

Report Reference Number: E/21/53

To: Executive
Date: 7 April 2022
Status: Non-Key Decision
Ward(s) Affected: Appleton Roebuck and Church Fenton; Tadcaster; Sherburn in Elmet; South Milford; Monk Fryston; Byram and Brotherton
Author: Jenny Tyreman, Assistant Principal Planning Officer
Lead Executive Member: Councillor Richard Musgrave, Executive Member for Place Shaping
Lead Officer: Dave Caulfield, Director of Economic Regeneration and Place

Title: **Yorkshire Green Energy Enablement project, known as Yorkshire GREEN – Nationally Significant Infrastructure Project**

Summary:

This report sets out the legislative background to Nationally Significant Infrastructure Projects (NSIPs) and how these are dealt with. The Executive have considered similar NSIP reports in respect of Eggborough Power Station in March 2017, Drax Power Station in March 2018 and May 2021 and Ferrybridge Power Station in April 2019. Essentially applicants for infrastructure projects need to make an application to the Planning Inspectorate (PINS) for a Development Consent Order (DCO). The final decision is made by the Secretary of State on the recommendation of PINS, but Local Planning Authorities are statutory consultees in the process.

National Grid Electricity Transmission is proposing to submit an application for a DCO to upgrade and reinforce the electricity transmission system in Yorkshire, spanning five local authority areas including Selby District, and this scheme is Nationally Significant Infrastructure Project (NSIP) to be determined by PINS. Two rounds of public consultation have taken place in 2021 – non-statutory consultation took place in Q1 2021; statutory consultation took place in Q4 2021. It is anticipated that National Grid Electricity Transmission will submit their DCO application to PINS during Q4 2022/Q1 2023.

Once the DCO application has been submitted to PINS, they will have 28 days to decide whether or not the application meets the standards required to be accepted for examination. Following acceptance, an Examining Authority will be appointed, and all Interested Parties will be invited to attend a Preliminary Meeting, run and

chaired by the Examining Authority. PINS then have up to six months to carry out the examination of the proposals through a series of structured and topic-based hearings which officers may need to attend. After the examination a decision will be made by the Secretary of State, within 6 months of the close of the examination. Following this the Council will have the responsibility to discharge any planning conditions and enforce the terms of the DCO.

This report outlines the project. Selby District Council (SDC) is a statutory consultee and authorisation is sought for the Director of Economic Regeneration and Place in consultation with the Executive Member for Place Shaping, having considered the Ward Councillors representations, to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.

Recommendations:

- i. That the contents of this report are noted.**
- ii The agreement of the Executive is sought to authorise the Director of Economic Regeneration and Place in consultation with the Executive Member for Place Shaping, having considered the Ward Councillors representations, to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.**

Reasons for recommendation:

Timescales for commenting on the DCO application once it is submitted are embedded in statute and it is important that appropriate delegation arrangements are in place so that the Council is able to meet the deadlines which are set by PINS.

1. Introduction and Background

- 1.1 On 1 April 2012, under the Localism Act of 2011, PINS became the agency responsible for operating the planning process for NSIPs.
- 1.2 NSIPs are large scale developments such as new harbours, power generating stations (including wind farms), and electricity transmission lines which require a type of consent known as a DCO under procedures governed by the Planning Act 2008 (and amended by the Localism Act 2011). This is not a 'planning application' under the Town and Country Planning Act 1990 and the status of the development plan is different in that the principal guidance for their determination is contained within the suite of Energy National Policy Statements (NSPs). The 2008 Act sets out thresholds above which certain types of infrastructure development are considered to be 'nationally significant' and require the granting of a consent order. NSIPs were introduced as a fast-track method and alternative way of dealing with

nationally important infrastructure after the much publicised delays in the consenting of Heathrow's last major expansion proposal for a fifth terminal.

- 1.3 In England, PINS examines applications for DCOs from the energy, transport, waste, waste water and water sectors. For such projects, PINS undertakes an examination of the application and makes a recommendation to the relevant Secretary of State, who makes the final decision on whether to grant or to refuse the DCO. Energy NSPs introduce a presumption in favour of granting DCOs.

2. The Project

- 2.1 National Grid Electricity Transmission is proposing to upgrade and reinforce the electricity transmission system in Yorkshire, spanning five local authority areas including Selby District. This reinforcement is needed to improve the transfer of clean energy across the country.

- 2.2 Power flows are set to double within the next ten years as new low carbon energy generation from onshore wind energy projects in Scotland, offshore wind projects in the North Sea and subsea cables to other countries connect to the network. Yorkshire GREEN will allow this energy to flow securely and efficiently on the network, balancing and maintaining supply and demand. It will link two existing overhead transmission lines, allowing additional energy to flow north to south. This will increase network capacity and flexibility.

- 2.3 Yorkshire GREEN will involve both construction of new infrastructure and works to existing transmission infrastructure and facilities. An overall location plan of the Yorkshire GREEN Project (taken from National Grid Electricity Transmission's Statutory Consultation Documents) is included within Appendix 1.

2.4 Proposed new infrastructure will include:

- A new 400kV overhead line will connect into the existing overhead line with two sealing end compounds and a short section of underground cable in the north-west of York.
- This line runs south, connecting into a new substation, called Overton substation, located approximately 1km south of Shipton-by-Beningbrough.
- Two new 275kV overhead lines will be routed south out of Overton substation and connect into the existing 275kV overhead line.
- Two new cable sealing end compounds and short sections of underground cables located south-west of Tadcaster.
- A new substation located adjacent to and connecting into the existing substation at Monk Fryston, south-west of Monk Fryston.

2.5 Works to existing infrastructure will include:

- A section of overhead line between the two new 275kV overhead lines will be permanently removed.
- Replacement of some pylons and realignment of the existing overhead line will take place in two locations – to the south and south-east of Moor Monkton and where the existing overhead lines enter Monk Fyston substation.
- Replacement of overhead line conductors (wires), replacement of pylon fittings, strengthening of steelwork and works to pylon foundations.
- Minor works at the existing Osbaldwick substation.

2.6 Figure 1 is taken from National Grid Electricity Transmission's Statutory Consultation Documents and shows the indicative location of new infrastructure in the Tadcaster area.

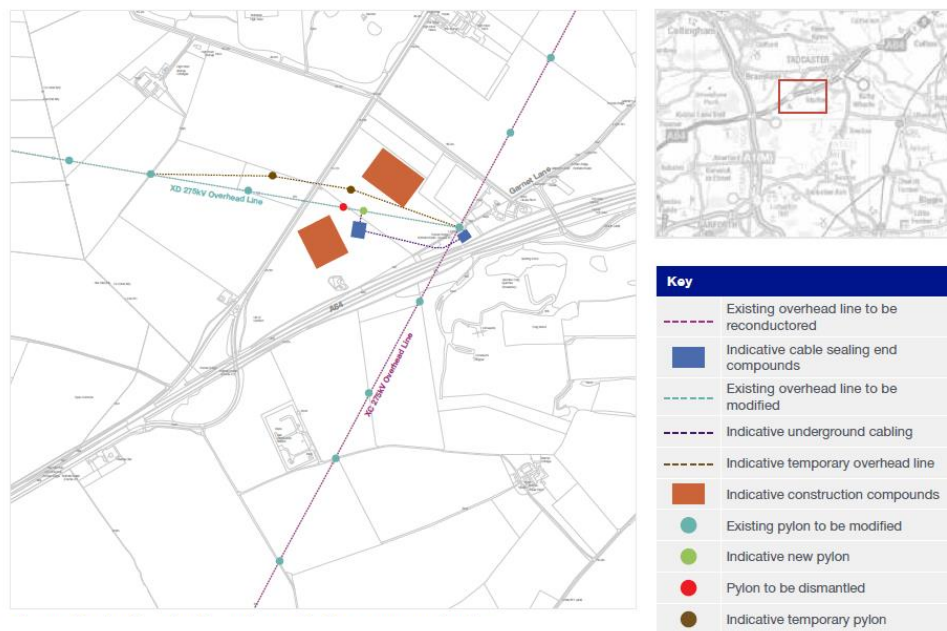


Figure 1: Indicative location of new infrastructure in the Tadcaster area

2.7 Two new cable sealing end compounds would be built to manage power flows on the existing XC/XCP overhead line, which currently connects to the existing 275kV Tadcaster Tee to Knaresborough (XD/PHG) overhead line in this area. The two cable sealing end compounds (named Tadcaster Tee East and Tadcaster Tee West), each with a footprint of approximately 2,000m² (0.2 hectares), would be connected by a short section (approximately 350m) of underground cable. Gantries would need to be installed in each location, which would be approximately 15m high. There would be a need to remove an existing pylon, which would be replaced with a new pylon approximately 40m to the south-east to allow a connection to the new Tadcaster Tee West cable sealing end compound.

2.8 To help manage the power flows from the new infrastructure, works to the existing 275kV Tadcaster Tee to Knaresborough (XD/PHG) overhead line route would need to be undertaken. This would involve:

- potential works, such as re-tensioning of the conductor on the overhead line; and
- potential improvement works to pylons along the 275kV Poppleton to Monk Fyston (XC) overhead line, such as steelwork and foundation strengthening works, replacement of overhead wires, new fittings and new steelwork.

2.9 Figure 2 is taken from National Grid Electricity Transmission's Statutory Consultation Documents and shows the indicative location of new infrastructure in the Monk Fyston area.

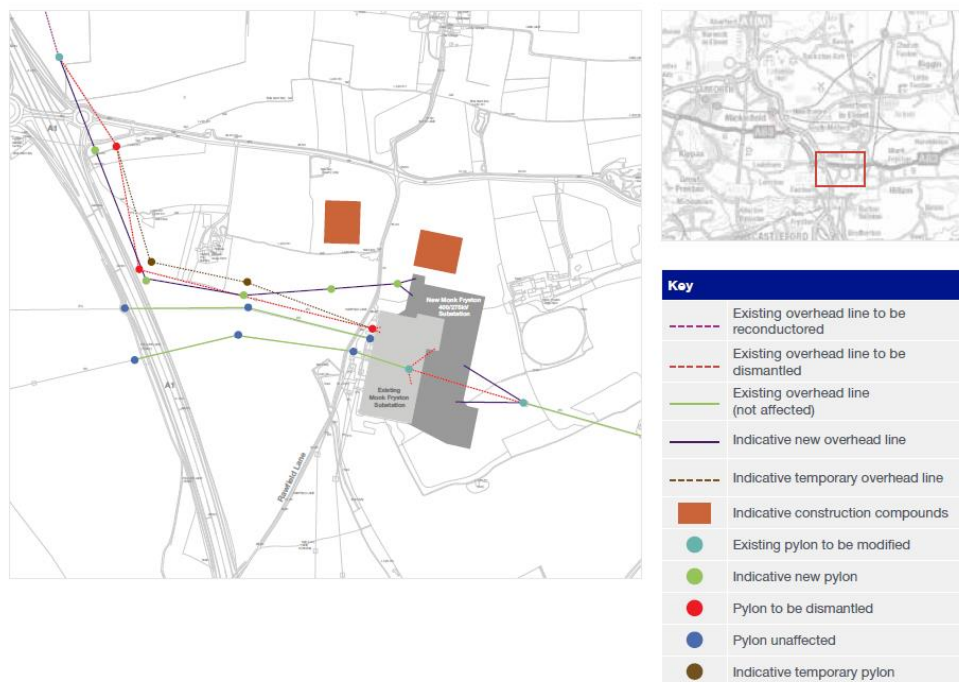


Figure 2: Indicative location of new infrastructure in the Monk Fyston area

2.10 To increase and strengthen network capacity to accommodate the increasing energy flows a new 400/275kV substation would be built. This new substation would be located adjacent to (and connecting into) the existing Monk Fyston substation, which otherwise would be unable to accommodate the additional energy flowing from the uprated overhead lines. The substation would: have a footprint of approximately 80,000m² (8 hectares); have a maximum height of 15m at its highest point (including the gantries), although the heights of the substation and equipment are yet to be finalised; contain four Super Grid Transformers (SGT) to help convert the voltage of the overhead lines (275kV) to connect into the substation (400kV); and include approximately 600m of

underground cables to connect the overhead line circuits to the new substation.

2.11 To help manage the power flows into the new substation at Monk Fryston, the following changes to existing infrastructure in this area are proposed:

- reconfiguring the existing 275kV Poppleton to Monk Fryston (XC) overhead line to connect into the new substation, including the installation of new spans of overhead line where needed;
- removing and installing new pylons, resulting in one additional pylon in this area, along with two new gantries to allow the overhead line to connect to the new substation; and
- reconfiguring a short section of the existing 400kV Eggborough to Monk Fryston overhead line to connect into the new substation, along with dismantling approximately 350m of existing overhead line.

Construction Programme

2.12 Construction is expected to start in Q3 2024 and be completed by Q3 2028.

3. The Process

3.1 The Planning Act 2008 process was introduced to streamline the decision-making process for major infrastructure projects, making it fairer and faster for communities and applicants alike. The six stages in the process are: pre-application; acceptance; pre-examination; examination; recommendation and decision; and post decision.

3.2 The Yorkshire GREEN Project is presently at the pre-application stage with PINS. The applicants have a statutory duty to carry out consultation on their proposals before submitting an application. Two rounds of public consultation have taken place in 2021 – non-statutory consultation took place in Q1 2021; statutory consultation took place in Q4 2021.

3.3 The applicants submitted a Scoping Report to PINS on 19 March 2021. SDC and NYCC provided comments to PINS on the Scoping Report on 15 April 2021. PINS, on behalf of the Secretary of State, issued a Scoping Opinion on 28 April 2021. This sets out the required extent and content of the Environmental Statement to be submitted with the application for a DCO. Those areas that may be examined in detail come under the headings:

- Landscape and Visual Amenity
- Historic Environment
- Biodiversity
- Arboriculture
- Hydrology
- Geology and Hydrogeology

- Agriculture and Soils
- Traffic and Transport
- Air Quality
- Noise and Vibration
- Health and Wellbeing
- Socioeconomics
- Climate Change

- 3.4 National Grid Electricity Transmission have notified PINS under Regulation 8(1)(b) of the EIA Regulations that they propose to provide an Environmental Statement (ES) in respect of the proposed development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the proposed development is EIA development.
- 3.5 It is anticipated that National Grid Electricity Transmission will submit their DCO application to PINS during Q4 2022/Q1 2023.
- 3.6 Once the DCO application has been submitted to PINS, they will have 28 days to decide whether or not the application meets the standards required to be accepted for examination. Following acceptance, an Examining Authority will be appointed, and all Interested Parties will be invited to attend a Preliminary Meeting, run and chaired by the Examining Authority. PINS then have up to six months to carry out the examination of the proposals through a series of structured and topic-based hearings which officers may need to attend. After the examination a decision will be made by the Secretary of State, within 6 months of the close of the examination. Following this the Council will have the responsibility to discharge any planning conditions and enforce the terms of the DCO.
- 3.7 The Council is working in association with the County Council as part of Better Together to, where possible make co-ordinated responses. This approach is favourable to the applicant and probably to the Examining Authority. It is how the two councils have worked together on other NSIPs. Together the two Authorities have the necessary technical specialists to respond to the application fully.
- 3.8 To date council staff have attended the briefings together and have already submitted the local authorities' response to the applicants Scoping Report and Statutory Consultation.
- 3.9 NYCC and SDC have set up monthly meetings to manage the application, which will be attended by key planning officers and technical officers. Senior management will be invited if required.
- 3.10 Submission of the Local Impact Report, Statement of Common Ground, input into the Draft DCO and any written representations will be required in accordance with deadlines set by PINS, and once the examination commences, these deadlines are likely to be tight. Therefore, agreement of the Executive is sought to authorise the Director of Economic Regeneration and Place in consultation with the Executive Member for Place Shaping,

having considered the Ward Councillors representations, to agree the Local Impact Report, Statement(s) of Common Ground, the content of the Draft DCO and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.

4. Implications

4.1 Legal Implications

4.1.1 The District Council is an interested party and support for the scheme is subject to agreeing the requirements in the DCO.

4.1.2 The District Council will have further involvement following submission of the application and during the examination period, including attendance at issue specific, and DCO public hearings. It is also possible that appropriate planning obligations, in conjunction with the County Council may be required to address any impacts and if considered necessary in planning terms. Both of these may require some input from the Council's legal team.

4.2 Financial Implications

4.2.1 The District Council, jointly with the County Council, intend to enter into a Planning Performance Agreement (PPA) with National Grid Electricity Transmission. The PPA will establish a project framework and will give greater clarity to all parties as to their roles and responsibilities. The PPA will also establish a fund set aside against which both this Council and the County Council can claim for work carried out by its service areas which is in excess of their normal working practices.

5. Conclusion

5.1 Members are asked to note the contents of this report.

5.2 Members are also asked to authorise the Director of Economic Regeneration and Place in consultation with the Executive Member for Place Shaping, having considered the Ward Councillors representations, to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.

6. Background Documents

The National Infrastructure Planning website of the Planning Inspectorate is at the link:

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/yorkshire-green/>

7. Appendices

Appendix 1 – Overall Location Plan for Yorkshire GREEN Project

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