

PLANNING / CONSENTS

**THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (SCOTLAND TO
ENGLAND GREEN LINK 1) COMPULSORY PURCHASE ORDER 2023**

SUMMARY OF EVIDENCE

**Hugh Smith
Consents Officer
National Grid Electricity Transmission plc**

1. QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Hugh Smith and I am a Consents Officer with National Grid Electricity Transmission Plc (NGET). I hold a BA (Hons) degree in Geography from the University of Manchester, a Masters degree in Environmental Change and Management from the University of Oxford, and a Masters degree in Town Planning from the University of Manchester. I am a Member of the Royal Town Planning Institute and a Fellow of the Royal Geographical Society.
- 1.2 I set out my roles and qualifications in section 1 of my evidence.

2. INTRODUCTION AND SCOPE OF EVIDENCE

- 2.1 My evidence explains 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 also provides evidence on the alternatives to siting considered and Local Planning Authority endorsement of both compliance with the extant development plan 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 (July 2019) ("**CPO Guidance**") (CD B.6).

3. DESCRIPTION OF THE SCOTLAND TO ENGLAND GREEN LINK 1 PROJECT

- 3.1 I set out the works required for the Project, including the English Onshore Scheme, at section 3 of my evidence.

4. PLANNING POLICY SUPPORT FOR THE PROJECT

- 4.1 Designated under the Planning Act 2008, and published in 2011, National Policy Statements (NPS) 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)¹, such as the Project.
- 4.2 For the Project, the NPS for Energy (NPS EN-1) (CD B.2), and the NPS for Electricity Networks Infrastructure (NPS EN-5) (CD B.3), were considered to be material considerations. The Government has published and is consulting on draft replacements for the current NPS EN-1 and EN-5 (CD B.4 and B.5).
- 4.3 The Government announced a review of the NPSs in the 2020 Energy White Paper: *Powering our net zero future*. This review was to ensure the NPSs were brought up to date to reflect the policies set out in the White Paper. The Government held a public consultation on the revised NPSs EN-1 to EN-5 in 2021 and published a government response in March 2023 upon which it is currently consulting. The Government states that the current draft consultation is more focused than the 2020 consultation and includes consideration on strengthening the electricity

networks NPS to include more detail on the role of strategic planning of networks, which considers the network as a whole, rather than just individual transmission projects.

- 4.4 There is strong national planning policy support for the Project and I set out the national planning policy support and emerging national planning policy support for the Project in section 4 of my evidence.

National Planning Policy Framework

- 4.5 The National Planning Policy Framework⁷ (CD B.1) (“NPPF”) (July 2021) was a material planning consideration when assessing and determining the EOS planning application.

Local Development Plan

- 4.6 The statutory development plan for Durham County Council’s (DCC) administrative area includes the County Durham Plan (adopted October 2020) (CD B.15), together with other documents. I set out the spatial objectives and policies from the development plan that are relevant to the EOS in section 4 of my evidence.

5. OVERARCHING CONSENTS STRATEGY

- 5.1 In section 5 of my evidence I set out the approach to consents strategy in respect of the EOS.

6. PLANNING POSITION

- 6.1 I set out the planning permission in section 6 of my evidence. The consents required for the Project are set out within the table below.

Description	Primary Consenting Regime	Relevant Determining Authority
English Onshore Scheme		
Erection of a Converter Station Erection of a 400kV GIS substation Laying out of replacement Public Open Space	Outline planning permission granted ²⁸ July 2023 (DM/22/01663/OUT) under the TCPA	DCC
Approximately 10 km of underground HVDC cable from mean low water mark to the Converter Station.	Permitted Development, General Permitted Development Order 2015, Part 15, Class B (a) electricity undertakings	n/a
Approximately 1 km of underground HVAC cable between the converter station and the new substation, and the new	Permitted Development, General Permitted Development Order 2015,	n/a

Description	Primary Consenting Regime	Relevant Determining Authority
400kV substation and the existing substation.	Part 15, Class B (a) electricity undertakings	
Amendments to the existing overhead line to turn into the new substation including a new pylon	Section 37 consent under the Electricity Act 1989. Application submitted.	Department for Energy Security and Net Zero
Removal of three existing pylons and associated spans (net loss of two pylons).	Existing consent for the 4TF overhead line	n/a
Cable construction compounds	Permitted Development, General Permitted Development Order 2015, Part 4, Class A – temporary works	n/a
Construction compounds and laydown areas for substation and converter station	Permitted Development, General Permitted Development Order 2015, Part 4, Class A – temporary works	n/a
Temporary access roads to construction areas	Permitted Development, General Permitted Development Order 2015, Part 4, Class A – temporary works	n/a
Marine Scheme		
English Marine Scheme	Marine Licence under the Marine and Coastal Access Act 2009 Ref: L/2023/00212 Granted on 20 July 2023	Marine Management Organisation
Scottish Marine Scheme	Marine Licence under the Marine (Scotland) Act 2010 Ref: MS-00009880 Granted on 26 May 2023	Marine Scotland – Licensing Operations Team

Description	Primary Consenting Regime	Relevant Determining Authority
Scottish Onshore Scheme		
Planning permission in principle for a converter station and associated development including a landfall at Thorntonloch and connecting buried cabling, all in association with the Scottish Power Eastern Link 1 project, for a new subsea High Voltage Direct Current (HVDC) link	Planning in principle granted 2 May 2023 (22/00852/PPM) under the Town and Country Planning (Scotland) Act 1997	East Lothian Council

7. CONSIDERATION OF ALTERNATIVES

7.1 In section 7 of my evidence I set out the approach to alternatives in finalising the English Onshore Scheme. This demonstrates that alternatives were considered throughout the evolution of the EOS.

7.2 In section 7 of my evidence I also demonstrate the regard had to planning allocations and planning permissions in designing the EOS.

8. CONSULTATION UNDERTAKEN

8.1 In section 8 of my evidence I detail the public consultation undertaken in respect of the EOS and address the objections submitted in respect of the Planning Application.

8.2 In section 8 of my evidence I also address planning issues identified in Obj1; Obj8; Obj9; Obj10; Obj11; Obj12 and Obj13 and in respect of the Car Boot Sale and the NFU and demonstrate how those objections are addressed.

9. MITIGATION MEASURES

Soil and Soil Management

9.1 In section 9 of my proof I detail the mitigation measures which will be applied to the EOS.

10. CONCLUSIONS

10.1 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 and draft National Policy Statements EN—1 and EN-5, the National Planning Policy Framework and the Development Plan, which includes the adopted County Durham Plan. The EOS will deliver nationally significant benefits in a way that has due regard to its surroundings and appropriately minimises and mitigates its impacts. The overarching need and benefits of the

Project are clear and were awarded appropriate weight in the determination of the planning application.

- 10.2 The Project will contribute to maintaining essential infrastructure for electricity supply beyond the boundaries of the district 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.
- 10.3 The primary consents for the Project are in place following the grants of the Planning Permission by Durham County Council and East Lothian District Council, and grants of marine licences by the Marine Management Organisation and Marine Scotland-Licensing Operations Team. In addition, NGET is able to make use of its permitted development rights as a statutory undertaker.
- 10.4 In my view, there are no planning impediments to the delivery of the Project.

11. DECLARATION

- 11.1 This summary of evidence has been prepared and provided for this inquiry and given in accordance with the guidance of the Royal Town Planning Institute. I confirm that the opinions expressed are my true and professional opinions.

Hugh Smith

5 September 2023