PLANNING / CONSENTS

THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (SCOTLAND TO ENGLAND GREEN LINK 2) COMPULSORY PURCHASE ORDER 2023

STATEMENT OF EVIDENCE

David Ritchie
National Grid Electricity Transmission plc

1. QUALIFICATIONS AND EXPERIENCE

1.1 My name is David Ritchie and I am a Technical Director with AECOM Limited. I have acted as a Consents Specialist on behalf of National Grid Electricity Transmission Plc (NGET) through the optioneering and planning of SEGL2 since 2019. I hold a BA (Hons) degree in Environmental Management and Technology from Heriot Watt University.

1.2 I have 19 years' experience in environmental planning working within consultancy with a particular focus on the development of electricity transmission infrastructure including interconnectors. This has included directing and managing overhead line, underground and subsea cable routeing studies, substation and converter station siting studies, Environmental Impact Assessments (EIAs) as well as the preparation of consent applications under various consenting regimes in England, Scotland and Wales.

1.3 In my role with AECOM I am responsible for overseeing and providing environmental and consenting advice in relation to various electricity transmission infrastructure projects and interconnectors throughout the UK ranging from overhead line connections for new generators to major overhead line reinforcements, underground cable routes as well as new or extended substations and converter stations. This involves providing environmental and consenting advice on projects through all stages of development (feasibility, strategic and detailed optioneering, EIA and planning) as well as delivery (pre-construction, construction and operation).

1.4 Of particular relevance to my involvement in SEGL2, I have provided environmental planning advice with regard to a number of High Voltage Direct Current (HVDC) links and interconnectors between the United Kingdom (UK) and Europe. This includes:

1.4.1 Leading environmental and planning inputs through the optioneering, planning, EIA and construction of Western Link, a 420km HVDC Link between Hunterston in North Ayrshire, Scotland and Connah's Quay in Flintshire, Wales. The project has been operational since 2019.

1.4.2 Leading environmental and planning inputs through the optioneering, planning and EIA of the UK onshore components of Viking Link comprising approximately 70km of underground HVDC cable and converter station, as part of 760km interconnector between the UK and Denmark. The project went into operation at the end of 2023.

1.4.3 Leading environmental and planning inputs for all components through the planning and EIA of NeuConnect, a 725km interconnector between Isle of Grain in Medway in the UK and Wilhelmshaven in Lower Saxony Germany. The project is currently under construction.

1.5 I have been embedded within the NGET project team since mid-2019 originally leading the strategic optioneering stage for SEGL1 and 2. Following completion of this stage of the projects and their subsequent separation, I have taken the lead role in the planning and EIA of the English onshore components of SEGL2 through the routeing and siting and EIA and consenting stages as well as supporting procurement activities.

2. INTRODUCTION AND SCOPE OF EVIDENCE

2.1 The structure of my statement of evidence is set out in paragraph 2.3 below.

2.2 My statement will explain the consenting position of the Project, including detail of the Town and Country Planning Act (**TCPA**) consent and the proposed approach in respect of obtaining additional consents as the development transitions to delivery. It will also provide evidence on the alternative routes and sites considered and the Local Planning Authorities' confirmation of both compliance with their extant development plans and recognition of project need in granting planning permission. My statement of evidence explains that planning and other consenting matters do not present any impediment to delivery of the Project in accordance with paragraph 15 of the Department for Levelling Up, Housing and Communities and Local Government's Guidance on Compulsory Purchase and the Crichel Down Rules[1] (July 2019) ("**CPO Guidance**") (**CD B.6**).

2.3 My statement of evidence is structured as follows:

2.3.1 Section 3 provides a description of the Project and need for the development.

2.3.2 Section 4 provides an overview of the planning policy support for the Project.

2.3.3 Section 5 provides a summary of the overarching consents strategy.

2.3.4 Section 6 provides a review of the planning position.

2.3.5 Section 67 provides a summary of the alternatives considered.

2.3.6 Section 8 details the consultation undertaken.

2.3.7 Section **Error! Reference source not found.** provides detail of the planning permissions and the mitigation measures proposed.

2.3.8 Section 11 sets out the conclusion.

3. DESCRIPTION OF THE SCOTLAND TO ENGLAND GREEN LINK 2 PROJECT

The Development

3.1 NGET owns and maintains the high voltage electricity transmission network in England and Wales. In England and Wales, the high voltage electricity transmission system operates at 275,000 volts (275kV) and 400,000 volts (400kV), comprises some 7,000 route kilometres of overhead lines, over 600km of underground cable and over 320 substations. At the substations, generation is connected to the system and the primary transmission voltage of 400kV or 275kV is transformed to lower voltages. The lower voltage electricity is taken by regional electricity companies who supply it to industrial, commercial and domestic users across the UK.

3.2 NGET is promoting and developing proposals for a subsea High Voltage Direct Current Link (**HVDC**) between Peterhead in Aberdeenshire and Drax in North Yorkshire (**Project**). The Project has been proposed in partnership with Scottish and Southern Electricity Networks (**SSEN**) which is the transmission owner for northern Scotland and responsible for the onshore and offshore aspects of the project in Scotland.

[1] DEPARTMENT FOR LEVELLING UP, HOUSING & COMMUNITIES (2019) Guidance on Compulsory purchase process and The Crichel Down Rules, [Online] Available from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1071500/CPO_guidance_-_with_2019_update.pdf

3.3 The primary objective of the Project is to reinforce the electricity network and increase transmission network capability between Scotland and northern England by 2029 in order to enable the efficient and economic transmission of electricity. The benefits of the Project are that it provides this reinforcement and provides resilience to the electricity network, addressing the current boundary constraints and transmitting renewable energy produced in Scotland further south to areas of demand in England.

3.4 The Project comprises the following components:

3.4.1 **Scottish Onshore Scheme:** A converter station located to the south of Peterhead, Aberdeenshire. There will be approximately 1 km of buried HVDC cable between the converter station and a landfall at Sandford Bay at Peterhead. The converter station will be connected to an adjacent substation by approximately 1 km of High Voltage Alternating Current (**HVAC**) cable. The substation connects the Project to the existing transmission system;

3.4.2 **Marine Scheme:** Approximately 436 km of subsea HVDC cable from Sandford Bay at Peterhead to the East Riding of Yorkshire cost at Barmston Sands, near Fraisthorpe of which 150 km is located in Scottish waters before entering English waters for the remainder of the Project. The Marine Scheme is being developed jointly by NGET and SSEN who have submitted marine licence applications to the Marine Scotland Licensing Operations Team (**MS-LOT**) and the Marine Management Organisation (**MMO**); and

3.4.3 **English Onshore Scheme:** Approximately 69 km of underground HVDC cable from the landfall at Fraisthorpe through East Riding of Yorkshire, across the River Ouse into Selby District (now North Yorkshire) to a converter station at Drax, adjacent to the Drax Power Station. The converter station will be connected to the existing substation at Drax, the Drax Power Station. The existing substation at Drax Power Station will be connected to the converter station by approximately 500m of High Voltage Alternating Current (**HVAC**) cable. The substation connects the Project to the existing transmission system.

3.5 NGET has made The National Grid Electricity Transmission plc (Scotland to England Green Link 2) Compulsory Purchase Order 2023 (the **Order**) under the provisions of the 1989 Act. The Order has been made in order to acquire the compulsory acquisition of land and rights necessary to deliver the English Onshore Scheme components of the Project. In summary, the Order will authorise the acquisition of the:

3.5.1 land required to construct and operate the new converter station;

3.5.2 rights required to install, construct, use, inspect, maintain, repair, protect, alter, renew, remove and decommission the underground electricity cables and associated infrastructure;

3.5.3 rights required in relation to access, drainage and landscaping; and

3.5.4 rights required in relation to construction compounds.

Need for the Development

3.6 The need for the Development is set out in section 8 of the Statement of Case (**CD D.6)** and in the Proof of Evidence provided by Richard Gott. In summary, the primary objective of the

Project is to reinforce the electricity network and increase transmission network capability between Scotland and northern England by 2029 in order to enable the efficient and economic transmission of electricity consistent with NGET's statutory duties under the Electricity Act 1989. Section 4 of my evidence sets out the policy support for the Project in planning terms.

4. PLANNING POLICY SUPPORT FOR THE PROJECT

4.1 National Policy Statements (NPS) are designated under the Planning Act 2008. They set out the Government's policy for the delivery of major infrastructure and provide the legal framework for planning decisions. Although applying strictly to those projects falling within the definition of Nationally Significant Infrastructure Projects, the NPSs may also be a material consideration for projects progressed under the Town and Country Planning Act 1990 (as amended), such as the English Onshore Scheme.

4.2 For the English Onshore Scheme, the NPS for Energy (NPS EN-1) **(CD B.2**) and the NPS for Electricity Networks Infrastructure (NPS EN-5) (**CD B.3)** both published 2011, were considered to be material considerations. Draft versions of NPS EN-1 and EN-5 which were published in March 2023 were also considered to be material considerations. Since the planning applications were determined revised versions of NPS EN-1 (**CD B.4**) and EN-5 (**CD B.5)** were published in November 2023 and designated in January 2024. Both the 2011 NPS and 2024 NPS are described below, highlighting firstly the material weight given to the 2011 NPS in determining the applications and secondly how that is further strengthened and reinforce in 2024 NPS.

NPS for Energy (EN-1) 2011

4.3 The overarching NPS for Energy (NPS EN-1) (**CD B.2**) sets out the Government's policy for delivery of major energy infrastructure.

4.4 NPS EN-1 recognises the importance and need for the development of new and reinforced electricity transmission infrastructure to support the growing demand from, and development of new renewable and low carbon generating facilities. NPS-EN-1, taken together with NPS EN-5 (NPS for Electricity Networks Infrastructure), is a material consideration in decision making on relevant applications that fall under the Town and Country Planning Act 1990 (as amended).

4.5 Part 2 of NPS EN-1 sets out government policy on energy and energy infrastructure development and confirms the following:

- the Government's commitment to meet its (then) legally binding target to cut Greenhouse Gas (GHG) emissions by at least 80% by 2050 compared to 1990 levels; the need to affect a transition to a low carbon economy so as to reduce GHG emissions; and
- the importance of maintaining secure and reliable energy supplies as older fossil fuel generating plant close as a result of the European Union Emissions Trading System ('EU ETS') and the UK moves toward a low carbon economy.

4.6 Specifically, Paragraph 2.1.2 recognises that "*energy is vital to economic prosperity and social well-being and so it is important to ensure that the UK has secure and affordable energy. Producing the energy the UK requires and transporting it to where it is needed necessitates a significant amount of infrastructure, both large and small scale*."

4.7 Paragraph 2.20 of NPS EN-1 notes that it is critical that the UK continues to have secure and reliable supplies of electricity as the country transitions to a low carbon economy and further notes that to manage the risks to achieving security of supply sufficient electricity capacity is required to meet demand at all times, and that electricity demand must be simultaneously and continuously met by its supply.

4.8 Section 3.3 of NPS EN-1 sets out why the Government believes that there is an urgent need for new electricity infrastructure, including:

- Meeting energy security and carbon reduction objectives – all types of energy infrastructure covered by the NPS are needed to achieve energy security in the UK at the same time as reducing GHG emissions;
- The need to replace closing electricity generating capacity – at least 22 gigawatts (GW) of existing electricity generating capacity will need to be replaced in the coming years (from 2011), as a result of ageing power stations and tightening environmental regulation. Additionally, 10 GW of nuclear generating capacity is expected to close over the next 20 years (from 2011)[2];
- The need for more electricity network capacity to support the increased supply from renewable sources – decarbonisation of electricity generation is reliant on a considerable increase in the amount of renewable energy; however, many renewable sources (such as wind, solar and tidal) are intermittent and cannot be adjusted to meet demand. Furthermore, NPS EN-1 recognises that there will still be a role for fossil fuel generation to provide a cost-effective means of 'back up' electricity generation at short notice to support renewable technologies; and
- Future increases in electricity demand – the demand for electricity is expected to increase and total electricity consumption could double by 2050. Depending upon the choice of how electricity is supplied, total capacity may need to more than double to be sufficiently robust to all weather conditions.

4.9 Paragraph 3.3.15 states the urgency at which new energy infrastructure should be brought forward as soon as possible and certainly within the next 10-15 years (from 2011).

4.10 Paragraph 3.7.2 states that both demand and supply of electricity will increase in the coming decades and that existing transmission networks will have to evolve and adapt to handle increases in demand.

4.11 Paragraph 3.7.4 states that new electricity infrastructure projects will add to the reliability of the national energy supply and will provide crucial national benefits which are shared by all users of the system. Paragraph 3.7.10 develops this point noting that there is an "*urgent need for new electricity transmission and distribution infrastructure to be provided*."

NPS for Electricity Networks Infrastructure (EN-5) 2011

4.12 The NPS for Electricity Networks Infrastructure (EN-5) (**CD B.3**), taken together with EN-1, provides the primary basis for decisions taken on applications for electricity networks infrastructure. Infrastructure covered by NPS EN-5 includes transmission systems through

[2]NPS (EN-5), p. 1, Para 1.2.3, [Online] Available from: 1942-national-policy-statement-electricitynetworks.pdf (publishing.service.gov.uk)

275 kV and 400 kV overhead lines and underground cables, and associated infrastructure including substations and converter stations.

4.13 This NPS, taken together with EN-1, is a material consideration in decision making on relevant applications that fall under the Town and Country Planning Act 1990 (as amended).

4.14 NPS EN-5 recognises the need to ensure a 'robust' electricity network to support a more complex system of supply and demand in moving towards a low carbon economy.

4.15 NPS EN-5 paragraph 2.2 states that '*The general location of electricity network projects is often determined by the location, or anticipated location, of a particular generating station and the existing network infrastructure taking electricity to centres of energy use. This gives a locationally specific beginning and end to a line." It goes on to state that it is "not necessarily the case that the connection between the beginning and end points should be via the most direct route (indeed this may be practically impossible), as the applicant will need to take a number of factors, including engineering and environmental aspects, into account*".

Revised NPS for Energy (EN-1) 2024

4.16 The most recent version of NPS EN-1 (November 2023) (**CD B.4)** states in paragraph 3.3.65 that "*There is an urgent need for new electricity network infrastructure to be brought forward at pace to meet our energy objectives.*".

4.17 Paragraph 3.3.66 states that "*The security and reliability of the UK's current and future energy supply is very highly dependent on having an electricity network which will enable new renewable electricity generation, storage, and interconnection infrastructure that our country needs to meet the rapid increase in electricity demand required to transition to net zero while maintaining energy security. The delivery of this important infrastructure also needs to balance cost to consumers, accelerated timelines for delivery and the minimisation of community and environmental impacts*."

4.18 Paragraph 3.3.68 reinforces the need for the Project with references to National Grid Electricity System Operator (ESO) forecasts that "*over the next decade the onshore and offshore transmission network, some of which is located offshore will require a doubling of north-south power transfer capacity due to increased wind generation in Scotland*."

4.19 At paragraph 3.3.69 the new NPS EN-1 goes on to reaffirm "*the crucial national benefits of increased system robustness through new electricity network infrastructure projects are shared by all users of the system.*"

4.20 Paragraph 4.11.4 confirms that "*Transmission network infrastructure, and related network reinforcement and upgrade works, associated with nationally significant low carbon infrastructure is considered as Critical National Priority (CNP) Infrastructure.*"

4.21 In recent consent decisions the Secretary of State has afforded substantial weight to proposed developments that contribute to the established need for new low carbon energy sources and has noted that these energy-related benefits and resultant conformity with the NPSs weigh heavily in favour of the proposed developments (for example the Hornsea Four Offshore Windfarm decision on 12 July 2023). This reflects the direction of travel in Secretary of State decisions in respect of the weight to be afforded to projects which contribute towards Net Zero.

4.22 Paragraph 3.3.78 notes that "*it is recognised that the case for a new connection or network reinforcement is demonstrated if the proposed development represents an efficient and economical means of:*

- *connecting a new generating station to the network;*
- *reinforcing the network to accommodate such connections; or*
- *reinforcing the network to ensure that it is sufficiently resilient and capacious (as per any performance standards set by Ofgem) to reliably supply present and/or anticipated future levels of demand."*

Revised NPS for Electricity Networks (EN-5) 2024

4.23 The most recent version of NPS EN-5 (November 2023) (**CD B.5**) notes in paragraph 2.2.2 that siting is determined by both the location of new generating stations or other infrastructure requiring connection to the network, and/or system capacity and resilience requirements determined by the ESO. It goes on in paragraph 2.2.3 to note that "*These twin constraints, coupled with the government's legislative commitment to net zero by 2050, strategic commitment to new interconnectors with neighbouring North Seas countries and an ambition of up to 50GW of offshore wind generation by 2030, means that significant amounts of new electricity networks infrastructure is required, including in areas with comparatively little build-out to date*".

4.24 The revised NPS EN-5 goes on to explain that applicants retain control in managing the identification of routeing and site selection for infrastructure and have a duty to consider and balance site selection considerations. It notes that siting constraints, such as engineering, environmental or community considerations will be important in determining a feasible route. It goes on to explain that usually there is a degree of flexibility in the location of the development's associated substations, and that applicants should consider carefully their location as well as their design as well as describing requirements placed under transmission licence holders under Schedule 9 of the Electricity Act 1989 (paragraphs 2.2.5 – 2.2.10).

National Planning Policy Framework

4.25 The National Planning Policy Framework ("**NPPF**") (July 2021) was a material planning consideration when assessing and determining the Project's planning applications.

4.26 The NPPF advises that there is a "*presumption in favour of sustainable development*" meaning that where new development is shown to be sustainable, it should be approved without delay. It defines the role of planning in achieving sustainable development and sets out three overarching objectives - economic, social and environmental - which are interdependent and need to be pursued in mutually supportive ways.

4.27 Three sections of the NPPF are of specific relevance to the English Onshore Scheme:

- Part 14 - Meeting the challenge of climate change, flooding and coastal change. This section explains that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.
- Part 15 - Conserving and enhancing the natural environment. This section explains that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, site of biodiversity or geological conservation interests, recognising the wider benefits of ecosystems, recognising the

economic and other benefits from best and most versatile agricultural land, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability, and remediating contaminated or other degraded land where appropriate.

- Part 16 - Conserving and enhancing the historic environment. This section explains that the planning system sets out that heritage assets should be conserved in a manner appropriate to their significance. Paragraph 202 states that where a development would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the development.

An updated version of the NPPF was published in December 2023 (CD B.22). None of the changes in the new version of the NPPF are considered to introduce additional or conflicting matters in respect of the Project. The new version of the NPPF continues to include a "presumption in favour of sustainable development" and in part 14 that the planning system "support the transition to a low carbon future". Parts 15 and 16 set out that the planning system should contribute to the conservation and enhancement of the natural and historic environment respectively. Local Development Plan – East Riding of Yorkshire

4.28 The statutory development plan for the Council's administrative area comprises the:

- East Riding Local Plan Strategy Document 2012-2029 (2016)
- East Riding Local Plan Allocations Document 2012-2029 (2016)
- Policies Map 2016
- East Riding of Yorkshire and Kingston upon Hull: Joint Minerals Local Plan 2016 – 2033
- Joint Waste Local Plan: For Kingston Upon Hull and the East Riding of Yorkshire (2004)

4.29 The following spatial objectives and policies from the development plan are relevant to the Project:

4.29.1 Policy S1 Presumption in favour of sustainable development

4.29.2 Policy S2 Addressing climate change

4.29.3 Policy S4 Development in the Countryside

4.29.4 Policy EC5 Supporting the energy sector

4.29.5 Policy ENV1 Integrating high quality design

4.29.6 Policy ENV2 Promoting a high-quality landscape

4.29.7 Policy ENV3 Valuing our heritage

4.29.8 Policy ENV4 Conserving and enhancing biodiversity and geodiversity

4.29.9 Policy ENV5 Strengthening green infrastructure

4.29.10 Policy ENV6 Managing environmental hazards

Local Development Plan – Selby District

4.30 During the course of determination of the planning application Selby District Council was amalgamated with a number of other district and borough councils to form a single unitary authority, North Yorkshire Council. The application was determined in accordance with the Selby development plan comprising:

- Selby District Core Strategy Local Plan (2013)
- Saved Policies from the Selby District Local Plan (2005)
- Saved Policies from the North Yorkshire Minerals Local Plan (1997)
- Saved Polices from the North Yorkshire Waste Local Plan (2006)
- Saved Policy E8 of the North Yorkshire Structure Plan
- The Appleton Roebuck and Acaster Selby Neighbourhood Development Plan
- East Inshore and Offshore Marine Plan

4.31 The following spatial objectives and policies from the development plan are relevant to the Project:

4.31.1 Policy SP2 (Spatial Development Strategy)

4.31.2 Policy SP15 (Sustainable Development and Climate Change)

4.31.3 Policy SP17 (Low-Carbon and Renewable Energy)

4.31.4 Policy SP18 (Protecting and Enhancing the Environment)

4.31.5 Policy SP19 (Design Quality)

4.31.6 Policy ENV1 (Control of Development)

4.31.7 Policy ENV2 (Environmental Pollution and Contaminated Land)

4.31.8 Policy ENV9 (Sites of Importance for Nature Conservation);

4.31.9 Policy ENV11 (Ancient Woodland)

4.31.10 Policy ENV12 (River and Stream Corridors)

4.31.11 Policy ENV15 (Conservation and Enhancement of Locally Important Landscape Areas)

4.31.12 Policy EMP10

5. OVERARCHING CONSENTS STRATEGY

5.1 The overarching consents strategy for SEGL2 was developed taking account of the different jurisdictional requirements onshore and offshore in Scotland and England. With regard to the English Onshore Scheme the consenting approach was informed by a combination of pre-application engagement with the Local Planning Authorities and a formal screening opinion request under the Town and Country Planning (EIA) Regulations 2017 (the EIA Regulations).

5.2 Following identification of a preferred route corridor and converter station site, NGET requested screening opinions from East Riding of Yorkshire Council and North Yorkshire Council (then Selby District) in February 2021. Both Local Planning Authorities provided their screening opinions in March 2021 and April 2021 confirming that the English Onshore Scheme was "EIA development" and therefore the English Onshore Scheme was subject to environmental assessment pursuant to the EIA Regulations and the subsequent planning applications were accompanied by an Environmental Statement. The screening opinions also had the effect of removing NGET's permitted development rights for the underground cables meaning that these required planning permission.

6. PLANNING POSITION

6.1 The consents required for the Project are set out within the table below.

Description	Primary Consenting Regime	Relevant Determining Authority
English Onshore Scheme		
Approximately 69km of underground HVDC cable from Mean Low Water Springs to the converter station	Full planning permission under the Town and Country Planning Act 1990	East Riding of Yorkshire Council (Mean Low Water Springs to the River Ouse) North Yorkshire Council (River Ouse to the converter station
Converter station	Outline planning permission (all matters reserved) under the Town and Country Planning Act 1990	North Yorkshire Council
Approximately 0.5km of underground HVAC cable from the converter station to Drax Substation	Full planning permission under the Town and Country Planning Act 1990	North Yorkshire Council
Connection works within Drax Substation	Permitted Development, General Permitted Development Order 2015, Part 15, Class B – electricity undertakings	n/a
Temporary access roads to construction areas	Permitted Development, General Permitted Development Order 2015, Part 4, Class A – temporary works	n/a
English Marine Scheme		
Approximately 286km of subsea HVDC cables	Marine Licence under the Marine and Coastal Access Act 2009	Marine Management Organisation
Scottish Marine Scheme		

Approximately 159km of subsea HVDC cables	Marine Licences under the Marine (Scotland) Act 2010 and Marine and Coastal Access Act 2009	Marine Scotland – Licensing Operations Team
Scottish Onshore Scheme		
Approximately 1km of underground HVDC cable from Mean Low Water Springs to the converter station	The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, Part 13, Class 40 – electricity undertakings	n/a
Converter station	Planning permission in principle under the Town and Country Planning (Scotland) Act 1997	Aberdeenshire Council
Approximately 1km of underground HVAC cable from the converter station to Peterhead Substation	The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, Part 13, Class 40 – electricity undertakings	n/a
Overhead Line works	Consent under Section 37 of the Electricity Act 1989	Scottish Ministers

English Onshore Scheme

6.2 Full planning permission was sought from East Riding of Yorkshire Council for approximately 67km of underground HVDC cable from Mean Low Water Springs to the River Ouse. The application was submitted and validated in June 2022 and determined by the Council's full planning committee on the 2nd of March 2023. The Officer's Report to committee recommended the application for approval subject to conditions. The Committee Report advised "*Whilst this proposal will not generate electricity it is part of the infrastructure required to transport it that is supported in principle by the East Riding Local Plan and National Policy Statement for Energy as well as the NPPF*". The application was unanimously approved by full planning committee and a decision notice issued on the 3rd of March 2023.

6.3 Hybrid planning permission was sought from Selby District Council (now North Yorkshire Council) comprising full planning permission for approximately 2km of underground HVDC cable from the River Ouse to the converter station and for 0.5km of underground HVAC cable from the converter station to Drax Substation and outline planning permission with all matters reserved for the converter station. The application was submitted in June 2022 and validated in August 2022 and then determined by the Council's strategic planning committee on the 8th of August 2023. The Officer's Report to committee recommended the application for

approval subject to conditions. The Committee Report identified "*harm (and conflict with the relevant adopted Development Plan policies)*" in relation to the loss of agricultural and significant visual effects as a result of the converter station. However it stated that "*the development would deliver very substantial benefits, contributing to net zero targets and facilitating the role out of increasing use of renewable energy resources in the country. In this instance, it is therefore considered that there are material considerations which would justify granting outline planning permission for the convertor station, notwithstanding the harm identified."* The application was approved by the strategic planning committee and a decision notice issued on the 11th of August 2023.

Marine Scheme

6.4 The Marine Scheme has been jointly consented by NGET and SSEN within English and Scottish territorial waters respectively. NGET submitted a marine licence application (ref: MLA/2022/00273) to the MMO in respect of the English components of the Marine Scheme. The marine licence was granted on 28 July 2023. SSEN submitted a marine licence application (ref: 00009943 – SEGL/Eastern Link 2 HVDC Cables and Cable Protection - Peterhead to Drax) to MS Lot in respect of the Scottish components of the Marine Scheme. The marine licence was granted on 4 May 2023.

Scottish Onshore Scheme

6.5 The Scottish Onshore Scheme has been consented by SSEN. The onshore infrastructure, both HVDC cables from Mean Low Water Springs to the converter station and HVAC cables from the converter station to Peterhead Substation are classed as permitted development and therefore no consent is required. Planning permission in principle for the converter station was granted by Aberdeenshire Council in May 2022.

7. CONSIDERATION OF ALTERNATIVES

NGET's Approach to Developing and Delivering New Infrastructure

7.1 NGET has an established approach to the development of new electricity transmission infrastructure. This comprises multiple stages from strategic options to options identification to impact assessment and consent applications. At each stage consideration is given to a range of technical, environmental, socio-economic and cost factors in line with NGET's statutory duties under the Electricity Act 1989. This enables balanced and transparent decisions to be made regarding options including the identification and subsequent refinement of a preferred option prior to making planning applications.

Strategic Options Appraisal

7.2 The first step in developing the Project was to undertake a strategic options appraisal with the objective of identifying the Strategic Proposal, the preferred substation or connection point within NGET's licence area, that would best meet the need case by providing additional network capability when required and while also taking account of NGET's statutory and licence obligations.

7.3 The strategic options appraisal considered subsea links from the existing Peterhead substation in Aberdeenshire, Scotland, to alternative substations within NGET's licence area from Blyth in the north to Spalding North in the south. Overhead line options were considered and

discounted as part of this stage as they would not meet the need case of providing additional cross-border transmission capability by 2029.

7.4 Each strategic option was assessed considering network capability, technical and engineering factors, environmental and socio-economic impacts, programme and cost implications. The existing Drax substation was identified as the preferred connection point for the English end of the Project. A longer link connecting further south was identified as being preferred to a shorter link connecting to the network in the north-east of England. This because longer reinforcements provide greater additional network capability. As set out in Chapter 2 of the Environmental Statement (**CD C.8**), Drax was identified as preferred as it is a strong point on the network. When compared to other similar alternatives at Cottam or Bicker Fen, connecting at Drax provides similar amounts of additional network capability but also provides opportunities to avoid directly crossing or impacting on environmental designations onshore and offshore.

Site Selection and Options Appraisal

7.5 Following identification of Drax as the preferred strategic option, the terrestrial components of the Project were developed further through the options identification and selection stage. Terrestrial routeing and siting studies were undertaken for the various Project components with the objective of identifying a preferred landfall, underground cable route, and converter station site (i.e. the English Onshore Scheme) which was then subject to public consultation.

7.6 Development of the English Onshore Scheme comprised two main steps: first, the identification and assessment of alternative landfall and converter station sites (siting); and second, the identification and assessment of alternative cable routes (routeing). The approach to identifying and assessing alternative sites and routes has ensured the iterative consideration of potential impacts on the environment and local communities, alongside technical and engineering considerations. The overall aim of this approach was to identify sites or routes which best balanced these factors. During this stage of the Project, stakeholder engagement was undertaken with Local Planning Authorities and statutory consultees to seek feedback on emerging options and inform the identification of a preferred English Onshore Scheme.

Approach to Landfall Siting

7.7 The landfall is where the subsea HVDC cables come ashore and are connected to underground cables at a buried Transition Joint Pit (TJP). The approach to landfall siting is described in the Environmental Statement Chapter 2 Alternatives, section 2.6.2 (**CD C.8**).

7.8 Following the identification of Drax as the preferred strategic option, a study area in which the landfall could be located and enable onwards underground cable routes to the Drax area was identified between Bridlington and Hornsea. Six potential landfall sites were identified and assessed considering their potential environmental impact and engineering constraints onshore and offshore. This was informed by assumptions regarding the footprint of the TJP and potential installation methods.

7.9 The landfall site at Fraisthorpe, referred to as LF01, was identified as preferred. It avoids the requirement to cross the proposed Hornsea 4 Offshore Wind Farm export cables (offshore and onshore) and avoids environmental designations and settlements. It is located on open agricultural land, outside of areas at risk of coastal erosion with good access from the A165 and provides a technically feasible landfall with fewer engineering challenges.

Approach to Converter Station Siting

7.10 Converter stations are the key components of HVDC links. They enable electricity to be converted from Alternating Current (AC) to Direct Current (DC) or vice versa depending on the direction of operation. The approach to converter station siting is described in the Environmental Statement Chapter 2 Alternatives, section 2.6.3 (**CD C.8).**

7.11 For the purposes of converter station siting, assumptions were established for footprint, height, and temporary construction areas based on similar projects. Converter station sites were sought within 5km of Drax substation to reduce the length of the HVAC cable circuits which require a wider swathe than HVDC cables and therefore have greater potential for environmental effects and can limit routeing options.

7.12 A shortlist of eight potential converter station sites were identified and assessed. The assessment considered potential environmental impact and engineering constraints. This included potential impacts on landscape, visual amenity, ecology and cultural heritage as well as cable routeing to/from the site and access from the road network.

7.13 The converter station site on agricultural land to the east of Drax Power Station, referred to as CS42, was identified as preferred. The proximity of the site to large scale industrial-type development at Drax enables the converter station to be more effectively integrated into its surroundings reducing landscape and visual impacts while also reducing the length of underground HVAC cable required to connect to Drax Substation.

Approach to Cable Routeing

7.14 The approach to underground cable routeing is described in the Environmental Statement Chapter 2 Alternatives, section 2.6.4 (**CD C.8).** This was a two-step process, firstly identification of broad route corridors and secondly identification of potential route alignments within those corridors. This took account of the alternative landfall and converter stations which were being considered as well as key constraints including towns and villages, sites designated or protected for ecological, heritage and landscape reasons, land use and other natural and built features such as woodland, rivers and roads as well as engineering constraints for example road, rail or watercourse crossings, topography and ground conditions. The objective of routeing was to identify a preferred route which was technically feasible whilst on balance causing the least impact on the environment and people.

7.15 A broad north east to south west corridor from the coastline to the Drax area was identified as providing the most direct option. As far as possible the identification of the route corridor sought to avoid sensitive areas including environmental designations and settlements, however, the scale of some constraints such as the River Hull Headwaters Site of Special Scientific Interest (SSSI) mean that they cannot be avoided as they must be crossed by any option. Following identification of the corridors, route alignments were developed within them. This concluded with an approximate 69km long preferred route largely traversing agricultural land between the preferred landfall and converter station sites.

Review and Consideration of Planning Permissions

7.16 NGET took account of planning permissions in the site selection and options appraisal process, and in the refinement of the English Onshore Schemes as far as possible. This

included discussions with a number of developers of project which could interact with SEGL2 including:

7.16.1 Hornsea 4 Offshore Wind Farm with respect to potential interactions with the subsea and underground HVDC cable route in the landfall area.

7.16.2 The operators of Gransmoor Quarry with respect to potential interactions from underground HVDC cable routeing adjacent to the quarry.

7.16.3 Boom Power with respect to their proposals for the East Yorkshire Solar Farm which interacts with the underground HVDC cable route.

7.16.4 Drax with respect to their proposals for a Bio-Energy with Carbon Capture and Storage (BECCS) system at Drax Power Station.

7.16.5 Enso Energy with respect to their proposals for a solar farm and associated infrastructure in the vicinity of the converter station at Wren Hall.

8. CONSULTATION UNDERTAKEN

8.1 Before submitting any planning applications or making the Order in respect of the English Onshore Scheme, NGET undertook pre-application consultation comprising a public consultation in March to April 2021 and public information events in February to March 2022. The approach to this consultation and the output of this consultation is set out in the Community Engagement Report (**Appendix A**).

8.2 The public consultation events held in 2021 set out the proposed English Onshore Scheme and formally sought feedback from landowners, residents and stakeholders on the preferred option including the landfall site at Fraisthorpe, underground cable route and converter station site at Drax. It also outlined potential impacts on the environment and local communities and how these would be addressed through the EIA. Consultation responses were collated, and the issues raised and NGET's responses to them are presented in the Community Engagement Report.

8.3 The public information events held in 2022 set out details of the anticipated planning application. This took into account comments made during the previous consultation and provided more detailed information regarding the design of the English Onshore Scheme and its potential impacts prior to planning applications being submitted to the Local Planning Authorities.

8.4 During the course of the Project NGET undertook targeted consultation with the Local Planning Authorities and statutory consultees to ensure that their feedback was incorporated into the design of the English Onshore Scheme as far as possible. In addition, NGET provided briefings to elected members and parish councils during the pre-application stage.

8.5 Following submission of the planning applications, statutory consultation was undertaken by the Local Planning Authorities. The planning applications were advertised in the local press and by site notices in accordance with planning procedures.

Planning Objections

8.6 No statutory consultees objected to the planning applications for the English Onshore Scheme.

East Riding of Yorkshire Council

8.7 Three objections were raised. Northern Gas Networks (NGN) raised an objection in relation to asset protection where its infrastructure is crossed by the underground cable route. This has been resolved with NGET and NGN entering into a crossing agreement. The Yorkshire Wildlife Trust response raised an objection in respect of Biodiversity Net Gain (BNG) and the extent of information provided, however, the Planning Officer concluded that this could be addressed by a pre-commencement condition. Hutton Cranswick Parish Council raised an on objection in relation to proximity to the village and the crossing point of the A164 which they considered would compromise safety. It is noted that Highway Development Management did not raise an objection but requested that details of A-road crossings be subject to a condition.

8.8 Twenty-six representations were made objecting to the scheme including by the National Farmers Union (addressed below) and by other third parties. These related to matters including voluntary agreements, construction detail, depth of cable installation, field drainage, soil management and restoration, construction access and amenity.

North Yorkshire Council

8.9 One objection was raised by North Yorkshire Council's landscape advisor in relation to the landscape and visual effects of the Project in North Yorkshire. These related to concerns regarding the effects of the converter station at Wren Hall, adjacent to Drax Power Station. NGET sought to address these concerns as far as reasonably possible including clarifying dual purpose of proposed biodiversity net gain (BNG) and landscape planting as well as making amendments to the outline landscape planting. It is noted that the final landscape planting will be the subject of a reserved matters application.

8.10 Two further representations were made objecting to the scheme, the first by the National Farmers Union (addressed below) and the second by a party raising concern regarding abnormal indivisible loads that will be required.

NFU Objection

8.11 The NFU objected to both planning applications. The objections submitted to each Local Planning Authority were the same raising objections with regard to communication, voluntary agreements and construction referring to a lack of detail in relation to field drainage, soil management and programme, and issues regarding cable depth.

8.12 The NFU made representations at the East Riding of Yorkshire Council full planning committee at which the application was heard. They raised concerns regarding the depth of cable installation and requested that the Local Planning Authority impose a planning condition requiring a minimum depth of installation of 1.2m to the top of the protective tile. Members discussed the request but determined given the factors influencing the depth of installation would vary along the cable route it would not be appropriate for East Riding of Yorkshire of Council to do so. The NFU made no representations at the North Yorkshire Council strategic planning committee.

9. THE PLANNING PERMISSIONS

9.1 The English Onshore Scheme benefits from the ERYC Decision Notice (issued by ERYC) and the North Yorkshire Decision Notice (issued by the North Yorkshire Authority).

East Riding of Yorkshire Decision Notice

9.2 The East Riding of Yorkshire Decision Notice (**CD C.4**) was issued on the 3rd of March 2023 with reference 22/01990/STPLFE. It provides full planning permission for the construction of sub-surface cable route from Drax Power Station (from the River Ouse) to Fraisthorpe Coastline with associated accesses and temporary construction compounds in association with the Project. Full planning permission was granted subject to 22 planning conditions.

North Yorkshire Decision Notice

9.3 The North Yorkshire Council Decision Notice (**CD C.5**) was issued on the 11th of August 2023 with reference 2022/0711/EIA. It is a hybrid planning permission comprising two parts. Part 1 is an outline planning permission (all matters reserved) for the construction of a converter station at Drax, Selby. Part 2 is a full planning permission for the installation of HVDC underground cables from the River Ouse to the converter station and HVAC underground cables from the converter station to the existing Drax Substation as well as all associated temporary works including compounds, accesses and bell mouths as part of the construction of the Project. The hybrid planning permission was granted subject to 64 planning conditions with separate conditions set for the underground HVDC and HVAC cables and for the converter station.

Mitigation Measures

9.4 The ERYC Decision Notice contains conditions which secure mitigation measures in respect of the matters raised in various CPO objections.

9.5 Condition 8 requires a Construction Method Statement (CMS) that defines detailed construction and installation methods including crossing methods prior to the commencement of works on a particular phase. The CMS will be based on the Contractor's detailed design and set out final installation methods including details of crossing methods. This ensures that appropriate controls are in place regarding installation methods including at the River Hull Headwaters, the crossing of which is identified in OBJ10 and OBJ14.

9.6 Condition 9 requires a detailed CEMP based on the outline CEMP which formed part of the approved application secures a number of mitigation measures which address points raised in objections including:

- Access Management Plan detailing the management of public highways and public or permissive rights-of-way during the works.
- Noise and Vibration Plan in accordance with British Standard 5228 detailing how noise and vibration will be controlled and mitigated during the works.
- A Dust Management Plan detailing how dust and other airborne emissions will be controlled and mitigated during the works.
- A Soil Management Plan informed by pre-construction surveys and based on the outline Soil Management Plan detailing how soil resources will be protected during the works.
- An Ecological Management Plan incorporating relevant Species Protections Plans (SPPs) to be informed by updated pre-construction surveys detailing how sensitive species and habitats will be protected during the works.
- An Invasive and Non-Native Species (INNS) method statement detailing how INNS encountering during the works will be managed.
- Site Waste Management Plan detailing how waste generated during construction will be managed.

- A Pollution Prevention and Emergency Incident Response Plan setting out measures to prevent pollution and procedures to be followed in the event pollution is encountered or released.
- A Communications Plan including a point of contact for local residents and businesses, and a procedure for all complaints to be reported to the Local Planning Authority.

9.7 The CEMP, based on the Outline CEMP (chapter 18 of the Environmental Statement), as well as the Noise and Vibration and Dust Management Plans will address the concerns raised in OBJ3 and OBJ8(9) regarding impacts on amenity from construction activity.

9.8 The Soil Management Plan, based on the Outline Soil Management Plan (Appendix 12 of the Environmental Statement), will address concerns raised in OBJ3, OBJ7 and OBJ9 regarding impacts on soils resources including pre-construction assessment of soil quality, soil handling and storage and soil restoration.

9.9 The CEMP and Soil Management Plan require to be based on the Outline CEMP and Outline Soil Management Plan which refer to biosecurity measures in sections 18.5.17 and 1.8 respectively, will address concerns raised in OBJ8(9) regarding biosecurity.

9.10 Condition 10 requires a Construction Drainage Scheme prior to the commencement of works on a particular phase. For the purposes of the planning application an outline drainage design was developed. The Contractor is required to develop the final Construction Drainage Scheme taking account of the outline design which will address concerns raised in OB9 regarding attenuation ponds.

9.11 Condition 13 requires a Land Restoration Scheme prior to the commencement of works on a particular phase. The Land Restoration Scheme relates to landscape protection, replacement and reinstatement and, in conjunction with the Soil Management Plan will address concerns raised in OBJ9 regarding land reinstatement.

9.12 The North Yorkshire Decision Notice contains a number of conditions which secure mitigation measures in respect of the matters raised in various CPO objections, specifically conditions 14, 35 and 54 requiring detailed CEMP for the converter station, underground HVDC cable and underground HVAC cable respectively. As outlined above the detailed CEMPs include mitigation measures which address matters raised in CPO objections including in relation to amenity and soil resources.

Planning Update

9.13 Since planning permission has been granted NGET has continued to develop the Project in response to feedback from stakeholders including landowners and its appointed contractors. In response to feedback NGET has made a small number of supplementary planning applications which provide flexibility and/or optionality with regard to how the Project is implemented and in some instances directly address objections to the Order. None of these applications alter the principal of the approved Project and the changes are all of a very small scale in the context of the English Onshore Scheme. These supplementary applications include:

9.13.1 North of Skerne – this application relates to a diversion of the approved cable route to avoid an area where agricultural buildings have been constructed and additional buildings are proposed. It responds to the issues raised in OBJ8(6). An application

has been made under section 73 of the Town and Country Planning Act to amend the approved application with a separate application made for a new section of underground HVDC cable route.

9.13.2 Skiff Lane – this application relates to a modification of construction access to a temporary construction compound and the construction corridor. It responds to the issues raised in OBJ8(9). A separate application has been made for the additional section of access which would otherwise extend beyond the approved application boundary.

9.13.3 Newsholme – this application relations to a modification of construction accesses from the A63. These accesses would remove the need for the advance access which is the basis of OBJ21. A separate application has been made for the new bell mouths and haul roads providing access to the construction corridor.

10. CPO OBJECTIONS

OBJ3

10.1 The objection makes reference to concerns about noise and light impacts on residential dwellings during construction. An Outline Construction Environment Management Plan (OCEMP) forms chapter 18 of the Environmental Statement (**CD C.8**) which accompanied the planning application. This sets out the minimum requirements with regard to mitigation which the contractor is expected to implement or comply with. In respect of noise section 18.6.7 of the OCEMP describes how noise impacts will be controlled and mitigated. In respect of lighting section 18.5.4 describes how lighting will be controlled and mitigated. The requirement for a detailed CEMP based on the provisions of the OCEMP is secured by planning condition 9 of the planning permission granted by East Riding of Yorkshire Council.

OBJ6 and OBJ18

10.2 These objections make reference to two alternative cable routes crossing the former railway line at Kiplingcotes using Horizontal Directional Drilling (HDD) and, subject to which route is required the need for a temporary construction compound. In this location the planning application was widened to provide flexibility relating to concerns regarding ground risk. The approved drawing (SEGL2-T-PA-5A-V1-20220628 - Proposed Block Plan Sheets 20 and 21) show the western route while the Order plans show two alignments within the approved planning boundary, the western route which is the same as the approved plans and an alternative eastern route. The former railway is part of a Public Right of Way (PRoW) forming a section of a long-distance trail between Beverley and Market Weighton and is also part of the Etton-Gardham Local Wildlife Site (LWS) designated by East Riding of Yorkshire Council. Where access was granted surveys were undertaken along both routes prior to making a planning application including environmental surveys and targeted ground investigation.

10.3 The temporary construction compound is required regardless of which crossing is utilised as it is needed for temporary storage and laydown associated with construction of the Project as a whole. The temporary compound is located on agricultural land and is not subject to any statutory designation nor is it subject to any planning allocation in the Development Plan. As

reported in the Environmental Statement (**CD C.8**), the temporary compound does not give rise to significant environmental effects on natural or built heritage or residential properties.

OBJ7

10.4 This objection makes reference to a number of concerns including regarding the extent of land included within the Order and lack of information regarding decommissioning.

10.5 With regard to the extent of land, in this location the planning permission includes for two alternative crossings of a local road (Hutton Balk) and the A164 utilising either open cut methods or a single HDD, however, only one crossing will be required. Provision was made for the two installation methods due to the underground HVDC cable route requiring to cross a Source Protection Zone (SPZ) and the potential to impact groundwater resources. The alternative methods require different route alignments which increases the amount of land included in the Order. HDD allows for the alignment to cross both roads at a more acute angle while the open cut route alignment is required to cross perpendicular to both roads to minimise the area impacted.

10.6 With regard to decommissioning this is considered in the Environmental Statement (**CD C.8**). The Project has an anticipated operational life of approximately 40 years. In the event that the Project ceases operation the underground HVDC cable route could either be de-energised and left in-situ, or all or parts of the route could be removed. The process of decommissioning, including the impacts of it, would be similar to construction involving establishment of temporary working areas, excavation and removal of the cables and reinstatement of land.

OBJ8(3), (4) and (5)

10.7 This objection relates to a conflict with existing and planned agricultural buildings and also makes reference to a solar park. Since submission of the planning application agricultural buildings have been erected by the landowners. These extend into the Order land, however, sufficient provision exists within the limits of deviation for the underground HVDC cable route to be installed to the north of the buildings within the approved route corridor (referred to in the objection as the 'northern route'). NGET has engaged with the landowner and understands that they intend to erect additional buildings to the north which could be prevented should the cable be installed within the approved boundary. A planning application (see para 9.13.3 of my proof) has been submitted to East Riding of Yorkshire for an alternative route approximately 50m to the south of this area in an adjacent agricultural field referred to in the objection as the 'southern route'.

10.8 With regard to the solar park, this is located to the north of the approved route (i.e. the 'northern route') and is not impacted by the Project. The objection refers to access rights over the road which has to be crossed, however, this requires to be crossed by both the 'northern route' and the 'southern route'. The objection makes reference to obstruction of this access to the solar park, however, such impacts will be mitigated through measures such as the Traffic Management Plan which is secured by planning condition.

OBJ8(9)

10.9 This objection relates to concerns regarding impacts on a memorial garden located to the east of the cable route as well as blight with regard to two residential properties located to the west of the cable route and north-west of a temporary construction compound. With regard to

blight, impacts on amenity are addressed through the Construction Environmental Management Plan (CEMP) which is secured by a planning condition. Notwithstanding, a planning application (see paragraph 9.13.2 of my proof) has been submitted to East Riding of Yorkshire which will increase the distance between access points and the properties further reducing the potential for impacts amenity and makes provision for temporary access from the west of the cable route removing the area of the memorial garden to the east.

OBJ9

10.10 This objection relates to concerns raised by the NFU:

10.10.1 Balance and attenuation ponds: the objection refers to the inclusion of balance and attenuation ponds within the planning application and that no information has been provided as to why these are required or whether they are temporary or permanent. Section 3.3.3.11 of Chapter 3 of the Environmental Statement (**CD C.8**) provides details of the land drainage and water management strategy which has been developed. Temporary drainage is required to manage water resources and control runoff within the construction corridor. The locations of attenuation ponds are also identified on the approved plans as "*Temporary Attenuation Pond and Outfall*". The requirement for a Construction Drainage Scheme is secured by planning conditions in both East Riding of Yorkshire and North Yorkshire.

10.10.2 Soils: the objection states that "*No information has been forthcoming to explain how soil will be reinstated*". The Outline Soil Management Plan contained in Appendix 12.2 of the Environmental Statement (**CD C.8**) which accompanied the planning applications includes details of restoration at 1.7.7 and aftercare in section 1.7.8. As the objection notes the Soil Management Plan that is secured by planning conditions in both East Riding of Yorkshire and North Yorkshire is to be informed by pre-construction survey such that the general principles set out in the Outline Soil Management Plan will be adhered to and can be tailored to the specific requirements of affected land.

10.10.3 Cable depth: the objection refers to concerns regarding the depth of cable installation. The NFU made similar representations on this matter during the determination of the planning application. This includes speaking at the East Riding of Yorkshire Council planning committee during which they requested that if the members were minded to approve the application, that a minimum cable depth of 1.2m was agreed. This was debated by members with advice provided by the Council's officers and a decision was made not to apply a planning condition in respect of cable depth citing the need for flexibility to respond to ground conditions and land use.

OBJ10 and OBJ14

10.11 These objections relate to concerns regarding the design and impact of the underground HVDC cable route where it crosses the River Hull Headwaters Site of Special Scientific Interest (SSSI).

10.12 The site forms a significant linear constraint in the intervening landscape between Fraisthorpe where the landfall is located and Drax where the converter station is located, therefore crossing it cannot be avoided by the underground cable route. Alternative options which could

avoid it were considered during the option selection stage of the Project, however, these would have significantly increased the overall route length and were discounted.

10.13 Through the options identification stage and in consultation with Natural England, NGET identified that the SSSI would require to be crossed using trenchless methods due to its sensitivity. The feasibility of the crossing is discussed in Mr Perkin's evidence. The impact of the crossing has been assessed within chapter 7 of the Environmental Statement (**CD C.8**) which concludes it will not give rise to likely significant effects. Natural England was consulted extensively prior to making the application as well as during its determination to ensure agreement regarding mitigation measures. These are described in section 7.6.2.1.3 of chapter 7 of the Environmental Statement and also in section 18.6.1.2 of chapter 18 of the Environmental Statement which contains an Outline Construction Environmental Management Plan (OCEMP). Natural England raised no objection to the proposed crossing of the River Hull at Wansford and planning permission has been granted. The planning permission granted by East Riding of Yorkshire Council is subject to a number of planning conditions including two which are directly pertinent to the crossing of the River Hull:

10.13.1 Condition 8 which requires a Construction Method Statement (CMS) prior to starting works which would include a detailed design and method for the crossing of the River Hull Headwaters.

10.13.2 Condition 9 which requires a Construction Environmental Management Plan (CEMP) prior to starting works. The CEMP must be based on the provisions set out in the Outline CEMP in Chapter 18 of the Environmental Statement further securing the agreed mitigation measures in respect of the River Hull Headwaters.

10.14 With regard to RWE's proposed Dogger Bank South (DBS) Wind Farm's export cable route, the Preliminary Environmental Information Report (PEIR) identifies that multiple options were considered by the developer. Two options which included a crossing of the River Hull at Wansford were considered, however, it is noted that the landfall for these options is approximately 8km north of their proposed landfall. The removal of these options comes at the review of the shortlist of corridor options identified for the DBS project after having had an engineering assessment of the long list. The secondary review at the shortlist stage comprised a review of route corridors, with a number of sub-options. The discounting of options that cross a designated site which can otherwise be avoided is an industry standard approach. In the case of DBS it is possible to avoid crossing the River Hull Headwaters SSSI by crossing the River Hull further south without significantly increasing the overall route length between the preferred landfall and Creyke Beck. In developing alternative underground HVDC cable routes for SEGL2, consideration was given to avoiding the River Hull Headwaters SSSI, however, due to the designation's extent and location between Fraisthorpe and Drax any routeing deviation would have increased the distance of the overall Project. For completeness it is noted that Orsted's Hornsea 4 Offshore Wind Farm export cable route does cross the River Hull Headwaters SSSI approximately 5km downstream of the SEGL2 crossing point.

OBJ11

10.15 This objection relates to the impact on area of ridge and furrow which is to be crossed by a temporary haul road. In this location the underground HVDC cable route crosses Main Road utilising Horizontal Directional Drilling (HDD). To the west of field, the HDD would emerge

in an area of ridge and furrow therefore it was proposed to extend the HDD. While the temporary haul road requires to cross the ridge and furrow the area of it impacted by the Project is reduced as a result of the extension of the HDD and reduction in the temporary working area.

10.16 The impact of the Project on the ridge and furrow is assessed in section 9.6.3.1.6 of Chapter 9 of the Environmental Statement (**CD C.8**). This identifies the ridge and furrow as being of low heritage value and the impact as minor adverse and therefore not significant. Mitigation is set out in section 9.7.1.1 and includes a requirement to reinstate ridge and furrow works. An outline method statement setting out the approach to reinstatement has been provided to the landowner.

OBJ11

10.17 This objection relates to potential impacts on an approved solar farm ('Skerne Solar Farm') which is located to the north of the approved underground cable route. The planning application for the solar farm was identified during the pre-application stage of the Project. NGET held discussions with Harmony Energy Storage (the applicant for the solar farm) during summer 2021 and in agreement with the applicant modified the cable route so that it followed the southern-most boundary of solar farm.

10.18 The objection refers to excess dust and debris from the construction of the cable route impacting the operation of the solar farm. Chapter 18 of the Environmental Statement which accompanied the planning application contains an OCEMP **(CD C.8)** which includes a number of measures to limit and suppress dust generation. The requirement for a detailed CEMP based on the provisions of the OCEMP is secured by condition 9 of the planning permission granted by East Riding of Yorkshire Council. The condition includes a specific reference to a Dust Management Plan.

10.19 The objection also requests modifications to ensure a minimum separation distance of at least 200m between the cable route and the solar farm. As noted above the route was previously modified in consultation with the applicant Harmony Energy Storage and the modified route agreed in principle. Notwithstanding this, as set out in paragraph 9.13.1 an application has been made to modify the cable route in this section to avoid an area where agricultural buildings have been constructed and additional buildings are proposed. A consequence of this modification is also to increase the separation distance between part of the underground cable route as it passes to the south of the solar farm.

OBJ21

10.20 This objection relates to an advance access route located to the north-east of Newsholme for which rights are being sought for advance construction access and permanent access for maintenance should the need arise. With regard to the advance access, this utilises an existing track which provides access to the construction corridor. Advance accesses are existing accesses which do not require any development in order to utilise them and have been included in order to provide light vehicle access for preliminary works in advance of construction. However, as a result of the supplementary planning application for changes to construction accesses on the A63 (see paragraph 9.13.3), this advance access would no longer be required.

11. CONCLUSIONS

11.1 As my statement of evidence has demonstrated, there is planning policy support for the Project in terms of its accordance with Government policy contained in the adopted National Policy Statements EN-1 and EN-5, the revised National Policy Statements EN-1 and EN-5 which will be designated in 2024, the National Planning Policy Framework and the relevant Development Plans in East Riding of Yorkshire (the East Riding Local Plan) and within Selby District which is now part of North Yorkshire (the Selby District Local Plan).

11.2 As a critical component of the Project, the English Onshore Scheme will deliver nationally significant benefits. In developing the English Onshore Scheme, NGET has had due regard to the environment and local communities ensuring that its impacts are appropriately mitigated. The overarching need for and benefits of the Project (of which the English Onshore Scheme is a critical component) in terms of its contribution to net zero and energy security are clear and were afforded appropriate weight in the determination of the planning applications.

11.3 The Project will contribute to maintaining essential infrastructure for electricity supply beyond the boundaries of Yorkshire and thus provide significant public benefits. In addition to ensuring security of supply in the immediate vicinity, the Project will form an integral part of the UK's wider electricity network and provide energy reliably whilst ensuring security of supply.

11.4 The primary consents for the Project are in place following the grant of planning permissions by East Riding of Yorkshire and North Yorkshire Councils in England and by Aberdeenshire Council in Scotland, and by grant of marine licences in Scottish and English Waters by Marine Scotland Licensing Operations Teams and the Marine Management Organisation respectively. While supplementary applications have been made to East Riding of Yorkshire and are pending, these provide optionality to the implementation of the Project and are not an impediment. In addition, NGET is able to make use of its permitted development rights as a statutory undertaker.

11.5 Through a systematic approach to options appraisal NGET has given appropriate consideration to alternative options at strategic and detailed levels including alternative connection points to Drax and alternative landfall and converter station sites and underground cable routes. In identifying and assessing alternative options NGET has considered a range of technical, environmental, socio-economic and cost factors in line with its statutory duties under the Electricity Act 1989. This enables balanced and transparent decisions to be made regarding options including the identification and subsequent refinement of a preferred option prior to making planning applications.

11.6 Appropriate consultation has been undertaken with East Riding of Yorkshire Council, North Yorkshire Council, statutory consultees and community through the development of the English Onshore Scheme.

11.7 The English Onshore Scheme was subject to an Environmental Impact Assessment (EIA) in accordance with the Town and Country Planning (EIA) Regulations 2017. Through the EIA process NGET has committed a number of suitable mitigation measures which have been secured by planning conditions. While some significant effects have been identified, with the exception of permanent effects associated the converter station and on a small number of

archaeological features along the underground cable route, these are largely temporary relating to construction.

11.8 In my view, there are no physical or legal impediments to the delivery of the Project.

12. DECLARATION

12.1 This statement of evidence has been prepared and provided for this inquiry. I confirm that the opinions expressed are my true and professional opinions.

David Ritchie

16th February 2024

APPENDIX A