

YG-DCO-145

Yorkshire Green Energy Enablement (GREEN) Project

Volume 8

**Document 8.29.6 Applicant's Deadline 7 Response to ISH4 Hearing
Action Points**

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Contents

1.	About this document	1
1.	Introduction	1
2.	The Applicant's Deadline 7 Response to ISH4 Action Points	2

	Table 2.1 – Deadline 7 Response to ISH4 Action Points	2
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Version History

Document	Version	Status	Description / Changes
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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) response to Action Points addressed to the Applicant arising from Issue Specific Hearing 4 (ISH4) held on Wednesday 19 July on Environmental Matters and draft Development Consent Order (DCO) in respect of the Yorkshire Green Energy Enablement Project (Yorkshire GREEN) (the Project).
- 1.1.2. Responses to actions addressed to the Applicant and required for Deadline 7 are provided in **section 2** below.

2. The Applicant's Deadline 7 Response to ISH4 Action Points

Table 2.1 – Deadline 7 Response to ISH4 Action Points

Action No.	ExA description	Party	Deadline	Response
8	Set out the haul road alternative proposal to avoid HGVs through Lumby and provide update on progress on landowner agreement.	The Applicant	D6	<p>This response seeks to provide an update to the original response provided at Deadline 6 to Action Point 8 in the Applicant's Response to ISH4 Hearing Action Points (Document 8.29.4) [REP6-062].</p> <p>The alternative proposal was set out in an illustrative plan in Appendix A of the Applicant's Response to ISH4 Hearing Action Points (Document 8.29.4) [REP6-062] which would see a temporary access extend from AP7. This would mean that HGV traffic would be able to use the bellmouth at AP7 and travel to pylon XC521 along an existing access track, with a continuation of the existing access track being required, through a field gateway to connect into the access track proposed for pylon XC520 as part of the Project, part of which falls outside the Order limits. The access proposal would consist of the use of track matting for the continuation of the existing access track and there would be no requirement for additional vegetation removal. The use of this proposal would mean that HGV access would not need to be routed through Lumby during the construction phase, however the road through Lumby would still be used for LGV movements and for future maintenance requirements.</p> <p>Heads of Terms were already agreed with the affected landowner prior to this proposal being identified, and a meeting has taken place to discuss the alternative which was positively received. However, the alternative access route can only be progressed to the extent that it is agreed by the landowner as part of ongoing voluntary negotiations and the option agreement entered into by the landowner.</p> <p>Whilst voluntary negotiations are progressing well, the option agreement will take some time to finalise and will not be completed during the course of the examination. As detailed in the Applicant's Written Summary of Oral Representations made at Issue Specific Hearing 4 (Document 8.29.1) [REP6-051] in Table 5.1, approximately 52 HGV movements are anticipated to be routed through Lumby per week, which equates to an average of up to 8 HGV two way movements per day. In progressing this alternative, National Grid is trying to accommodate a local concern, but National Grid's clear position is that the use of the road through Lumby and AP8 is acceptable and satisfactory given the very low levels of HGVs required for construction of the Project in this location and it does not give rise to any significant environmental effects.</p> <p>On the basis that it will take some time before it is known whether an option agreement can be completed for this alternative, and that the current proposal for HGV routing via Lumby and use of AP8 is considered to be acceptable and satisfactory given the low levels of HGVs required for construction of the Project in that location, National Grid has reviewed ES Chapter 3 Appendix 3F - Construction Traffic Management Plan (CTMP) (Document 5.3.3F(D)) to ensure flexibility is provided for both options. National Grid considers that the CTMP in its current form contains the flexibility to allow construction traffic to route to pylon XC521 via AP7. The CTMP does not state the construction access route per pylon or works activity. The CTMP sets out the construction route for each access point in Table 4.2. Therefore, it is National Grid's view that the CTMP in its current form contains the flexibility to allow construction traffic to route to pylon XC521 via AP7 should an associated haul route be negotiated as part of the option agreement with the landowner, as well as via AP8 should a voluntary agreement not be secured and the existing proposal retained. To avoid any ambiguity in this regard, National Grid has proposed a minor update to the CTMP which confirms that the CTMP provides flexibility to route to pylon XC521 via AP7 and AP8; that National Grid will inform the relevant highway authority should use of AP7 be confirmed at a later date; and that should AP8 continue to be utilised for HGV construction traffic as is proposed, National Grid would seek to agree with the relevant highway authority any specific management measures in this location, for example use of Banksmen if required.</p>

Action No.	ExA description	Party	Deadline	Response
9	CTMP update if landowner agreement confirmed for haul route to avoid use of Access Point 8 by HGV traffic.	The Applicant	D7	<p>National Grid is continuing to progress the option of an alternative route to access pylon XC521 in the vicinity of Lumby, to avoid the use of Butts Lane by HGVs during the construction period. This route option is subject to negotiating an acceptable voluntary agreement with the landowner. The route to pylon XC521 via AP8 and the alternate via AP7 would both exit the SRN onto the local road network at Junction 42 of the A1(M).</p> <p>As outlined in the ISH4 hearing (summarised in the Applicant's Written Summary of Oral Representations made at Issue Specific Hearing 4 (Document 8.29.2) [REP6-060]), National Grid considers the use of Butts Lane to route to AP8, set out within Table 4.2 of ES Chapter 3 Appendix 3F - Construction Traffic Management Plan (CTMP) (Document 5.3.3F(D)), as an acceptable route for construction traffic. The route is considered acceptable because Red Hill Lane is currently used as a maintenance route for the existing pylon in this location and for agricultural vehicles. Furthermore, use of this link by construction traffic would be very limited. During the construction programme construction traffic is only anticipated to use the Butts Lane, Lumby route for 8 weeks (as shown in Table 12A.4 and 12A.3 of ES Appendix 12A Traffic Modelling Tables (Document 5.3.12A) [APP-148]). In the peak week of construction traffic using AP8, approximately 52 two-way HGV movements are anticipated equating to an average of up to 8 two-way HGV movements anticipated per day.</p> <p>Additionally, the CTMP (Section 7 (Document 5.3.3F(D))) would ensure the implementation of a number of mitigation measures including signage, use of qualified banksmen and installation of a delivery management system, where relevant, to ensure the impact of construction traffic is minimised. Paragraph 7.1.2 of the CTMP outlines that mitigation measures will be discussed with the relevant highway authority.</p> <p>The CTMP does not state the construction access route per pylon or works activity. The CTMP sets out the construction route for each access point (Table 4.2 of Document 5.3.3F(D)). Therefore, the CTMP in its current form contains flexibility to allow construction traffic to route to pylon XC521 via AP7 and an associated access route should an associated access route be negotiated as part of the option agreement with the landowner, as well as via AP8 if the voluntary agreement is not concluded (or not concluded within the timescales required) and the existing proposed access route retained. As previously outlined, Section 7 of the CTMP (Document 5.3.3F(D)) provides assurance to the LHA that specific mitigation measures will be discussed with the relevant highway authority and thus should AP8 be utilised by HGVs during the construction period, mitigation measures would be agreed with the LHA.</p> <p>The alternative access route can only be progressed to the extent that it is agreed by the landowner as part of ongoing voluntary negotiations and the option agreement entered into by the landowner. Whilst voluntary negotiations are progressing well, the option agreement will take some time to finalise and will not be completed during the course of the examination. Therefore the CTMP cannot be updated to restrict the use of AP8 to LGVs only during construction. However, to ensure there is no ambiguity the CTMP (Document 5.3.3F(D)) has been updated and submitted at Deadline 7 to include a new paragraph 7.2.7 which states that <i>"This CTMP provides flexibility for HGV construction traffic to route to pylon XC521 via AP7 and AP8. National Grid will inform the relevant highway authority should the use of AP7 be confirmed. Should AP8 continue to be utilised for HGV construction traffic, National Grid will seek to agree with the relevant highway authority any specific management measures in this location for example use of Banksmen if required (as per paragraphs 7.2.2 to 7.2.5 and Section 7.3 of this CTMP)"</i>.</p>
16	Provide final position statements on working hours.	The Applicant	D7	A final Position Statement on working hours between the Applicant and North Yorkshire Council has been provided at Deadline 7 (Document 8.34.1).
37	Update progress on the Service Level Agreement and implications for Schedule 4.	The Applicant	D6	Despite ongoing discussions, the timescales specified for the discharge of requirements set out within Schedule 4 of the draft DCO (Document 3.1(F)) are not agreed with NYC. They are however agreed with both Leeds City Council and City of York Council, as detailed in the relevant Statement of Common Grounds (Document

Action No.	ExA description	Party	Deadline	Response
				<p>8.5.4(D) and Document 8.5.3(C) [REP5-034] respectively. Full details of both National Grid and NYC’s final position are set out within ID 4.2 of the Statement of Common Ground between National Grid and North Yorkshire Council (Document 8.5.2(D)) submitted at Deadline 7, and a summary is provided below:</p> <p>National Grid’s proposal to include a process for pre-application submissions within a Service Level Agreement (SLA) is informed by previous experience on the delivery of DCO projects. This experience has demonstrated that pre-application submissions are a fundamental part of achieving successful formal application approvals. Previous experience has demonstrated that high-quality, detailed pre-application submissions allows the LPAs to provide full and detailed feedback, meaning these comments can be reflected in the formal-application submissions. This reduces the risk of requests for additional information and associated delays, enabling the process under Schedule 4 of the draft DCO to run smoothly for all parties, as the submission documents have already been reviewed and comments addressed prior to the formal submission being made. Including the pre-application process within an SLA allows more flexibility and the ability to amend the process through discussions with the LPA. This is considered advantageous to both parties.</p> <p>National Grid propose a 5-week formal application period as set out within Schedule 4 of the draft DCO (Document 3.1(F)), following a 6-week pre-application period, agreed and funded through an SLA, secured via a S106 agreement. This does not align with NYC’s proposal for an 8-week timescale for formal application (noting that NYC have not specified the need for a pre-application process).</p> <p>National Grid consider that a total of 11 weeks (6 weeks for pre-application, followed by 5 weeks for formal-application) is a realistic and reasonable timescale, reflecting both the urgent need to ensure the Project is delivered promptly (set out in the Updated Need Case (Document 7.4) [APP-205]), and the time needed for LPAs to review and approve the necessary information. In addition, the submission of a Stage Plan under Requirement 4 of the draft DCO (Document 3.1(F)), as well as monthly update meetings agreed via the SLA, would provide the LPAs significant notice prior to receiving requirement applications. National Grid have agreed that should the LPAs require external resource to manage/process requirement applications, funding under the SLA can be used in this way. NYC have stated that they do not propose to procure a third party to assist in this way.</p> <p>National Grid continue to emphasise that many of the requirements will not be extensive in length, as the principles by which the detail will be provided in the requirement documents are set out within the DCO application documents submitted. Consultation with external requirement consultees as detailed in Schedule 3 of the draft DCO is limited to requirement 6(b) (drainage management plan), and requirements 12 and 13 if applicable, and therefore National Grid consider that risk of delays associated with third parties is a low risk and can be managed appropriately.</p> <p>Despite this being a point of disagreement, National Grid seek to continue engagement with NYC on this matter.</p> <p>National Grid do not propose any changes to Schedule 4 due to the timescales being a point of disagreement with NYC.</p>

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