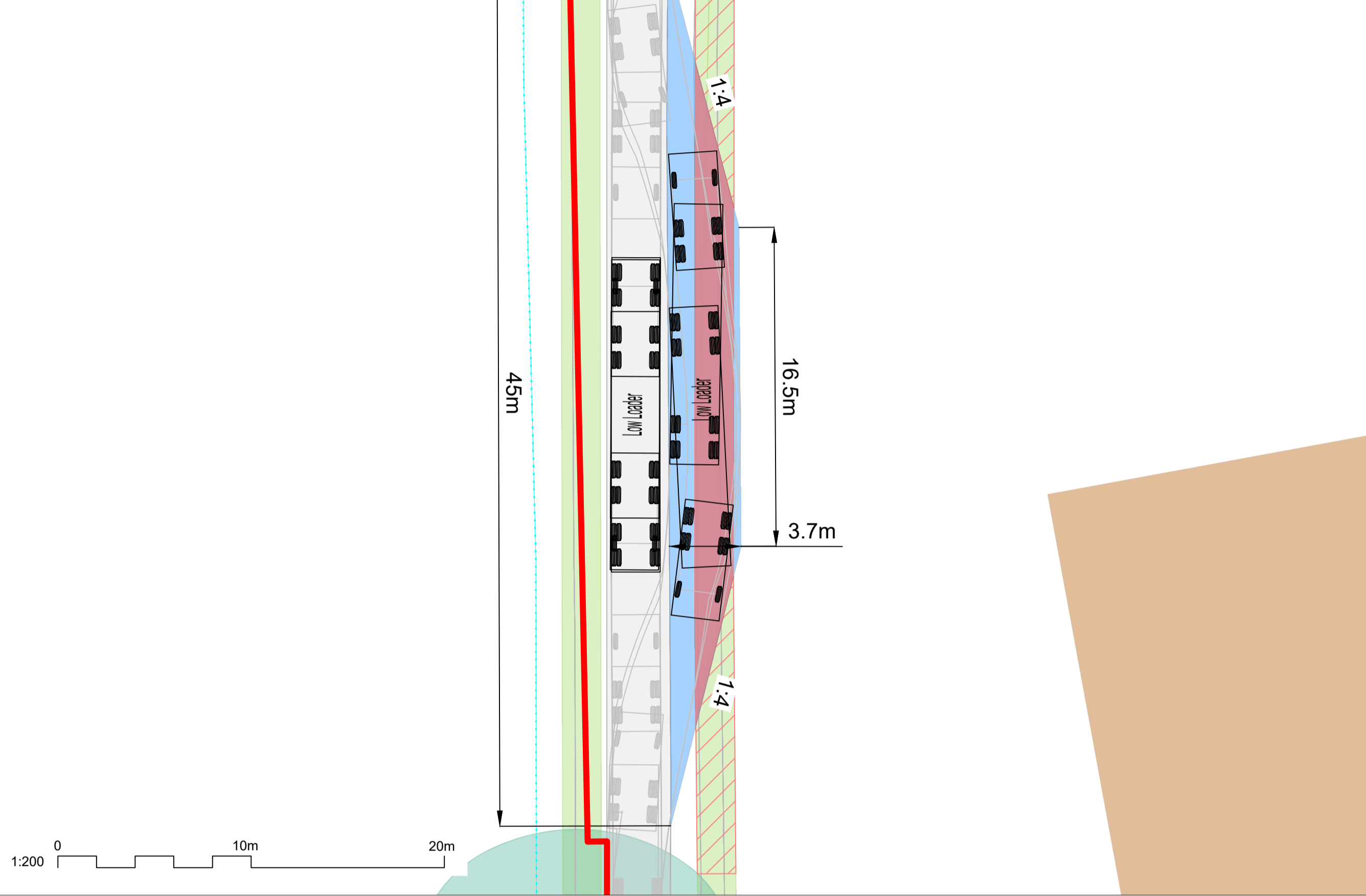
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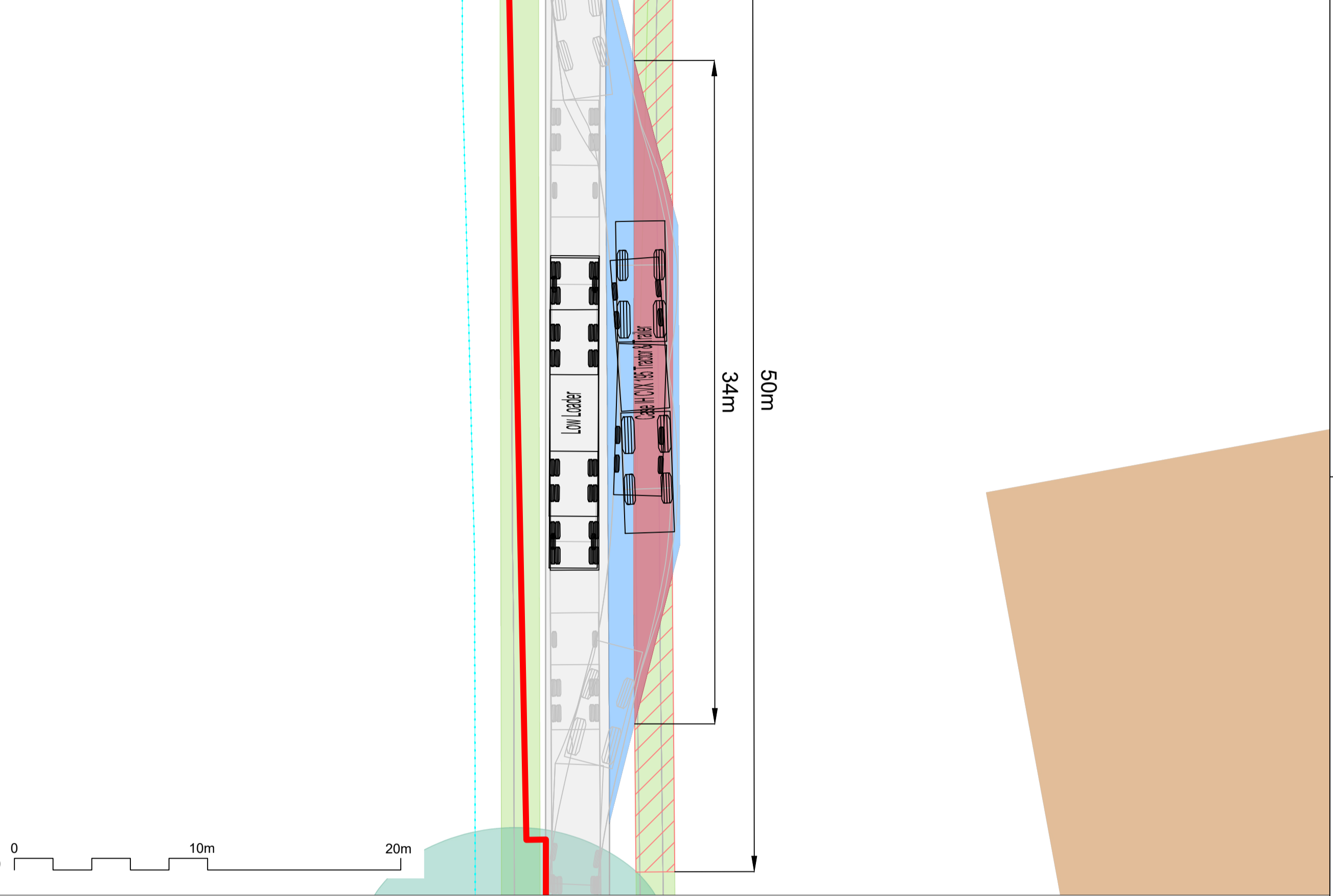
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(YORKSHIRE GREEN ENERGY
ENABLEMENT PROJECT)
ILLUSTRATIVE PLAN: ACCESS DURING
CONSTRUCTION PHASE - SHIPTON
REGULATION 5(2)(o)
SHEET 2 OF 2

Application Number		EN020024	
National Grid Drawing Reference			
Scale		Sheet Size	
1:200	A1	SHEET 2 OF 2	
Issue		A	

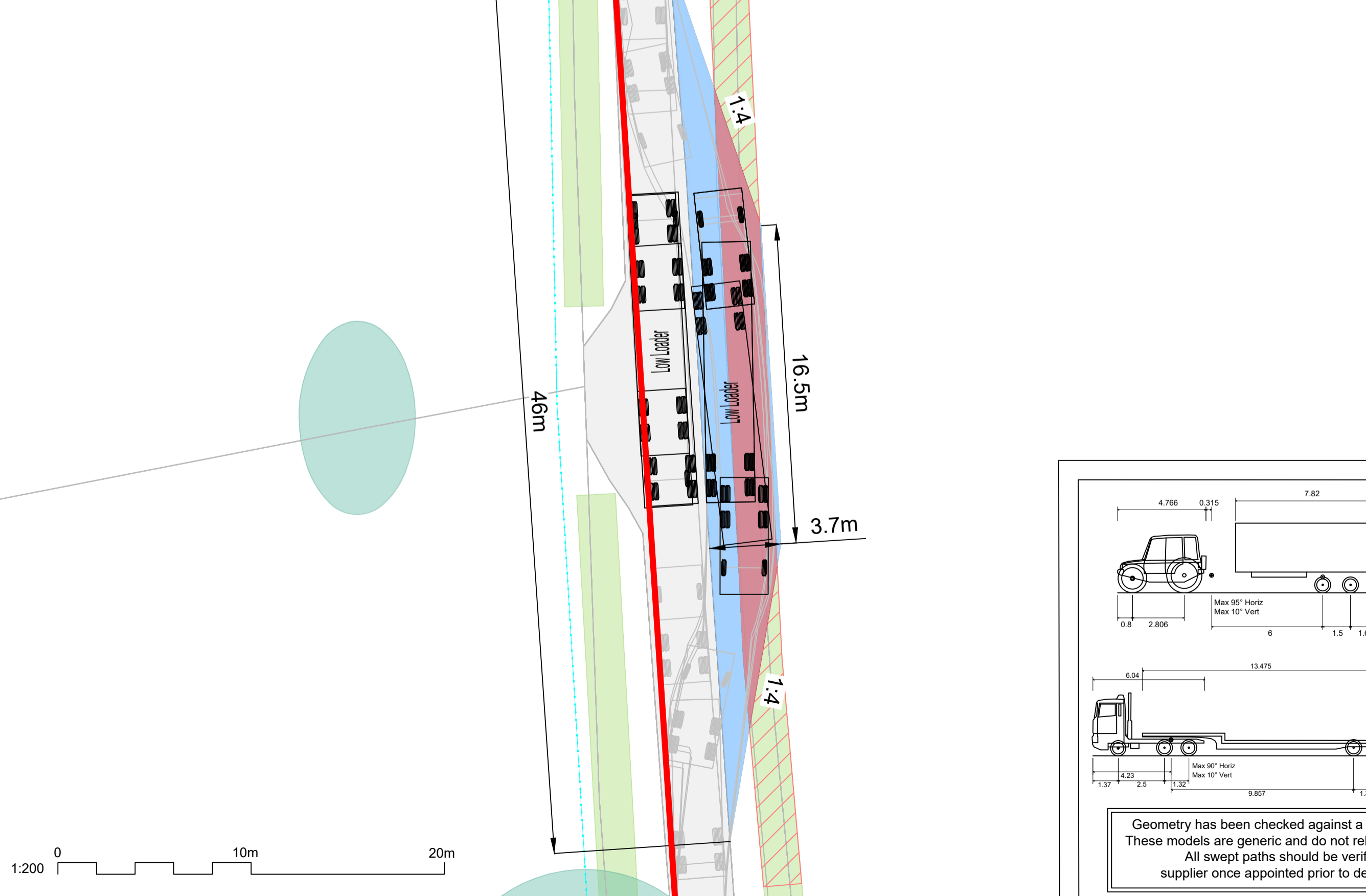
Plan View 3
Low Loaders passing
Scale 1:200



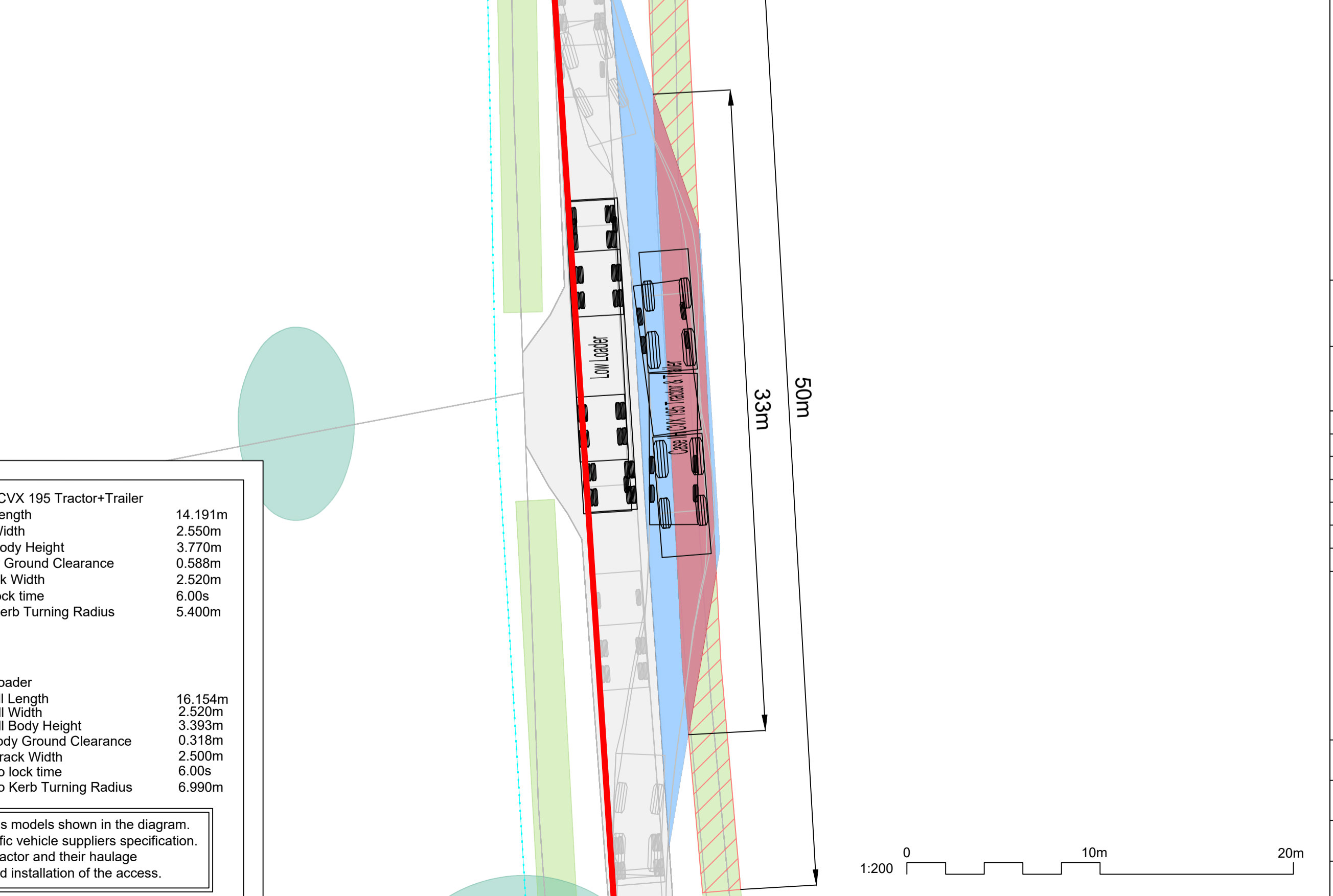
Plan View 3
Low Loader and Tractor passing
Scale 1:200



Plan View 4
Low Loaders passing
Scale 1:200



Plan View 4
Low Loader and Tractor passing
Scale 1:200



	<p>Case IH CVX 195 Tractor+Trailer</p> <p>Overall Length 14.191m Overall Width 2.550m Overall Body Height 3.770m Min Body Ground Clearance 0.588m Max Track Width 2.520m Lock to lock time 6.00s Kerb to Kerb Turning Radius 5.400m</p>
	<p>Low Loader</p> <p>Overall Length 16.154m Overall Width 2.520m Overall Body Height 3.393m Min Body Ground Clearance 0.318m Max Track Width 2.500m Lock to lock time 6.00s Kerb to Kerb Turning Radius 6.990m</p>

Geometry has been checked against a bespoke vehicles models shown in the diagram. These models are generic and do not relate to any specific vehicle suppliers specification. All swept paths should be verified by the Contractor and their haulage supplier once appointed prior to detailed design and installation of the access.

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