

**A57 Link Roads**

**TR010034**

**9.24 Statement of Common Ground with  
National Grid**

Rule 8(1)(e)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

April 2022

# Infrastructure Planning

## Planning Act 2008

### The Infrastructure Planning (Examination Procedure) Rules 2010

## A57 Link Roads Development Consent Order 202[x ]

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### 9.24 STATEMENT OF COMMON GROUND WITH NATIONAL GRID

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<b>Rule Number:</b>	Rule 8(1)(e)
<b>Planning Inspectorate Scheme Reference</b>	TR010034
<b>Application Document Reference</b>	TR010034/EXAM/9.24
<b>Author:</b>	A57 Link Roads Project Team, National Highways and Atkins

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev 1.0	January 2022	Deadline 2
Rev 2.0	April 2022	Deadline 9

## STATEMENT OF COMMON GROUND

**This Statement of Common Ground has been prepared and agreed by (1) National Highways Limited and (2) National Grid**

**Signed** 

*Andrew Dawson*

*Project Manager*

**On behalf of National Highways**

**Date: 26<sup>th</sup> April 2022**

**Signed** 

*Spencer Jefferies*

*Town Planner*

**On behalf of National Grid**

**Electricity Transmission plc**

**Date: 26/04/2022**

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# 1. Introduction

## 1.1. Purpose of this document

- 1.1.1. This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A57 Link Roads scheme (previously known as Trans-Pennine Upgrade) ("the Scheme") and the application ("the Application") made by National Highways Limited ("National Highways") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order (DCO) under section 37 of the Planning Act 2008 ("the Act").
- 1.1.2. This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Planning Inspectorate website.
- 1.1.3. This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to the SoCG, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

## 1.2. Parties to this Statement of Common Ground

- 1.2.1. This SoCG has been prepared by (1) National Highways as the Applicant and (2) National Grid (National Grid).
- 1.2.2. National Highways (formerly Highways England) became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing the then Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England (now National Highways) .
- 1.2.3. National Grid is an energy company operating in the UK and is responsible for the country's electricity and gas transmission networks.

## 1.3. Terminology

- 1.3.1. In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.
- 1.3.2. It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to National Grid.

## 1.4. Addressing Rule Six requirements

1.4.1. The document evidences the meeting of conditions set out within Annex E of the Rule Six letter from the Examining Authority, dated 19 October 2021. National Grid is a Category E interested party. The SoCG will address the following requirements within Annex E through the associated sections outlined in tables 1.1 below.

**Table 1.1: Section Six Letter Annex E Requirement for category E interested parties - statutory undertakers.**

Annex E Requirement	Statutory Undertaker Issues
Impacts on rights/apparatus and on the transmission/distribution systems that could be interfered with and their mitigation	1. Impacts on rights/apparatus and on the transmission/distribution systems that could be interfered with and their mitigation
The acquisition of any statutory undertakers' land or rights over such land and the detriment that may be caused to the carrying on of the undertaking in question. The adequacy and agreement of protective provisions in the draft Development Consent Order; any necessary side agreements; and compliance with s127 and s138 of the Planning Act 2008	2. The acquisition of any statutory undertakers' land or rights over such land and the detriment that may be caused to the carrying on of the undertaking in question. The adequacy and agreement of protective provisions in the draft Development Consent Order; any necessary side agreements; and compliance with s127 and s138 of the Planning Act 2008
The protection of the Mottram Longdendale Aqueduct.	3. The protection of the Mottram Longdendale Aqueduct.
The adequacy of the Protective Provisions set out in the draft Development Consent Order to safeguard relevant interests	4. The adequacy of the Protective Provisions set out in the draft Development Consent Order to safeguard relevant interests
The Outline Environmental Management Plan	5. The Outline Environmental Management Plan
Any other relevant matters included in the ExA's Initial Assessment of Principal Issues	6. Any other relevant matters included in the ExA's Initial Assessment of Principal Issues
Any other matters on which agreement might aid the smooth running of the Examination and assist the ExA's recommendation to the Secretary of State	7. Any other matters on which agreement might aid the smooth running of the Examination and assist the ExA's recommendation to the Secretary of State

## 2. Record of Engagement

2.1.1. A summary of the meetings and correspondence that has taken place between National Highways and National Grid between 2016 and January 2022 in relation to the Application, is outlined in Table 2-1.

**Table 2.1: Record of Engagement between National Highways and National Grid**

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
26/01/2018	HE email	National Grid was consulted (S42) to provide knowledge on existing land and asset infrastructure, potential issues and requirements for diversions of utilities, protective provisions, and health and safety provisions when working near assets.  In response, National Grid did not express support for or opposition to the scheme but provided advice regarding the interface between its infrastructure and the scheme.
17/12/2020	NG email	National Grid confirmed that the proposed order would affect their assets and requested a representative get in touch with them to discuss further consultations in the future, as well as interactions with National Grid's assets.
10/03/2021	Protective Provisions Follow up email sent	Protective Provisions outreach email sent
22/03/2021	Protective Provisions Follow up email sent	Protective Provisions Follow up email sent
23/03/21	Atkins Email	Draft copy of Protective Provisions issued for review and comment.
23/03/21	NG Email	Spencer sent holding response saying he would confirm legal instructions in due course
09/04/2021	NG Email	National Grid sent standard set of protective provisions. JCB forwarded to PB and VF.
20/05/2021	NG Email	NG advised that they required 8.5m from the tower leg for future maintenance. NG have requested that NH cover costs for any lane closures required. This is to be address in a side agreement to the PPs.
24/11/21	BB email	Meeting requested with Spencer Jeffries at NGET to discuss the content of the protective provisions and appointed solicitor.

Note: Meeting invites are not included in the table above

- 2.1.2. It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) National Grid in relation to the issues addressed in this SoCG.



### 3. Table of issues and matters related to Rule Six Letter Annex E to be agreed

**Table 3.1: Statement of Common Ground (SoCG) Between National Highways and National Grid Table of Issues/Matters - Final Version dated 5 November 2021**

SoCG Ref. Number	Relevant examination document	Relevant Issue	National Grid comment	National Highways response	Status
<b>1. Impacts on rights/apparatus and on the transmission/distribution systems that could be interfered with and their mitigation</b>					
1.1	Scheme Layout Plans  [APP-011]	Proximity to overhead transmission line  Easement / wayleave	National Grid advised that a high-voltage electricity overhead transmission line protected by a Deed of Easement / Wayleave agreement is close to the scheme, and full rights of access and electrical safety clearances must be maintained at all times. Positive discussions are still ongoing regarding the proximity of the pylon to the road, which will be agreed as part of the Protective Provisions  There are ongoing discussions with National Grid to establish a Deed of Easement / Wayleave agreement on access and maintenance to overhead lines and pylon ZZC014.	NH acknowledge presence of tower and OHL and acknowledge maintaining access through design.  Currently finalising a side agreement for maintenance access to the tower.	Agreed
1.2	Scheme Layout Plans  [APP-011]	Support structures  Drilling / excavation works	Drilling and excavation works are not to be undertaken if they have the potential to disturb the foundations or support structures of any towers.	Acknowledges and National Grid will be consulted before works can be undertaken in proximity to the tower. To be requested through Linesearch / Plant Protection.	Agreed
1.3	Scheme Layout Plans	Proximity to high voltage	No structure can be built over any high voltage underground cables.	Confirmed that scheme is not in proximity to any National Grid underground cables.	Agreed

SoCG Ref. Number	Relevant examination document	Relevant Issue	National Grid comment	National Highways response	Status
	[APP-011]	underground cables New structures			
<b>2. The acquisition of any statutory undertakers' land or rights over such land and the detriment that may be caused to the carrying on of the undertaking in question. The adequacy and agreement of protective provisions in the draft Development Consent Order; any necessary side agreements; and compliance with s127 and s138 of the Planning Act 2008</b>					
2.1			<p>Access routes, maintenance access and proposed environmental fencing detail to be finalised and agreed with NGET in line with agreements made in the protective provisions and side agreement. Meeting to be planned with NGET to finalise. Access to the pylon has been considered and allowed for in the scheme design.</p> <p>Email sent on the 23<sup>rd</sup> of December 2021 stated NGETs requirements. This is to be reviewed and discussed with the NH team. Removable road furniture around asset to also be discussed.</p>	Acknowledged. Balfour Beatty Atkins to finalise design and project team to review with National Grid.	Agreed
2.4	4.3 Book of Reference [REP5-009]	Acquisition of existing land in the ownership of statutory undertaker (s127)	National Grid confirms that there is no land identified in the Book of Reference as being land currently within the ownership of ENW which is to be subject of acquisition for this Scheme.	Noted	Agreed
2.5	4.3 Book of Reference [REP5-009]	Extinguishment of rights, and removal of apparatus, of	National Grid confirms that the acquisition of land identified in the Book of Reference as being land over which National Grid has a relevant right, or there is on, under or over the land relevant apparatus is necessary	Noted	Agreed

SoCG Ref. Number	Relevant examination document	Relevant Issue	National Grid comment	National Highways response	Status
		statutory undertakers (s138)	for the purpose of carrying out the development to which the order relates and that, where required, suitable arrangements are in place for the replacement of land rights.		
<b>3. The protection of the Mottram Longdendale Aqueduct</b>					
3.1			Not applicable to NGET	N/A	N/A
<b>4. The adequacy of the Protective Provisions set out in the draft Development Consent Order to safeguard relevant interests</b>					
4.1	Environmental Statement (ES)		<p>Any potential impact on National Grid assets should be considered in any reports including ES and where acquisition of land or rights that would interfere with National Grid apparatus 'protective provisions' acceptable to National Grid would be included in the DCO.</p> <p>Potential impacts on services are not within the scope of the ES. However, known existing services are referenced within the Statement of Reasons (document reference TR010034/APP/4.1).</p>	NH will review the requirements for access and ensure an agreement is achieved and included within a side agreement to the Protective Provisions.	Agreed
4.2	Environmental Statement (ES)  Chapter 9 [APP-065]	Landscaping in proximity of pylon and OHL	Landscaping should only use slow and low growing species beneath and adjacent to the overhead lines, to avoid compromising safety clearances. Guidance document "tree & vegetation approach" was provided on the 23 <sup>rd</sup> of December 2021.	Noted and incorporated within scheme design.	Agreed

SoCG Ref. Number	Relevant examination document	Relevant Issue	National Grid comment	National Highways response	Status
			Species proposed to be incorporated within the landscape design are discussed in ES Chapter 9: Landscape and Visual (document reference TR010034/APP/6.9) and within the environmental Masterplan (document reference TR010034/APP/6.19). National Grid have issued a copy of their planting guidance.		
<b>5. The Outline Environmental Management Plan</b>					
5.1	7.2 Outline Environmental Management Plan [APP-183]		NGET will not be undertaking any work which requires their compliance with EMP or other DCO commitments.	Noted	Agreed
<b>6. Any other relevant matters included in the ExA's Initial Assessment of Principal Issues</b>					
6.1			N/A	N/A	
<b>7. Any other matters on which agreement might aid the smooth running of the Examination and assist the ExA's recommendation to the Secretary of State</b>					
7.1			N/A	N/A	

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