

Jessica Powis  
The Planning Inspectorate

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Contact: Louise White  
Ref: PREAPP/23/00161

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26 July 2023

Dear Ms Powis,

**The Yorkshire Green Energy Enablement (Green) NSIP by National Grid Electricity Transmission PLC - written summary of oral submissions by Leeds City Council and considerations following ISH4.**

**3a(i) Planting**

The Council would have preferred the applicant to use a limited number of simpler definitions for planting, such as 'protected' and 'replanted'. There is some slight ambiguity over the applicant's use of the definitions 'reinstatement' and 'replanting', in that both are used interchangeably throughout the applicant's submission but essentially have different meanings. We noted that the dDCO Requirements did not provide for replanting on the ratio of 3:1, as required by our adopted policy Land 2.

The Council had initially been advised by the applicant that parts of the existing hedgerows either side of the 3 proposed access points within Leeds, off Warren Lane, would have to be removed to provide for sufficient widths of access, and then replanted in the following planting season after completion of operations within Leeds. By way of an update, the Council was pleased to note Mr N. Furber's comments in ISH4 (at recorded minute 1:04:35) that all existing planting within Leeds would be protected by the applicant, and no plant removal would need to take place. On this basis the Council considers that the requirement of adopted policy Land 2 to replant on a 3:1 ratio is no longer relevant, and we raise no further issue on the matter of plant maintenance in respect of the proposed 5 year period v a planning obligation. The Council also supports the applicant's use of the definition 'replacement' rather than 'reinstatement' within new Requirement 10.

Overall, the Council welcomes the applicant's revised terms of reference on planting as this provides further clarify but would recommend that the ExA fully satisfies itself in this regard.

### **3b(ii) Biodiversity Net Gain/ Constitutional Arrangements**

The Council wishes for the project's 10% BNG Net Gain to be spent across the three Council areas in a way that is proportional to the development being carried out within each Council area. We have directed the applicant to consider BNG provision within the nearest village of Bramham, with reference to policy NE2 of the adopted Bramham Neighbourhood Plan. This is our preference, however, there are opportunities available to the applicant for the project's BNG provision to be spent elsewhere within the the Harewood Electoral Ward in which the project is located.

We accept that the applicant will consider BNG provision after any DCO has been granted, in line with the details contained in the draft s106 Agreement.

The Council's current Constitution does not expressly refer to NSIPs. As an executive function, a change to the Council's Scheme of Delegation is required to make clear the authority required to engage with the broader NSIP process / discharge of requirements. The Council is currently working on this required change. Be that as it may, we consider that the Council's Chief Planning Officer has delegated authority to undertake functions relating to NSIPs as a matter which is regarded as being similar and ancillary to the functions which they are overall responsible for. By virtue of this, it is considered that Council officers have delegated authority to enter into s106 Agreements, whether or not it forms part of an NSIP process.

Kind regards

Louise White  
Team Leader for Minerals, Waste and Energy Planning.