Electricity Transmission Property

Guidance note on the use of National Grid Electricity Transmission Land

Version 01 | July 2024

nationalgrid

This document is for developers wishing to work with National Grid Electricity Transmission plc (NGET) to acquire rights over it's land. It aims to explain our structure, approach and ways of working.

This Guidance Note will explain:

- the role of our Electricity Transmission Property Team within National Grid;
- the process for securing rights over operational and non-operational land owned by National Grid Electricity Transmission plc (leasehold, freehold, interface agreement and/or cable rights);
- common land constraints to be aware of;
- requirements in relation to planning applications and use of permitted development rights; and
- land rights and other considerations.

This guidance specifically relates to land owned by National Grid Electricity Transmission plc. The process to secure land rights on NGET land is managed through our Property Management agents BNP Paribas Real Estate (BNP PRE).

All enquiries relating to the use of this land should be directed to Electricity Transmission Property at the following email address:

NGETLandEnquiry@nationalgrid.com

This guidance does not relate to land owned by National Grid Property Holdings. Any enquiries relating to the use of this land should be directed to the National Grid Property Holdings helpdesk at the following email address:
nationalgrid.helpdesk@realestate.bnpparibas

The developer will need to check with Land Registry to differentiate between land owned by National Grid Electricity Transmission plc and National Grid Property Holdings.

The process for securing a connection to the electricity transmission system is not covered by this guidance. For more information about how to secure a connection please visit the following website:

nationalgrid.com/uk/electricity-transmission/connections

Please refer to the Glossary of Terms at Appendix 1 for definitions of any technical terms used in this guidance.

Note:

Please note that this document is for guidance purposes only, and you must always seek legal and technical advice in connection with this process. This guide and/or any communication with National Grid does not constitute a binding agreement - this is always subject to written contract.

Contents

Section 1
About National Grid

Who are we and what do we do?

National Grid lies at the heart of a transforming energy system, spanning the UK and the US.

Our business transports electricity safely, reliably and efficiently to millions of customers and communities. But we also drive change through engineering innovation and by incubating new ideas with the power to revolutionise our industry.

Our business comprises several entities including National Grid Electricity Transmission and National Grid Electricity System Operator.

National Grid Electricity Transmission owns the electricity transmission network in England and Wales and National Grid ESO operates the electricity transmission system throughout Great Britain.

Local distribution companies, also known as Distribution Network Operators (DNO's), then supply electricity at progressively lower voltages to homes and businesses. Our transmission network in England and Wales covers some 7,200km of overhead line, 690km of underground cable and 337 substations.

National Grid Electricity Transmission has a license to operate the electricity transmission network granted by OFGEM, the regulatory governing body. We are subject to the conditions contained in the license as well as several statutory and regulatory frameworks imposed to ensure the integrity of the national electricity infrastructure and ensure that the customer supply of electricity is always protected.

What does our Land and Property team do?

Electricity Transmission Property manages the land and property portfolio in the UK on behalf of National Grid Electricity Transmission. The team is accountable for the safe and efficient management of this estate, which includes safeguarding some land for our future operational expansion. Electricity Transmission Property also seeks to add value (including enhancement of social and natural capital), whilst always ensuring the operational integrity of our national electricity transmission system.

Electricity Transmission Property is responsible for facilitating land rights for third parties wanting to use land owned by National Grid Electricity Transmission. This includes easements, interface agreements, leases and licences across this portfolio.

These land rights are needed by:

- our connection customers wishing to connect to the electricity transmission system;
- customers connecting to the electricity distribution system through a DNO asset;
- DNO's requiring land for substation expansions or cable easement rights; and
- other developers wishing to acquire land rights.

Electricity Transmission Property manages the use of National Grid Electricity Transmission land through the 'Use of National Grid Land Process' which is detailed within Section 2 of this document. This process is designed to support developers whilst ensuring that the transmission of electricity is always protected.

In some cases, there are business separation requirements which limit the information which can be passed between the different entities that make up our business.

Many functions across our business work together to facilitate rights to use our land. These are described below:

- **Engineering:** this team is integral to confirming land is surplus to operational requirements and ensuring that the proposed uses of the site do not compromise security of supply or possible future expansion of a substation.
- **Operations:** the site occupiers of the operational land are an important stakeholder. Input from Operations is required for interface agreements for assets being installed on operational land and uses of adjacent non-operational land.
- **Customer connections:** customers applying for a connection will engage with the Customer Connections team and may separately engage with Electricity Transmission Property about leasing land or securing an easement. For legal reasons, we are not able to link or 'bundle' land with a connection agreement.
- **Consents:** the National Consents team is responsible for obtaining planning permission for new National Grid Electricity Transmission infrastructure. They are also consulted by our Asset Protection team when responding to third party planning applications that are in proximity to existing infrastructure or on owned land by National Grid Electricity Transmission.
- **National Grid ESO:** this is the electricity system operator for Great Britain and is a separate entity from National Grid Electricity Transmission; a connection customer will hold a contract with National Grid ESO.
- **Asset protection:** a service which allows developers to make enquiries about proposed development in proximity to our assets.
- **Land regeneration:** this team will be consulted regarding a developer proposal to use our land. They will provide available information about the land condition of the area that the developer is seeking to use.

Section 2
National Grid land process

Before we can grant any rights over our land Electricity Transmission Property have an obligation to first ensure that the land will not be required by the business for ongoing and foreseeable operational activities, for example for expansion of a substation. The process to ensure all the relevant departments are consulted before a decision is made is summarised opposite.

The process to legally complete an Option (Steps 1-6) takes approximately six months but this excludes activities which are the responsibility of the developer, notably at Step 3 (Developer Design). The overall timescales for the process are dependent on the quality of the design submitted by the developer and the complexity of the site. Timescales may be longer when the number of enquiries is high. A fee will be charged to the developer for this activity to cover NGET professional costs.

Some of these steps are not always required. For example, if a developer is entering straight into a lease or easement and does not require an option, then Optional Steps A and B will not be required.

Step 1: Developer enquiry

The developer must request an enquiry form from Electricity Transmission Property and complete and return the form using this email address:

NGETLandEnquiry@nationalgrid.com

The form details additional documents which must be provided at the same time. These are:

- layout plan
- evidence of a Line Search request
- evidence of connection opportunities from ConnectNow website (applicable only if the developer is also applying for a connection).

A fee will be payable by the developer at Step 1 to recover National Grid's costs (internal and external surveying time) for taking an enquiry through Step 1 to 6 and Step B of the process. A schedule setting out the applicable fees is included in Appendix 4 for information. Please note that additional fees may be applicable for Step A, and any variation requests.

Step 2: Desktop land review

On receipt of a completed form and fee, Electricity Transmission Property's land agent, BNP PRE, will carry out a desktop land review. This review will confirm existing land rights such as DNO's leases and current agricultural tenants as well as a summary of potential ground contamination risks. Our land agent will provide feedback on these constraints as a PDF report so the developer can design their development accordingly.

Step 3: Developer design

At this stage, the developer works up their design taking account of the constraints identified through their own due diligence and from the desktop land review carried out at Step 2. The developer can request a meeting with an engineer to look at general layout which should consider all the potential land constraints. At this stage there is liaison between the developer and National Grid to ensure a suitable route for all parties is progressed for consideration at Step 4. Please refer to Section 5 of this guidance for more details of the types of land constraints that need to be considered. Developers are encouraged to undertake a site visit and complete any intrusive or non-intrusive surveys at this stage of the process. Please see Land Rights and Access Requirements table on Page 8 for further information on access to NGET non-operational land.

The developer will be asked to provide further information, as detailed in the Step 3 to 4 checklist in Appendix 5, prior to progressing to Step 4. This information comprises the following:

- site layout plan showing all permanent and temporary works including access routes (this should show the entire development on and off the National Grid Electricity Transmission land)
- site elevation plan showing permanent installations and temporary works
- detailed description of the proposed site use, including equipment to be installed and construction methodology
- cable easement drawing showing dimensions a permanent and temporary requirements
- timings and details of any planned surveys including: ecological, archaeological, vegetation, topographical, GPR, drainage surveys, soil investigations.

All drawings to be submitted as PDF and KMZ or CAD files.

Please note, developer schemes will not be able to progress past Step 3 until there is certainty of the future design of the substation and/or the Point of Connection is known.

Step 4: Technical assessment

Our engineering team will assess all the information submitted by the developer to ensure that our assets are protected from any permanent or temporary works and are accessible for maintenance. If the information provided is not adequate for the technical assessment the developer will be requested to re-design or provide additional information. This is likely to result in delays to the process.

Our engineer will also consult our National Consents team who will check consents records and any associated conditions and restrictions to ensure that these have been accounted for by the developer.

Our Land Regeneration team will also be consulted again at this stage.

During this step, our engineer will provide informal feedback to the developer as necessary. This will flag any issues or risks with the proposal as early as possible to allow the developer to make changes.

At this stage the developer will be expected to consult other parties that may have equipment on the land affected by the proposal, for example the local DNO. The developer will need to provide evidence that the other affected parties are comfortable with the proposed development.

Once our engineer has completed the review, the proposal will be considered at a formal governance meeting to determine whether the proposal can be approved or not. Following this meeting, a formal response will be provided to the developer.

This response may be either:

a. acceptance of proposal; or

b. rejection of proposal (for example on grounds such as future operational need for the land or impact on existing assets); or

c. acceptance of proposal with conditions (for example, a requirement for the developer to work with restrictions such as reduced cable easement width or cable route amendment).

Land Rights and Access Requirements

Land Right	Permitted Works	Facilitated By	E-Permit Required?	Handover Required?	Administration Timescales*
None	Non-Intrusive Works e.g., site walkover, ecological survey	BNPPRE	✓	✗	2 weeks (as per E-Permit Guidance)
Lease	As agreed by the terms of the lease	BNPPRE and solicitors	✗	✓	Dependent on project complexity and terms of Option Agreement
Easement	Installation of cable within easement strip, working corridor and construction timeframe as agreed in the terms of the easement	BNPPRE and solicitors	✓	✗	Dependent on project complexity and terms of Option Agreement
Survey Licence	Intrusive ground investigations	BNPPRE	✓	✗	2 weeks
Construction Licence	Construction works outside of lease demise or easement working corridor/timescales and occupation of the area for less than 6 months	BNPPRE and solicitors	✓	✗*	6 weeks
Construction Lease	Construction works outside of lease demise or easement working corridor/timescales and occupation of an area for 6 months or more	BNPPRE and solicitors	✗	✓	6 weeks
Laydown Licence	Temporary use of an area for welfare facilities, parking, or storage during works on site and occupation of the area for less than 6 months	BNPPRE and solicitors	✓	✗*	6 weeks
Laydown Lease	Temporary use of an area for welfare facilities, parking, or storage during works on site and occupation of the area for more than 6 months	BNPPRE and solicitors	✗	✓	6 weeks

* to be assessed on a case by case basis whether a handover is required.

If the proposal is rejected at this stage, the developer can return to Step 3 to make the necessary revisions to their application.
If a developer proposal is accepted at this stage, this does not mean that National Grid Electricity Transmission gives a warranty that land is suitable for the proposed development. The developer is wholly responsible for satisfying themselves as to the condition and suitability of the land.

During Step 4 our land agent will commence informal land negotiations regarding the standard Heads of Terms. However, formal land negotiations will not take place until the technical assessment is complete and the proposal is accepted.

Step 5: Heads of terms negotiation

Our land agent will finalise the Heads of Terms. At this stage we will seek an undertaking from the developer for reasonable legal costs we will incur.

Step 6: Legal completion

Our appointed solicitor will progress the legal agreements and co-ordinate with the developer's legal firm through to completion. However, our solicitor cannot commence work until the developer has provided an undertaking for our reasonable legal costs.

Optional Steps

Step A: Assignment (if applicable)

If a developer has secured an land rights and wants to assign this to another legal entity an additional step will be required. This will require the developer to notify National Grid Electricity Transmission Property to have the Option assigned. The developer will be required to pay an additional fee to cover this step.

Step B: Exercise option (if applicable)

If a developer has secured an Option for an easement then this step will be required. The developer must liaise with Electricity Transmission Property to ensure that all necessary conditions of the Option have been met. A "Checklist" will be issued by Electricity Transmission Property to the Developer upon completion of Step 6, which sets out what the Developer must complete before progressing into Step B. At which point, the Option can be exercised and the developer can enter into the lease or easement.

The timeline on the next page gives an indication of timescales if a developer enters into an Option Agreement at the end of Step 6. This details the legal framework that a scheme will need to go through at Step B in order for the developer to exercise the Option and enter the Lease or Deed of Easement.

Step C: Interface agreement (if applicable)

If a developer is installing equipment within the high-voltage compound of a National Grid substation, on operational land, then an Interface Agreement must be entered into. The developer should engage with the relevant NGET Project Manager or Customer Account Manager to initiate the process of getting an Interface Agreement in place. Please note that the Interface Agreement should be completed prior to first site access. This will supplement the lease or easement on the non-operational land. The developer will be required to pay an additional fee to cover this step if the connection is to a DNO or third party that is not NGET.

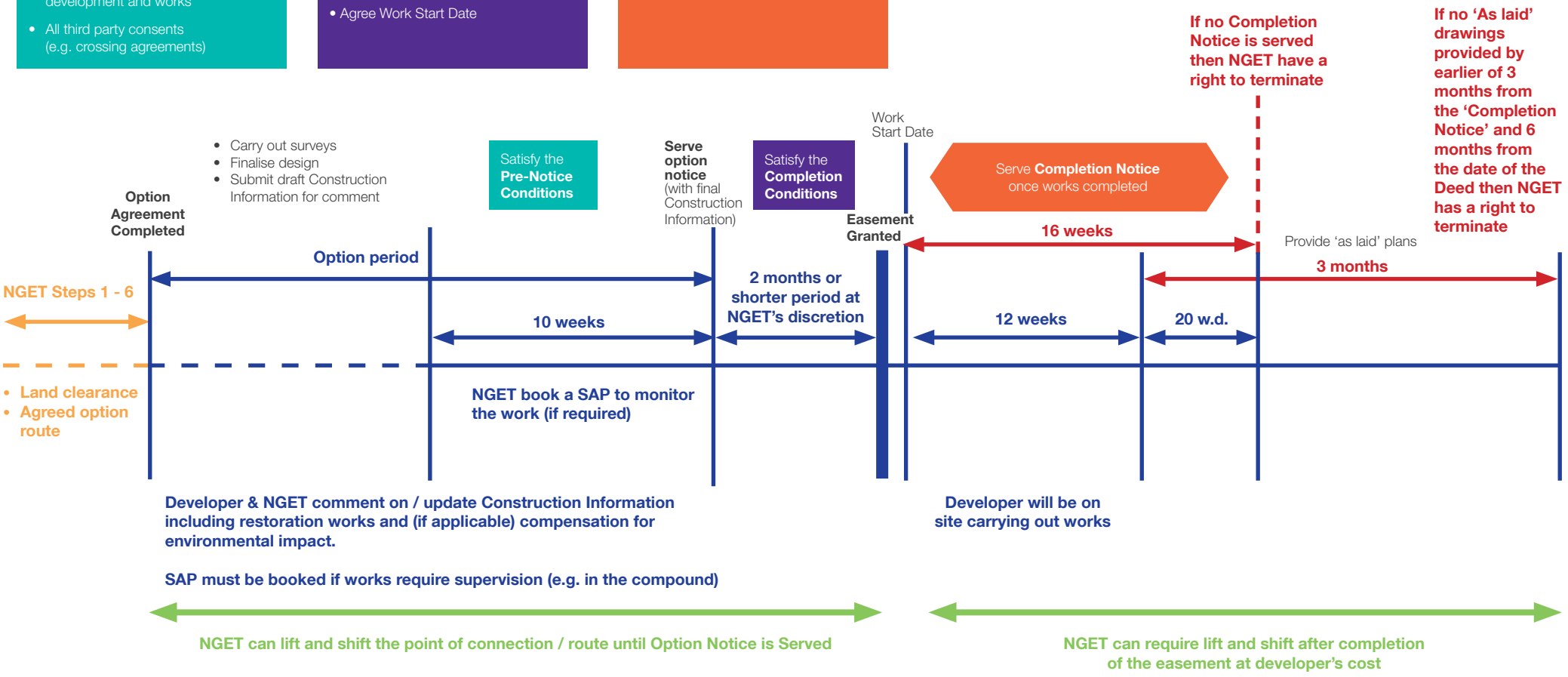
Interface Agreements are required to govern the relationship on shared sites between National Grid and third parties. They govern ownership, shared use of assets, services or rights over land between National Grid and the third party.

Step B (Exercise Option) Completion Process

Pre-Notice Conditions:
- Connection application submitted and accepted
- Planning permission for development and works
- All third party consents (e.g. crossing agreements)

Completion Conditions:
- Connection Agreement entered into
- Schedule of Condition (produced by Developer and approved by NGET)
- Agree Work Start Date

Completion Notice:
- Developer notice confirming works have been completed (i.e. cable laid and land reinstated)



Please allow minimum of 6 weeks to arrange a construction licence/lease or laydown licence/lease.

Please allow minimum 10 working days to arrange an intrusive survey licence.

The above timeline gives an indication on timescales once a developer enters the Option Agreement at Step 6 and the typical legal framework processes that a scheme will need to go through to exercise the Option in Step B.

Key
Pre-legal framework
Legal framework

Section 3
Our approach

Our Electricity Transmission Property team will work collaboratively with developers in a way that is fair, but also commercial. We need to ensure that any grant of rights is in accordance with and does not contravene the terms of our Licence and statutory obligations as stated in the Electricity Act. Some specific principles are detailed below:

a. Priority will be given to safeguarding our current and future operational requirements and discharging our statutory duties. As a result, we are only leasing land in very limited circumstances as the majority of National Grid Electricity Transmission land is safeguarded for potential future operational use. We are not accepting any new requests to lease National Grid Electricity Transmission land.

b. All developers will be treated in a fair and consistent way including the application of land valuation principles. Disposal of land rights will be at market value.

c. A land parcel will only be confirmed to the developer on the completion of Step 4 (Technical Assessment) of the Use of National Grid Land Process. Any costs including those associated with a planning application submitted prior to this point are incurred at the developer's risk.

d. Technical assessment approval may be time limited on a case by case basis, with a minimum period for safeguarding the land of 12 months.

e. If Step 6 (legal completion) is not completed, before the expiry date of the Technical Assessment approval (where it is time limited) the land will no longer be safeguarded.

f. Should a developer decide to change their route after Step 4, the proposed change will require re-approval and need to go back through Step 4 (Step 4i) which will incur an additional charge.

g. Electricity Transmission Property will provide regular communication with developers throughout the process and will appoint a single point of contact for the developer.

i. Our sites are likely to have multiple developers seeking to acquire land rights simultaneously, some of whom may be our connection customers or Distribution Network Operator connection customers. Any proposals being considered at the same site will be looked at in conjunction with each other and a site strategy will be put in place which seeks to deliver all opportunities. This is a more complex scenario and may cause delay to the process.

Section 4
Land rights

It is a mandatory legal requirement for developers to secure the necessary land agreements and have all formal documentation completed before land is occupied.

The table below shows the types of land agreements that we will enter into with the developer and example scenarios when they may be appropriate:

	Example scenarios
Cable easements	Electricity generators, such as solar farms, may require an easement over non-operational land in order to connect into our substation or a DNO substation.
Temporary Licences	Developers may require a Licence for temporary works, a construction or laydown area or to carry out site investigations. If occupation of the area will be for longer than 6 months this will need to be documented by a lease.
Option agreement	These are for easements or leases where land needs to be secured before a developer has achieved planning permission or a connection agreement or for funding purposes.
Interface agreement	These are required in order to document assets being installed within the operational area of a substation. They govern ownership, shared use of assets, services or rights over land between National Grid and the third party.

Regulatory requirements

The legal documentation has several provisions needed to ensure that we meet the terms of our Licence and meet our core utility function. This includes:

- access and cable rights will need 'lift and shift' relocation provisions at the developer's cost; and
- obligations to reinstate including a reinstatement bond or rent deposit deed where appropriate.

Connection customers

National Grid Electricity Transmission owns land in the vicinity of both our substations and Distribution Network Operator substations. Developers wishing to obtain a connection may require an easement over land managed by Electricity Transmission Property. Where possible an Easement will be entered into directly with the developer.

However, an option may be put in place while the developer secures a connection and/or planning consent. Options will typically be limited to 18 months with a potential opportunity to extend by 12 months.

Further details of the specific process and legal requirements for connection customers are set out at Appendix 2 (Lease and easement process for connection customers).

Third party land rights

If the developer needs to gain access to adjoining land or secure land rights from a third party (including crossing agreements if the developer needs to cross third party apparatus), they must take responsibility for negotiating those rights. We have no statutory land rights over third party land which can be conveyed to the developer. Please refer to Section 8 regarding the use of permitted development rights.

Section 5
Land constraints

Each site in our portfolio has a unique history and set of constraints. Some of the common constraints to use of our land are described below:

Existing land rights

There is a variety of existing land rights on our land which may provide a constraint to development, details of which will be provided where known to the developer at the end of Step 2 (Desktop Land Review). The main land rights constraints across our portfolio are:

- **Agricultural holding act tenancies** - these provide security of tenure to the lessee with potential succession rights. A surrender of these tenancies is subject to specific clauses under the Act and the process to gain vacant possession can be lengthy. Compensation will have to be paid for any crop or business loss incurred by the agricultural tenant.
- **Farm business tenancy** - generally we can recover vacant possession within 6 to 12 months. Compensation will have to be paid for any crop or business loss incurred by the agricultural tenant.
- **Other utility wayleaves and easements** such as fibre, water and gas.
- **Grazing Licences** - vacant possession can be obtained at the end of a short-term license.
- **Title restrictions** - there may be general restrictions on the title which provide a constraint to development.

The developer will be subject to any such constraints and will need to comply with the requirements of each. In addition, there may be DNO land rights which affect our land and present a constraint to development. To understand these, the developer should consult with the DNO to obtain an asset plan.

Planning conditions and constraints

There may be existing planning conditions or legal agreements relating to our land that may affect a proposed development that need to be considered, for example a condition requiring land to be retained as tree screening or where Biodiversity Net Gain (BNG) is being delivered and there is a long term maintenance requirement.

Our land may form part of the order limits of a Development Consent Order for a Nationally Significant Infrastructure Project, such as a large off-shore windfarm connecting to the electricity system. As a result, developers will need to understand the extent of the order.

The developer will need to undertake their own planning searches of our non-operational land to establish if such planning conditions or constraints exist. If any are identified, the developer should raise these with Electricity Transmission Property.

Existing operational assets

The physical security, safety and access requirements of our operational assets provide some practical limitations on development. Overhead lines, pylons and buried cables are likely to be present on our land and may be in our ownership or other parties such as DNOs.

The developer is required to make an Asset Protection enquiry during Step 1 of the Use of National Grid Land process. This is to ensure that, at the outset, developers are fully aware of the presence of operational assets affecting the land that they want to use, and that these have been considered early in the design stage. Details of our Asset Protection service are provided at Section 6 of this guidance.

Developing or working on our land near operational assets raises several issues which require early consideration by developers. The developer must comply with our policies detailed at Appendix 3. Some of the key issues are detailed on the following page.

- **Operational fencelines**

  For security reasons no buildings or structures that could provide a climbing aid will be considered if they are within 2 m of the operational fence surrounding our operational land. Developers are required to provide a separate fenceline around their compound and cannot share our operational fenceline. Our engineers require unobstructed access along our operational fenceline to carry out routine security checks and maintenance work.

- **Overhead line conductors**

  It is vital that appropriate safety clearances are maintained and the need to provide suitable access for future maintenance is considered when developers are designing proposals in proximity to overhead lines.

  Safety clearances at specific locations will be dependent on several factors including the line's operating voltage, construction, topography and nature of the proposed development. For technical and amenity reasons we do not encourage built development immediately beneath overhead lines.

- **Pylons**

  We need to have safe access for vehicles around pylons and development that restricts this will not be permitted. Excavations or permanent structures that might affect the foundations of a pylon will not be allowed. If development is proposed within 30 m of the pylon base this will generally be discouraged and will need careful consideration depending on the nature of the development in this area.

- **Buried cables**

  The presence of existing underground cables gives rise to specific safety requirements. The area immediately above and for a distance on either side must be kept clear of buildings, structures and tree/ hedgerow planting.

If the developer is proposing to install direct buried cables as part of their development, separation from existing NGET cables is to be agreed with NGET if within 5 m and no less than 500 mm. This is required in order to avoid electrical or thermal interactions between the cables and the adjacent infrastructure, and for safety reasons during construction works.

Cable routes through operational land are to be as short and direct as possible. It is not permissible to install a cable through NGET operational land for any reason other than to make a connection to the NGET transmission system or DNO distribution system.

It is a strong preference that any proposed new cable routes avoid crossing existing NGET and third party cables where possible. If this can not be avoided then, with NGET cables, we will need to review the details of the proposed crossing as part of the construction information. With third party cables or apparatus it will be for the developer to secure the necessary crossing agreements to NGET's satisfaction.

Access roads

Installing cables in substation access roads should be avoided so that access to our substations can be maintained 24/7. The use of access roads for cable installation will only be considered if:

a. there is no evidence of a viable alternative option;

b. there is sufficient space to accommodate the cables within the freehold;

c. it can be demonstrated that 24-hour access to the substation can be maintained during construction; and,

d. we have approved a cable engineering solution that confirms it is a viable option

Developing or working on our land near operational assets raises several issues which require early consideration by developers. The developer must comply with our policies detailed. Cost alone will not be accepted as evidence that there is no viable alternative cable route option.

Access through high voltage compounds will generally not be permitted except to access equipment included in an interface agreement or in circumstances where there is no alternative access route and then only during construction period.

If the developer is proposing to utilise National Grid owned private access road to enter their development (rather than just their cables and any assets within the substation) an access easement will be required. The terms for this easement will be dealt with on commercial terms.

Future operational requirements

Where Electricity Transmission Property need to safeguard some areas of non-operational land for future operational reasons, for example to expand a substation to accommodate additional equipment, a land right will not be provided.

Biodiversity and natural capital

We have obligations to maintain and enhance biodiversity and natural capital on our land. While this does not preclude development, it may influence how works are carried out and land used so as to minimise the environmental impact and to compensate for loss where required. This might include a requirement that cables are laid using horizontal directional drilling. We refer you to Section 7 below for further information.

Developers will need to undertake their own searches and surveys for key environmental features on or near to our non-operational land which may affect the proposed development. Such features are likely to include:

- European, national and local level designations (for example Special Areas of Conservation, Ancient Woodland, Local Wildlife Sites);
- Tree preservation orders;
- Public rights of way;
- Protected species licenses and
- Pre-existing third party planning conditions

This is not an exhaustive list and it is for the developer to determine and understand the constraints conferred by such features.

Section 6
Asset protection and land access authorisation

We will not authorise or agree safe systems of work with developers and contractors but will advise on issues such as electrical safety clearances and the location of towers and cables via the National Grid Asset Protection team or Line Search facility.

Line Search provide search facilities for our assets so developers can:

- find out if it's safe to dig before they start
- find out where underground electricity cables and gas pipelines are buried
- report any works being planned

We will work with developers to minimise the impact of any operational assets that are nearby. We ask developers to provide a plan of the entire development to our Asset Protection team so that they can review the impact within, or in close proximity to the proposed development.

The developer is required to make an asset protection enquiry during Step 1 of the Use of National Grid Land Process. The contact details for this service are:

lsbud.co.uk

assetprotection@nationalgrid.com

0800 001 4282 (Asset Protection)

Authorisation to access National Grid land (E-Permit)

All access to non-operational land needs to be agreed with NGET in advance through an authorisation process known as E-Permit. This is in addition to land rights granted e.g licence or easements.

An E-Permit will be required for accessing:

- Non-Operational land that is not currently leased by a third party;
- Non-Operational land under an Option Agreement with the third party;
- Non-Operational land under a Wayleave or Easement with the third party (unless in the event of an emergency);

This includes non-intrusive activities, such as a site walkover, and intrusive works.

The E-Permit process will enable BNPPRE to share information on site specific hazards and provide all parties with details of who has permission to access site while the works are taking place.

An E-Permit is not required where the proposed works fall wholly within the area leased by the third party.

A link to request an E-Permit is provided below:

nationalgridlive.e-permits.co.uk

The link to further information on E-Permits is provided below:

https://www.nationalgrid.com/electricity-transmission/use-of-national-grid-land

Section 7
Environmental considerations

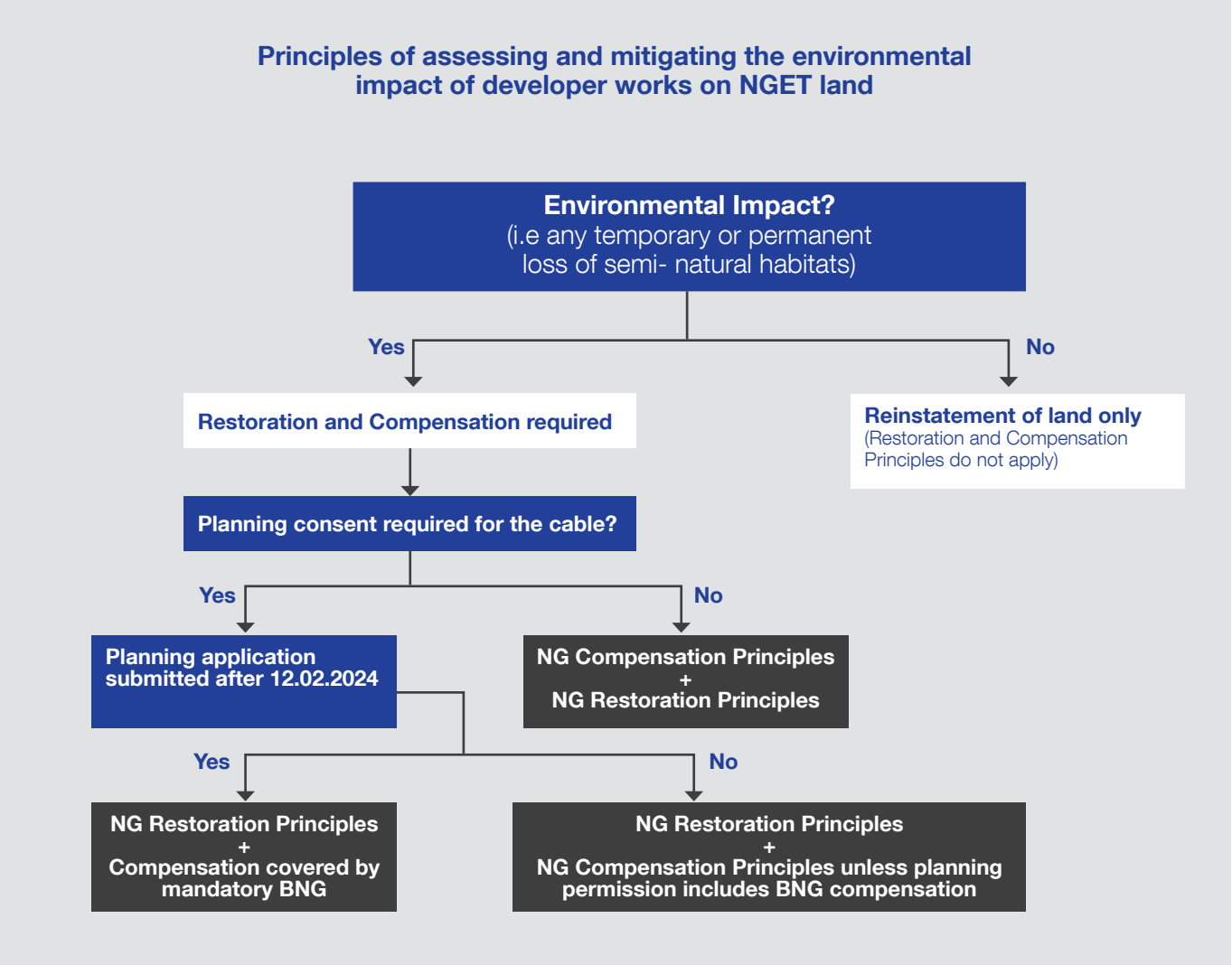
As a responsible business we recognise that the natural environment provides valuable benefits and services both for biodiversity and society. Ecosystem services such as climate regulation, flood control and pollination provide direct benefits that have an intrinsic value. As a result, we have commitments to protect and enhance the natural environment, which are outlined in NGET's Environmental Action Plan (link in Appendix 3).

National Grid Compensation Principles and Restoration Principles

Developers must be aware of our environmental commitments when seeking to acquire rights over our land. Developers will be required to demonstrate in relation to any works on NGET land which result in the temporary or permanent loss of semi-natural habitats, that:

- the method of carrying out the works and reinstating NGET's land accords with the **National Grid Restoration Principles**. This may also require the carrying out of replacement, replanting or reseeding of the original restoration measures to ensure establishment over the first 5-year period after restoration; and
- compensation is made in accordance with the **National Grid Compensation Principles** unless BNG provision is made in the developer's planning consent and the consent includes the works on NGET's land or the developer enhances the BNG provision relating to the project to compensate for the loss arising because of the works on NGET's land.

The application of the National Grid Restoration Principles and the National Grid Compensation Principles can be as follows:



The **National Grid Compensation Principles and NG Restoration Principles** are set out on the next pages.

The developer must carry out relevant ecological surveys. This includes an arboriculture impact assessment where relevant (e.g. where tree loss is proposed or where root protection areas could be compromised such as during horizontal directional drilling). Copies of all reports must be provided to NGET before the developer can exercise the option.

The developer will be required to submit details of what, how and when the works to NGET's land will need to be carried out. Such details must include the works required to comply with the National Grid Restoration Principles and, where applicable, the National Grid Compensation Principles.

If compensation is required by way of planting of trees on another site, then evidence of compliance or payment to the relevant third-party organisation will be required before the grant of the land interest in NGET's land.

National Grid Restoration Principles

The Restoration Principles in Table 1.1 provide simple prescriptions for the reinstatement of habitats within National Grid Non-Operational land.

Table 1.1

Restoration and establishment requirements by Developer's for habitats lost on National Grid's Land

Habitat type	Restoration requirement	Establishment need
Hedgerows	Hedgerows will be replanted with the species representative of the hedgerow -at least 5 plants per linear metre in a double staggered row. The number and type of species planted will reflect those removed (non-native species to be replaced with native species where appropriate).	Plantings will be protected from herbivory using biodegradable tree guards. Newly planted scrub will be monitored in spring/summer for five years with any failures within this period replaced in the next available growing season.
Scrub	Scrub will be replaced with plantings at approximately 2.5m centres, using the species mix equivalent of that removed (non-native species to be replaced with native species where appropriate).	Plantings will be protected from herbivory using biodegradable tree guards. Newly planted scrub will be monitored in spring/summer for five years with any failures within this period replaced in the next available growing season.
Woodland and individual trees	To protect the integrity of below ground utilities any woodland and individual trees to be replaced with scrub (see above).	N/A
Modified grassland (less than 8 species per metre square)	Damaged areas to be resown with an appropriate seed mix ensuring it is representative of the adjacent grassland.	Seed bed to be prepared appropriately. Newly sown grassland will be monitored in spring/summer for five years with additional weed control, scarification and over-seeding as required to ensure establishment delivered at the first appropriate management point.
Other grassland (9 or more species per metre square)	Turf to be stripped from working area, stored adjacent to the works and replaced following the closing of trenches. Where duration of works suggests viability of approach is low an appropriate seed mix containing the species identified during baseline surveys is to be sown.	Soil to be prepared appropriately to receive turf or seed. Turfed or sown grassland will be monitored in spring/summer for five years with additional weed control, scarification and over-seeding as required to ensure establishment delivered at the first appropriate management point.

Other habitats (for example wetlands such as reedbed, ditches, watercourses, heathland etc.) will need to be reinstated on a case-by-case basis, dependent on their biodiversity value, complexity and compatibility with below ground utilities infrastructure.

National Grid Compensation Principles

The Compensation Principles are based on planting of trees by third parties to generally enhance the woodland cover of the UK.

Table 2.1
Compensation requirements for habitats lost on National Grid's Land

Habitat type	Specification	Compensation
Hedgerows	Linear metre loss is the relevant unit of measure	Five trees planted, secured through a third-party provider for each linear metre lost.
Scrub	Square metre is the relevant unit of measure. Note where stem diameter of any tree is more than 75mm consider in the 'woodland and individual tree' category	Five trees planted, secured through a third-party provider for each square metre lost.
Woodland and individual trees	A count of each tree lost with a stem diameter of more than 75mm	Eight trees planted per tree lost, secured through a third-party provider.
Modified grassland (less than 8 species per metre square)	Square metre is the relevant unit of measure.	Two trees planted, secured through a third-party provider for each square metre lost.
Other grassland (9 or more species per metre square)	Square metre is the relevant unit of measure.	Five trees planted, secured through a third-party provider for each square metre lost.
Other habitats	Square metre is the relevant unit of measure.	Five trees planted, secured through a third-party provider for each square metre lost of non-priority habitat Ten trees planted, secured through a third-party provider for each square metre lost of priority habitat

These principles do not apply to works within a designated site (e.g. SSSI sites) or with irreplaceable habitat. If you wish to carry out works in such areas please contact us as soon as possible.

NGET does not prescribe where trees should be obtained from however the Developer must demonstrate that the provision is for:

- Planting of native species only;
- Where possible, planting is to occur locally;
- Where local planting schemes are not available, planting should (other than in exceptional circumstances) be regional.

Land condition

Much of our land is brownfield land. It is important that developers are aware that previous use of the land may have had an impact on land quality, particularly if a previous use was industrial. As a responsible landowner, and to ensure the safety of all site users, we may restrict activities permitted under the easement on a site-specific basis, for example limits on excavations.

We will provide available information about land quality and contamination that could affect the area that the developer is seeking to use during Step 2 and Step 4 of the Use of National Grid Land Process (Technical Assessment).

Stakeholder, community and amenity

We will meet and uphold the commitments set out in the Stakeholder, Community and Amenity Policy (see link at Appendix 3) to meet our amenity responsibilities and involve our stakeholder and communities in our work.

Our customers and other developers are expected to meet these standards when undertaking works on our land. If upholding these standards cannot be demonstrated, we will not progress with land negotiations or will request that the developer redesigns their proposal.

Section 8
Planning

Planning

If the developer requires planning permission for their proposed development on our land, the planning application must be reviewed by us prior to submission. In particular, the planning application boundary area should be minimised to avoid unnecessary areas of our land forming part of the application. It should also reflect the land agreement in place, or the Heads of Terms being discussed with us. Where this is not adhered to, we may object to the planning application. Any draft conditions proposed by the Local Planning Authority relating to our land must be discussed and agreed in writing with us. We reserve the right to stop progression of a land enquiry if the developer enters into conditions or commitments relating to our land without prior written agreement.

If the proposed development is a Development Consent Order (DCO) or a Compulsory Purchase Order (CPO) the developer should contact our Asset Protection team to further discuss the development proposals using the below contact detail:

box.landandacquisitions@nationalgrid.com

Permitted development rights

The below provides guidance on the use of permitted development rights across our owned and controlled land under Part 15 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO).

a. We have the benefit of using permitted development rights, which apply differently on our operational land and non-operational land. These rights have been bestowed specifically on us as a statutory undertaker and should not be used by other developers.

b. Developers may be able to use their own permitted development rights by

   i. holding a Licence (generation or transmission) under the Electricity Act as a statutory undertaker; or

   ii. holding a Licence under the Gas Act 1986 to operate as a ‘gas transporter’; and

   iii. controlling the land (through acquisition or lease)

c. If permitted development rights are not held or cannot be used owing to the type and location of the works, then planning permission must be obtained.

d. Where the developer is seeking to class some or all their works on our owned or controlled land as “permitted development”, our National Consents team should be consulted via Electricity Transmission Property as soon as possible to confirm the position.

National Grid plc
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July2024/CN799/DM