

YG-DCO-069(DEC)

# Yorkshire Green Energy Enablement (GREEN) Project

Volume 8

Document 8.5.2(DEC) Statement of Common Ground between National Grid Electricity Transmission plc and North Yorkshire Council (Tracked)

~~Draft Final~~ Version 34  
~~July-September~~ 2023

Planning Inspectorate Reference: EN020024

Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
Regulations 2009 Regulation 5(2)(q)

# Contents

---

<b>1.</b>	<b>Introduction</b>	<b>4</b>
1.2	Description of the Project	4
1.3	This Statement of Common Ground	7
<b>2.</b>	<b>Record of Engagement</b>	<b>9</b>
2.1	Role of North Yorkshire Council in the DCO process	9
2.2	Summary of pre-application discussions	10
2.3	Summary of post-submission discussions	15
<b>3.</b>	<b>Matters Agreed</b>	<b>17</b>
<b>4.</b>	<b>Matters Not Agreed</b>	<b>54</b>
<b>5.</b>	<b>Matters outstanding</b>	<b>64</b>
<b>6.</b>	<b>Approvals</b>	<b>71</b>
	Table 2.1 – Pre-application discussions	10
	Table 2.2 – Post-submission discussions	15
	Table 3.1 – Matters agreed	17
	Table 4.1 – Matters not agreed	54
	Table 5.1 – Matters outstanding	64
	Figure 1– Location of the Yorkshire GREEN Project	7

---

# Yorkshire GREEN Project

## Document control

---

### Version History

---

Document	Version	Status	Description / Changes
Statement of Common Ground	1	Draft	For discussion with LPA
Statement of Common Ground	2	Draft	For discussion with LPA
Statement of Common Ground	3	Draft	For discussion with LPA
<u>Statement of Common Ground</u>	<u>4</u>	<u>Final</u>	<u>Final version for submission to the ExA</u>

---

# 1. Introduction

- 1.1.1 A Statement of Common Ground (SoCG) is a written statement produced as part of the application process for a Development Consent Order (DCO) and is prepared jointly between the applicant and another party. It sets out matters of agreement between both parties, as well as matters where there is not an agreement. It also details matters that are under discussion.
- 1.1.2 The aim of a SoCG is to help the Examining Authority manage the Examination Phase of a DCO application. Understanding the status of the matters at hand will allow the Examining Authority to focus their questioning and provide greater predictability for all participants in examination. A SoCG may be submitted prior to the start of or during Examination, and then updated as necessary or as requested during the Examination Phase.
- 1.1.3 This is a SoCG between National Grid Electricity Transmission plc (“National Grid”) and the North Yorkshire Council (NYC). The NYC has recently formed following the merger of North Yorkshire County Council, Hambleton District Council, Harrogate Borough Council and Selby District Council. The SoCG relates to the DCO application for the Yorkshire Green Energy Enablement (GREEN) Project (referred to as the Project or Yorkshire GREEN). It has been prepared in accordance with the guidance<sup>1</sup> published by the Department for Levelling Up, Housing and Communities (DLUHC).
- 1.1.4 This SoCG has been prepared to identify matters agreed, matters not agreed and matters currently outstanding between National Grid and NYC in term of technical and environmental matters. Political matters have not been set out in this document.
- 1.1.5 This version (~~V3-V4 July-September~~ 2023) of the SoCG represents the final position between National Grid and NYC at Deadline ~~5-7~~ on 11 July 6 September 2023. ~~This SoCG will evolve as the DCO application progresses through the examination~~ represents the final version for submission into the Examination.

## 1.2 Description of the Project

### National Grid’s Needs Case for the Yorkshire GREEN Project

- 1.2.1 National Grid propose to upgrade and reinforce the electricity transmission system in Yorkshire. This reinforcement is needed to improve the transfer of clean energy across the country.
- 1.2.2 Electricity flows are set to double within the next ten years as a result of offshore wind developments, other sources of clean energy and expanding interconnection capacity (high-voltage cables that connect the electricity systems of neighbouring countries) in both Scotland and north-east England. Yorkshire GREEN would contribute towards strengthening the national electricity transmission network so that it can accommodate

---

<sup>1</sup> Planning Act 2008: Guidance for the examination of applications for development consent. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418015/examinations\\_guidance\\_final\\_for\\_publication.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance_final_for_publication.pdf)

this growth in electricity flows. Reinforcement would ensure that the network is not overwhelmed, and that potential future pressures on the network are relieved in the north and north-east of England, whilst balancing supply and demand.

- 1.2.3 Without additional reinforcement, the existing transmission system would become overloaded. To stop these overloads from happening, National Grid Electricity System Operator would need to constrain power generation. Such action could result in significant costs to consumers.
- 1.2.4 As a result, it is necessary and economical to invest in network reinforcement in the long term, and critically to ensure that Yorkshire GREEN is designed, tested and installed in sufficient time to meet the 2027 earliest in service date. Reinforcement of the network would enable an increase in the transfer of clean energy, increasing network capacity and avoiding constraint costs.

## Yorkshire GREEN Project Description

- 1.2.5 Yorkshire GREEN comprises both new infrastructure and works to existing transmission infrastructure and facilities. The Project is divided into three sections (see **Figure 1**), located within three Local Authority boundaries<sup>2</sup> :

- **Section A (Osbalwick Substation) (City of York Council):** Minor works would take place at the existing Osbalwick Substation comprising the installation of a new circuit breaker and isolator along with associated cabling, removal and replacement of one gantry and works to one existing pylon. All substation works would be within existing operational land.
- **Section B (North west of York Area) (City of York Council and North Yorkshire Council):** Works would comprise:
  - reconductoring of 2.4km of the 400kV Norton to Osbalwick (2TW/YR) overhead line and replacement of one pylon on this overhead line;
  - the new 400kV YN overhead line (2.8km), north of the proposed Overton Substation;
  - the new Shipton North and South 400kV cable sealing end compounds (CSECs) and 230m of cabling to facilitate the connection of the new YN 400kV overhead line with the existing Norton to Osbalwick YR overhead line;
  - a new substation (Overton 400kV/275kV Substation) approximately 1km south of Shipton by Beningbrough;
  - two new sections of 275kV overhead line which would connect into Overton Substation from the south (the 2.1km XC overhead line to the south-west and the 1.5km SP overhead line to the south-east);
  - works to 5km of the existing XCP Poppleton to Monk Fryston overhead line between Moor Monkton in the west and Skelton in the east comprising a mixture of decommissioning, replacement and realignment. To the south and south-east of Moor Monkton the existing overhead line would be realigned up to 230m south from the current overhead line and the closest pylon to Moor Monkton (340m south-east) would be permanently removed. A 2.35km section of this existing

---

<sup>2</sup> North Yorkshire Council, City of York Council, and Leeds City Council.

overhead line permanently removed between the East Coast Mainline (ECML) Railway and Woodhouse Farm to the north of Overton.

- **Section C (existing 275kV Poppleton to Monk Fryston (XC) overhead line north of Tadcaster (Section D)) (North Yorkshire Council):** Works proposed to this existing 275kV overhead line include replacing existing overhead line conductors, replacement of pylon fittings, strengthening of steelwork and works to pylon foundations.
- **Section D (Tadcaster) (Leeds City Council and North Yorkshire Council):** Two new CSECs (Tadcaster East and West 275kV CSECs) and approximately 350m of cable would be installed approximately 3km south-west of Tadcaster and north-east of the A64/A659 junction where two existing overhead lines meet. One pylon on the existing 275kV Tadcaster Tee to Knaresborough (XD) overhead line would be replaced.
- **Section E (existing 275kV Poppleton to Monk Fryston (XC) overhead line south of Tadcaster (Section D)) (North Yorkshire Council):** Works proposed to this existing 275kV overhead line include replacing existing overhead line conductors, replacement of pylon fittings, strengthening of steelwork and works to pylon foundations. Work to the existing overhead line similar to those outlined for Section C would be undertaken; and
- **Section F (Monk Fryston Area) (North Yorkshire Council):** A new substation would be constructed to the east of the existing Monk Fryston Substation which is located approximately 2km south-west of the village of Monk Fryston and located off Rawfield Lane, south of the A63. A 1.45km section of the 275kV Poppleton to Monk Fryston (XC) overhead line to the west of the existing Monk Fryston Substation and south of Pollums House Farm would be realigned to connect to the proposed Monk Fryston Substation. East of the existing Monk Fryston Substation the existing 4YS 400kV Monk Fryston to Eggborough overhead line, which currently connects to the existing substation, would be reconfigured to connect to the proposed Monk Fryston Substation.

1.2.6 Temporary infrastructure would be required to facilitate the Project, including temporary overhead line diversions and temporary construction compounds.

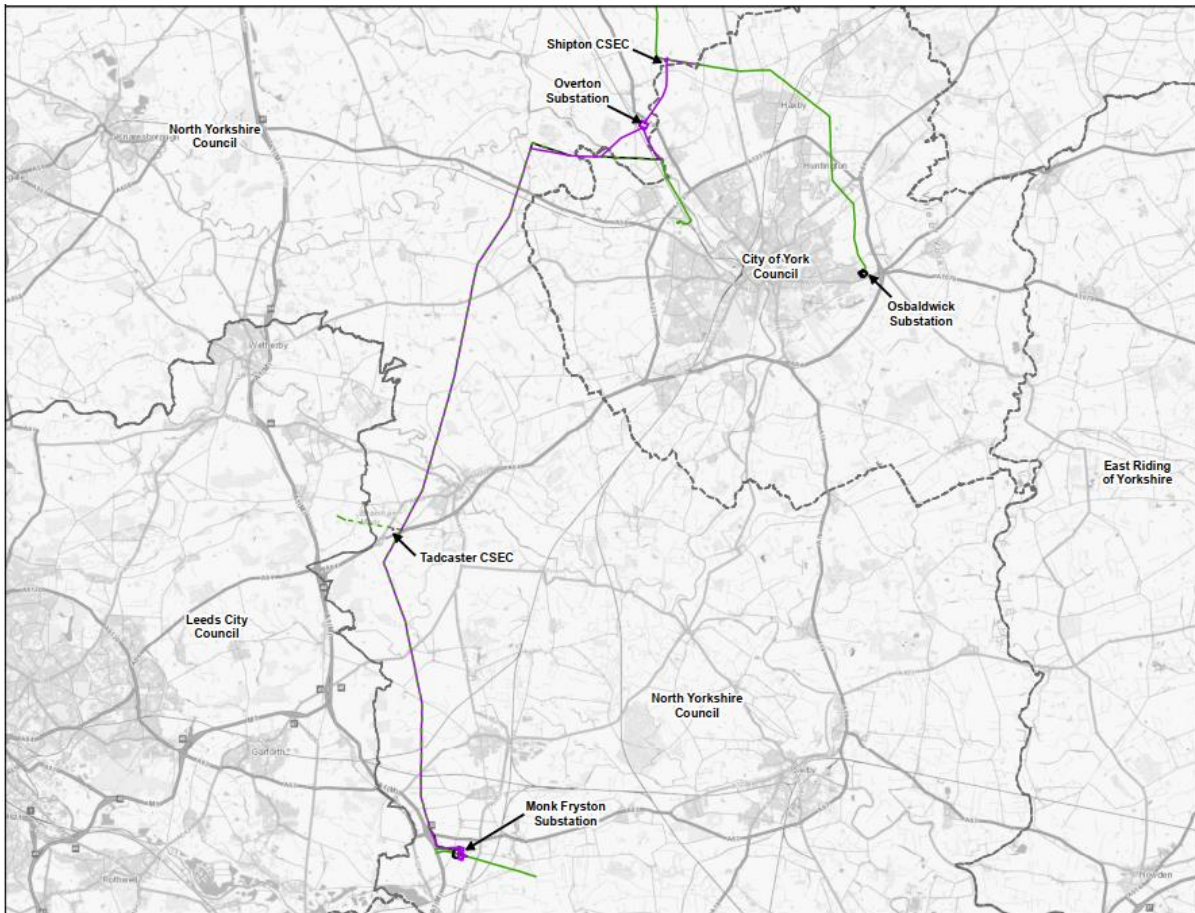


Figure 1– Location of the Yorkshire GREEN Project

### 1.3 This Statement of Common Ground

1.3.1 For the purpose of this SoCG, National Grid and NYC will jointly be referred to as the “Parties”.

1.3.2 Throughout the SoCG:

- Where a section begins ‘matters agreed’, this sets out matters that have been agreed between the Parties or where no issues have been raised by NYC, and therefore where there is no dispute;
- Where a section begins ‘matters not agreed’, this sets out matters that have been discussed and are not agreed between the Parties and where a dispute remains; and
- Where a section begins ‘matters outstanding’, this sets out matters that are subject to further negotiation between the Parties.

1.3.3 This SoCG is structured as follows:

- **Section 1:** Provides an introduction to this SoCG and a description of its purpose together with a broad description of the Project;
- **Section 2:** States the role of NYC in the DCO application process and details consultation undertaken between the Parties;
- **Section 3:** Sets out matters agreed between the Parties;

- **Section 4:** Sets out matters not agreed between the Parties;
- **Section 5:** Sets out matters where agreement is currently outstanding between the Parties; and
- **Section 6:** Sets out the approvals and the signing off sheet between the Parties.



## 2. Record of Engagement

### 2.1 Role of North Yorkshire Council in the DCO process

- 2.1.1 NYC is the Local Authority for the land in which the Project is located (i.e. the Host Authority<sup>3</sup>). Pursuant to Section 42 of the Planning Act 2008, National Grid must consult each Local Authority if any part of the Project is located within the Local Authority's area. Highway Authority matters of common ground are also included in this SoCG.
- 2.1.2 Following the government consultation on reorganisation it was announced in July 2021 that North Yorkshire County Council (in its capacity as both local planning and local highway authority), Hambleton District Council, Harrogate Borough Council and Selby District Council (the Host Authorities) together with Ryedale District Council, Scarborough Borough Council, Craven District Council and Richmondshire District Council would be replaced by a new single unitary council for North Yorkshire in April 2023. Further information on this is set out in Section 3.2 of the **Planning Statement (Document 7.1) [APP-202]**.
- 2.1.3 As part of the consultation process the Applicant carried out non statutory and statutory consultation. North Yorkshire County Council, Selby District Council, Harrogate Borough Council and Hambleton District Council, the former County, District and Borough Councils which now form NYC were requested to comment on a draft Statement of Community Consultation (SoCC) at both non statutory and statutory consultation stages. Further information on this consultation is set out in Section 4 and 5 of the **Consultation Report (Document 6.1) [APP-195]**.
- 2.1.4 As part of the ongoing engagement process, which is in addition to consultation, briefings have taken place with the Parties, to inform the Host Authorities of the design of the Project, it's evolution and, for all the Parties to identify any sensitivities or other issues which may be relevant in the design process for the Project.
- 2.1.5 On submission of the DCO, the Host Authorities were invited to participate in the examination of the Project as Interested Parties. They were asked to comment on the adequacy of the consultation carried out and prepare a Local Impact Report<sup>4</sup>. During the examination process, NYC may prepare written representations, and respond to written questions from the Examining Authority as well as participate in hearings.
- 2.1.6 Should a consent be granted for the Project, it will be subject to a number of DCO requirements<sup>5</sup>. NYC will be required to discharge these, and the Applicant and NYC would agree a process for this.

---

<sup>3</sup> Host Authority – As defined by Section 43 of the Act 2008, and described in further detail in the Consultation Report at Section 6.2.

<sup>4</sup> A "local impact report" is a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area).

<sup>5</sup> Section 120 of the Act 2008 provides that a DCO may impose Requirements for development for which consent is granted. Such Requirements may correspond with conditions which could have been imposed on the grant of any permission, consent or authorisation (for example planning permission under the Town and Country Planning Act 1990) which would have been required for the development if it had been consented through a different regime.

## 2.2 Summary of pre-application discussions

2.2.1 **Table 2.1** summarises the consultation and engagement that has taken place between the Parties prior to submission of the DCO application. This includes discussions relating to the Environmental Impact Assessment (EIA) Scoping, Section 42 statutory consultation and additional technical engagement.

Table 2.1 – Pre-application discussions

Date	Discussion points
Planning officer meetings	
21 October 2020	Meeting #1 Introductory MSTeams meeting to identify the need for the Project and its general location with Hambleton District Council.
30 October 2020	Meeting #1 Introductory MSTeams meeting to identify the need for the Project and its general location with Harrogate Borough Council and Applicant.
9 December 2020	Meeting #1 Introductory MSTeams meeting to identify the need for the Project and its general location with Selby District Council and Applicant.
16 December 2020	Meeting #1 Introductory MSTeams meeting to identify the need for the Project and its general location with North Yorkshire County Council and Applicant.
9 February 2021	Meeting #2 Pre non-statutory pre-application MSTeams meeting to update on non-statutory consultation and on Project design with Hambleton District Council and Applicant.
11 February 2021	Meeting #2 Pre non-statutory pre-application MSTeams meeting to update on non-statutory consultation and on Project design with Harrogate Borough Council and Applicant.
19 February 2021	Meeting #2 Pre non-statutory pre-application MSTeams meeting to update on non-statutory consultation and on Project design with North Yorkshire County Council and Selby District Council and Applicant.
13 July 2021	Meeting #3 Pre non-statutory pre-application MSTeams meeting to update on non-statutory consultation and on Project design with Harrogate Borough Council and Applicant.
14 July 2021	Meeting #3 Post non-statutory consultation update via MS Teams with North Yorkshire County Council and Selby District Council and Applicant.
19 August 2021	Meeting #3

Date	Discussion points
11 January 2022	<p>Post non-statutory consultation update via MS Teams with Hambleton District Council and Applicant.</p> <p>Meeting #4*</p> <p>Pre statutory consultation and Project design update meeting via MS Teams with Selby District Council, North Yorkshire County Council, Hambleton District Council and Harrogate Borough Council and Applicant.</p>
22 February 2022	<p>Meeting #5*</p> <p>Post statutory consultation update and Project design update with Selby District Council, North Yorkshire County Council, Hambleton District Council and Harrogate Borough Council and Applicant.</p>
05 April 2022	<p>Meeting #6*</p> <p>Update on responses received from statutory consultation and DCO process discussion with Selby District Council, North Yorkshire County Council, Hambleton District Council and Harrogate Borough Council and Applicant.</p>
17 May 2022	<p>Meeting #7*</p> <p>Update on responses received from statutory consultation and discussion on what a DCO may look like with Selby District Council and Harrogate Borough Council and Applicant.</p>
28 June 2022	<p>Meeting #8*</p> <p>Discussion on Green Belt approach, including the approach to reconductoring, substation and overhead lines, review of the Cumulative Impact Assessment list with Hambleton District Council, Selby District Council, North Yorkshire County Council and Harrogate Borough Council and Applicant. Agreement reached that the reconductoring works will not have greater effects on the Green Belt than the current infrastructure existing within the Green Belt. Agreement also reached that the Very Special Circumstances identified justify the development in the Green Belt. However, NYC consider that overhead lines are inappropriate development in the Green Belt.</p>
26 July 2022	<p>Meeting #9*</p> <p>Discussion on the structure of SoCG, Consultation Report, Local Impact Report, Planning Statement and Design and Access Statement, update on mitigation identified to date and confirmation of Cumulative Impact Assessment List with Hambleton District Council, Selby District Council, North Yorkshire County Council and Harrogate Borough Council and Applicant.</p>
30 August 2022	<p>Meeting #10*</p> <p>Project design update, and identification of application documents with Selby District Council, North Yorkshire County Council and Harrogate Borough Council and Applicant.</p>
27 September 2022	<p>Meeting #11*</p> <p>General Project update and mitigation plans update with Hambleton District Council, Selby District Council and Harrogate Borough Council and Applicant</p>
18 October 2022	<p>Meeting #12*</p>

Date	Discussion points
	General Project update and discussion on proposed working hours with North Yorkshire County Council Hambleton District Council, Selby District Council and Harrogate Borough Council and Applicant.
	*Other host authorities also in attendance
<b>Non-Statutory Consultation</b>	
11 February 2021	Email response to the draft Non Statutory SoCC from Harrogate Borough Council to Applicant.
12 February 2021	Email response to the draft Non Statutory SoCC from Selby District Council to Applicant.
15 February 2021	Email response to the draft SoCC from North Yorkshire County Council to Applicant.
15 February 2021	Email response to the draft SoCC from Hambleton District Council to Applicant.
<b>EIA Scoping</b>	
15 April 2021	Email scoping response received from Hambleton District Council to Applicant.
15 April 2021	Email scoping response received from Harrogate District Council to Applicant.
15 April 2021	Email scoping response received from North Yorkshire County Council and Selby District Council to Applicant.
<b>Statutory Consultation Response (Comments on the Preliminary Environmental Information Report (PEIR))</b>	
9 December 2021	Email Statutory Consultation response from North Yorkshire County Council and Selby District Council to Applicant.
16 December 2021	Email Statutory Consultation response from North Yorkshire County Council and Selby District Council in terms of further landscape comments to Applicant.
<b>Engagement - Landscape</b>	
01 July 2021	MS Teams meeting for Landscape and visual impact effects with North Yorkshire County Council, Selby District Council, Harrogate Borough Council and the Applicant's environmental consultants.
21 February 2022	MS Teams meeting with North Yorkshire County Council, Selby District Council and the Applicant's environmental consultant to discuss the proposed methodology and tree canopy loss.
01 March 2022	Email from Applicant's environmental consultant to North Yorkshire County Council and NYC requesting additional feedback on viewpoints.
10 March 2022	Email from to North Yorkshire County Council agreeing with the methodology proposed for photomontages and photowires and additional comments were provided on the landscape and visual impact assessment.
19 April 2022	MS Teams meeting for Landscape and visual impact effects with North Yorkshire County Council representing Selby District Council and Harrogate Borough Council with the Applicant's environmental consultants.

<b>Date</b>	<b>Discussion points</b>
<b>Historic environment</b>	
01 July 2021	Call between Applicant's environmental consultant and North Yorkshire County Council regarding trial trenching.
08 July 2021	Call between the Applicant's environmental consultant and Selby District Council, no further issues identified.
14 December 2021	Call between the Applicant's environmental consultant and North Yorkshire County Council regarding evaluation of trenching at substations.
02 February 2022	Call between Applicant's environmental consultant and North Yorkshire County Council regarding geophysical surveys, trial trenching and scope of work.
02 March 2022	Call between Applicant's environmental consultant and North Yorkshire County Council regarding geophysical surveys, trial trenching and scope of work.
28 March 2022	Email from Applicant's environmental consultant to North Yorkshire County Council advising of boreholes and test pits.
01 April 2022	Email from North Yorkshire County Council to Applicant's environmental consultant advising no comments on boreholes and test pits.
25 April 2022	Email from Applicant's environmental consultant advising of Written Scheme of Investigation (WSI).
28 April 2022	Email agreement from North Yorkshire County Council to Applicant's environmental consultant advising agreement with the WSI.
01 June 2022	Email agreement for North Yorkshire County Council on WSI for Trial Trenching to Applicant's environmental consultant.
04 July 2022	Email from Applicant's environmental consultant advising of result of trial trenching.
05 July 2022	Email from North Yorkshire County Council advising no comments on trenching results.
<b>Biodiversity</b>	
28 March 2022	MSTeams Meeting to update on biodiversity survey results with North Yorkshire County Council representing Selby District Council, Hambleton District Council and Harrogate Borough Council and Applicant and Applicant's environmental consultant. NYC agreed with the proposed scope of the surveys, mitigation hierarchy for SINCs, and the approach to dealing with culverts.
<b>Hydrology</b>	
19 July 2021	Technical note issued via email by Applicant's consultant before the PEIR submission to discuss approach to EIA, Water Framework Directive (WFD) and Flood Risk Assessment (FRA) with North Yorkshire County Council Local Lead Flood Authority (LLFA).
29 July 2021	MSTeams Meeting before the PEIR submission to discuss approach to EIA, WFD and FRA with North Yorkshire County Council LLFA.

<b>Date</b>	<b>Discussion points</b>
16 June 2022	MS Teams Meeting with North Yorkshire County Council LLFA before submission of the DCO to present relevant modelling, drainage strategies, consenting requirements and approach to SoCG.
21 September 2022	Applicant's consultant issued draft versions of the Drainage Strategies for Overton and Monk Fryston Substations for review and comment by the North Yorkshire County Council LLFA prior to submission of the DCO application.
25 September 2022	Email from North Yorkshire County Council LLFA noting that they would review the draft substation drainage strategies week commencing 03/10/22
31 October 2022	Email from the Applicant's consultant asking whether the LLFA had comments on the substation drainage strategies
07 November 2022	Email from Applicant's consultant to the LLFA stating that there was no longer any time to incorporate comments into the substation drainage strategies and noting that the versions submitted for review on 21 September would be submitted in support of the DCO application.
<b>Traffic and Transport</b>	
5 February 2021	Meeting with North Yorkshire County Council to discuss design related issues, including bell mouth design, visibility splays, PRow diversions and abnormal load impacts. It was agreed that speed surveys should be used to inform the length of visibility splays at access junctions based on 85%tile speeds and in accordance with Design Manual for Roads and Bridges (DMRB) design standards.
8 March 2022	Applicant's environmental consultant received comments via email from the North Yorkshire County Council on the road users of Overton Road and Rawcliffe Road.
11 May 2022	MSTeams Meeting to discuss assessment presented at PEIR with North Yorkshire County Council, Applicant and Applicant's environmental consultant. Agreement for traffic surveys, traffic assessment, future growth, generation, distribution and routing of HGVs.
<b>Hard to Reach Groups</b>	
14 June 2022	Selby District Council confirmed via a telephone call that the traveller encampment not benefiting from planning consent located next to the A1(M) junction will not be considered a noise sensitive receptor within the assessment given the unauthorised state of occupation.
05 July 2022	Telephone call between Applicant and Selby District Council regarding arranging accompanied site visit to the unauthorised traveller encampment.
12 July 2022	Email providing Selby District Council officer with information on Yorkshire GREEN in preparation for an accompanied site visit.
02 August 2022	Site meeting between National Grid, the agent acting for the owners/occupiers of the unauthorised camp and Selby District Council to explain the Project and answer queries.
03 August 2022	Email from agent acting for unauthorised camp setting out support for Yorkshire GREEN.

## 2.3 Summary of post-submission discussions

2.3.1 **Table 2.2** will summarise the consultation and engagement that takes place between the Parties post submission of the DCO application.

Table 2.2 – Post-submission discussions

<b>Date</b>	<b>Discussion points</b>
29 November 2022	Meeting #13 General Project update, update on proposed working hours, understanding the next stages in the DCO process and structure of the statements of common ground with Hambleton District Council, Harrogate Borough Council, Selby District Council.
06 January 2023	Email sent to NYCC with Version 1 of the Draft SoCG
02 February 2023	Meeting #14 General Project update, update on proposed working hours, understanding the next stages in the DCO process and structure of the statements of common ground with North Yorkshire County Council, Hambleton District Council, Harrogate Borough Council, Selby District Council.
08 February 2023	Email received from NYCC with comments on SoCG
15 February 2023	Email sent to NYCC clarifying approach for SoCG
23 February 2023	Email with tracked changed version of the SoCG
02 March 2023	Meeting #15 General Project update, update on the SoCG, review of the Rule 6 Letter with Harrogate Borough Council and Selby District Council.
09 March 2023	Email issuing meeting notes and requesting update on SoCG
30 March 2023	Meeting #16 General project update, Deadline 1 submission, SoCG update and PPA discussion
4 April 2023	Meeting to discuss amendments to SoCG for Deadline 1
27 April 2023	Meeting #17 General project update, review of Deadline 2 submissions, discussion on Local Impact Report content and approach for updating Statement of Common Ground.
10 May 2023	Email from NYC to National Grid with comments on the SoCG for Deadline 3.
15 May 2023	Meeting with NYC ecologist to discuss outstanding matters in the SoCG
18 May 2023	Meeting with NYC ecologist to discuss Biodiversity matters listed on the Issue Specific Hearing Agenda

18 May 2023	Meeting #18 General project update, review of Deadline 3 responses, Issue Specific Hearing discussions and update on SoCGs
18 May 2023	Email from NYC to National Grid with initial comments on the draft S106 agreement
19 May 2023	Meeting with NYC landscape officers to discuss outstanding matters
22 May 2023	Meeting with NYC noise officers to discuss outstanding matters regarding noise assessment methodology.
23 May 2023	Email from National Grid to NYC issuing an updated draft S106 agreement for comment by the LPAs
23 May 2023	Email from NYC relating to the Public Rights of Way Management Plan
7 June 2023	Meeting with NYC officers on to discuss outstanding highways matters in the SoCG
27 June 2023	Email from NYC to National Grid with comments on the draft S106 agreement and Construction Traffic Management Plan
<u>26 July 2023</u>	<u>Meeting between NYC and National Grid to discuss outstanding matters in the SoCG</u>
<u>8 August 2023</u>	<u>Meeting between NYC and National Grid to discuss the finalisation of the S106 and outstanding matters in the SoCG</u>
<u>22 August 2023</u>	<u>Meeting between NYC and National Grid to discuss an approach to finalising the SoCG and outstanding matters</u>
<u>1 September 2023</u>	<u>Meeting between NYC and National Grid to discuss an approach to finalising the SoCG and outstanding matters</u>



## 3. Matters Agreed

3.1.1 This section sets out the matters that have been agreed between National Grid and the NYC and **Table 3.1** details these matters.

Table 3.1 – Matters agreed

SoCG ID	Matter	Agreed position	Date of Agreement
<b>3.1 Description of the Project</b>			
<i>Assessment Scope and Methodology</i>			
3.1.1	Description of the Project	The Summary of the Proposed Development provided in <b>Section 1.2</b> above reflects NYC understanding of the Project. NYC acknowledge National Grid’s description of the ‘need’ for the project but do not have the technical expertise or knowledge to query this.	Agreed on call 4th April 2023
<b>3.2 Draft DCO, Document 3.1, Volume 3</b>			
3.2.1	PART 3 STREETS	<p><b>Joint Authorities</b></p> <p>The items described Part 3 STREETS of the <b>(Document 3.1(6E)) [REP6-025] [REP3-004]</b> accurately reflect the NYC understanding of the works proposed in each local authority.</p> <p><b>Highway Authority (North Yorkshire County Council)</b></p>	<p>The Draft DCO has been shared with the NYC at Deadline 3. The contents of the Draft DCO is now agreed subject to the detailed points set out in the matters not agreed section of this SoCG.</p> <p><u><a href="#">Agreed for final SoCG issued to NYC on 25 August 2023</a></u></p>

SoCG ID	Matter	Agreed position	Date of Agreement
		<p>The items described Part 3 STREETS of the <del>(Document 3.1(E)) [REP6-025]</del> <del>(Document 3.1(c)) [REP3-004]</del> accurately reflect the highway authority's understanding of the works proposed in each local authority.</p>	
3.2.2	PART 4 SUPPLEMENTAL POWERS	<p><b><i>Joint Authorities</i></b></p> <p>The items described in PART 4 SUPPLEMENTAL POWERS of the Draft DCO <del>(Document 3.1(E)) [REP6-025]</del> <del>(Document 3.1(c)) [REP3-004]</del> accurately reflect the NYC understanding of the works proposed in each local authority.</p> <p><b><i>Highway Authority (North Yorkshire County Council)</i></b></p> <p>The items described in PART 4 SUPPLEMENTAL POWERS of the Draft DCO <del>(Document 3.1(E)) [REP6-025]</del> <del>(Document 3.1(c)) [REP3-004]</del> accurately reflect the highway authority's understanding of the works proposed in each local authority.</p>	<p>The Draft DCO <del>(Document 3.1(c)) [REP3-004]</del> has been shared with the NYC for comment, including the Yorkshire GREEN Meeting #10 which took place on the 30 August 2022. The wording of Part 4 of the draft DCO has not been raised as a matter for further discussion.</p>
3.2.3	PART 6 MISCELLANEOUS AND GENERAL	<b><i>Joint Authorities</i></b>	<p>The Draft DCO has been shared with the NYC, including the Yorkshire GREEN Meeting #10 which took place on the 30</p>

SoCG ID	Matter	Agreed position	Date of Agreement
		<p>The items described in PART 6 MISCELLANEOUS AND GENERAL of the Draft DCO <b>(Document 3.1(E)) [REP6-025] (Document 3.1(c)) [REP3-004]</b> accurately reflect the NYC understanding of the works proposed in each local authority.</p> <p><i>Highway Authority (North Yorkshire County Council)</i></p> <p>The items described in PART 6 MISCELLANEOUS AND GENERAL of the Draft DCO <b>(Document 3.1(E)) [REP6-025] (Document 3.1(c)) [REP3-004]</b> accurately reflect the highway authority's understanding of the works proposed in each local authority.</p>	<p>August 2022. The wording of Part 6 of the draft DCO has not been raised as a matter for further discussion.</p>
<u>3.2.4</u>	<u>SCHEDULE 3 REQUIREMENTS</u>	<p><u>The items described in SCHEDULE 3 of the Draft DCO (Document 3.1(E)) [REP6-025]) accurately reflect North Yorkshire Council's understanding of the works proposed and the proposed wordings of the Requirements listed below are considered acceptable.</u></p> <p><u>Requirement 2: Time Limits</u>  <u>Requirement 3: Design Drawings</u>  <u>Requirement 4: Stages of authorised development</u></p>	<p><u>A meeting to confirm the final agreement to the draft DCO and Requirements was held on 22 August 2023.</u></p> <p><u>To respond to comments from NYC regarding Requirement 10 and the securing of the replacement planting proposals, the CoCP (Document 5.3.3B(E)) has been updated and agreed with NYC on 25 August 2023 and is submitted at Deadline 7.</u></p>

SoCG ID	Matter	Agreed position	Date of Agreement
		<p><u>Requirement 5: Construction Management Plans</u></p> <p><u>Requirement 6: Construction management plans to be approved</u></p> <p><u>Requirement 8: Landscaping and mitigation planting</u></p> <p><u>Requirement 9: Implementation of landscaping and mitigation planting</u></p> <p><u>Requirement 10: Retention and protection of existing trees</u></p> <p><u>Requirement 11: Reinstatement schemes</u></p> <p><u>Requirement 12: Contamination of land or groundwater and controlled waters</u></p> <p><u>Requirement 13: Removal of temporary bridges and culverts</u></p> <p><u>Requirement 14: Highway works</u></p> <p><u>Requirement 15: Removal of existing overhead line</u></p> <p><u>Requirement 16: Decommissioning</u></p> <p><u>Requirement 17: Clearance over the River Ouse</u></p> <p><u>Requirement 19: Site Specific Mitigation Scheme</u></p> <p><u>Requirement 7 relating to Construction Hours is not agreed and covered in detail in Paragraph 4.2.1.</u></p> <p><u>Requirement 18 relating to the approval of external colour and surface finish of permanent buildings having</u></p>	

SoCG ID	Matter	Agreed position	Date of Agreement
		<u>regard to the Design Approach to Site Specific Infrastructure is also not agreed as set out in paragraph 4.2.2</u>	
<u>3.2.5</u>	<u>Timescales pursuant to articles within the DCO</u>	<u>National Grid confirm that the timescales specified throughout the Draft DCO (Document 3.1(E)) [REP6-025] pursuant to articles are agreed with NYC.</u>	<u>Agreed for final SoCG issued to NYC on 25 August 2023</u>
		<u>The timescales for the discharge of Requirements are not agreed and covered in paragraph 4.2.2</u>	
<b>Volume 5.3 Environmental Statement</b>			
<b>3.3 Chapter 6: Landscape and Visual (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.3.1	ES Methodology approach adopted	The NYC were supportive of the methodology set out in the LVIA PEIR with Reference to GLVIA 3 and LI TIN 06/19. The methodology used in the ES is unchanged from the PEIR (Section 6.8 of ES Chapter 6: Landscape and Visual, Document 5.2.6, [APP-078] and Appendix 6C: Landscape and Visual Impact Methodology [APP-110].	As the methodology approach is unchanged, it is understood that the NYC are content with the ES methodology approach adopted and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u>
<i>Baseline</i>			

<b>SoCG ID</b>	<b>Matter</b>	<b>Agreed position</b>	<b>Date of Agreement</b>
3.3.2	ES Baseline Description	The NYC are content the landscape and visual baseline is appropriately described in <b>Section 6.5.13 of ES Chapter 6: Landscape and Visual, Document 5.2.6, [APP-078]</b> .	During pre-applications discussions, the landscape and visual ES baseline description hasn't been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
<i>Landscape Mitigation</i>			
3.3.3	ES Embedded Environmental Measures	The NYC agree with the Embedded Environmental Measures as described in <b>Table 6.8, ES Chapter 6: Landscape and Visual, Document 5.2.6, [APP-078]</b> .	During pre-applications discussions, the landscape and visual ES Embedded Environmental Measures have not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
3.3.4	Construction compound landscape mitigation	The NYC agree that the measures to minimise the landscape and visual effects of the construction compounds including solid 2.4m high fencing and temporary soil storage mounds (2-3m high) are appropriate.	Agreed on call 19 May 2023. National Grid note that potential additional mitigation measures comprising temporary fast-growing planting around construction compounds would not be appropriate as it would have a minimal additional benefit and would typically not be deliverable within the DCO boundary due to a lack of space and/or conflict with soil storage and existing planting.
3.3.5	Outline Landscape Mitigation Strategy proposals near substations and CSEC	The NYC agree with the location and height of the proposed earthworks and agree with the types and locations of proposed planting as illustrated in the Outline Landscape Mitigation Strategy as described in <b>Figures 3.10-3.12B Document 5.4.3(c) [REP2-031]</b> .	Agreed on call 19 May 2023. National Grid will continue to work with NYC to agree a detailed landscape scheme that would be discharged under Requirement 8 of the DCO. This detailed design would include a less distinct division between the woodland edge (shrub) planting on the slopes of the

SoCG ID	Matter	Agreed position	Date of Agreement
3.3.6	Outline Landscape Mitigation Strategy: Additional non-specific mitigation	<p>Additional non-specific landscape mitigation requested by NYC in response to ExA questions at ISH2 in relation to significant effects experienced by:</p> <ul style="list-style-type: none"> <li>• Users of Public Rights of Way (National Cycle Network Route 65 and Jorvic Way long distance footpath (River Ouse to Shipton) (Major/Moderate Adverse and locally Significant or greater)</li> <li>• Public Rights of Way east of Shipton and near Newlands Farm (Major/Moderate Adverse and locally Significant or greater)</li> </ul>	<p>earthworks and woodland (tree and shrub) planting on the top of the earthworks.</p> <p>National Grid acknowledge there are opportunities for hedgerow management within the Order Limits at the northern end of Overton Road to offer additional screening and this <del>will be identified on an updated version of</del> <u>is identified in</u> the Outline Landscape Mitigation Strategy Figure 3.10 <del>to be submitted at Deadline 6</del> <u><b>Document 5.4.3(D) [REP6-049]</b></u>.</p> <p><u>Agreed for final SoCG issued to NYC on 25 August 2023</u></p> <p><del>Additional requests by NYC for non-specific mitigation planting and/or changes in management regime where other significant visual effects are recorded are not agreed by National Grid and are covered in section 5.2.2 below.</del></p>
3.3.7	Draft DCO Requirements related to management of planting	<p>The NYC agree that a 5 year maintenance period for the establishment of planting as set out in Requirement 8 (2) (c) of the <b>draft DCO (Document 3.1(E)) [REP6-025] (Document 3.1 (c)) [REP3-004]</b> is acceptable.</p> <p><del>-although seek clarification on how longer term management of planting would be undertaken.</del></p>	<p><del>Replacement planting in the wider project away from the substations would be subject to a 5-year maintenance obligation with long term management handed back to the landowner. As agreed by PINS in the Scoping Opinion, removal of localised planting, regardless of any reinstatement, would have no potential for significant landscape and visual effects and was scoped out of the ES. Further to the issuing of the EXA's commentary and questions on the Draft DCO Q8.0.11 regarding the replacement planting not being like for like and potentially delivering more in terms of</del></p>

SoCG ID	Matter	Agreed position	Date of Agreement
			<p><u>numbers, diversity and quality, and being subject to the relevant planning authority's approval, National Grid has updated the wording in paragraph 2.3.22 of the Code of Construction Practice (<b>Document 5.3.3B(E)</b>) to addresses this and has issued it to NYC for agreement on 25 August 2023.</u></p> <p><u>The updated CoCP is now submitted at <b>Deadline 7</b> and this point agreed.</u></p>
	Draft DCO Requirements related to management of planting	The NYC agree that whilst the mitigation planting may be covered by Biodiversity Net Gain (BNG) and the requirement to manage for 30 years, this has yet to be determined and would be secured by a separate 106 Agreement.	Agreed on call 19 May 2023.
<i>Visualisations</i>			
3.3.9	Visualisations	The NYC agree that the submitted Type 3 visualisations in <b>Chapter 6 Landscape and Visual Figures Document 5.4.6 [APP-167 to APP-181]</b> and <b>Additional Photomontages Document 8.16 [REP2-047]</b> comply with Landscape Institute TGN 06/19 as they reflect a scheme that has not been finalised. 3.3.8	Agreed on call 19 May 2023. Whilst NYC consider it would have been preferable to have depicted all insulators and minor lattice work on the proposed pylons, it is acknowledged that this would require a more advanced infrastructure design. Notwithstanding these concerns it is agreed that the addition of the minor infrastructure details would not have the potential to alter the magnitude of change and therefore level of effect recorded in the LVIA ES Chapter ( <b>Document 5.2.6 [APP-078]</b> ).
<i>Assessment of Likely Significant Effects</i>			



SoCG ID	Matter	Agreed position	Date of Agreement
3.3.10	Landscape and Visual Effects	The NYC agree with the Landscape and Visual Effects as summarised in <b>Table 6.8, ES Chapter 6: Landscape and Visual, Document 5.2.6 [APP-078]</b> .	<p data-bbox="1444 180 2069 507">During pre-applications submissions, the landscape and visual ES assessment conclusions have not been raised as a matter for further discussion and therefore they are considered agreed. National Grid's conclusions in relation to likely significant landscape and visual effects are described in <b>Section 6.14, ES Chapter 6: Landscape and Visual, Document 5.2.6 [APP-078]</b>.</p> <p data-bbox="1444 549 2047 836">The only significant long-term (Year 15 operational phase) adverse effects, on landscape character would be restricted to peripheral parts of the Vale Farmland with Plantation Woodland and Heathland Regional LCA and the Huby and Shipton Vale Local LCA (Sub-Types 5b and 5c) in the North West of York Area.</p> <p data-bbox="1444 877 1962 948">There would be significant long-term adverse effects, on residents at:</p> <ul data-bbox="1444 954 1926 1209" style="list-style-type: none"> <li>• Hall Moor Farm Cottages;</li> <li>• Hall Moor Farm (South);</li> <li>• Overton Grange and Glenroyd Cottages;</li> <li>• New Farm Cottages;</li> <li>• dwellings on Stripe Lane; and</li> <li>• Pollums House Farm.</li> </ul> <p data-bbox="1444 1251 2029 1394">There would also be significant adverse effects (without enhancement planting) to views experienced by guests at the Woodstock Lodge Wedding Venue.</p>

SoCG ID	Matter	Agreed position	Date of Agreement
3.3.11	Visual Effects experienced by residents of the Traveller Encampment.	The NYC agree with the visual effects as set out in the <b>Environmental Statement Addendum, Document 5.2.20 [REP1-013]</b> .	<p>The significant adverse long-term effects experienced by recreational receptors, would occur from localised sections of the following Public Rights of Way (PRoWs) and cycle routes:</p> <ul style="list-style-type: none"> <li>• National Cycle Route 65;</li> <li>• ORPA near Newlands Farm;</li> <li>• PRoWs east of Shipton by Beningbrough and the Jorvic Way long distance footpath; and</li> <li>• Paulinus Way long distance footpath on Garnet Lane.</li> </ul> <p>The only significant adverse long-term effects from local transport routes would be experienced by users of localised parts of the:</p> <ul style="list-style-type: none"> <li>• A19; and</li> <li>• Corban Lane.</li> </ul> <p><u>Agreed for final SoCG issued to NYC on 25 August 2023</u></p>
<b>3.4 Chapter 7: Historic Environment (Volume 5)</b>			<p>During pre-application submissions, the landscape and visual ES Addendum conclusions have not been raised as a matter for further discussion and therefore they are considered agreed <u>in this final SoCG issued to NYC on 25 August 2023</u>.</p>

*Assessment Scope and Methodology*

SoCG ID	Matter	Agreed position	Date of Agreement
3.4.1	Assessment Methodology	The NYC are content that the methodology of Historic Environment assessment set out in in <b>Section 7.4, ES Chapter 7: Historic Environment, Document 5.2.7 [APP-079]</b> is appropriate.	During pre-application discussions, the Historic Environment assessment methodology has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
3.4.2	Assessment Methodology	The NYC are content that the methodology of Historic Environment assessment set out in in <b>Section 7.4, ES Chapter 7: Historic Environment, Document 5.2.7 [APP-079]</b> is appropriate.	During pre-application discussions, the Historic Environment assessment methodology has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
3.4.3	Written Scheme of Investigation	The NYC are content with the watching brief on SI work and it is appropriately described in <b>Table 7.5, ES Chapter 7: Historic Environment, Document 5.2.7 [APP-079]</b> .	28 April 2022
3.4.4	Trench Plan	The NYC are content with the trench plan and WSI for trial trenching and it is appropriately described in <b>Table 7.5, ES Chapter 7: Historic Environment, Document 5.2.7 [APP-079]</b> .	1 June 2022
3.4.5	Evaluation through trial trenching at the proposed substation sites of Overton and Monk Fryston	The NYC requested Geophysical survey and archaeological evaluation through trial trenching. This has been undertaken at the proposed Overton and proposed Monk Fryston Substations <b>Table 7.5, ES Chapter 7: Historic Environment, Document 5.2.7 [APP-079]</b> .	4 July 2021

SoCG ID	Matter	Agreed position	Date of Agreement
<i>Baseline</i>			
3.4.6	ES Baseline Description	The NYC are content the historic environment baseline is appropriately described in <b>Section 7.5, ES Chapter 7: Historic Environment, Document 5.2.7 [APP-079]</b> .	During pre-applications discussions, the historic environment baseline has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
<i>Embedded Environmental Measures</i>			
3.4.7	Embedded Environmental Measures	The NYC agree with the Embedded Environmental Measures as described in <b>Table 10.9, ES Chapter 7: Historic Environment, Document 5.2.7 [APP-079]</b> .	During pre-applications discussions, the Historic Environment Embedded Environmental Measures have not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
<i>Assessment of Likely Significant Effects</i>			
3.4.8	ES Assessment of Likely Significant Effects	The NYC agree with the conclusions in relation to likely historic environment effects as described in <b>Section 7.7 (ES Chapter 7: Historic Environment, Document 5.2.7) [APP-079]</b> .	During pre-applications discussions, Historic Environment ES assessment of likely significant effects have not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>  The Local Impact <b>Report [REP1-056]</b> submitted at Deadline 1 further confirms that NYC are in agreement to the approach taken to the historic environment.
<b>3.5 Chapter 8: Biodiversity (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.5.1	Scope of Surveys	The NYC are content with the proposed scope of surveys for the	28 March 2022

SoCG ID	Matter	Agreed position	Date of Agreement
		<p>following (as discussed in the meeting 28 March 2022):</p> <ul style="list-style-type: none"> <li>• approach to biodiversity surveys where land is not accessible;</li> <li>• ornithological surveys;</li> <li>• extended Phase 1 habitat survey;</li> <li>• protected species surveys (otter and badger);</li> <li>• no requirement for great crested newt surveys due to employment of District Level Licensing; and</li> <li>• no requirement for reptile, fish, tansy beetle or other invertebrate surveys.</li> </ul> <p><b>(Table 8.8, ES Chapter 8: Biodiversity, Document 5.2.8) [APP-080].</b></p>	
3.5.2	Assessment Methodology	<p>The NYC are content with the methodology adopted in the ES in <b>Section 8.8, ES Chapter 8: Biodiversity, Document 5.2.8) [APP-080].</b></p>	<p>During pre-applications discussions, ES assessment methodology proposed for Biodiversity has not been raised as a matter for further discussion and therefore it is considered agreed <u><a href="#">in this final SoCG issued to NYC on 25 August 2023.</a></u></p>
3.5.3	Protected species survey approach (where revised since PEIR/meeting on 28 March 2022)	<p>The NYC are content with the revised methodology (<b>Table 8.8 ES Chapter 8: Biodiversity, Document 5.2.8).</b></p>	15 May 2023
<i>Baseline</i>			

SoCG ID	Matter	Agreed position	Date of Agreement
3.5.4	ES Baseline Description	The NYC are content the biodiversity baseline is appropriately described in <b>Section 8.5, ES Chapter 8: Biodiversity, Document 5.2.8 [APP-080]</b> .	During pre-applications discussions, the biodiversity ES baseline has not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023</u> .
<i>Embedded Environmental Measures</i>			
3.5.5	Proposals for Embedded Environmental Mitigation and compensation measures – Biodiversity Mitigation Strategy (BMS) and Code of Construction Practice (CoCP)	The NYC agree with the Embedded Environmental Measures as described in <b>Section 8.6 ES Chapter 8: Biodiversity Document 5.2.8 [APP-080]</b> . These mitigation measures are included within <b>Outline BMS, Document 5.3.3D [APP-097]</b> as secured through the <b>CoCP, Document 5.3.3B(E) [APP-095]</b> and are therefore also considered to be satisfactory to the NYC.	During pre-applications discussions, the Biodiversity ES embedded environmental measures have not been raised as a matter for further discussion and <u>therefore it is considered agreed in this final SoCG issued to NYC on 25 August 2023</u> .
3.5.6	Mitigation specific to watercourse crossings	The NYC are content with the pragmatic approach to culverts which has been utilised on the Project and the Embedded Environmental Measures to cover sensitive culvert design - the Embedded Environmental Measures are detailed within <b>Section 8.6 of the ES Chapter 8: Biodiversity Document 5.2.8 [APP-080]</b> .	28 March 2022
<i>Assessment of Likely Significant Effects</i>			
3.5.7	ES assessment of likely significant effects	The NYC agree with the conclusions in relation to likely significant biodiversity effects as described in <b>Section 8.9 (ES Chapter 8: Biodiversity Document 5.2.8) [APP-080]</b> .	During pre-applications discussions, the biodiversity ES assessment of likely significant effects have not been raised as a matter for further discussion and therefore it

SoCG ID	Matter	Agreed position	Date of Agreement
			is considered agreed <a href="#">in this final SoCG issued to NYC on 25 August 2023</a> .
<b>3.6 Chapter 9: Hydrology and Flood Risk (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.6.1	Assessment Methodology	The NYC are content with the methodology adopted in the ES in <b>Section 9.7 and 9.8 (ES Chapter 9: Hydrology and Flood Risk, Document 5.2.9) [APP-081]</b> .	During pre-applications discussions, the hydrology and flood risk ES assessment scope and methodology have not been raised as a matter for further discussion and therefore it is considered agreed <a href="#">in this final SoCG issued to NYC on 25 August 2023</a> .
<i>Baseline</i>			
3.6.2	ES Baseline Description	The NYC are content the hydrology and flood risk baseline is appropriately described in <b>Section 9.5 (ES Chapter 9: Hydrology and Flood Risk, Document 5.2.9) [APP-081]</b> .	During pre-applications discussions, the Hydrology and Flood risk ES baseline has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#">in this final SoCG issued to NYC on 25 August 2023</a> .
<i>Embedded Environmental Measures</i>			
3.6.3	ES Embedded Environmental Measures	The NYC agree with the Embedded Environmental Measures as described in <b>Section 9.6 (ES Chapter 9: Hydrology and Flood Risk, Document 5.2.9) [APP-081]</b> .	During pre-applications discussions, the Hydrology and Flood risk ES Embedded Environmental Measures have not been raised as a matter for further discussion and therefore it is considered agreed <a href="#">in this final SoCG issued to NYC on 25 August 2023</a> .
<i>Assessment of Likely Significant Effects</i>			
3.6.4	ES assessment of likely significant effects	The NYC agree with the conclusions in relation to likely significant hydrology and flood risk effects as described in <b>Section 9.13 (ES Chapter 9:</b>	During pre-applications discussions, the Hydrology and Flood risk ES assessment of likely significant effects have not been raised as a matter for further discussion and

SoCG ID	Matter	Agreed position	Date of Agreement
		<b>Hydrology and Flood Risk, Document 5.2.9) [APP-081].</b>	therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u>
<i>Permitting of works in Ordinary Watercourses</i>			
3.6.5	Land Drainage Consents for works on Ordinary Watercourses	A number of temporary access watercourse crossings are required during the construction phase of the Project, which would either involve the installation of a temporary culvert or use (and potential upgrading) of existing culverts. National Grid agrees that applications would be made to North Yorkshire Council as LLFA for Land Drainage Consent under Section 23 of the Land Drainage Act 1991 for any works within top of bank of Ordinary Watercourses within their jurisdiction.	16 June 2022
<b>3.7 Chapter 10: Geology and Hydrogeology (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.7.1	Mineral Resource Assessment	The NYC are content with the conclusions of the Minerals Resource Assessment ( <b>Document 7.10) [APP-211]</b> , which are that the Project meets the requirements of mineral safeguarding Policy S02 (Developments proposed within Safeguarded Surface Mineral Resource Areas) for built development to be acceptable in a Mineral Safeguarding Area.	26 September 2022
3.7.2	ES Scope and Assessment Methodology	The NYC are content the assessment scope and methodology for Geology	During pre-applications discussions, the Geology and Hydrogeology ES scope and



SoCG ID	Matter	Agreed position	Date of Agreement
		and Hydrogeology is appropriately described in <b>Section 10.4 and 10.7 (ES Chapter 10: Geology and Hydrogeology, Document 5.2.10) [APP-082]</b> .	assessment methodology has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
<i>Baseline</i>			
3.7.3	ES Baseline Description	The NYC are content the Geology and Hydrogeology baseline is appropriately described in <b>Section 10.5 (ES Chapter 10: Geology and Hydrogeology, Document 5.2.10) [APP-082]</b> .	During pre-applications discussions, the Geology and Hydrogeology ES baseline has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
<i>Embedded Environmental Measures</i>			
3.7.4	ES Embedded Environmental Measures	The NYC agree with the Embedded Environmental Measures as described in <b>Section 10.6 (ES Chapter 10: Geology and Hydrogeology, Document 5.2.10) [APP-082]</b> .	During pre-applications discussions, the Geology and Hydrogeology ES Embedded Environmental Measures methodology have not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
<i>Assessment of Likely Significant Effects</i>			
3.7.5	ES assessment of likely significant effects	The NYC agree with the conclusions in relation to likely significant Geology and Hydrogeology effects as described in <b>Section 10.11 (ES Chapter 10: Geology and Hydrogeology, Document 5.2.10) [APP-082]</b> .	During pre-applications discussions, the Geology and Hydrogeology ES assessment of likely significant effects have not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>  This has been further agreed through the Local Impact Report <b>[REP1-056]</b> submitted at Deadline 1.

SoCG ID	Matter	Agreed position	Date of Agreement
<b>3.8 Chapter 11: Agriculture and Soils (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.8.1	EIA Assessment and Methodology	The NYC are content with the assessment scope and methodology for Agriculture and Soils as described in <b>Section 11.7, ES Chapter 11: Agriculture and Soils, Document 5.2.11 [APP-083]</b> .	During pre-applications discussions, the Agriculture and Soils ES methodology approach has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023</u></a> .
<i>Baseline</i>			
3.8.2	ES Baseline Description	The NYC are content the soils and agriculture baseline is appropriately described in <b>Section 11.4, ES Chapter 11: Agriculture and Soils, Document 5.2.11 [APP-083]</b> .	During pre-applications discussions, the Agriculture and Soils ES baseline has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023</u></a> .
<i>Embedded Environmental Measures</i>			
3.8.3	ES Embedded Environmental Measures	The NYC agree with the Embedded Environmental Measures as described in <b>Section 11.5, ES Chapter 11: Agriculture and Soils, Document 5.2.11 [APP-083]</b> .	During pre-applications discussions, the Agriculture and Soils ES Embedded Environmental Measures have not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023</u></a> .
<i>Assessment of Likely Significant Effects</i>			
3.8.4	ES assessment of likely significant effects	The NYC agree with the conclusions in relation to likely significant agricultural land effects as described in <b>Section 11.1 (ES Chapter 11: Agriculture and Soils, Document 5.2.11) [APP-083]</b> .	During pre-applications discussions, the Agriculture and Soils assessment of likely significant effects has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023</u></a> .

SoCG ID	Matter	Agreed position	Date of Agreement
		It is agreed the only significant adverse effects post construction are the total permanent loss of agricultural land of Grade 2 and Subgrade 3a quality (best and most versatile agricultural land).	This has been confirmed through the Local Impact Report <b>[REP1-056]</b> submitted at Deadline 1.
<b>3.9 Chapter 12: Traffic and Transport (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.9.1	Speed Surveys	The NYC agreed that speed surveys could be used to inform visibility splays and that the 85% tile speed could be used based on Design Manual for Roads and Bridges (DMRB) design guidance to inform these splays ( <b>Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12) [APP-084]</b> ).	5 February 2022
3.9.2	Traffic Survey Data	The NYC confirmed that they were content with the approach to collect traffic survey data for all locations where data in the PEIR was older than 2019 or there was a gap as a result of COVID-19 ( <b>Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12) [APP-084]</b> .  Where speed/ traffic surveys were undertaken, it was agreed by the NYC that where these were available and appropriate these should be used rather than the historic DfT Traffic data. ( <b>Section 12.5.66, ES Chapter 12: Traffic and Transport, Document 5.2.12) [APP-084]</b> ).	11 May 2022

<b>SoCG ID</b>	<b>Matter</b>	<b>Agreed position</b>	<b>Date of Agreement</b>
3.9.3	EIA Assessment and Methodology	The NYC confirmed they were content with the use of the EIA assessment methodology based on Guidelines of the Environmental Assessment of Traffic (GEART) (IEA, 1993) to inform the EIA assessment <b>(Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12) [APP-084]</b> .	11 May 2022
3.9.4	Methodology for traffic generation and distribution	The NYC confirmed that they were content with the methodology for traffic generation and distribution.	11 May 2022
3.9.5	Requirement for a Transport Assessment	The NYC confirmed that they agreed that there was no requirement for a Transport Assessment as set out and agreed with PINS in the EIA Scoping Opinion <b>(Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12) [APP-084]</b> .	11 May 2022
<i>Baseline</i>			
3.9.6	Growth of DfT and count data	The NYC confirmed that they were content with the growth of DfT and count data to a 2022 baseline (and future year baseline) using TEMPro Growth <b>(Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12) [APP-084]</b> .	11 May 2022
3.9.7	Accident Data	The NYC confirmed that they were content with North Yorkshire County Council accident data to be from a 5 year period back from April 2022 <b>(Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12)</b>	11 May 2022

SoCG ID	Matter	Agreed position	Date of Agreement
		[APP-084].  It should be noted however that this data could not be provided by North Yorkshire County Council due to an issue with its accident data system. North Yorkshire County Council were informed that crash map data would be used as at PEIR.	
3.9.8	TEMPro Growth Rates	The NYC are content that the TEMPro growth rates used would include traffic from the new settlement site near the A59 at Whixley ( <b>Table 12.5, ES Chapter 12: Traffic and Transport, Document 5.2.12</b> ) [APP-084].	11 May 2022
<i>Embedded Environmental Measures</i>			
3.9.9	A63 into Rawfield Lane	The NYC are content that to alleviate any potential highways safety issues regards access to Rawfield Lane for Heavy Goods Vehicles (HGVs) routing from the west, a left in left out arrangement would be the best approach at the junction. This has been set out in the CTMP and secured via Requirement 5(2)(d). ( <b>Table 12.12, ES Chapter 12: Traffic and Transport, Document 5.2.12</b> ) [APP-084].	11 May 2022  The new Monk Fryston sub station is to be constructed near to the existing substation. The site has direct access from the A1(m) and A63. Local widening of Rawfield Lane and its junction with the A63 will be required. Management of deliveries to site may need to be outside peak times to reduce conflict at the junction onto Rawfield Lane.
3.9.10	ES Embedded Environmental Measures	It is agreed that the Embedded Environmental Measures are appropriate to manage the likely significant effects on Traffic and Transport measures, as detailed in	7 June 2023

SoCG ID	Matter	Agreed position	Date of Agreement
<b>Section 12.6, Chapter 12: Traffic and Transport, Document 5.2.12 [APP-084].</b>			
<i>Assessment of Likely Significant Effects</i>			
3.9.11	ES likely significant effects	The NYC agree with the conclusions in relation to likely significant Traffic and Transport effects as described in <b>Section 12.11, Chapter 12: Traffic and Transport, Document 5.2.12 [APP-084].</b>	7 June 2023
<b>3.10 Chapter 13: Air Quality (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.10.1	EIA Assessment and Methodology	The NYC are content with the assessment scope and methodology for air quality as described in <b>Section 13.8, ES Chapter 13: Air Quality, Document 5.2.13 [APP-085].</b>	During pre-applications discussions, the Air Quality assessment and methodology approach has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
<i>Baseline</i>			
3.10.2	ES Baseline Description	The NYC are content the air quality baseline is appropriately described in <b>Section 13.5, ES Chapter 13: Air Quality, Document 5.2.13 [APP-085].</b>	During pre-applications discussions, the Air Quality baseline has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023.</u></a>
<i>Embedded Environmental Measures</i>			
3.10.3	ES Embedded Environmental Measures	The NYC agree with the Embedded Environmental Measures as described in <b>Section 13.6, ES Chapter 13: Air Quality, Document 5.2.13 [APP-085].</b>	During pre-applications discussions, the Air Quality ES Embedded Environmental Measures has not been raised as a matter for further discussion and therefore it is

SoCG ID	Matter	Agreed position	Date of Agreement
			considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u>
<i>Assessment of Likely Significant Effects</i>			
3.10.4	ES likely significant effects	The NYC agree with the conclusions in relation to likely significant air quality effects as described in <b>Section 13.7 ES Chapter 13: Air Quality, Document 5.2.13 [APP-085]</b> .	During pre-applications discussions, the Air Quality assessment of likely significant effects has not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u>  This has been confirmed through the Local Impact Report <b>[REP1-056]</b> submitted at Deadline 1.
<b>3.11 Chapter 14: Noise and Vibration (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.11.1	Construction Noise Assessment	<u>While NYC do not agree to the methodology used to carry out the construction stage noise assessment as described in <b>Section 14.8, ES Chapter 14: Noise and Vibration, Document 5.2.14, Volume 5</b>, as noted in paragraph 4.3.1, the conclusions of no significant affects are agreed. The NYC are content with the assessment scope and methodology for construction stage Noise and Vibration as described in <b>Section 14.8, ES Chapter 14: Noise and Vibration, Document 5.2.14, Volume 5</b></u>	<u>4-April 2023</u> <u>6 September 2023</u>
<i>Baseline</i>			

<b>SoCG ID</b>	<b>Matter</b>	<b>Agreed position</b>	<b>Date of Agreement</b>
3.11.2		The NYC are content the Noise and Vibration baseline for the construction stage is appropriately described in <b>Section 14.5, ES Chapter 14: Noise and Vibration, Document 5.2.14, Volume 5</b>	4 April 2023
<i>Assessment of likely significant effects</i>			
3.11.3	Traveller Encampment (Next to the A1 (M)) not benefiting from planning consent	North Yorkshire Council is content that the unauthorised Traveller encampment located next to the A1(M) junction would not be considered as a Noise Sensitive Receptor (NSR) within the assessment. Notwithstanding this, National Grid will consider the unauthorised Traveller encampment within the ES. <b>(Table 14.6, ES Chapter 14: Noise and Vibration, Document 5.2.14) [APP-086].</b>	14 June 2022
3.11.4	Overhead Line Noise Assessment	NYC agrees that there are no significant effects from overhead line noise	22 May 2023
3.11.5	Vibration assessment	NYC agrees that there are no significant vibration effects	Agreed at ISH2 25 May 2023
<i>Embedded measures</i>			
3.11.6	Noise and vibration management plan ( <b>NVMP, Document 5.3.3H) [APP-101]</b>	NYC agrees that the measures detailed within the Noise and Vibration Management Plan, as they pertain to all matters (with the exception of reference to core working hours which	Agreed at ISH2 25 May 2023



SoCG ID	Matter	Agreed position	Date of Agreement
		is not agreed as detailed in <b>para 5.5.1</b> below) are appropriate	
<b>3.12 Chapter 15: Health and Wellbeing (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.12.1	EIA Assessment and Methodology	The NYC are content with the assessment scope and methodology for Health and Wellbeing as described in <b>Section 15.8, ES Chapter 15: Health and Wellbeing, Document 5.2.15 [APP-087]</b> .	During pre-applications discussions, the Health and Wellbeing assessment and methodology have not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023</u> .
<i>Baseline</i>			
3.12.2	ES Baseline Description	The NYC are content the Health and Wellbeing baseline is appropriately described in <b>Section 15.5, ES Chapter 15: Health and Wellbeing, Document 5.2.15 [APP-087]</b> .	During pre-applications discussions, the Health and Wellbeing baseline has not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023</u> .
<i>Embedded Environmental Measures</i>			
3.12.3	ES Embedded Environmental Measures	The NYC agree with the Embedded Environmental Measures as described in <b>Section 15.6, ES Chapter 15: Health and Wellbeing, Document 5.2.15 [APP-087]</b> .	During pre-applications discussions, the Health and Wellbeing Embedded Environmental Measures have not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023</u> .
<i>Assessment of Likely Significant Effects</i>			
3.12.4	ES likely significant effects	The NYC agree with the conclusions in relation to likely significant Health and Wellbeing effects as described in <b>Section 15.9, ES Chapter 15: Health</b>	During pre-applications discussions, the Health and Wellbeing ES likely significant effects have not been raised as a matter for further discussion and therefore it is

SoCG ID	Matter	Agreed position	Date of Agreement
		and Wellbeing, Document 5.2.15 [APP-087].	considered agreed <a href="#">in this final SoCG issued to NYC on 25 August 2023.</a>
<b>3.13 Chapter 16: Socio-Economics (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.13.1	EIA Assessment and Methodology	The NYC are content with the assessment scope and methodology for Socio-Economics described in <b>Section 16.7, ES Chapter 16: Socio-Economics, Document 5.2.16 [APP-088]</b> .	During pre-applications discussions, the Socio-Economics EIA assessment and methodology have not been raised as a matter for further discussion and therefore it is considered agreed <a href="#">in this final SoCG issued to NYC on 25 August 2023.</a>
<i>Baseline</i>			
3.13.2	ES Baseline Description	The NYC are content the Socio-Economics baseline is appropriately described in <b>Section 16.4, ES Chapter 16: Socio-Economics, Document 5.2.16 [APP-088]</b> .	During pre-applications discussions, the Socio-Economics baseline has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#">in this final SoCG issued to NYC on 25 August 2023.</a>
<i>Embedded Environmental Measures</i>			
3.13.3	ES Embedded Environmental Measures	The NYC agree with the Embedded Environmental Measures as described in <b>Section 16.5, ES Chapter 16: Socio-Economics, Document 5.2.16 [APP-088]</b> .	During pre-applications discussions, the Socio-Economics Embedded Environmental Measures have not been raised as a matter for further discussion and therefore it is considered agreed <a href="#">in this final SoCG issued to NYC on 25 August 2023.</a>
<i>Assessment of Likely Significant Effects</i>			
3.13.4	ES likely significant effects	The NYC agree with the conclusions in relation to likely significant Socio-Economics effects as described in <b>Section 16.8, ES Chapter 16: Socio-Economics, Document 5.2.16 [APP-088]</b> .	During pre-applications discussions, the Socio-Economics ES assessment of likely significant effects have not been raised as a matter for further discussion <a href="#">and therefore it is considered agreed in this final SoCG issued to NYC on 25 August 2023.</a>

SoCG ID	Matter	Agreed position	Date of Agreement
		It is agreed the only significant adverse effects during operation are on Woodstock Lodge Wedding Venue. An offsite landscape planting scheme, located outside the Order Limits but within the grounds of Woodstock Lodge Wedding Venue, is proposed as an additional measure to minimise effects on this receptor. This would be agreed through a voluntary agreement with the landowner.	
<b>3.14 Chapter 17: Climate Change (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.14.1	EIA Assessment and Methodology	The NYC are content with the assessment scope and methodology for climate change as described in <b>Section 17.8, ES Chapter 17: Climate Change, Document 5.2.17 [APP-089]</b> .	During pre-applications discussions, the Climate Change EIA assessment and methodology has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023</u></a> .
<i>Baseline</i>			
3.14.2	ES Baseline Description	The NYC are content the climate change baseline is appropriately described in <b>Section 17.5, ES Chapter 17: Climate Change, Document 5.2.17 [APP-089]</b> .	During pre-applications discussions, the Climate Change ES baseline has not been raised as a matter for further discussion and therefore it is considered agreed <a href="#"><u>in this final SoCG issued to NYC on 25 August 2023</u></a> .
<i>Embedded Environmental Measures</i>			
3.14.3	ES Embedded Environmental Measures	The NYC agree with the Embedded Environmental Measures as described in <b>Section 17.6, ES Chapter 17:</b>	During pre-applications discussions, the Climate Change ES Embedded Environmental Measures has not been raised as a matter for further discussion and

SoCG ID	Matter	Agreed position	Date of Agreement
		<b>Climate Change, Document 5.2.17 [APP-089].</b>	therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u>
<i>Assessment of Likely Significant Effects</i>			
3.14.4	ES likely significant effects	The NYC agree with the conclusions in relation to likely significant climate change effects as described in <b>Section 17.9, ES Chapter 17: Climate Change, Document 5.2.17 [APP-089].</b>	<p>During pre-applications discussions, the Climate Change ES assessment of likely significant effects have not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u></p> <p>NYC will take a pragmatic approach to the Climate Change assessment. The Authority does not have the necessary resources to critically assess the work undertaken.</p>
<b>3.15 Chapter 18: Cumulative Effects (Volume 5)</b>			
<i>Assessment Scope and Methodology</i>			
3.15.1	Inter-project Cumulative Effects assessment methodology	The NYC are content with the inter-project Cumulative Effects assessment scope and methodology, and they are appropriately described in <b>Section 18.4, ES Chapter 18: Cumulative Effects, Document 5.2.18 [APP-090].</b>	<p>During pre-applications discussions, the Inter-project Cumulative Effects assessment methodology has not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u></p> <p><del>NYC reserve the right to makes further comments as necessary throughout the Examination.</del></p>
3.15.2	Intra-project Cumulative Effects assessment methodology	The NYC are content with the intra-project Cumulative Effects assessment scope and methodology, and they are appropriately described in <b>Section 18.5, ES Chapter 18: Cumulative Effects, Document 5.2.18 [APP-090].</b>	<p>During pre-applications discussions, the Intra-project Cumulative Effects assessment methodology has not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u></p> <p><del>NYC reserve the right to makes further</del></p>

SoCG ID	Matter	Agreed position	Date of Agreement
<i>Assessment of Significance</i>			
3.15.3	Significance Conclusions	The NYC agree with the conclusions in relation to likely significant Cumulative Effects as described in <b>Section 18.9 (ES Chapter 18: Cumulative Effects, Document 5.2.18) [APP-090]</b> .	<del>comments as necessary throughout the Examination.</del> During pre-applications discussions, the Cumulative Effects significance conclusions have not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023</u> . <del>NYC reserve the right to makes further comments as necessary throughout the Examination.</del>
<b>Volume 5.3 Environmental Statement Appendices</b>			
<b>3.16 Appendix 3B - Code of Construction Practice</b>			
3.16.1	Code of Construction Practice	The NYC are content the <b>Code of Construction Practice (ES Chapter 3: Code of Construction Practice, Document 5.3.3B(E) [APP-095]</b> secured in <b>Requirement 5(2)(a) of the Draft DCO (Document 3.1(E)) [REP6-025] (Document 3.1(c)) [REP3-004]</b> appropriately reflects the mitigation required to minimise effects during construction.	No issues have been raised regarding the construction practices proposed during previous meetings and therefore it is considered the code of construction practice is agreed <u>in this final SoCG issued to NYC on 25 August 2023</u> .
<b>3.17 Appendix 3C - Archaeological Written Scheme of Investigation</b>			
3.17.1	Archaeological Written Scheme of Investigation	The NYC are content the <b>Archaeological Written Scheme of Investigation (ES Chapter 3: Archaeological Written Scheme of Investigation, Document 5.3.3C) [APP-096]</b> secured in <b>Requirement 5(2)(b) of the Draft DCO (Document</b>	28 April 2022

SoCG ID	Matter	Agreed position	Date of Agreement
		<b><u>3.1(E) [REP6-025] (Document 3.1(c)) [REP3-004]</u></b> appropriately reflects the mitigation required to protect archaeological assets.	
<b>3.18 Appendix 3D - Biodiversity Mitigation Strategy</b>			
3.18.1	Biodiversity Mitigation Strategy	The NYC are content the <b>Biodiversity Mitigation Strategy (ES Chapter 3: Biodiversity Mitigation Strategy, Document 5.3.3D) [APP-097]</b> secured in Requirement 5(2)(c) of the DCO <b><u>(Document 3.1(E)) [REP6-025] (Document 3.1(c)) [REP3-004]</u></b> appropriately reflects the mitigation required to protect biodiversity assets.	During pre-applications discussions, mitigation strategy has not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u>
<b>3.19 Appendix 3E - Outline Soil Management Plan</b>			
3.19.1	Outline Soil Management Plan	The NYC are content the <b>Outline soil Management Plan (ES Chapter 3: Outline soil management plan, Document 5.3.3E) [APP-098]</b> secured in Requirement 5(3) of the DCO <b><u>(Document 3.1(E)) [REP6-025] (Document 3.1(c)) [REP3-004]</u></b> appropriately reflects the mitigation required to protect soils.	During pre-applications discussions, soil management plan has not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u>
<b>3.20 Appendix 3G - Public Rights of Way Management Plan</b>			
3.20.1	Public Rights of Way Management Plan	The NYC are broadly content the <b>Public Rights of Way Management Plan (ES Chapter 3: Public Rights of Way Management Plan, Document 5.3.3G (B)) [REP2-024]</b> secured in Requirement 5(2)(e) of the DCO <b><u>(Document 3.1(E)) [REP6-</u></b>	23 May 2023

SoCG ID	Matter	Agreed position	Date of Agreement
<p><b><u>025</u>(Document 3.1(c)) [REP3-004].</b>            It is agreed that consultation related to the specifics of the PRowMP will be undertaken at the appropriate time, for example once the contractors have been appointed. This is in line with the commitment to consult with Rights of Way Officers outlined in Section 3 of the PRowMP <b>Document 5.3.3G (B) [REP2-024].</b> .</p>			
<p><b>3.21 Appendix 3I -Arboricultural Impact Assessment</b></p>			
3.21.1	Arboricultural Impact Assessment	<p>The NYC are content the <b>Arboricultural Impact Assessment (ES Chapter 3: Arboricultural Impact Assessment, Document 5.3.3I) [APP-101]</b> secured in Requirement 6(g), 8(a) and 10 of the DCO <b>(Document 3.1(E)) [REP6-025] (Document 3.1(c)) [REP3-004]</b> appropriately reflects the mitigation required to protect arboricultural assets.</p>	<p>During pre-applications discussions, Arboricultural Impact Assessment has not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u></p>
<p><b>3.22 Document 5.3.9D - Appendix 9D – Flood Risk Assessment (FRA) [APP-138]</b></p>			
3.22.1	Flood risk assessment	<p>The NYC in their capacity as LLFA are content with the findings of the flood risk assessment.</p>	<p>During pre-applications discussions, the flood risk assessment has not been raised as a matter for further discussion and therefore it is considered agreed <u>in this final SoCG issued to NYC on 25 August 2023.</u></p>
3.22.2	Surface water management	<p>The NYC in their capacity as LLFA are content with the measures proposed for surface water management for the construction and operational phases of</p>	<p>During pre-applications discussions, the proposed surface water management measures for the Project have not been raised as a matter for further discussion and</p>

**SoCG ID**

**Matter**

**Agreed position**

**Date of Agreement**

the project, as set out in Section 6 of the **Appendix 9D Flood Risk Assessment (FRA) (Document 5.3.9D [APP-138])**.

are therefore considered to be agreed in this final SoCG issued to NYC on 25 August 2023, in principle.

Draft versions of the Drainage Strategy documents for the Overton and Monk Fryston Substations were provided to the LLFA for review prior to submission of the DCO application. No comments were received by the Applicant, so it is considered that the principles of these drainage strategies are agreed.

It is noted that under DCO Requirement 6.(1)(b) a Drainage Management Plan (DMP) which will provide details of surface water management for the construction phase of the Project for approval by the relevant planning authority prior to commencement of works.

Provision is made under DCO Requirement 6.(4) for the relevant planning authority to consult with the relevant drainage authority in approving details of surface water and foul drainage systems. For those areas of North Yorkshire outside of Internal Drainage Board districts, the relevant drainage authority for surface water would be North Yorkshire County Council in its capacity as LLFA.



SoCG ID	Matter	Agreed position	Date of Agreement
3.22.3	Surface water management for permanent infrastructure	The NYC in their capacity as LLFA are content with the measures proposed for management of flood risk and drainage during the construction phase of the project.	During pre-applications discussions, the proposed surface water management measures for the Project have not been raised as a matter for further discussion and are therefore considered to be agreed <u>in this final SoCG issued to NYC on 25 August 2023 in principle.</u>

### 3.23 Appendix 3F - Construction Traffic Management Plan

3.23.1	Construction Traffic Management Plan	NYC have confirmed that the content of the CTMP ( <b>Document 5.3.3F(D)</b> <del>[APP-099]</del> ) is acceptable.	National Grid undertook a workshop with NYC on 7 June 2023 to work through the content of the CTMP ( <b>Document 5.3.3F(D)</b> ). <del>[APP-099]</del> . Comments have subsequently been received from NYC which do not raise any further concern with the content of the CTMP <u>subject to the objection to the use of Butts Lane noted as a matter not agreed and detailed in paragraph 4.5.1.</u>
--------	--------------------------------------	---	--

## Volume 7: Other Documents

### 3.23 Volume 7.1, Planning Statement

#### *Development plan documents*

3.23.1	Development plan documents	<ul style="list-style-type: none"> <li>The adopted development plans for the NYC comprise the following: North Yorkshire Minerals and Waste Joint Plan (NYMWJP) February 2022;</li> <li>Hambleton Local Plan (Adopted February 2022);</li> </ul>	<p>The Local Impact Report <b>[REP1-056]</b> <u>submitted at Deadline 1 on 5 April 2023</u> confirms that these documents are agreed as the adopted and emerging Local Plans relevant to NYC.</p> <p>The correct list of policies was included in the Local Impact Report <b>[REP1-056]</b> and in the response to the Written Questions from the ExA to NYC. Side by side comparison</p>
--------	----------------------------	--	---

		<ul style="list-style-type: none"> <li>• Harrogate District Local Plan (Adopted December 2020);</li> <li>• Selby District Local Plan (Saved Policies) (2005) 2005; and</li> <li>• Selby District Core Strategy Local Plan (2013).</li> </ul> <p>There is only one emerging development plan for consideration:</p> <ul style="list-style-type: none"> <li>• Selby District New Local Plan (Preferred Options) 2021.</li> </ul> <p>Key policies of relevance have been identified in the submitted <b>Planning Statement (Document 7.1) [APP-202]</b>.</p>	will show that these differ from the list provided by National Grid in the Planning Statement ( <b>Document 7.1) [APP-202]</b> .
3.23.2	Design and Access Statement	The NYC are content that the Design and Access Statement (DAS) demonstrates how National Grid has taken into account the criteria for good design contained within NPS EN-1 and EN-5 and explains the ways in which the design of the Project has evolved.	During pre-applications discussions, Design and Access Statement has not been raised as a matter for further discussion and therefore it is considered agreed <u><a href="#">in this final SoCG issued to NYC on 25 August 2023</a></u> .
3.23.3	Details of Other Consents and Licences	The NYC agree that the <b>Details of Other Consents and Licences (Document 7.3) [APP-204]</b> clearly identifies the consents and licences, in addition to the DCO, which are expected to be necessary to the Project and confirms how these consents will be obtained.	The principles of these documents were discussed with the NYC from the outset of the Project and were available for the PEIR. On this basis the NYC are in agreement with their content. <u><a href="#">Agreed for final SoCG issued to NYC on 25 August 2023</a></u>

3.23.4	Updated Need Case, Strategic Proposal Reports and Corridor and Preliminary Routeing and Siting Study	The NYC acknowledge the Applicants Needs Case ( <b>Document 7.4</b> ) [APP-205] and the project development process, including the Strategic Proposal Report 2019 and 2020 ( <b>Document 7.5</b> [APP-206] & <b>7.6</b> [APP-207]) and the 2021 addendum ( <b>Document 7.7</b> ) [APP-208] and the Corridor and Preliminary Routeing and Siting Study ('the CPRSS'), ( <b>Document 7.8</b> ) [APP-209] but do not have the technical expertise or knowledge to query this.	Agreed on call 4 April 2023
3.23.5	Consultation Report, Consultation Report Appendices and Statement of Community Consultation (SoCC)	The NYC agree that they were given the opportunity to comment on the draft SoCC and their suggestions were included in the final SoCC (see <b>Consultation Report (Document 6.1) and Consultation Report Appendices (Document 6.2) including the Statement of Community Consultation ('SoCC') (Appendix B4, Document 6.2)</b> [APP-195]	The principles of these documents were discussed with the NYC from the outset of the Project and were available for the PEIR. The NYC confirmed at meeting #13 held on 29 November 2022 that they agreed that the approach to consultation had been discussed and agreed with the NYC.  On this basis the NYC are in agreement with their content.

---

### 3.24 Document 7.9 Biodiversity Net Gain Report [APP-210]

---

3.24.1	BNG	In its consultation responses ( <b>9 December 2021</b> ) and subsequent meeting ( <b>28 March 2022</b> ), the NYC welcomed the Project commitment to deliver 10% BNG.  In terms of DCO submission, the initial BNG report ( <b>Document 7.9</b> ) [APP-210] is based on a number of precautionary assumptions, which	15 May 2023
--------	-----	--	-------------

---

---

provides a reasonable worst-case indication of the deficit in biodiversity units resulting from the Project (which is likely to overstate losses as a precaution) and the amount and type of on and off-site habitat creation required to achieve BNG.

National Grid will then undertake further BNG assessment at different stages through the project lifecycle updating the BNG report metric calculation with final baseline data and results of the Strategic Significance assessment. These updated reports will be produced post-consent at detailed design stage (including the BNG management and monitoring plan), and after construction (based on as-built information) to refine and finalise the assessment as further information becomes available.

In a subsequent meeting (**15 May 2023**), the NYC confirmed its agreement with the approach to BNG in terms of the following:

- Provision of adequate information at application stage (in view of land access constraints and lack of detailed design pre-consent), and agreement with the proposed production of updated BNG reports post-consent.
- National Grid's approach to identifying suitable locations for delivery of meaningful BNG which in order of priority would be: 1) habitat

---

creation/enhancement within the Order Limits with agreement with third party landowner/managers; 2) agreements with/contributions to local stakeholder schemes outside the Order Limits but within the relevant LPA where possible (or Project-wide where more favourable outcomes for biodiversity would be achieved by delivering BNG at a site outside the relevant LPA); and 3) inputs to strategic biodiversity offsite schemes through purchase of biodiversity units.

- Avoiding loss of irreplaceable habitats
- Adherence to the Mitigation hierarchy, especially to avoid and minimise habitat clearance (especially for priority habitats)
- Achieving a minimum 10% increase in area-based units, in linear units and in river units in ways that meet the Biodiversity Metric V3.1 trading rules.

~~The parties are reviewing the S106 document which secures the BNG commitments with a final S106 agreement due to be submitted at Deadline 7. The final S106 agreement to secure this is signed and submitted at Deadline 7 (Document 8.22(B)).~~

# 4. Matters Not Agreed

4.1.1 Section 4 sets out matters not agreed between National Grid and NYC. **Table 4.1** details these matters.

Table 4.1 – Matters not agreed

SoCG ID	Matter	North Yorkshire Council position	National Grid position
<b>Volume 7: Other Documents</b>			
<b>4.1 Planning Statement</b>			
4.1.1	Overhead lines in the Green Belt	<p><del>NYC’s view regarding the Green Belt considerations are set out in the Elements of the application proposal would constitute engineering operations, whilst others would be considered as structures. Paragraph 149 of the NPPF applies to structures/buildings. Paragraph 150 of the NPPF applies to engineering operations.</del></p> <p><del>The NPPF sets out at para 149 that the construction of new buildings in the Green Belt is inappropriate unless it falls within the closed list of exceptions set out at para 149 a) to g). Some elements of the scheme (e.g. the Pylons, overhead lines, any buildings, enclosures, boundary fencing or operational equipment) are structures and do not fall within any of the categories in para 149. Therefore, they are inappropriate development which is harmful by definition and Very Special Circumstances (VSC) will be needed to clearly outweigh the harm by definition and any other harm identified.</del></p>	<p><del>The Planning Statement (<b>Document 7.1</b>) sets out that overhead line elements of the Project are considered engineering operations which do not constitute inappropriate development. By virtue of their nature and their purpose (to transport power large distances) overhead lines may occupy long corridors within Green Belt, they involve little physical change to the land through which they pass and leave a large majority of the land around and beneath them free from development and therefore open. As pylons are spaced up to 360m apart the perception of openness is maintained as one is able to ‘see through’ the widely spaced pylons and conductors to whatever is beyond. As a result, the proposed overhead line would not affect the purposes of the Green Belt designation (as set out Section 8.3 of the <b>Planning Statement [APP-202]</b>), as they would not impact on the openness of the Green Belt.</del></p>

---

Other elements of the scheme such as underground cabling, ground works, engineering works, etc., are engineering operations. The NPPF at para. 150 sets out that certain other forms of development (which includes engineering operations) are not inappropriate where they 1) preserve the openness and 2) do not conflict with the purposes of the including land in the GB. Where they fail 1 or 2 above, they would be inappropriate development by definition and Very Special Circumstances would be required to clearly outweigh the harm by definition and any other harm resulting from the proposal.

In terms of the purposes of Green Belts, the NYC considers that the proposal would not be consistent with Purpose c) set out under para. 138 of the NPPF which is “to assist in safeguarding the countryside from encroachment”. As such, it would conflict with the purposes of including land within the Green Belt.

Some of the engineering operation elements of the scheme are considered by the NYC to be appropriate development due to limited visual and spatial impact. Other engineering elements would have an impact on openness of the Green Belt.

Overall, the NYC is of the opinion that the scheme would result in a number of ‘structures’ and operational equipment which would have a significant impact on the openness of the Green Belt due to the increased size of the substation at Monk Fryston, the scale of the development, the presence of additional pylons, overhead lines, operational equipment and infrastructure at this

In regard to the substation and GSEC works, whilst an engineering operation, that does not harm the purposes of the Green Belt, 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 and Monk Fryston, and the GSECs at Shipton and Tadcaster 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. These very special circumstances apply to the Project in its entirety, so would apply equally in the event that the overhead lines are considered to be inappropriate development.

A Green Belt Position Statement (Document 8.34.2) has been prepared and is submitted at Deadline 7 which provides a detailed commentary on National Grid’s position on Green Belt matters adjacent to the considerations of NYC and City of York Council as the Local Planning Authorities where Green Belt considerations of the project are relevant. summarising the positions in relation to Green Belt matters between National Grid and the Local Planning Authorities is being prepared to explain this matter.

---

location and across the projects location. This proposed project needs to be considered in the context of other developments allowed/proposed within the local area also within Green Belt, including, but not limited to, two applications granted permission in 2022 for battery storage facilities on land adjacent to the proposed Yorkshire Green project. Such projects are identified in Chapter 18 'Cumulative Effects' (APP-090) and Appendix A 'Cumulative Effects Assessment Long List of Other Developments' (APP-161).

In accordance with national policy, substantial weight is required to be given to any harm to the Green Belt. Very Special Circumstances will not exist unless the harm by reason of inappropriateness, and any other harms to the Green Belt arising from the development, are clearly outweighed by other considerations.

Para. 151 of the NPPF acknowledges that many elements of renewable energy projects will comprise inappropriate development and Very Special Circumstances need to be demonstrated to proceed. Such Very Special Circumstances can include the wider environmental benefits associated with increased production of energy from renewable sources. It is acknowledged that this project is intended to support the production of energy from renewable sources.

The Very Special Circumstances put forward by the applicants need to be considered alongside any other identified harm arising from the scheme. These are matters for the Examining Authority and



~~Secretary of State to weigh up in the balance in the decision-making process. At this stage of the process is not clear to the NYC the extent of other harms and therefore it is not possible for it to give a view on the balancing exercise at this point in time.~~

~~A Green Belt Position Statement (Document 8.34.2) Position Statement summarising the positions in relation to Green Belt matters between National Grid and the Local Planning Authorities is being prepared to explain this matter. submitted at Deadline 7.~~

---

### Volume 3: Draft Development Consent Order

---

#### 4.2 Draft DCO, Document 3.1, Volume 3

---

<u>4.2.1</u>	<u>SCHEDULE 3 REQUIREMENTS</u>	<u>Following discussions throughout the examination, NYC remain not agreed to Requirement 7 relating to the proposed construction hours. NYC's position and reasoning for this is set out in the Working Hours Position Statement submitted at Deadline 7.</u>	<u>The proposed construction hours for the Yorkshire Green Energy Enablement Project are set out in Schedule 3 Requirement 7 paragraphs 1 to 3 of the <b>draft Development Consent Order (DCO) (Document 3.1(E)) [REP6-025]</b>. National Grid's position and reasoning for these proposed hours is set out in the <b>Working Hours Position Statement (Document 8.34.1)</b> submitted at Deadline 7.</u>
<u>4.2.2</u>	<u>SCHEDULE 3 REQUIREMENTS</u>	<u>Following discussions throughout the examination, NYC disagree with Requirements 18 as set out in at Deadline 4 <b>[REP4-041]</b> which raises concerns with the approval of fencing colour. NYC acknowledge the position put forward by National Grid as discussed at a meeting on 1st September 2023 and as set out in Table 22.8 in Document 8.24 Applicants Comments on Interested Parties Deadline 4 Submission <b>[REP5-082]</b> and Table 2.17 in Document 8.25.1 Applicants Response to</u>	<u>National Grid's position is set out in Table 22.8 in Document 8.24 Applicants Comments on Interested Parties Deadline 4 Submission <b>[REP5-082]</b> and Table 2.17 in Document 8.25.1 Applicants Response to Examining Authority's Second Written Questions (ExQ2) <b>[REP5-083]</b>.</u>

---

<u>Examining Authority's Second Written Questions (ExQ2) [REP5-083]</u>		
4.2.3	<u>SCHEDULE 4 DISCAHRGE OF REQUIREMENTS</u>	<p><u>As set out in NYC's Local Impact Report [REP1-056] and subsequent responses to written questions [including REP5-117], NYC would like to see the following changes to the timescales proposed in Schedule 4 of the <b>Draft DCO (Document 3.1(E)) [REP6-025]:</b></u></p> <ul style="list-style-type: none"> <li><u>a) Article 1(1) – change 35 days to 8 weeks.</u></li> <li><u>b) Article 1(3) – change 7 business days to 21 working days.</u></li> <li><u>c) Article 1(4) – change 3 working days to 5 working days.</u></li> <li><u>d) Article 1(5) – Request removal.</u></li> <li><u>e) Article 2(b) – change 35 days to 8 weeks and add in, unless a longer period of time for determination has been agreed with the undertaker in accordance with (1)(1)(c).</u></li> </ul> <p><u>As detailed in the written response to question 5.4.1 [REP5-117] the Service Level Agreement (SLA) provisions within the draft s106 agreement would not address NYC's concerns in relation to the timescale for Discharge of Requirements specified in Schedule 4 of the draft DCO.</u></p> <p><u>The SLA commits to monthly meetings between the Parties taking place and for the Applicant to reimburse the Council reasonable costs incurred by these. However, the SLA does not commit to the National Grid having to submit Draft Submissions for Discharge in Principle prior to an application for the Discharge of Requirement</u></p>
		<p><u>Timescales pursuant to articles are agreed with NYC as noted in paragraph 3.2.5.</u></p> <p><u>In terms of timescales specified for the discharge of requirements, these timescales are not agreed.</u></p> <p><u>The draft Development Consent Order (DCO) (Document 3.1(E)) [REP6-025] proposes a formal determination period for the discharge of requirements of 5 weeks by the relevant planning authority. As detailed in the written response to question 5.5.1 (Document 8.9.1) [REP2-038], the durations proposed reflect the urgent need for the Project to be operational by 2027 in order to enable the connection of customers; ensure the connection of renewable generation without incurring significant constraint costs; facilitate net zero; and meet National Grid's transmission licence obligations, as set out in the Updated Needs Case (Document 7.4) [APP-205].</u></p> <p><u>As detailed in the written response to question 5.5.1 (Document 8.9.1) [REP2-038], to ensure the durations proposed in the Draft DCO are achievable, a signed S106 agreement (Document 8.22(B)) has been shared with the Local Planning Authorities which secures a Service Level Agreement that would provide a mechanism for National Grid to engage with the local planning authorities agree timescales for the</u></p>

---

pursuant to Schedule 4 of the draft DCO being submitted. Nor does it commit to the information being Discharged in Principle needing to be substantively the same as that submitted as part of an application for the Discharge of Requirement pursuant to Schedule 4 of the draft DCO.

Therefore, NYC could receive an application to discharge a requirement without seeing or commenting on a draft submission, or the information should be substantially different to that submitted with a draft submission.

Therefore, NYC would maintain that they would like to see the changes to the timescales proposed in Schedule 4 of the draft DCO, as highlighted above.

NYC would like to make clear that they can see the benefits discussions and engagements relating to the discharge of requirements prior to a formal submission being made to discharge a requirement and do encourage this. However, if a shorter period is being proposed for the formal discharge of requirement stage, NYC would like to have certainty that draft submissions would be submitted for each requirement; that NYC would have at least 8 weeks to review and comment on the draft submission; that discharge in principle has to be agreed prior to a formal submission; and that the final submission would be made on the same terms. Otherwise, NYC could potentially be put in a position of having to review new information not previously seen within the shorter

discharge of DCO requirements and other consents required pursuant to the DCO Articles. A programme of a 6 week pre-application process which would be fully funded by National Grid has been proposed to the Local Authorities relating to the discharge of requirements.

The draft SLA documents have been shared with all LPAs on 20 July 2023 and discussed with NYC in a meeting on 26 July 2023 however no substantive comments on the content of the SLA document have been received from NYC.

The proposal for a pre-application process is based on National Grid's previous DCO experience, where pre-application submissions have been a fundamental part of achieving swift full application approvals. Previous experience has demonstrated that a high-quality, detailed pre-application submission has allowed the LPAs to provide full and detailed comments, meaning these can be reflected in the full-application submission. This reduces the risk of requests for additional information and associated delays and enabled discharge of requirements within the timeframes of the DCO over a period of 35 days as matters are resolved in advance of formal submission.

National Grid consider that a total of 11 weeks (6 weeks for pre-application, followed by 5 weeks for full-application) is a realistic and reasonable timescale, reflecting both the

---

time periods, which NYC do not consider appropriate given the nature and level of information to be submitted at the discharge of requirement stage on such a large project.

As NYC have advised National Grid, while longer time periods are being sought for Schedule 4 of the draft DCO, where there has been discussions and engagement prior to the formal submission, this should speed up the process of considering the formal submission, and NYC would issue a decision in advance of the proposed 8 week date where they were able to do so. NYC are merely seeking to safeguard their position in the event that draft submission is not submitted; or the information at the formal discharge stage is not substantially the same as at the draft submission stage, given the SLA does not secure these points and NYC consider it would be difficult for the SLA to do so.

NYC consider the changes to the timescales proposed in Schedule 4 of the draft DCO, highlighted above, are reasonable and proportionate to the nature and level of the information to be submitted and reviewed, and are consistent with timescales contained within a number of other DCO's.

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 the necessary information. In addition, the submission of a Stage Plan required under Requirement 4 of the **draft DCO (Document 3.1(E)) [REP6-025]**, as well as monthly update meetings agreed and funded via the SLA, would provide the LPAs significant notice prior to receiving DoR applications. National Grid have agreed that should the LPAs require external resource to manage/process DoR 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.

This process has been agreed by Leeds City Council and City of York Council however remains an area of disagreement with the Selby arm of NYC. Despite this being a point of disagreement, National Grid seek to continue engagement with NYC on this matter.

A discussion was held on 22 August between NYC and National Grid where NYC identified some concerns being:

- A risk that a pre-application request would not be submitted. National Grid are able to commit, through the SLA, that a pre-application submission would be

---

made unless agreed with all LPAs that one is not necessary.

- A risk of information varying between a pre-application submission sign off and a formal discharge of requirements submission. National Grid has committed to providing a full, detailed pre-application submission and ensured that the draft DCO includes a mechanism to allow the LPAs to stop the discharge timescales where further information is requested. This is secured in Schedule 4 Paragraph 1 (B) of the Draft DCO **(Document 3.1(E)) [REP6-025]**. Paragraph 1(c) of Schedule 4 of the Draft DCO also provides for an extension of the timeframe if required to be agreed in writing between the LPA and National Grid.
- A lack of resource. National Grid have committed to fully funding the pre-application process and have suggested the use of external consultants to provide additional resources and manage the process. This process has worked successfully on other projects including across multiple LPAs.
- Time required to obtain input from external consultees. National Grid

would note that only some of the Requirements would require external consultation and the monthly project meetings would provide ample forewarning of an intended submission to allow resource and a response procedure to be put in place.

---

### **4.3 Chapter 14: Noise and Vibration**

<u>4.3.1</u>	<u>Noise and Vibration Assessment</u>	<u>NYC do not agree with the Overhead Line noise assessment methodology and do not agree with the application of Annex E ABC categories to determine significance for the construction noise assessment. The conclusions of the assessment however have been agreed between the parties as noted in paragraph 3.11.6.</u>	<u>National Grid have provided a full response to this matter explaining why it disagrees with NYC in paragraph 8.0.4 of <b>Document 8.33 Applicant's Responses to the Examining Authority's commentary on, or proposed schedule of changes to, the draft Development Consent Order.</b></u>
--------------	---------------------------------------	---	--

---

### Volume 5.5 Environmental Statement Appendices

### **4.4 Appendix 3H - Noise and Vibration Management Plan**

<u>4.4.1</u>	<u>Noise and Vibration Management Plan and Draft DCO</u>	<u>NYC do not agree with the inclusion of weekend or bank holiday core hours within the <b>Noise and Vibration Management Plan (ES Chapter 3: Noise and Vibration Management Plan, Document 5.3.3H) [APP-101]</b> secured in <b>Requirement 5(2)(f) of the draft DCO (Document 3.1(E)) [REP6-025]</b>.</u>	<u>National Grid have provided a full response to this matter explaining why it disagrees with NYC in paragraph 8.0.7 of <b>Document 8.33 Applicant's Responses to the Examining Authority's commentary on, or proposed schedule of changes to, the draft Development Consent Order.</b></u>
--------------	--	--	--

Notwithstanding this, a Working hours Position Statement (**Document 8.34.1**) has been submitted at Deadline 7 which details National Grid's and NYC's position on the construction stage working hours.

---

### **4.5 Appendix 3F - Construction Traffic Management Plan**

---

4.5.1

Access Route via Lumby

As per the highways meeting 7 June 2023 NYC's position remains that they do not recommend the use of the Butts Lane, Lumby route which is currently outlined in the CTMP (Document 5.3.3F) [APP-099] as a construction traffic route to AP8.

National Grid have provided a full response to this matter paragraph 8.0.2 of Document 8.33 Applicant's Responses to the Examining Authority's commentary on, or proposed schedule of changes to, the draft Development Consent Order.

---

# 5. Matters outstanding

5.1.1 Section 5 sets out matters where agreement is currently outstanding between National Grid and North Yorkshire Council. In particular **Table 5.1** details these matters.

Table 5.1 – Matters outstanding

SoCG ID	Matter	North Yorkshire Council position	National Grid position
<del>5.1 Draft DCO, Document 3.1, Volume 3</del> <u>No matters remain outstanding</u>			
5.1.1	<del>SCHEDULE 3 REQUIREMENTS</del>	<p data-bbox="730 628 1279 767"><del>Following the first round of questions from the ExA, NYC have raised some comments with regard to the proposed Requirements</del></p> <ul data-bbox="846 788 1279 1457" style="list-style-type: none"> <li data-bbox="846 788 1279 847"><del>● Requirement 7: Construction Hours</del></li> <li data-bbox="846 879 1279 986"><del>● Requirement 8: Landscaping and mitigation planting</del></li> <li data-bbox="846 1018 1279 1157"><del>● Requirement 9: Implementation of landscaping and mitigation planting</del></li> <li data-bbox="846 1189 1279 1279"><del>● Requirement 10: Retention and protection of existing trees</del></li> <li data-bbox="846 1311 1279 1457"><del>● Requirement 18: Approval of external colour and surface finish of permanent buildings having regard to</del></li> </ul>	<p data-bbox="1335 628 2051 986"><del>The proposed construction hours for the Yorkshire Green Energy Enablement Project are set out in Schedule 3 Requirement 7 paragraphs 1 to 3 of the <b>draft Development Consent Order (DCO) (Document 3.1(C)) [REP3-004]</b>. National Grid's position and reasoning for these proposed hours is set out in the <b>Applicant's Comments on Local Impact Reports (Document 8.10) [REP2-040]</b> submitted at Deadline 2. Discussion are ongoing with NYC regarding this matter.</del></p> <p data-bbox="1335 1043 2051 1257"><del>National Grid are continuing to liaise with NYC in regard to the proposed wording of the other Requirements noted. An updated <b>Draft DCO (Document 3.1(D))</b> is submitted at Deadline 5 which proposes some amended wording for Requirement 8, 9 and 10 for NYC to consider.</del></p>



---

the Design Approach to Site  
Specific Infrastructure

---

5.1.2	SCHEDULE 4 DISCHARGE OF REQUIREMENTS	<del>As set out in the Local Impact Report [REP1-056], NYC would like to see the following changes to the timescales proposed in Schedule 4 of the Draft DCO (Document 3.1(C)) [REP3-004].:</del>	<del>As detailed in the written response to question 5.5.1 (Document 8.9.1) [REP2-038], the durations proposed reflect the urgent need for the Project to be operational by 2027 in order to enable the connection of customers; ensure the connection of renewable generation without incurring significant constraint costs; facilitate net zero; and meet National Grid's transmission licence obligations, as set out in the Updated Needs Case (Document 7.4) [APP-205].</del>
		<del>a) Article 1(1) – change 35 days to 8 weeks. b) Article 1(3) – change 7 business days to 21 working days. c) Article 1(4) – change 3 working days to 5 working days. d) Article 1(5) – Request removal. e) Article 2(b) – change 35 days to 8 weeks and add in, unless a longer period of time for determination has been agreed with the undertaker in accordance with (1)(1)(c).</del>	<del>As detailed in the written response to question 5.5.1 (Document 8.9.1) [REP2-038], to ensure the durations proposed in the Draft DCO are achievable, a draft S106 agreement has been shared with the Local Planning Authorities which includes reference to a Service Level Agreement that would provide a mechanism for National Grid to engage with the local planning authorities agree timescales for the discharge of DCO requirements and other consents required pursuant to the DCO Articles. A programme of a 6 week pre-application process has been discussed with the Local Authorities relating to the discharge of requirements. The appropriateness of these timescales is still under discussion with NYC.</del>
		<del>Progress is being made in discussions with the draft S106 Agreement, however, National Grid's comments in the S106 regarding the mechanisms within the Service Level Agreement with suggested timescales for the discharge of the DCO requirements must be taken without prejudice to the LPA position as the LPA preferred position remains as originally set out in the response to this issue.</del>	<del>A process involving a 2 week pre-submission consultation period on any additional consents required under the Articles indicated has also been discussed with the Local Authorities.</del>

---

## Volume 5.2 Environmental Statement

---

### 5.2 Chapter 6: LVIA

---

5.2.1	Landscape Mitigation – management period	NYC are seeking an extended period of management of the outline landscape mitigation planting at the substation areas to extend beyond 5 years.	National Grid has updated the draft DCO ( <b>Document 3.1(c)</b> ) [REP3-004] to reflect this point and will discuss the matter with NYC.
		NYC are also seeking a longer period for replacement planting due to the landscaping including more mature specimens which can take longer to establish and fail in periods of drought	
5.2.2	Landscape mitigation – additional measures	NYC are seeking additional landscape measures to be detailed in the Outline Landscape Mitigation Strategy to address significant visual effects upon the following receptors: <ul data-bbox="779 954 1294 1326" style="list-style-type: none"><li>● <i>users of Public Rights of Way (National Cycle Network Route 65 and Jorvic Way long distance footpath (River Ouse to Shipton) (Major/Moderate Adverse and locally Significant or greater)</i></li><li>● <i>Public Rights of Way east of Shipton and near Newlands Farm (Major/Moderate Adverse and locally Significant or greater)</i></li></ul>	As set out in section 3.3.5 opportunities for hedgerow management within the Order limits at the northern end of Overton Road to offer additional screening will be identified on an updated version of the Outline Landscape Mitigation Strategy Figure 3.10 to be submitted at Deadline 6. 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 has ensured 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 LVIA ES Chapter at Table 6G.31 in <b>Document 5.3.6G [APP-114]</b> . It is considered that there is no reasonable

---

mitigation to avoid this temporary significant effect. No specific mitigation proposals have been suggested by NYC.

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 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, noting that no specific mitigation proposals have been suggested by NYC.

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 these localised significant effect where overhead lines cross the Public Rights of Way and the ORPA and pylons would be clearly visible. No specific mitigation proposals have been suggested by NYC.

The Shipton CSEC is not an area identified for additional mitigation planting over and above reinstatement planting. Reinstatement planting is secured under Requirement 8 (1)(a) in the **Draft DCO [REP3-004]** 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 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”.*

In terms of landscaping along the route of the OHLs, 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, 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 “*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 GSECs, that would be the primary contributors to the localised significant long-term landscape and visual effects.*”

### **5.3 Chapter 14: Noise and Vibration**

5.3.1	Noise and Vibration Assessment	NYC do not currently agree with the Overhead Line noise assessment methodology	National Grid will continue to work with NYC to address any concerns with the assessment methodology.
5.3.2	Noise and Vibration Assessment	NYC do not currently agree with the application of Annex E ABC categories to determine significance for the construction noise assessment.	National Grid will continue to work with NYC to address any concerns with the baseline used.
5.3.3	Embedded measures	NYC do not currently agree with the proposed embedded measures in relation to the Noise and Vibration Management Plan ( <b>NVMP, Document</b>	National Grid will continue to work with NYC to address any concerns with the embedded measures.

5.3.4	ES likely significant effects	<p><b>5.3.3H) [APP-101]</b> (as detailed in <b>para 5.5.1</b> below)</p> <p>NYC do not currently agree with the conclusions relating to construction noise significant effects, with regard to the application of ABC method from BS 5228-1:2009 +A1:2014, of <b>Section 14.9, ES Chapter 14: Noise and Vibration, Document 5.2.14 [APP-086]</b>.</p>	<p>National Grid will continue to work with NYC to address any concerns with the conclusions of <b>Section 14.9, ES Chapter 14: Noise and Vibration, Document 5.2.14 [APP-086]</b>.</p> <p>A Position Statement summarising the Local Planning Authorities positions regarding working hours is being prepared to explain this matter.</p>
-------	-------------------------------	---	--

---

## Volume 5.5 Environmental Statement Appendices

---

### 5.4 Appendix 3F – Construction Traffic Management Plan

5.4.1	Access Route via Lumby	<p>As per the highways meeting 7 June 2023 NYC’s position remains that they do not recommend the use of the Butts Lane, Lumby route which is currently outlined in the CTMP (<b>Document 5.3.3F) [APP-099]</b> as a construction traffic route to AP8.</p>	<p>National Grid is progressing land owner discussions with regard to this matter</p>
-------	------------------------	--	---

---

### 5.5 Appendix 3H – Noise and Vibration Management Plan

5.5.1	Noise and Vibration Management Plan and Draft DCO	<p>NYC do not agree with the inclusion of weekend core hours within the <b>Noise and Vibration Management Plan (ES Chapter 3: Noise and Vibration Management Plan, Document 5.3.3H) [APP-101]</b> secured in <b>Requirement 5(2)(f) of the DCO (Document 3.1(c)) [REP3-004]</b>.</p>	<p>National Grid will continue to work with NYC in order to finalise the <b>Noise and Vibration Management Plan (ES Chapter 3: Noise and Vibration Management Plan, Document 5.3.3H) [APP-101]</b> secured in <b>Requirement 5(2)(f) of the DCO (Document 3.1(c)) [REP3-004]</b>.</p> <p>A Position Statement summarising the Local Planning Authorities positions regarding working hours is being prepared to explain this matter.</p>
-------	---	--	--

## 6. Approvals

<b>Signed</b>	B. Kington
<b>On Behalf of</b>	National Grid
<b>Name</b>	Bethany Kington
<b>Position</b>	Consents officer
<b>Date</b>	<del>11-7</del> <u>25.08.23</u>

<b>Signed</b>	 <del>M. Reynolds</del>
<b>On Behalf of</b>	North Yorkshire Council;
<b>Name</b>	<del>Michael Reynolds</del> <u>Nic Harne</u>
<b>Position</b>	<del>Senior Policy Officer (Infrastructure)</del> <u>Corporate Director</u> <u>Community Development</u>
<b>Date</b>	<del>11-07-2023</del> <u>05-09-2023</u>

# Appendix – Highways Approval Note to the ExA: National Grid Response



**Comments received from North Yorkshire Council Highway Authority, and National Grid's response**

<b>The Highway authority position</b>	<b>National Grid's response</b>							
<p>The North Yorkshire Council as Local Highway Authority wishes to state that the applicant shall without fail consult and seek approval for all work within the highway boundary and or close to it. This consultation must be undertaken in a reasonable time and no later than 28 days before planned implement of any work and must allow the authority to post street work permits as guided by the New Roads and Street Works Act 1991 to inform the travelling public of planned work on the highway.</p>	<p>National Grid confirms that it will engage with the Local Highway Authority (LHA) prior to any works within the highway taking place. This is required through the draft Development Consent Order in relevant requirements and articles, as detailed in the table below.</p> <p>The DCO does not change/ impact how the LHA would notify the public of works taking place.</p>							
<table border="1"> <thead> <tr> <th data-bbox="752 595 976 651"><b>Topic</b></th> <th data-bbox="983 595 1084 651"><b>Para</b></th> <th data-bbox="1090 595 1518 651"><b>Further detail</b></th> <th data-bbox="1525 595 2029 651"><b>Engagement required</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="752 651 976 1340">Article 11- Street works</td> <td data-bbox="983 651 1084 1340">1</td> <td data-bbox="1090 651 1518 1340">List of activities that can be undertaken on streets within Schedule 6, within the OLS.</td> <td data-bbox="1525 651 2029 1340"> <p>Covered by relevant sections of the New Roads and Street Works Act 1991 under Article 12(5), in particular:</p> <ul style="list-style-type: none"> <li>• Section 54 (advance notice of certain works)</li> <li>• Section 55 (notice of starting date of works)</li> <li>• Section 59 (general duty of street authority to co-ordinate works)</li> <li>• Section 60 (general duty of undertakers to co-operate).</li> </ul> <p>This will ensure that the street authority has sufficient notice to enable the travelling public to be</p> </td> </tr> </tbody> </table>	<b>Topic</b>	<b>Para</b>	<b>Further detail</b>	<b>Engagement required</b>	Article 11- Street works	1	List of activities that can be undertaken on streets within Schedule 6, within the OLS.	<p>Covered by relevant sections of the New Roads and Street Works Act 1991 under Article 12(5), in particular:</p> <ul style="list-style-type: none"> <li>• Section 54 (advance notice of certain works)</li> <li>• Section 55 (notice of starting date of works)</li> <li>• Section 59 (general duty of street authority to co-ordinate works)</li> <li>• Section 60 (general duty of undertakers to co-operate).</li> </ul> <p>This will ensure that the street authority has sufficient notice to enable the travelling public to be</p>
<b>Topic</b>	<b>Para</b>	<b>Further detail</b>	<b>Engagement required</b>					
Article 11- Street works	1	List of activities that can be undertaken on streets within Schedule 6, within the OLS.	<p>Covered by relevant sections of the New Roads and Street Works Act 1991 under Article 12(5), in particular:</p> <ul style="list-style-type: none"> <li>• Section 54 (advance notice of certain works)</li> <li>• Section 55 (notice of starting date of works)</li> <li>• Section 59 (general duty of street authority to co-ordinate works)</li> <li>• Section 60 (general duty of undertakers to co-operate).</li> </ul> <p>This will ensure that the street authority has sufficient notice to enable the travelling public to be</p>					

The Highway authority position	National Grid's response			
			<p>informed of planned work on the highway.</p> <p>Also covered by relevant provisions of the CTMP, detailed below this table.</p>	
		2	List of activities that can be undertaken to any street whether or not within the OLS	Requires consent from the street authority, referred to within paragraph (2)
	Article 13- Alter layout	1	Undertake works detailed within Schedule 7	For accesses, details must be submitted to and approved by the Highway Authority under Requirement 14(1)
		2	Alter layout of street, or carry out works, to any street within or adjacent to OLS	Requires consent from the street authority under paragraph (2)
	Article 14- Temp stopping up	1	Temporarily stop up, alter or divert street, cycle track or PRoW shown on the access, rights of way and public rights of navigation plans, or within the OLS	Requires consultation with the Highway Authority for those streets listed in Schedule 8 under paragraph (5)(a). For all others, consent must be obtained from the Highway Authority under paragraph (5)(b).

The Highway authority position	National Grid's response			
	Article 16- Access to works	1(a)	Form and lay out means of access set out in Schedule 9	Covered by Requirement 14(1)- details must be submitted to and approved by the Highway Authority
		1(b)	Form and layout out of means of access anywhere within the OLS	Requires consultation to take place and consent to be obtained from Highway Authority under paragraph (1)(b)
	Article 45- Traffic regulation	1	TRO in schedule 14	Requires consent of (paragraph (1)), notification to (paragraph (3)(a)) and consultation with (paragraph (6)) Traffic Authority
		2	TRO in any other location	Requires consent of (paragraph (1)), notification to (paragraph (3)(a)) and consultation with (paragraph (6)) Traffic Authority. Note that National Grid is also required to advertise the TRO as specified by the street authority (paragraph (3)(b)).
	Req 14- Highway works		Construction or alter new or existing means of access- relates to all locations	Requires details to be submitted to and approved by the Highway Authority under Requirement 14(1). Note that National Grid is also required to advertise the

The Highway authority position	National Grid's response		
			TRO as specified by the street authority (paragraph (3)(b)).
	<p>Further, the Construction Traffic Management Plan (CTMP) (<b>Document 5.3.3F</b>) [<b>APP-099</b>] requires the following engagement (our emphasis):</p> <p><i>“7.1.2 National Grid would implement a number of the mitigation measures as set out below, but <b><u>discussion with NH, CYC, NCC and LCC will be undertaken to inform consideration of detailed traffic management</u></b> and to <b><u>allow for implementation of traffic management works that are required to be scheduled around other ongoing works in the highway.</u></b>”</i></p> <p>and</p> <p><i>“7.2.4. <b><u>All temporary traffic management implementation plans would need to be agreed with NH, CYC, NCC and LCC (location dependant)</u></b>, and will be applied in accordance with guidance and procedures set out within Section 14 of the Road Traffic Regulation Act 19845 (as necessary).</i></p> <p><i>7.2.5 Site specific temporary traffic management arrangements will be produced at the detailed design stage for the bellmouths and temporary traffic management arrangements as required. <b><u>The detailed plans and temporary traffic management implementation dates will be agreed with the relevant highway authority.</u></b>”</i></p> <p>The CTMP (<b>Document 5.3.3F</b>) [<b>APP-099</b>] is secured by Requirement 5 of the dDCO (<b>Document 3.1(C)</b>) [<b>REP3-005</b>].</p>		

The Highway authority position	National Grid's response
	<p>In addition to the above, the Local Highway Authority will receive further notice of anticipated works and timings through the following mechanisms:</p> <ul style="list-style-type: none"> <li>• Ongoing monthly update calls between National Grid and the Local Planning Authorities, during which the timings of works, including the submission of relevant applications will be discussed.</li> <li>• Monthly meetings between National Grid's Transport Officer and the Local Highway Authority.</li> <li>• The Stage Plan, submitted under Requirement 4 of the Draft Development Consent Order (dDCO) <b>(Document 3.1(C)) [REP3-005]</b>. This is required prior to any development commencing and will provide an overview of when each stage of the development is expected to commence. This will be updated and resubmitted as required.</li> </ul> <p>As prescribed through the dDCO <b>(Document 3.1(C)) [REP3-005]</b>, the Local Highway Authority would have 28 days to respond to applications (35 days for those submitted under Requirement 14). In addition to the prescribed timescales, National Grid is proposing a two-week engagement period for applications submitted under articles, and six weeks pre-application consultation for those submitted under Requirements.</p> <p>National Grid is proposing to reimburse the Local Highway Authorities time through a Service Level Agreement (SLA), and this could include external consultants undertaking work on behalf of the Council, if resourcing is a constraint.</p>
<p><b>Article 14 – Temporary stopping Up</b> – Specifically is 'temporary stopping up' the correct term to be used in this case? Should this be temporary closure</p>	<p>Whilst it is agreed that in law there is no concept of 'temporary stopping up', and that 'temporary closures' and 'temporary diversions' are distinguished from 'permanent stopping up', the Draft Development Consent Order (dDCO) <b>(Document 3.1(C)) [REP3-005]</b> has used the precedent form of wording that has been used in many previously made DCOs.</p>

The Highway authority position	National Grid's response
<p><b>Construction Traffic management Plan</b></p> <p>Main issue for the authority is the need to consultant at each stage. Access points may need individual consultation for unknown reasons so the developer needs to understand this and work with the authority . The document has outlined the important stages within the construction phase and it is worth repeating : -</p> <ol style="list-style-type: none"> <li>1. Proposed accesses</li> <li>2. Abnormal Loads</li> <li>3. HGV &amp; LV Routeling Strategy</li> <li>4. Over head Crossings</li> <li>5. Traffic Management</li> <li>6. Mitigation Strategies</li> <li>7. Management of CTMP and enforcement</li> </ol>	<p>Please see the above table relating to engagement, in particular Requirement 14, which states that no means of access can be constructed or altered prior to written details of the design and layout being submitted to and approved by the highway authority. Requirement 14 of the Draft Development Consent Order (dDCO) <b>(Document 3.1(C)) [REP3-005]</b> is reproduced below for ease of reference:</p> <p><i>“(1) No work to construct or temporarily alter any new or existing means of access to a highway to be used by vehicular traffic may commence until written details of the design and layout of that means of access has been submitted to and approved by the relevant highway authority.</i></p> <p><i>“(2) The highway accesses must be constructed in accordance with the details approved under paragraph (1) unless otherwise agrees in writing with the relevant highway authority.”</i></p> <p>For items (1) to (7), these have been responded to in the separate rows below.</p>
<p><b>Proposed Access</b></p> <p>The authority requests they are consulted on each access and wish to do this as efficiently as possible perhaps by looking at clusters of sites with on site discussions. Each access will need to follow an implementation plan using guidance</p>	<p>Please see the above table, which sets out the engagement process for each type of application. As detailed within the Construction Traffic Management Plan (section 3.5.1) <b>(Document 5.3.3F) [APP-099]</b>, accesses are compliant the DMRB. Details of accesses are also required to be approved by the highway authority under Requirement 14 of the Draft Development Consent Order (dDCO) <b>(Document 3.1(C)) [REP3-005]</b> which states:</p> <p><i>“(1) No work to construct or temporarily alter any new or existing means of access to a highway to be used by vehicular traffic may commence until written details of the design</i></p>

<b>The Highway authority position</b>	<b>National Grid's response</b>
<p>either within the DMRB or the Councils design standards.</p>	<p><i>and layout of that means of access has been submitted to and approved by the relevant highway authority.</i></p> <p><i>(2) The highway accesses must be constructed in accordance with the details approved under paragraph (1) unless otherwise agrees in writing with the relevant highway authority.”</i></p>
<p><b>Abnormal loads</b> the LHA will need to be consulted on the proposed route and any mitigation measures the developer is to take. Traffic management of each site will need to be established.</p>	<p>The AIL movements are required to be submitted into the Electronic Service Delivery for Abnormal Loads, which is the process under which the relevant authorities are consulted. Therefore, North Yorkshire Council will be consulted through this process.</p> <p>This is specified at paragraph 3.6.3 of the Construction Traffic Management Plan <b>(Document 5.3.3F) [APP-099]</b> which states:</p> <p><i>“The National Highways Electronic Service Delivery for Abnormal Loads (ESDAL) system will be used to notify National Highways, the local highway authorities and the Police of AIL movement details, times, types and route. The ESDAL system will be used to notify the aforementioned authorities prior to the departure of each AIL. Leaflet drops will be undertaken at key sections along the AIL delivery routes to inform local residents.”</i></p> <p>The CTMP <b>(Document 5.3.3F) [APP-099]</b> is secured by Requirement 5 of the Draft Development Consent Order (dDCO) <b>(Document 3.1(C)) [REP3-005]</b>.</p>
<p><b>Routing</b> HGVs are the more demanding form of vehicle and several of the roads included are narrow and of unknown construction and in some cases may fail due to the weight of vehicles.</p>	<p>As outlined in Section 4.5 of the Construction Traffic Management Plan <b>(Document 5.3.3F) [APP-099]</b>, the HGV access strategy assessed potential routing options on the local road network in terms of a wide range of constraints to select the most appropriate highway links. As stated in paragraph 4.5.2 of the CTMP <b>(Document 5.3.3F) [APP-099]</b> this included potential constraints such as: weight restrictions and road layouts.</p>

<b>The Highway authority position</b>	<b>National Grid's response</b>
<p>Each route will need a survey being mindful that other large vehicles may use the route as well.</p>	<p>The committed highway condition surveys will assess the existing quality of the access routes, before, during and after construction and mitigation will be agreed post-works to return the local road network to a position of nil detriment. National Grid consider these highway condition surveys to be covered within paragraphs 7.3.10 to 7.3.11 of the CTMP <b>(Document 5.3.3F) [APP-099]</b> and thus secured by Requirement 5 of the Draft Development Consent Order (dDCO) <b>(Document 3.1(C)) [REP3-005]</b>.</p> <p>Paragraphs 7.3.10 and 7.3.11 of the CTMP (Document 5.3.3F) [APP-099] state:</p> <p><b><i>“Highway condition surveys</i></b>  <i>7.3.10 Highway condition surveys of access points would be undertaken before construction, at intervals during the construction programme and following final use, to ensure that the surface of the highway remains in good repair and highway safety is maintained. The condition survey inspections would also enable any repairs to be made in a timely manner throughout the construction period.</i></p> <p><i>7.3.11 At the end of the construction period, the accesses and crossing points shall be inspected and a programme of works to restore them to the condition they were in before the construction period began would be agreed with the relevant local and strategic highway authority.”</i></p>
<p><b>Over head crossing</b>  The Authority wishes to state that this type of work is hazardous and could present a risk to the public. Therefore the LHA asked that National Grid undertakes risk assessmentsof each operation</p>	<p>All scaffold crossings proposed across any road will be designed to the relevant standards and will take into consideration climatic conditions and safety requirements in the design. Under the Construction Traffic Management Plan (CTMP) <b>(Document 5.3.3F) [APP-099]</b> the contractor is required to undertake risk assessments for the traffic management measures as set out at paragraph 8.2.2 (our emphasis):</p>



The Highway authority position	National Grid's response
<p>within the highway. Often the large maxtric's either side of the road can be disturbed by the weather hot/cold/windy or indeed hit by vehicles so care will need to be taken by developer.</p>	<p><b><u>“Risk Assessment Method Statement (RAMS) procedures</u></b> – <i>The contractor, through the TCO, will implement the CTMP, adhere to the requirements and meet the goals through management practices. This will include site inductions for contractors, briefing on the obligations of the National Grid standards, induction and <b><u>adherence to RAMS procedures</u></b>, DMS briefing, driver inductions and compliance guidance.”</i></p> <p>Table 6.1 of the CTMP (<b>Document 5.3.3F</b>) [<b>APP-099</b>] details all crossing locations, the crossing method for each location and the relevant highway authority. This shows that for all locations scaffold and netting will be used, save for Stripe Lane where stop/go boards will be used if required. As the CTMP [APP-099] explains at paragraph 6.22:</p> <p><i>“It is proposed that all crossings would be undertaken using scaffolding and protected crossings of the road. This construction method prevents the disturbance of the road during the crossing installation. This removes the need for shuttle working and road closures during the main construction works. At all these locations traffic management by way of a short rolling road block will be needed to install the netting in these scaffolding locations. <b><u>This will be sought by means of traffic regulation order (TRO) under the DCO (as will all other required traffic management where works are directly off, or on the public highway).....”</u></b></i></p> <p>The CTMP (<b>Document 5.3.3F</b>) [<b>APP-099</b>] is secured by Requirement 5 of the Draft Development Consent Order (dDCO) (<b>Document 3.1(C)</b>) [<b>REP3-005</b>].</p> <p>The power to make TROs is included in Article 45 of the dDCO (<b>Document 3.1(C)</b>) [<b>REP3-005</b>], with the detail of the proposed TROs set out in Schedule 14 of the dDCO. As previously explained, the power to make TROs under Article 45 of the dDCO, is subject to the traffic authority's consent. National Grid is also required to consult the traffic authority</p>

The Highway authority position	National Grid's response
	<p>on the proposed TRO, and following that consultation, to provide at least 28 days' advance notification to the traffic authority of National Grid's intention to exercise the power. National Grid must also advertise the intention to exercise the power as specified by the traffic authority.</p> <p>In addition to the above, the CTMP (<b>Document 5.3.3F</b>) [<b>APP-099</b>] makes clear at paragraph 7.2.4 that (our emphasis):</p> <p><i><b><u>"7.2.4. All temporary traffic management implementation plans would need to be agreed with NH, CYC, NCC and LCC (location dependant), and will be applied in accordance with guidance and procedures set out within Section 14 of the Road Traffic Regulation Act 19845 (as necessary)."</u></b></i></p> <p>As set out above, the CTMP (<b>Document 5.3.3F</b>) [<b>APP-099</b>] is secured by Requirement 5 of the dDCO (<b>Document 3.1(C)</b>) [<b>REP3-005</b>].</p>
<p><b>Traffic Management</b>            Planning of works in the highway will need Street works approval and at this stage the Traffic management proposals will be examined by the street works authority.</p>	<p>In summary, certain provisions of the NRSWA 1991 are applied by the Draft Development Consent Order (dDCO) (<b>Document 3.1(C)</b>) [<b>REP3-005</b>]. In particular, National Grid would be required to give advance notice of certain works (section 54), give notice of the starting date of works (section 55), would be bound by the street authority's general duty to co-ordinate works (section 59), and bound by the general duty of undertakers to co-operate (section 60). Although, the street authority would not be able to give directions to the timing of street works (section 56), the timing of street works is secured under paragraph 7.1.2 and 7.2.5 of the Construction Traffic Management Plan (CTMP) (<b>Document 5.3.3F</b>) [<b>APP-099</b>] as set out further below.</p> <p>The street works which are included in Schedule 6 do not require further approval from the street authority, because the details of those works have already been provided to the street authority and would be approved by the Secretary of State in granting the DCO.</p>

The Highway authority position	National Grid's response
	<p>However, street works which are not listed in Schedule 6 do require prior approval from a street authority, for which there is a 28-day determination period, and deemed approval in the event that the street authority fails to notify its decision within this time period. The dDCO (<b>Document 3.1(C)</b>) [REP3-005] states that the street authority's approval cannot be unreasonably withheld or delayed (see Article 11 of the dDCO (<b>Document 3.1(C)</b>) [REP3-005] in respect of street work powers).</p> <p>However, the traffic management mitigation strategies identified in section 7 of the CTMP (<b>Document 5.3.3F</b>) [APP-099] would be informed by discussion with the relevant highway authorities as set out at paragraph 7.1.2 of the CTMP (<b>Document 5.3.3F</b>) [APP-099] which states as follows (our emphasis):</p> <p><i>“7.1.2 National Grid would implement a number of the mitigation measures as set out below, but <b><u>discussion with NH, CYC, NCC and LCC will be undertaken to inform consideration of detailed traffic management</u></b> and to <b><u>allow for implementation of traffic management works that are required to be scheduled around other ongoing works in the highway.</u></b>”</i></p> <p>In addition, paragraph 7.2.4 and 7.2.5 of the CTMP (<b>Document 5.3.3F</b>) [APP-099] state the following (our emphasis):</p> <p><i>“7.2.4. <b><u>All temporary traffic management implementation plans would need to be agreed with NH, CYC, NCC and LCC (location dependant)</u></b>, and will be applied in accordance with guidance and procedures set out within Section 14 of the Road Traffic Regulation Act 19845 (as necessary).</i></p> <p><i>7.2.5 Site specific temporary traffic management arrangements will be produced at the detailed design stage for the bellmouths and temporary traffic management arrangements</i></p>

The Highway authority position	National Grid's response
	<p data-bbox="752 272 1995 347"><i>as required. <u>The detailed plans and temporary traffic management implementation dates will be agreed with the relevant highway authority.</u></i></p> <p data-bbox="752 395 2018 470">As set out above, the CTMP (<b>Document 5.3.3F</b>) [APP-099] is secured by Requirement 5 of the dDCO (<b>Document 3.1(C)</b>) [REP3-005].</p>
<p data-bbox="203 512 723 730"><b>Management of CMTP.</b> North Yorkshire Council as highway authority wishes to be involved and consulted to help the project run smoothly without unnecessary disruption to the highway network.</p>	<p data-bbox="752 512 1995 587">National Grid welcome this comment and seek to work closely with all relevant Highway Authorities to minimise disruption as far as possible.</p>
<p data-bbox="203 735 723 1066">We also require further explanation of the explanatory memorandums justification for the disapplication for the 1991 Act provisions. In particular the updating of the street works register in light of the discussion at the highways workshop and the importance of updating the register with the local highways offices.</p>	<p data-bbox="752 735 2029 1034">Appendix A to the Explanatory Memorandum (Document 3.2(D)) provides justification for the disapplication of each provision within the 1991 Act. This demonstrates that where a provision is being disapplied, 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 disapplied by National Grid. Ten provisions are also stated in the dDCO as specifically being applied to the street works under the Draft Development Consent Order (dDCO) (<b>Document 3.1(C)</b>) [REP3-005].</p> <p data-bbox="752 1070 2029 1393">In respect of the street works register specifically, section 53 of the NRSWA 1991 is dis-applied by the dDCO (<b>Document 3.1(C)</b>) [REP3-005]. This means that the street authority is not required to update the street works register with the street works identified in the dDCO (<b>Document 3.1(C)</b>) [REP3-005] (because the intention to undertake these works and the relevant detail for the works is already contained within Schedule 6 of the dDCO (<b>Document 3.1(C)</b>) [REP3-005]). This is a standard provision contained in DCOs where the detail of street works to be undertaken is listed in a schedule to the DCO. However, there is nothing to prevent the street authority from updating the street works register with the detail of the street works contained in Schedule 6 if the street authority wishes to do</p>

The Highway authority position	National Grid's response
	<p>so. In this respect, the dDCO (<b>Document 3.1(C)) [REP3-005]</b> applies section 54 (advance notice of certain works) and section 55 (notice of starting date of works) of the NRSWA 1991, so National Grid is required to provide the information normally required under these sections to the street authority (save in the case of emergency works).</p> <p>In addition, as set out above, the Construction Traffic Management Plan (CTMP) (<b>Document 5.3.3F) [APP-099]</b> states at paragraph 7.2.5 (our emphasis):</p> <p><i>“7.2.5 Site specific temporary traffic management arrangements will be produced at the detailed design stage for the bellmouths and temporary traffic management arrangements as required. <b><u>The detailed plans and temporary traffic management implementation dates will be agreed with the relevant highway authority.</u></b>”</i></p> <p>As set out above, the CTMP (<b>Document 5.3.3F) [APP-099]</b> is secured by Requirement 5 of the dDCO (<b>Document 3.1(C)) [REP3-005]</b>.</p>

National Grid plc  
National Grid House,  
Warwick Technology Park,  
Gallows Hill, Warwick.  
CV34 6DA United Kingdom

Registered in England and Wales  
No. 4031152