

PLANNING AND CONSENTING

THE NATIONAL GRID ELECTRICITY TRANSMISSION (HARKER ENERGY
ENABLEMENT PROJECT) COMPULSORY PURCHASE ORDER 2023

STATEMENT OF EVIDENCE

OF

EMMA PICKARD

1 QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Emma Pickard and I joined National Grid in October 2022 as a Lead Consents Officer. In my role I am responsible for strategic consenting and planning advice on major projects, this includes procuring consenting and environmental services and managing consultants and National Grid teams through both the development and delivery stages of infrastructure projects.
- 1.2 I graduated from University College London (UCL) in Town and Country Planning and gained a postgraduate diploma from UCL in Urban Design. I later completed an HNC in Construction Design and Management. I began my career working briefly for a water company and then moved into the public sector as a town planner working in two separate local authorities. Subsequently, I moved into consents management and have held several roles working within a variety of infrastructure sectors including, renewable energy and battery storage, rail, water and electricity. My experience is predominantly in consents management of medium and large scale infrastructure projects from scheme inception, through design, construction and commissioning. I have over 20 years' experience and I am a chartered member of the Royal Town Planning Institute.

2 INTRODUCTION AND SCOPE OF EVIDENCE

- 2.1 For the Harker Energy Enablement Project ("the Project") my role for National Grid Electricity Transmissions PLC ("National Grid") was to provide consents management for the new Harker substation rebuild, taking over the project from a previous consents officer just before the planning submission in December 2022. I also provided consents advice to the overhead line ("OHL") project team on specific queries and have responsibility for works under Section 37 of the Electricity Act 1989.
- 2.2 My statement of evidence will set out the consenting position for the Project including the consents in place and the proposed approach in respect of obtaining secondary consents once the Project is in delivery. It will provide evidence on the approach to the planning strategy taken by National Grid in relation to the Project, including EIA screening, and permitted development. My statement of evidence will conclude that planning and other consenting matters do not present any impediment to the delivery of the Project.

3 SUMMARY OF CONSENTING POSITION FOR THE PROJECT

- 3.1 I set out below a summary of the consenting position for the Project:

3.2 Planning - Primary Consents

- (a) An EIA screening request was submitted to Carlisle City Council (now Cumberland Council and referred to in this statement as "the Council") under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, for the rebuild of Harker substation and associated works. The Council returned their screening opinion on 11th July 2022 (**CD C04**) confirming that the proposals were not considered to be EIA development.
- (b) Planning permission was required under the Town and Country Planning Act 1990 ("the 1990 Act") for the Harker substation rebuild and an application was submitted to the Council on 21st December 2022 (registered on 8th January 2023 under application no. 22/0981) with the following description of development: *'Proposed extension to Harker substation as part of the Harker Energy Enablement Project comprising substation buildings, supergrid transformers, busbars & switchgear, diesel generator,*

mechanically switched capacitor, associated landscaping and biodiversity enhancement, drainage, internal access roads and parking, lighting & CCTV, fencing & new site access'. Planning permission was granted on 30th March 2023 (**CD C06**).

- (c) The V Route currently operates as a single circuit. However, there is an extant consent for the construction and operation of this OHL as a double circuit which was consented by The Central Electricity Board (Main Transmission Lines) Order 1940 (SI 1940/1390, the 1940 Order, **CD C01**), a ministerial certificate dated 30 July 1940 pursuant to the 1940 Order (**CD C02**) and a consent of the Electricity Commissioners dated 11 March 1947 made under section 11 of the Electricity (Supply) Act 1919 (**CD C03**). Consequently, no additional permissions are required for the V Route uprating works.

3.3 Other works pertaining to the Project do not require planning permission under the 1990 Act as follows:

- (a) Underground cabling constitutes permitted development under Part 15 (Class B(a)) of The Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GPDO").
- (b) Uprating works on the T Route and AL Route constitute renewal of existing assets on a like for like basis and therefore constitute permitted development under section 55(2)(c) of the 1990 Act.
- (c) Equipment removal from the existing Harker substation does not constitute development under section 55 of the 1990 Act.
- (d) Temporary construction/laydown areas are either permitted under the extant planning permission or are permitted development under permitted development pursuant to Class A of Part 4 of Schedule 2 of the GPDO.
- (e) Cable Sealing End Platform at tower FW1 is permitted development pursuant to Class B(a) of Part 15 of Schedule 2 of the GPDO.

3.4 **Consents pursuant to the Electricity Act 1989**

- (a) Two components of the OHL works require consent under Section 37 of the Electricity Act 1989. These applications were submitted to the Department of Energy Security and Net Zero (DESNZ) on 8th and 9th of February, 2024 (DESNZ ref. 12.04.09.05-1842U and 12.04.09.05-1843U). The works subject to Section 37 consent are:
 - (i) Duck under arrangement at tower AL68 which involves the erection of two smaller towers (V70A and V70B) and an OHL connection from AL68 to V70.
 - (ii) Short section of temporary OHL from tower V28 which sits outside of the substation land and therefore is not on land in the control of National Grid.
- (b) In each case the works meet the requirements of the applicable guidance (**CD B10**) and National Grid has consulted with Natural England, Historic England and the Council prior to submission of the applications to DESNZ. There were no objections raised, however, for the works at tower V28, Natural England have confirmed the requirement for National Grid to adhere to the measures and best practice as outlined in the Ecological Impact Assessment which accompanied the consultation. A condition is expected to be applied to this Section 37 consent.

- (c) It is anticipated that the Section 37 applications will be decided concurrently with the decision to confirm the Order, and that the consents will be granted.

3.5 Secondary Consents

- (a) The planning permission for Harker substation rebuild was granted subject to seven conditions, four of which were pre-commencement. One pre-commencement condition relating to a programme of archaeological investigation and intrusive surveys, was discharged on 22nd September 2023 (Discharge of Condition Notice reference 23/0650, **CD C09**). An application to discharge a second condition relating to submission of surface water drainage details, has been submitted to the Council (application no. 24/0051) and is currently under consideration. There are two remaining conditions to discharge relating to submission of a final Construction Traffic Management Plan and Landscaping details. National Grid are currently working with the principal contractor and the Council to discharge the remaining conditions. These documents have already been approved in outline under the planning permission and the approval of final versions of these reports are not considered to present an impediment to the delivery of the Project.
- (b) For the OHL works a Habitat Regulations Assessment screening and SSSI Assent report have been submitted to Natural England (as described in the Ecology Statement of Evidence) in relation to two areas of work within the Upper Solway Flats and Marshes Ramsar/SSSI and Solway Firth SPA/SAC sites. National Grid are in consultation with Natural England to agree the proposed mitigation measures.
- (c) OHL works at, and adjacent to, plot 293 will be carried out under a Great Crested Newt (European Protected Species) mitigation licence which has been sought from Natural England (as described in the Ecology Statement of Evidence).
- (d) The appointed principal contractors are responsible for secondary consents for the Project. This includes flood risk activity permit, discharge consents, highways consents, hedgerow removal notices, ordinary watercourse consent, protected species licences. National Grid are working with the principal contractor to enable expedient approval of these consents which are considered to be temporary or minor in nature and are not considered to present an impediment to the delivery of the Project.

3.6 Other

- (a) At the northern end of the T Route, a short section of OHL crosses the border into Scotland. Consenting this section of the OHL falls to Scottish Power Transmission (SPT). National Grid have been liaising with SPT to enable a coordinated approach to delivery of the Project to programme.
- (b) As a licence holder National Grid has a specific statutory duty to uphold in relation to the desirability of preserving the environment and mitigating the impacts of works under Schedule 9 of the Electricity Act 1989. Therefore, those works that do not require express consent are subject to an assessment of environmental impacts and appropriate control measures are implemented. These measures have been incorporated into the Project.

4 SUMMARY AND CONCLUSIONS

- 4.1 All of the necessary primary planning consents are in place to deliver the Project and National Grid is able to rely on permitted development rights for the construction of key permanent or temporary elements of the scheme.
- 4.2 Whilst there are two outstanding applications for Section 37 consents pursuant to the Electricity Act 1989, these are expected to be granted at the same time as the Order is confirmed and therefore are not considered to be an impediment to the Project.
- 4.3 Measures are in place to ensure the necessary secondary consents and licenses will be secured by National Grid in collaboration with its contractors and sub-contractors.
- 4.4 In light of all of the above, there are no primary or secondary consenting impediments to the Project.

5 DECLARATION

- 5.1 I confirm that the facts stated in this statement of evidence are true and are based on my professional opinion.

Signed:

A handwritten signature in black ink, appearing to be the initials 'EF' in a cursive style.

Dated: 12th February 2024