

**NATIONAL GRID ELECTRICITY TRANSMISSION PLC**

**THE ELECTRICITY GENERATING STATIONS AND OVERHEAD LINES (INQUIRIES  
PROCEDURE) (ENGLAND AND WALES) RULES 2007**

**APPLICATION BY NATIONAL GRID ELECTRICITY TRANSMISSION PLC FOR  
CONSENT UNDER SECTION 37 OF THE ELECTRICITY ACT 1989 TO INSTALL AND KEEP  
INSTALLED A PROPOSED 275kV OVERHEAD ELECTRICITY TRANSMISSION LINE IN THE  
COUNTIES OF NORTH AND WEST YORKSHIRE, TOGETHER WITH THE GRANT OF  
DEEMED PLANNING PERMISSION FOR THE DEVELOPMENT IN ACCORDANCE WITH THE  
PROVISIONS OF SECTION 90(2) OF THE  
TOWN AND COUNTRY PLANNING ACT 1990**

**OUTLINE STATEMENT**

**FEBRUARY 2009**

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- 1 National Grid Electricity Transmission Plc (National Grid) owns the high voltage electricity transmission system (275kV and 400kV) throughout England and Wales and operates the high voltage electricity transmission system throughout Great Britain. Under the Electricity Act 1989, as amended, and the terms of its Transmission Licence, National Grid is obliged to develop and maintain an efficient, co-ordinated and economical system of electricity transmission and to facilitate competition in the supply and generation of electricity. National Grid also has a duty to offer to connect new customers to the GB transmission system when an application is made for such a connection.
- 2 Northern Electric Distribution Ltd (NEDL) and Yorkshire Electricity Distribution plc (YEDL) are the licensed electricity distribution network operators (DNOs) that serve the north east of England, and West, South and East Yorkshire and parts of North Lincolnshire respectively. The Companies have a statutory duty to develop and maintain an efficient, co-ordinated and economical system of electricity distribution.
- 3 Both National Grid and the DNOs have a statutory duty to have regard to the desirability of preserving amenity and doing what they reasonably can to mitigate the effects of proposals for the installation of new electric lines and the execution of other works in connection with the transmission or distribution of electricity.
- 4 The supply of electricity to over 165,000 customers in the Knottingley, Castleford, East Leeds and Harrogate area is provided from the National Grid Ferrybridge "B" 275/132kV substation. This network, which comprises over 150 kms of 132kV circuits runs north from Ferrybridge via Whinmoor and Bramham to Harrogate and then north east via Wormald Green to Husthwaite and south via Osbaldwick to Ferrybridge. NEDL customers receive their electricity supplies from the Ferrybridge Ring via substations located at Harrogate, Wormald Green and Husthwaite. The substations at Bramham and Whinmoor provide electricity supplies to YEDL customers.
- 5 National Grid is obliged under Standard condition C17 of its Transmission Licence to plan, develop and operate the transmission system in accordance with the "GB Security

and Quality of Supply Standard (Version 1, September 2004)" (the GBSQSS). The DNOs are required under the terms of their Distribution Licences to plan and develop their distribution systems in accordance with Engineering Recommendation P2/6 (July 2006). Chapter 3 of the GBSQSS mirrors the demand security requirements of P2/6.

- 6 There have been long term increases in the peak level of electricity demand supplied from the Ferrybridge Ring. In order to comply with statutory and Distribution Licence requirements, NEDL sought a new connection from National Grid's transmission system at Scotton near Knaresborough in 1991. Subsequently, National Grid received planning permission for a new substation at Scotton in 1993. The construction of the substation was completed in October 1995.
- 7 A section 37 application was made to the Secretary of State for Trade and Industry on 3 March 1994 for a new 4km section of 275kV overhead line from Thorpe Arch to Easedike required as part of the works to connect the new substation. Voluntary wayleaves for the new line were also sought from landowners. Two landowners objected to the new line and refused to grant voluntary wayleaves.
- 8 Following wayleave hearings the Inspector, in his report of 6 February 1998, recommended that the Secretary of State should refuse wayleaves as whilst National Grid had made a case for major reinforcement of the Ferrybridge Ring when the group demand reached 300MW (the threshold value of demand at which a substantial increase in system capacity must be available to meet the relevant Licence conditions), there had been insufficiently convincing evidence on the forecast growth in demand to demonstrate that it was necessary or expedient to proceed with the proposal at that time. On 12 May 1998 the Secretary of State formally refused to grant the necessary wayleaves.
- 9 Actual metered demands of over 300MW were first measured in 1999/2000; the peak demand measured in 2007/8 was 330MW. The Ferrybridge Ring is therefore non compliant with ER P2/6, has inadequate capacity to meet current and forecast demand

levels and as such, the DNOs have a derogation from the requirements of their Distribution Licences from Ofgem.

- 10 Following consultations with relevant planning authorities, statutory consultees and the public, National Grid applied on 3 February 2006 to the Secretary of State for Trade and Industry under Section 37 of the Electricity Act 1989 for consent to build a section of new double circuit 275kV overhead line of approximately 2km in length from a point on the route of a YEDL electricity distribution line (the PBM line) north of Bramham substation to a point on the 275kV electricity transmission line (the XC line) which runs between Monk Fryston and Poppleton. The proposed overhead line forms part of the works necessary to reinforce the Ferrybridge Ring to secure compliance with ER P2/6. The works will be constructed in accordance with the Electricity Safety Quality and Continuity Regulations 2002 and the Electricity Supply Industry's engineering standards.
- 11 The route of the proposed overhead line passes through the administrative areas of Selby District, North Yorkshire County and Leeds City Councils. All three Authorities were consulted on the application for Section 37 consent in accordance with the provisions of Schedule 8 of the Electricity Act 1989 and the procedures described in Circular 14/90. None of the Local Planning Authorities objected to the application for Section 37 consent.
- 12 A section of the proposed line crosses land owned by Samuel Smith Old Brewery (Tadcaster) ("Sam Smiths"), which is in agricultural use. Part of the land is farmed by AS Elliott and the remaining part by RD Elliott, as tenants of Sam Smiths. Both Sam Smiths and Messrs Elliott objected to the application for Section 37 consent and failed to give National Grid the necessary wayleaves under Schedule 4 of the Electricity Act 1989. Sam Smiths contend that the proposed development is unacceptable because of its likely impact upon the green belt and in landscape and ecological terms. They proposed an alternative to the National Grid proposals in a letter dated 24 March 2006.

13 On 17 December 2008 a letter was issued by the Department of Energy and Climate Change indicating that the Secretary of State had decided that it was appropriate in the circumstances of the application for Section 37 consent to hold a public inquiry. An accompanying letter of the same date set out the Secretary of State's Statement of Matters under Rule 4(1) of the Electricity Generating Stations and Overhead Lines (Inquiries Procedure) (England and Wales) Rules 2007 that should be considered at the inquiry. The Statement of Matters is as follows:

- (a) The extent to which the National Grid's proposal including the works necessary for the proposed upgrading for the reinforcement of the PHG line ("the proposed development") and the alternatives proposed by the affected landowner ("the alternatives") would be in accordance with the relevant development plan(s) for the area.
- (b) The relative merits of the proposed development and the alternatives in addressing the requirement to reinforce the Ferrybridge ring and to ensure security of supply.
- (c) The relative merits of the proposed development and the alternatives in terms of:
  - (i) Their impact on the Green Belt;
  - (ii) Their landscape and visual impact; and
  - (iii) Their ecological impact (in particular on great crested newts) having regard to the requirements of the Habitats Regulations (SI 1994/2716).
- (d) Any other matters that the Inspectors consider relevant

14 The relevant development plans comprise the Regional Plan for Yorkshire and the Humber; saved policies of the Leeds Unitary Development Plan; saved policies of the North Yorkshire Structure Plan; and saved policies of the Selby District Local Plan. National Grid will submit that the proposed development accords with the development plans for the administrative areas in which the proposed overhead line is located. In contrast, the alternatives proposed by Sam Smiths will conflict with the development plan policies, particularly in relation to the proposed substation within the Green Belt.

- 15 National Grid will submit that both its proposal and the alternatives proposed by Sam Smiths would achieve compliance with ER P2/6 for a period in excess of 20 years. However, the alternatives would fail to accord with National Grid's statutory duty to develop and maintain an efficient, coordinated and economical system of electricity transmission.
- 16 National Grid will submit that the development of an overhead transmission line complies with Green Belt policies both in the relevant development plans and national policy. In contrast, the alternatives proposed by Sam Smiths would conflict with Green Belt policy in that the proposed substation would be inappropriate development and very special circumstances do not exist to justify its construction.
- 17 National Grid will submit that their proposals will not have an unacceptable landscape and visual impacts. Furthermore, National Grid is committed to carrying out enhancement works in the locality where agreement is reached with local landowners. Whilst it is accepted that the alternatives proposed by Sam Smiths will reduce the landscape and visual impact associated with the provision of an overhead transmission line, the provision of a new substation and related equipment will have associated landscape and visual impacts.
- 18 National Grid will submit that the works required to uprate the existing 132kV PHG line to operation at 275kV will not be materially different from the works that will be required to the line to maintain its operation. There would therefore be no difference between the effects on ecological interests, including great crested newts, between National Grids proposals and the alternatives proposed by Sam Smiths in relation to works on the PHG line. The proposed section of overhead line would not have significant ecological effects and would not impact upon any protected species, including great crested newts. National Grid has seen no ecological assessment by Sam Smiths of the effects of their proposed alternatives on ecological interests. In that regard, National Grid will note that

the proposed substation is located in close proximity to a locally designated Site of Nature Conservation Interest.

- 19 National Grid will submit that, notwithstanding the objections submitted on behalf of Sam Smiths and Messrs Elliott, Section 37 consent and deemed planning permission should be granted for the proposed overhead line.