

YG-DCO-125

# Yorkshire Green Energy Enablement (GREEN) Project

**Volume 8**

**Document 8.23.9 Applicant's Deadline 5 Response to ISH3 Hearing  
Action Points**

**Final Issue A  
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## Version History

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Document	Version	Status	Description / Changes
11/07/2023	A	Final	First Issue

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# 1. About this document

## 1. Introduction

- 1.1.1. This document provides National Grid Electricity Transmission Plc's (National Grid) (the Applicant) Deadline 5 response to Action Points addressed to the Applicant arising from Issue Specific Hearing (ISH) 3 on the draft Development Consent Order and related matters held on Friday 26 May 2023, in respect of the Yorkshire Green Energy Enablement Project (Yorkshire GREEN) (the Project). They are in addition to the Deadline 4 Submission **Applicant's Response to Issue Specific Hearing 3 (ISH3) Hearing Action Points (Document 8.23.6) [REP4-028]**.
- 1.1.2. Responses to actions addressed to the Applicant are provided in **section 2** below.

## 2. The Applicant's Response to ISH3 Action Points

Table 2.1 – Deadline 5 Response to ISH3 Action Points

Action No.	ExA description	Party	Deadline	Response
1	New Requirement (R) for a site-specific construction stage mitigation scheme for the Travellers' Site to be inserted into the next iteration of the draft Development Consent Order (dDCO).	Applicant	D5	<p>National Grid has included a new Requirement 19 within the <b>draft DCO (Document 3.1(D))</b> submitted at Deadline 5. This new requirement reads as follows:</p> <p><i>Site Specific Mitigation Scheme</i>  <b>19.—(1) No part of Work No. 10 that affects the Travellers' Encampment may commence until a scheme to mitigate the impacts of construction activities arising from those works, including noise, dust, vibration, and visual effects (including from lighting), has been submitted to and approved in writing by the relevant planning authority.</b></p> <p><b>(2) The scheme referred to in sub-paragraph (1) must include the approach to liaison for the Travellers' Encampment during the construction period.</b></p> <p><b>(3) The construction works for that part of Work No. 10 which affects the Travellers' Encampment must be carried out in accordance with the approved scheme referred to in sub-paragraph (1) above, unless otherwise agreed with the relevant planning authority.</b></p> <p>A new definition of Travellers' Encampment has also been added to make clear where the site specific mitigation applies. This reads: " <i>Travellers' Encampment</i>" means plots E7-34 and E7-40 as shown on the land plan to the extent and for the duration that these plots are occupied as a travellers' encampment."</p> <p>This new Requirement 19 provides that a scheme for site specific mitigation, which ensures adequate mitigation is secured with respect to noise, dust, vibration, and visual effects, must be submitted to and approved by the local planning authority prior to the commencement of any part of Work No.10 that affects plots E7-34 and E7-40 on Section E of the Land Plan (<b>Document 2.5.5 (B) [as-009]</b>). This Requirement includes a tailpiece, which allows for alternative agreement with the relevant planning authority. This is necessary because the nature of use and occupation of the Travellers' Encampment may vary and so the site specific mitigation scheme would also need to vary accordingly.</p>
2	Review and elaborate wording for community liaison officer over access arrangements in Construction Traffic Management Plan (CTMP)/ Code of Construction Practice (CoCP).	Applicant	D5	<p>An update to the wording in relation to the role of the Transport Coordination Officer is provided in Section 8.1 of the <b>Construction Traffic Management Plan (Document 5.3.3F(B))</b> which is submitted at Deadline 5. Additional information on the personnel responsible for liaison with landowners and occupiers (and their agents) regarding access and other issues during construction is also provided in Section 2.2 of the updated <b>Code of Construction Practice (Document 5.3.3B(C))</b> also submitted at Deadline 5.</p>
3	Set out the process for assessing and minimising	Applicant	D5	<p>Habitat loss (including hedgerows) has been minimised throughout the design process in accordance with the mitigation hierarchy, with avoidance where possible (e.g. through the use of existing suitable access tracks) being considered first. A precautionary reasonable worst case for hedgerow loss was then assessed in <b>ES Chapter 8 Biodiversity (Document 5.2.8) [APP-080]</b>. This included an assumption of permanent loss of up to 8m of hedgerow at bellmouths (<b>Paragraph 8.9.38, Section 8.9</b>).</p>

	hedgerow removal at bellmouths.			<p>During detailed design and construction, the requirement to remove hedgerows will be further minimised in accordance with the mitigation hierarchy, with the incorporation of embedded environmental measures set out in <b>Table 8.11 of ES Chapter 8 Biodiversity (Document 5.2.8) [APP-080]</b>, and within the <b>Biodiversity Mitigation Strategy (Document 5.3.3D) [APP-097]</b>, with specific reference to hedgerows in <b>Paragraph 8.9.42, Section 8.9 of ES Chapter 8 Biodiversity (Document 5.2.8) [APP-080]</b>. This includes Measure 3: Minimise land take and micro-site, and Measure 6: Maintaining habitat connectivity, in accordance with which, the detailed design and construction phases would minimise the land take for works and avoid or minimise effects on important habitats including hedgerows.</p> <p>As detailed in <b>Sections 3.2 and 3.3 of the Biodiversity Mitigation Strategy (Document 5.3.3D) [APP-097]</b>, prior to any vegetation removal, the Principal Contractor's ecologist would undertake a site walkover to identify ecologically sensitive areas and to update the ecological baseline. This would include sections of hedgerow scheduled for removal identified on the Tree Removal and Protection Plan (<b>Annex 3I.3 to the Arboricultural Impact Assessment, Appendix 3I, Volume 5, Document 5.3.3I</b>, as updated by the Tree and Hedgerow Protection Strategy secured by Requirement 6 of the <b>Draft Development Consent Order (Document 3.1(D))</b>). Through discussion between the Principal Contractor and the Principal Contractor's ecologist and the Project Ecological Clerk of Works (ECoW) reporting to National Grid, hedgerow loss would be restricted to the minimum necessary to enable the works to proceed. Appropriate delineation would be installed to identify retained habitat features (including hedgerows) within the construction areas to ensure their retention and protection during the works, in accordance with the Tree and Hedgerow Protection Strategy as secured by Requirement 6 of the <b>Draft Development Consent Order (Document 3.1 (D))</b>. All temporarily lost or degraded sections of hedgerow would be reinstated (incorporating appropriate native species to increase species diversity in agreement with landowners) in a timely manner once works are complete in each area, to minimise periods of habitat loss.</p> <p>Any deviations from the Tree Removal and Protection Plan/Tree and Hedgerow Protection Strategy would be agreed in advance between the Project ECoW, arboriculturist and relevant Local Planning Authority where necessary. The Principal Contractor's ecologist would maintain a Site Ecology Register (SER) set out in the Biodiversity Mitigation Strategy (<b>Document 5.3.3D) [APP-097]</b>, of works conducted affecting ecological receptors (including hedgerows where applicable) which would be reviewed by the Project ECoW to ensure adherence with the Biodiversity Mitigation Strategy. The Biodiversity Mitigation Strategy forms part of the <b>Code of Construction Practice (CoCP) (Document 5.3.3B(B)) [REP2-020]</b>, as secured by Requirement 5 of the <b>Draft Development Consent Order (Document 3.1(D))</b>.</p>
4	Set out in the next version of the CoCP the respective roles of the Agricultural Liaison Officer (ALO) and the Land Officer. Specify who employs each role and duration of employment.	Applicant	D5	Information on the roles of the Agricultural Liaison Officer (ALO) and the Land Officer which addresses the points raised in this Action is provided in Section 2.2 of the updated <b>Code of Construction Practice (Document 5.3.3B(C))</b> submitted at Deadline 5.
5	Provide commentary on the Applicant's approach to ongoing liaison during the operation and maintenance period via the Land Officer.	Applicant	D5	<p>Once the assets are constructed and handed over to the operational business, access to the land will be required from time to time in order for National Grid to fulfil its licence obligations. Access would be taken in accordance with the provisions in the deed of easement (or under the terms of the rights set out in the Order and Book of Reference if powers need to be exercised compulsorily) in order for National Grid to carry out activities as detailed in the Company's Undertaking.</p> <p>Where voluntary agreements have been reached, National Grid's existing infrastructure team aim to provide a minimum of 7 days written notice to landowners and occupiers as appropriate. This notification confirms the maintenance route as identified in the easement is still the preferred access and identifies any other access information including any locked gates or barriers, cropping or other safety issues such as livestock or game shooting that National Grid need to be aware of.</p>

				<p>A courtesy call / text can be sent 24-48 hours before access if requested by the landowner and depending on the extent of the access, a record of condition may be taken. For all work the landowners and occupiers would be provided with a point of contact to keep them updated on day to day activities and requirements on the land, and any proven and justified losses, damage or disturbance would be paid as a compensation claim post completion of the works in line with the compensation code.</p> <p>Where rights are secured through compulsory acquisition the terms of the Development Consent Order would apply. The draft DCO (<b>Document 3.1(D)</b>) states in Article 36(2) that a minimum of 14 days' notice would be provided in writing and that a Notice of completion of works would be given once the works were finished. Points of contact and compensation matters are consistent with the approach taken if a voluntary agreement is reached.</p>
6	Consolidate all Environmental Statement errata and addenda into one document. Any further updates to be added to the consolidated document.	Applicant	D5	ES Addendum Parts 1 and 2 have been consolidated into one ES Addendum document ( <b>Document 5.2.22</b> ) which is submitted at Deadline 5. ES Addendum Parts 1 and 2 ( <b>Documents 5.2.20 [REP1-013]</b> and <b>Document 5.2.21 [REP3-010]</b> ) are replaced by the new consolidated <b>ES Addendum (Document 5.2.22)</b> as it contains all the information previously included in the earlier ES Addendums Parts 1 and 2. Any subsequent addendums to the ES will be added to <b>Document 5.2.22</b> .
7	Review definition and description of temporary construction compounds in the dDCO to ensure there is sufficient clarity about what they are likely to comprise.	Applicant	D5	<p>National Grid do not consider that a defined term for 'temporary construction compounds' is necessary because the detail of what will be included within each temporary construction compound is included within the description at limb (l) of associated development within Schedule 1 and the locations of compounds are identified on the relevant <b>Works Plan (Document 2.6.1-2.6.6)</b>. Any definition provided would be necessarily broad to ensure that nothing was inadvertently excluded, in which case, the definition would add nothing to what is already contained within the <b>draft DCO (Document 3.1(D))</b>.</p> <p>With respect to the articles of the draft DCO, the term 'temporary construction compounds' was only referenced within the definition of 'temporary construction works'. This defined term is then only used once within the Articles of the draft DCO at Article 9 (application of the 1990 Act). It serves to clarify that where land within the Order limits is used for temporary construction works, section 57(2) (planning permission required for development) of the Town and Country Planning Act 1990 (1990 Act) applies as if the development consent granted by the DCO were planning permission granted for a limited period. This article is not designed to provide practical scope as to what should constitute a temporary construction compound or tie to any activities relating to the temporary construction compounds which may be carried out. It simply clarifies the legal position that these works are not permanent. To further clarify this, the defined term for 'temporary construction works' has been amended in the <b>draft DCO (Document 3.1(D))</b> submitted at deadline 5 to remove reference to construction compounds.</p> <p>For these reasons, National Grid do not consider that it would be appropriate to add a specific definition for 'temporary construction compound' within the draft DCO.</p>
8	Article 5: consider 5(1)(c) whether a change in drafting is required to limit where the 6m Limit of Deviation (LoD) is relevant (new versus modified pylons).	Applicant	D5	<p>National Grid has not amended Article 5 but has provided the following explanation within paragraph 4.9.2 of the Explanatory Memorandum:</p> <p>"Whilst not expressly stated in Article 5(1)(c), the 6 metre limit of vertical deviation in respect of linear works does not apply to existing pylons. Reconductoring of a pylon does not involve works to raise a pylon's height, and the works authorised under the description in Schedule 1 specify which works amount to reconductoring. In this respect, the undertaker is restricted by the description of the authorised development in Schedule 1."</p>
12	Ensure that the provisions of	Applicant	D5	The <b>draft DCO (Document 3.1(D))</b> has been updated so that all instances with a 28-day deemed consent provision must also include, on any application for such consent, notice that this provision applies. Amendments have been made in this respect to articles 11, 16, 19, 21 and 46.



	article 13(6), i.e. requiring the provision of a statement, apply to all relevant articles of the dDCO concerning deemed consent.			
13	Check and ensure consistency across articles specifying a timescale in relation to deemed consent as to whether timescales relate to the 'making' of an application or 'receipt' of an application.	Applicant	D5	The <b>draft DCO (Document 3.1(D))</b> has been updated so that there is consistency in respect of when the 28-day timescale commences. This is confirmed to run from when the respective application is received. Articles 11 (Street works), 13 (Power to alter layout, etc. of streets), 14 (Temporary stopping up of streets, cycle tracks and public rights of way) and 16 (Access to works) have been updated in this respect.
14	Discuss and agree the wording of article 13(2) with North Yorkshire Council (NYC) regarding 'within or adjacent to Order limits'.	Applicant	D5	National Grid attended a highway workshop within North Yorkshire Council (NYC) on 7 June 2023, during which the wording of relevant articles was discussed. At the workshop, the section of article 13(2) referring to 'within or adjacent to the Order Limits' was not raised as a specific area of concern. A follow-up email was sent to NYC on 13 June 2023, specifically seeking confirmation that they were now satisfied within this wording. A further follow up email was sent on the 27 June. A response was not received. Within the SoCG submitted at deadline 5 ( <b>Document 8.5.2(C)</b> ) this specific wording is not an area identified as 'outstanding' or 'not agreed'. On this basis, National Grid consider this wording to now be agreed.
15	Assess whether article 16 should also make reference to NH in addition to the relevant planning authority and update the dDCO accordingly.	Applicant	D5	Article 16 provides that, for accesses not listed in Schedule 9 (access to works) the consent of the relevant planning authority, in consultation with the relevant highway authority, is required. National Highways, therefore, 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. On this basis, National Grid do not consider it appropriate to require two separate approvals from both the relevant planning authority and the relevant highway authority because the relevant highway authority would not have an approval right in the event that any such access was consented separately under the TCPA regime.  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.
16	Consider including in any Protective Provision with NH appropriate	Applicant	D5	National Grid is continuing engagement with National Highways in respect of the Protective Provisions. Bespoke provisions have been placed on the face of the draft DCO at Deadline 5 ( <b>Document 3.1(D)</b> ). These provisions are not agreed by National Highways, who have maintained the position that their standard template provisions should apply regardless of the impacts to the SRN associated with the Project. However, National Grid consider that the provisions on the face of the draft DCO respond to the concerns raised by National Highways during the hearings.

	wording to reflect its concerns about drainage to the Strategic Road Network (SRN) (article 19) and that interest in NH land could be temporarily suspended (articles 38 and 39).			
17	Liaise over works on land in which NH has an interest which is outside the SRN.	Applicant, NH	D5	National Grid is engaging with National Highways in respect of land over which it has an interest. National Highways has now appointed an agent and discussions are progressing with the agent. National Highways' agent is reviewing the voluntary terms and National Grid is arranging a meeting to discuss these.
18	Update dDCO with the Internal Drainage Board's (IDB) comments and/or set out different positions, following meeting on 14 June 2023.	Applicant	D5	<p>National Grid attended a meeting with the York Consortium of Drainage Boards (representing the Ainsty and Foss IDBs) on the 14 June 2023 and with the Shire Group of Drainage Boards (representing Kyle and Upper Ouse IDB) on the 16 June 2023.</p> <p>During both meetings significant progress was made, and the current position is reflected within the relevant SoCGs (<b>Document 8.5.12(B), 8.5.13(B) and 8.5.16(B)</b>). Where matters are outstanding, engagement will continue, with the aim of reaching agreement on outstanding points by Deadline 7.</p>
20	Continue discussions regarding in-built process for pre-application consultation before consent for approvals are lodged with regards article 45 and report back.	Applicant, NYC, City of York Council (CYC), Leeds City Council (LCC)	D5	<p>National Grid have continued to liaise with the host Local Planning Authorities (which include the relevant Highway Authorities) regarding the process for pre-application submissions, including those associated with article 45 (traffic regulations). During the week commencing 5 June 2023, National Grid spoke to each of the authorities, setting out their proposal for a 2-week (14 day) period for engagement, prior to any formal applications coming forward relating to articles. This 2-week period, combined with the 28 days stipulated within the relevant articles, would total 42 days, as preferred by the Highway Authorities. The above would be funded through a Service Level Agreement, and National Grid have confirmed this funding could be used for external consultants to fulfil the role, if the Highway Authorities are unable to fulfil this due to resource constraints. All Highways Authorities indicated a preference to undertake this work in-house.</p> <p>National Grid explained that their preference for a period of engagement to be undertaken prior to the formal application being submitted, is to ensure the submitted formal application reflects any comments from the Highway Authority, allowing it to be determined in a timely manner, and within the 28 days set out within the dDCO (<b>Document 3.1(D)</b>). This is essential to ensure the Project remains on track, given the very tight timescale in which it must be delivered.</p> <p>In addition to the above, National Grid have also committed to providing the Highway Authorities with monthly updates through the construction period, either as part of the regular monthly update meetings, or as specific highways updates. This will ensure the Highways Authorities have foresight of what applications they will likely receive.</p> <p>Furthermore, the written scheme of stages required under Requirement 4 of the dDCO (<b>Document 3.1(D)</b>) will provide the authorities with significant foresight in terms of when each stage (and the associated applications) will come forward.</p>

				During engagement with the relevant authorities, the above approach has been welcomed. However, the relevant Planning Authorities require time to fully review and consider the Service Level Agreement, and until they have had the opportunity to do so, this point remains an outstanding matter within the relevant SoCGs submitted at Deadline 5.
21	Include the Environmental Statement (ES) in the list of documents to be certified in the next iteration of the dDCO.	Applicant	D5	The <b>draft DCO (Document 3.1(D))</b> has been updated and submitted at Deadline 5 to include the Environmental Statement in the list of certified documents in article 48.
23	Update the description of Work No. U8.	Applicant	D5	The draft DCO ( <b>Document 3.1 (D)</b> ) has been updated and submitted at Deadline 5 to include an updated description of Work No. U8.
24	Provide in Schedule 3 R1 a definition of 'piling operations' (as stated in R7(2)).	Applicant	D5	The term piling operations is used within the context of Requirement 7 to provide additional restriction in respect of this activity above and beyond the usual construction hours constraints within Requirement 7. This term has a natural meaning, which is well understood. Additionally, there is no precedent for defining this term in DCOs that National Grid can identify. Therefore, National Grid do not propose to define this term within the DCO because it is not necessary and to do so could inadvertently restrict the operation of the Requirement (which seeks to limit piling to certain times) such that the Requirement offers less protection to local communities from piling operations.
25	R1: for description of 'start up and close down activities' consider removing 'audible' and tighten up definition of 'low key maintenance'.	Applicant	D5	<p>The objective of Requirement 7, to which the definition for 'start up and close down activities' relates, is a means of controlling noise disturbance. Other control measures, for disturbances such as lighting, are controlled through the mitigation plans via Requirements 5 and 6. Accordingly, it is appropriate that the only disturbance linked to Requirement 7 is 'audible' because this clarifies the purpose of the Requirement.</p> <p>Whilst, by their nature, the activities listed within the definition would be unlikely to cause any other form of disturbance, it would change the intention of the requirement if the reference to 'audible' disturbance was removed.</p> <p>With regards 'low key maintenance', this term is designed to cover activities such as checks on plant, equipment and vehicles making sure equipment is in good working order for the day ahead (for example, checking oil levels and topping up as well as routine servicing). This term would also cover any cleaning of equipment which may need to be undertaken prior to work commencing. Due to the broad spectrum of minor maintenance which may need to be undertaken ahead of construction starting for the day (or as part of any close down procedure) this term is necessarily broad. It is still subject to the control requiring that any low key maintenance activities do not form an audible disturbance. For this reason, National Grid consider the term needs to remain in its current form.</p>
27	R5 and R6: consider adding to definitions to clarify difference between outline soil management plan (R5(3)) and soils and aftercare management plan (R(6)(1)(a)).	Applicant	D5	The Outline Soil Management Plan ( <b>Document 5.3.3E(B)</b> ), [REP2-022] secured by Requirement 5(3) of the draft DCO ( <b>Document 3.1(D)</b> ) provides a framework for the future development of the detailed Soil and Aftercare Management Plan secured by Requirement 6 and would apply to pre-commencement works prior to the detailed Soil and Aftercare Management Plan being submitted and approved. Therefore, it does not contain detailed provisions for aftercare, which is why the full Soil and Aftercare Management plan is named differently to the Outline Soil Management Plan. An update has been made to the Explanatory Memorandum submitted at Deadline 5, at paragraph 5.3.7 to explain this further and provide clarity ( <b>Document 3.2(D)</b> ).

28	R8, 9, 10: in addition to Applicant's proposed changes, consider including a separate plan/ input to outline Tree and Hedgerow Protection Strategy (THPS) or additional wording in the CoCP to explain the different elements of the proposed planting.	Applicant	D5	<p>The amended wording of Requirements 8, 9 and 10 makes reference to the Tree and Hedgerow Protection Strategy (THPS), cross referencing Requirement 6 and the <b>Code of Construction Practice (Document 5.3.3B(C))</b>. The amended wording of Requirements 8, 9 and 10 more clearly identifies the different elements of the proposed landscaping works and where they are located.</p> <p>Requirement 8 secures a landscape strategy for the non-linear works at Overton, Tadcaster and Monk Fryston which will accord with the submitted outline landscape mitigation strategy.</p> <p>Requirement 9 secures the THPS with sub paragraph 2(a) to (d) setting out the elements to be included. This includes a plan showing trees to be retained and fence positions, a specification for fencing, a schedule of tree works and details of an auditable system of compliance. All of these elements are included in outline as part of the submitted Arboricultural Impact Assessment (<b>Document 5.3.3I(B) part 1 of 3</b>) [REP4-010] with the exception of a plan showing the positions of tree protection fencing, which is not considered appropriate to provide at this stage due to the potential for tree loss or impacts to change (resulting in a significant volume of abortive work).</p> <p>Requirement 10 secures a replacement planting scheme to replace trees and hedges identified to be removed in the THPS.</p> <p>The THPS is concerned solely with the removal or retention and protection of existing trees, it does not consider proposed planting but will inform the development of both the landscape strategy (Requirement 8) and the replacement planting scheme (Requirement 10).</p> <p>National Grid does not consider that any additional outline information in relation to the THPS is appropriate at this stage due to the level of information provided in outline within the Arboricultural Impact Assessment (<b>Document 5.3.3I(B) part 1 of 3</b>) [REP4-010] as detailed above.</p> <p>National Grid considers the updated wording in the draft DCO (<b>Document 3.1(D)</b>) for Requirements 8, 9 and 10 now provides sufficient clarity in relation to the different elements and locations of proposed planting and that no additional plans or wording (such as an outline THPS or revised CoCP wording) are necessary. In addition, an explanation of Requirements 8, 9 and 10 has been included in the <b>Explanatory Memorandum (Document 3.2(D))</b> submitted at Deadline 5.</p> <p>References to updated Requirements will be reviewed across relevant submitted documents and any updates will be addressed via the Environmental Statement Errata at Deadline 6.</p>
30	R18: secure additional elements from DASSI (colour of all buildings, acoustic fencing and subtle variations in landform) as proposed and consider LCC's point regarding colour of peripheral fencing.	Applicant	D5	<p>Requirement 18 of the draft DCO (<b>Document 3.1(D)</b>) has been updated and submitted at Deadline 5. This includes a control over the details of the external colour and surface finish of permanent buildings and the external colour of the acoustic enclosures at Overton Substation and Monk Fryston Substation.</p> <p>Variations on landform and colour of fencing have not been included for the reasons set out in the response to North Yorkshire Council in <b>Applicant's Comments on Interested Parties' Deadline 4 Submissions (Document 8.24)</b>. It should be noted that the updated Requirement 8 in the draft DCO (Landscaping at Overton, Tadcaster and Monk Fryston) now also includes for the details of the proposed levels of any permanent earthworks, so secures variations in landform in this respect in the most suitable requirement.</p>
31	Schedule 4: consider whether those requirements for which discharge requires consultation should have	Applicant	D5	<p>National Grid proposed to keep the discharge time scales the same for all requirements, rather than extend these for requirements where consultation is required. Based on previous experience, having different time scales for different requirements creates confusion, and is unnecessary given the pre-application process proposed and outlined in the S.106 Agreement.</p> <p>National Grid have continued to liaise with the host Local Authorities and propose a 6-week (42 day) pre-application period, prior to the 5 week (35 day) full formal application process, which is set out in Schedule 4 of the dDCO (<b>Document 3.1(D)</b>) . This totals 11 weeks, a greater duration than the 8-weeks requested by the Local Planning Authorities.</p>



	different (longer) time scales.			<p>The approach sought is to ensure National Grid receive an early steer from the Local Authorities regarding the acceptability of the submitted pre-application documentation, meaning the formal application can reflect feedback received, and be determined in a timely manner. This is essential to ensure the Project is delivered in the tight timescales required.</p> <p>The above approach would be funded and agreed within a service level agreement (SLA), secured via a S106. National Grid have confirmed to the Local Planning Authorities that the funding could be used to procure external consultants to manage this process if it is required.</p> <p>The above approach remains an outstanding item with some Local Planning Authorities within the relevant SoCGs (<b>Documents 8.5.2(C), 8.5.3(C), and 8.5.4(C)</b>), as some Local Planning Authorities require sight of the SLA prior to formally commenting on the above approach.</p> <p>In addition to the above, National Grid will continue hosting monthly update meetings to ensure the Local Planning Authorities have a clear understanding of the proposed programme, and when each stage, and associated requirements will be coming forward. Furthermore, the written scheme of stages required under Requirement 4 of the dDCO (<b>Document 3.1(D)</b>) will provide the authorities with significant foresight in terms of when each stage (and the associated applications) will come forward.</p>
34	For all proposed s106 agreements: - provide a note to explain why this is an appropriate mechanism to secure the commitments (rather than Requirements), and; - set out how the policy and legislative tests for planning obligations would be complied with.	Applicant	D5	<p>The <b>CIL Compliance Statement for S106 Agreement Pursuant to Section 106 of the Town and Country Planning Act 1990 (Document 8.26)</b> has been submitted at Deadline 5 to provide clarity as to why the obligations contained within the draft Section 106 Agreement are appropriate as planning obligations rather than Requirements and also to confirm compliance with the Community Infrastructure Levy Regulations 2010.</p>

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