

THE NATIONAL GRID ELECTRICITY TRANSMISSION
(BIRKHILL WOOD SUBSTATION PROJECT)
COMPULSORY PURCHASE ORDER 2025

STATEMENT OF REASONS

13 NOVEMBER 2025

**National Grid Electricity Transmission (Birkhill Wood Substation Project) Compulsory
Purchase Order 2025**

Statement of Reasons

1 Introduction

- 1.1 This document is the Statement of Reasons of National Grid Electricity Transmission Plc (**NGET**) prepared in connection with the National Grid Electricity Transmission Plc (Birkhill Wood Substation Project) Compulsory Purchase Order 2025 (the **Order**).
- 1.2 If confirmed by the Secretary of State for Energy Security and Net Zero, the Order will authorise NGET to purchase compulsorily the land and new rights in land required for the construction and operation of a new 400kV electricity substation (**Birkhill Wood Substation**), reconfiguration of existing overhead lines and provision of new electricity pylons together with a new junction off the A1079 to serve a new vehicular access to the new substation with onward road connection to the existing Creyke Beck substation (**Creyke Beck Substation**) and associated works (the **Project**) on land to the north of the Creyke Beck Substation. NGET intends separately to this Order to secure consenting and land rights to construct and operate an extension to the existing Creyke Beck Substation, known as the **Wanlass Beck Substation Extension**.
- 1.3 This Statement describes NGET's justification for promoting the Order and explains why there is a compelling case in the public interest, for the confirmation of the Order. This Statement has been prepared in accordance with Section 14 of the Department for Levelling Up, Housing and Communities' *Guidance on Compulsory purchase process* (January 2025) (**CPO Guidance**).
- 1.4 In this Statement, the land which is the subject of compulsory purchase powers is referred to as the **Order Land**. The Order Land is described in this Statement and is shown coloured pink (freehold acquisition) and blue (acquisition of 'packages' of rights) on maps which form part of the Order (**Order Maps**).
- 1.5 The Order also contains a Schedule of Interests which identifies those persons with an interest in land affected by the Order.

2 Powers under which the Order is made

- 2.1 This Order was made pursuant to section 10 of, and Schedule 3 to, the Electricity Act 1989 (**1989 Act**), and having regard to the CPO Guidance.
- 2.2 Section 10 of the 1989 Act provides that the powers in Schedule 3 (which provides for the compulsory acquisition of land) have effect in relation to the holder of a transmission licence. NGET is the holder of an electricity transmission licence granted pursuant to section 6(1)(b) of the 1989 Act. As such, NGET is empowered to exercise powers of compulsory acquisition under the 1989 Act.
- 2.3 Paragraph 1(1) of Schedule 3 to the 1989 Act provides that:
- "the Secretary of State may authorise a licence holder to purchase compulsorily any land required for any purpose connected with the carrying on of the activities which the licence holder is authorised by the licence to carry on."*
- 2.4 Paragraph 1(2) of Schedule 3 to the 1989 Act confirms that "*land*" includes any right over land, and that the Secretary of State's power includes power to authorise the acquisition of rights over

land by creating new rights, as well as acquiring existing ones. This includes the creation of rights equivalent to an easement and "restrictive rights" akin to restrictive covenants.

- 2.5 NGET is taking a proportionate approach to compulsory acquisition and, rather than seeking to acquire the freehold title to all of the Order Land, is seeking to acquire a combination of freehold title (for the Birkhill Wood substation works and part of the length of the new access road) and permanent rights (in relation to the remaining length of the new access road and other ancillary works as described in more detail below).

3 Description of the Project

- 3.1 The existing Creyke Beck Substation is located to the north-west of Hull with the settlement of Cottingham lying to the south and a business park located to the east.
- 3.2 The Birkhill Wood Substation is to be located approximately 700m to the north-west of the Creyke Beck Substation. The Order Land boundary comprises an area of 17.8 ha however the substation compound would comprise approximately 2.38 ha with the remainder of the Order Land to provide for an access road (2.7 ha), a temporary construction compound and an area (to the east of the Order Land) to secure the delivery of biodiversity net gain provision,
- 3.3 Park Lane (bridleway and private road) runs along the northern and eastern perimeter of the proposed Birkhill Wood Substation, and a public footpath runs along its northern and western perimeter. The proposed access route from the Project to the A1079 leaves the site directly to the south of Poplar Farm and travels in a north-westerly direction passing through agricultural land and near to the boundary of the consented Creyke Beck Solar Farm.
- 3.4 The Project includes the construction of a section of access road to link the new Birkhill Wood Substation, the existing Creyke Beck Substation and the proposed Wanlass Beck Substation Extension, to allow for efficient operational traffic movements between the electricity transmission infrastructure.
- 3.5 NGET developed a design for the Project for the purposes of seeking planning permission (where required) and promoting the Order. This was informed by a wide range of surveys and assessments, including ecological surveys, geophysical surveys, ground investigations (e.g. boreholes), soil surveys, utilities searches and mapping and land drainage assessments. Insofar as planning permission is required for the Project, planning applications have been submitted to the local planning authority. The appointed principal contractor will be responsible for further developing the detailed design.
- 3.6 NGET has had regard to the Construction (Design and Management) Regulations 2015 (**CDM**) in its design of the Project. CDM ensures health and safety is coordinated and managed throughout all stages of a construction project (including during the development, design, construction and procurement stages) in order to reduce the risk of harm to those who will build, use and maintain structures. These requirements have influenced the design and the areas required for construction, including but not limited to, compounds and access roads.
- 3.7 The component parts of the Project are the subject of two separate planning applications and are described in more detail at section 6 of this Statement. A summary of those component parts is set out below.

Birkhill Wood Substation

- 3.8 The new Birkhill Wood Substation is illustrated on the general arrangement drawings (ref: PDD-101968-LAY-007) at Appendix 1.
- 3.9 The component parts of the proposed new infrastructure comprise:
- (a) A new 400KV GIS (operational footprint of 2.5ha) containing:
 - (i) A 400kV GIS equipment building/switch house with attached annex to house protection and control, ancillary equipment and welfare facilities;
 - (ii) customer protection and control rooms;
 - (iii) gas insulated and air insulated switchgear;
 - (iv) gantries to interact between overhead lines and substation;
 - (v) a backup generator;
 - (vi) a water tank (for emergency firefighting purposes);
 - (vii) a ground deployed solar array to support the substation building services power supply;
 - (viii) foul water cess pit;
 - (ix) lighting columns with CCTV equipment;
 - (x) electrified fence around the perimeter;
 - (xi) 11kV/415V Utility Distribution Equipment Enclosure; and
 - (xii) Ground treatment comprises loose stone and gravel substrata with hardstanding buildings and transmission assets.
 - (b) Landscaping and Biodiversity net gain areas. Landscape mitigation areas have been identified (the locations of which are shown on the drawing at Appendix 4) which shall serve a visual mitigation function as well as improve the amenity, habitat, and biodiversity value of the Project.

Highway Infrastructure

- 3.10 The Project also includes:
- (a) A new vehicular access off the A1079 to serve the Birkhill Wood Substation and to connect with the existing Creyke Beck Substation and the proposed Wanlass Beck Substation Extension (**Access Road**). New culvert crossings over ditches are proposed.
 - (b) For the purposes of this Statement, the Access Road is referred to in two parts:
 - (i) Access Road Section 1 (being that part of the Access Road running from the A1079 to the Birkhill Wood Substation); and

- (ii) Access Road Section 2 (being that part of the Access Road running from the Birkhill Wood Substation to Park Lane to connect with the Creyke Beck Substation).

This is shown in the drawing at Appendix 2. Part of the Access Road Section 1 (from the junction of the A1079 up to the turning head immediately to the north-east of Poplar Farm) is already consented through the Hornsea Project Four Offshore Wind Farm Development Consent Order which was made on 12 July 2023.

- (c) The permanent diversion of the existing private road known as Park Lane, comprising the delivery of a further 0.4 km of new permanent road with two lanes.
- (d) Temporary haul road, construction compounds and laydown areas to facilitate construction of the substation infrastructure; and
- (e) Drainage and landscaping.

OHL Works

- 3.11 Overhead line works are proposed for the Project, being re-configuring the existing OHL connections to turn-in the power lines into the Birkhill Wood Substation via two new pylons installed on the existing Creyke Beck to Thornton (4ZR) double circuit overhead line. A temporary section of OHL will be required to divert the existing lines whilst the new towers are being built (**Birkhill Wood OHL Works**).
- 3.12 The OHL Works layout is illustrated on drawing PDD-101968-OHL-004 Issue D at Appendix 3.
- 3.13 Part of the Birkhill Wood OHL Works are the subject of a separate application pursuant to section 37 of the 1989 Act and which is more fully described at paragraph 6.8.

Construction Compound, Parking Areas and Temporary Accesses

- 3.14 A temporary haul road, construction compounds and laydown areas are required to enable the construction of the Project. These are shown generally on the Order Maps, being areas where rights are sought.

Diversion of bridleway

- 3.15 The works to construct the Access Road require the diversion of the Rowley Bridleway No. 13 (no. ROWLB13) (**Bridleway**) to facilitate the formation of the new junction with the A1079. Further details on the diversion of the Bridleway are set out in paragraph 11.11 below.

4 Need for and benefits of the Project

Existing transmission system

- 4.1 The existing electricity transmission system - the infrastructure including pylons, overhead lines and underground cables which transports electricity around the county - was largely built in the 1960s. It was not designed to transport electricity from new sources of power generation where it is increasingly being generated today e.g. offshore and from solar. Neither was it designed to facilitate the transmission of electricity generated in mainland Europe and exported to the UK through interconnectors.
- 4.2 Electricity demand in Britain is forecast to at least double by 2050, increasing the amount of energy we need to transport to homes and businesses. The huge growth in offshore wind,

interconnectors and nuclear power means that more electricity will be generated in the years ahead than the current network is able to transport securely and reliably. New power lines are needed to meet the Government target of connecting 43-50 GW of offshore wind by 2030 and 45-47 GW solar power by 2035 (Clean Power Action Plan), enough to power every home in the country with clean, green and more affordable energy.

- 4.3 This demand and need are to be met through both construction of additional infrastructure to facilitate the connection of new generation projects on to the network and the Great Grid Upgrade, which comprises 17 major infrastructure projects that will both scale up the grid and update existing parts of the network. One of these projects is the North Humber to High Marnham Project, for which the Birkhill Wood Substation will serve as the northern connection point. The new overhead line through Nottinghamshire and the East Riding of Yorkshire will increase grid capacity in the local area which is currently insufficient, thereby facilitating the connection of wind and solar generation projects. An application to secure development consent for this major transmission network upgrade is due to be submitted to the Planning Inspectorate in Summer 2026, following a recent statutory consultation exercise which concluded in April 2025.
- 4.4 The existing network serving the Creyke Beck area can export just under 7 GW electricity while remaining compliant with the security and quality of supply standards to which the network is operated. The transmission network in the vicinity would therefore not have the capacity needed to export the significant forecast increase in contracted generation out of the area, or to accommodate the north-south power flows that are expected to be transmitted through this part of the transmission network without additional infrastructure being constructed. The Project is the proposed solution to meet this gap in network capacity for this area.

New customer connections

- 4.5 The Creyke Beck Substation already connects 2.4 GW of renewable energy generation from Dogger Bank A (1.2GW) and Dogger Bank B (1.2GW) offshore windfarms. However, due to the layout of the existing substation and the positioning of existing assets, NGET could not facilitate the connection of further generation at the existing site whilst remaining compliant with DESNZ agreed thresholds of substation generation capacity necessary to maintain operational resilience of the transmission network without fully upgrading the existing substation equipment. Such works would result in unavoidable, severe disruption to the network as outages would be needed to replace all the existing transformers and equipment safely, which is not a viable solution. The existing substation also connects the transmission network to the distribution network via the adjoining Northern Power Grid substation, so in addition outages would have potential to impact the regional distribution network.
- 4.6 The Creyke Beck Substation therefore does not have sufficient capacity to accommodate new customers requiring a connection to the electricity network and NGET has identified the need for new infrastructure close to the existing substation to enable further connections. The solution proposed to facilitate those connections is the Project.
- 4.7 NGET is contracted with a number of third parties to provide a connection to the National Grid. These third parties projects are being developed ahead in anticipation of development consent order (DCO) applications being made, or already proceeding through the DCO examination process. The Project is required specifically to connect the following projects by the dates set out below:

- (a) Dogger Bank South Offshore Wind Farm. This application for a development consent order was the subject of an Examination which closed in early July 2025, with the Examining Authority's recommendation currently before the Secretary of State. The proposal comprises the construction and operation of two offshore wind farms with connection dates of June 2030 for the eastern part of the project and October 2031 for the western part of the project;
- (b) Dogger Bank D Offshore Wind Farm. This proposal is in the pre-application stage of an examination for a development consent order to facilitate the construction and operation of a 2,000MW offshore wind farm, offshore high voltage transmission line and a potential onshore transmission line and hydrogen production facility infrastructure with a connection date of 2037;
- (c) The Atlantic Super Connection is a high voltage direct current electricity cable bringing low-carbon hydroelectric and geothermal energy from Iceland to the UK which is not yet consented but has a connection agreement in place with connection dates of October 2032 for stage 1 and October 2037 for stage 2 of the project; and
- (d) The Continental Link Multi-Purpose Interconnector is a high-voltage direct current electricity interconnector connecting UK to other European markets which is not yet consented but has a connection agreement in place with a connection date of 2035 for stage 1 and 2037 for stage 2 of the project.

Environmental management

- 4.8 NGET has an environmental ambition with particular focus on achieving net-zero carbon targets. Sulphur Hexafluoride (SF6) is an insulating gas used in substations, known to have environmental impacts if it leaks. In line with the UK government's net zero carbon target, NGET's strategy is to reduce its SF6 emissions year-on-year progressing towards a net zero position by 2050. SF6 reduction has been a key consideration in developing proposals for the Project and the Birkhill Wood Substation will contain all SF6-free equipment.

Policy support for the Project

- 4.9 There is strong policy support for the need for the Project:

National Energy Policy

- 4.10 The UK and Scottish Governments have set ambitious targets to achieve net zero in their greenhouse gas emissions by 2050 in England and Wales and by 2045 in Scotland. To meet these targets the UK will need to continue to move away from traditional and polluting forms of energy generation to heat homes, charge vehicles and power businesses, and there will be a greater need for cleaner, greener energy.
- 4.11 In November 2020 the UK Government set out its Ten Point Plan for a Green Industrial Revolution (the **Ten Point Plan**). The Ten Point Plan lays the foundations for the UK to meet its legal obligation to deliver Net Zero greenhouse gas emissions by 2050. The Ten Point Plan also fully recognises that to connect green energy generation, specifically offshore wind, the UK must undertake a significant transformation and reinforcement of its existing electricity transmission network.
- 4.12 The Energy White Paper published in December 2020 (the **White Paper**) sets out how the UK will reach net zero emissions by 2050.

- 4.13 The White Paper explains that it is likely that overall demand for electricity will double by 2050 due to the electrification of other sectors such as transport and heating. On page 42, it states that meeting this demand by 2050 would require *“a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our net zero target”*.
- 4.14 The White Paper identifies the Government's aim for a fully decarbonised, reliable and low-cost power system by 2050, including the (then) target of 40 GW of wind generation capacity by 2030, which is enough to power every home in the UK. At page 76, the White Paper explains the importance of electricity network infrastructure in enabling the successful delivery of this objective. It states:
- “The transformation of our energy system will require growing investment in physical infrastructure, to extend or reinforce the networks of pipes and wires which connect energy assets to the system and maintain essential resilience and reliability.”*
- 4.15 The Net Zero Strategy: Build Back Greener, 2021 (the **Net Zero Strategy**) sets out the Government's vision of using the necessary action to tackle climate change as an economic opportunity to create prosperity. Part 3i (Power) sets out key commitments to deliver a decarbonised power system by 2035. These include:
- (a) Subject to supply, all electricity will come from low carbon sources by 2035;
 - (b) Delivery of 40GW of offshore wind by 2030;
 - (c) Investing in supply chains, infrastructure and early-coordination of offshore transmission networks for the offshore wind sector; and
 - (d) Ensuring the planning system can support the deployment of low carbon energy infrastructure.
- 4.16 The Energy Security Plan was complemented by Powering Up Britain: Net Zero Growth Plan (April 2023), which notes that energy security and net zero are "two sides of the same coin".
- 4.17 As well as building on the above documents, the Net Zero Growth Plan is part of the Government's response to the recommendations of 'Mission Zero', the report of the Independent Review of Net Zero published in January 2023. This report identifies infrastructure's key role in the delivery of net zero, noting that scale and speed are required, and recognising the need for the electricity network to keep pace with the Government's renewable energy ambition. The Net Zero Growth Plan confirms that the Government is "partly or fully acting upon 23 recommendations from the Independent Review of Net Zero report's 25 recommendations for 2025". It also sets out progress on delivery in various areas, including the Government's ambition to halve the time it takes to build new transmission network infrastructure.
- 4.18 In "Future Energy Scenarios 2024", the National Energy System Operator (NESO) sets out future energy scenarios, which are a recognised suite of documents which indicate whether particular future pathways for electricity generation can be successful in line with current national policy targets. NESO specify that strategic and timely investment across the whole energy system is critical to achieving decarbonisation targets and minimising network constraints. Grid connection availability is noted to be a barrier to reaching these targets.
- 4.19 In December 2024, the Clean Power 2030 Action Plan was published which aims to achieve a clean electricity system by 2030, with at least 95% of electricity generation coming from low carbon sources and clean sources producing at least as much power as the UK consumes. The

Action Plan makes clear that NGET's grid infrastructure needs strengthening, and that Great Britain's electricity network must undergo unprecedented expansion, as the economy electrifies, to deliver decarbonisation, energy affordability and energy security, and support economic growth.

Energy NPS

- 4.20 The UK Government recognises the importance and urgency of new energy developments and has published a series of National Policy Statements (**NPS**) which set out national policy for nationally significant energy infrastructure recognising that providing affordable, reliable and sustainable energy is a key issue for the UK Government. Although applying strictly to those projects falling within the definition of Nationally Significant Infrastructure Projects (**NSIPs**), the NPSs may also be a material consideration for projects progressed under the Town and Country Planning Act 1990 (as amended).
- 4.21 The NPS for Energy (NPS EN-1, January 2024), and the NPS for Electricity Networks Infrastructure (NPS EN-5) are considered to be material considerations and demonstrate national policy support for the Project.
- 4.22 Following consultations on draft replacement NPSs, the new suite of Energy NPS were laid before Parliament on 13 November 2025 for a 21-sitting day 'consideration period'. As at the date of this Statement, the consideration period is ongoing and therefore the adopted national policy remains the 2024 versions of the NPSs. NGET will consider any relevant changes to government policy in its Statement of Case.
- 4.23 The overarching NPS for Energy (NPS EN-1) sets out the Government's policy for delivery of major energy infrastructure.
- 4.24 NPS EN-1 sets out the concept of critical national priority (CNP) infrastructure (paragraph 3.3.62) which includes low-carbon infrastructure defined as (amongst other things) all power lines within the scope of EN-5 (the electricity networks NPS) including network reinforcement, upgrade works and associated infrastructure for electricity grid infrastructure. This extended scope, as compared to the previous version of the NPS EN-1 recognises the heightened need for infrastructure to meet national security and net-zero aims through clean energy generation and the means of transmitting it across the UK.
- 4.25 The weight to be attached to CNP infrastructure is significant. The need case of CNP will outweigh residual effects in '*all but the most exceptional cases*' (paragraph 4.1.7).
- 4.26 Paragraph 2.1.3 of EN-1 acknowledges that in order to produce the energy required for the UK and ensure it can be transported to where it is needed, a significant amount of infrastructure is needed at both local and national scale, and that high quality infrastructure is crucial for economic growth, boosting productivity and competitiveness.
- 4.27 Paragraphs 2.3.3-2.3.4 note that the objectives for the energy system are to ensure supply always remains secure, reliable, affordable and consistent with meeting targets to cut GHG emissions to net zero by 2050 but that meeting those objectives will necessitate a significant amount of new energy infrastructure. This will include infrastructure to transport energy into and around the country.
- 4.28 Paragraph 3.3.1 states that the country's current need for electricity will increase as the energy system is transitioned and we need to ensure there is always sufficient electricity to meet demand. Paragraph 3.3.3 acknowledges that new infrastructure is required to meet this demand, replacing output from retiring plants. Demand for electricity is likely to increase

significantly over the coming years and could more than double by 2050 as large parts of transport, heating and industry decarbonise.

- 4.29 Paragraph 3.3.19 acknowledges that a diverse mix of electricity infrastructure is needed to come forward to deliver a secure, reliable, affordable and net zero consistent system during the transition to 2050.
- 4.30 A specific section on the need for new electricity networks is set out at paragraphs 3.3.65-3.3.83. This section provides that new electricity infrastructure projects will add to the reliability of the national energy supply and provide crucial national benefits which are shared by all users of the system. Such infrastructure is required not only for connecting to new generation sources and demand but also to ensure system resilience against supply interruptions, involving upgrades to existing networks and reinforcement works to accommodate increased power flows to regional demand centres.

NPS EN-5

- 4.31 EN-5 is the NPS for electricity networks infrastructure and was developed to provide policy direction on the development of new electricity networks.
- 4.32 Paragraph 1.1.1 of EN-5 states that: *"The security and reliability of the UK's current and future energy supply is highly dependent on having an electricity network which will enable the new 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."*
- 4.33 Paragraph 1.1.3 states: *"The electricity network infrastructure to support the government's ambition is as important as the offshore wind generation infrastructure. Without the development of the necessary networks to carry offshore wind power to where it is needed in the UK, the offshore wind ambition cannot be achieved."*
- 4.34 EN-5 supports National Grid's strategy to reduce its SF6 emissions, with paragraph 2.9.60 stating that SF6 is "an extraordinarily potent greenhouse gas, and fugitive emissions from electricity networks infrastructure are an object of increasing environmental concern, especially in light of the UK's commitment to net zero by 2050". In light of this, paragraph 2.9.61 advises: "Applicants should at the design phase of the process consider carefully whether the proposed development could be reconceived to avoid the use of SF6- reliant assets".
- 4.35 Paragraph 2.10.14 of EN-5 provides that: "The climate-warming potential of SF6 is such that applicants should, as a rule, avoid the use of SF6 in new developments".

NPPF

- 4.36 The National Planning Policy Framework (the NPPF, 12 December 2024) is also material to, and demonstrates national policy support for, the Project. In particular, the NPPF sets out a presumption in favour of sustainable development. In this context it emphasises at paragraph 8 three overarching objectives:
- (a) An economic objective - to help build a strong, responsive and competitive economy, including by identifying and coordinating the provision of infrastructure;
 - (b) A social objective - to support strong, vibrant and healthy communities; and

- (c) An environmental objective - to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 4.37 The Project is essential energy infrastructure which will assist in the delivery of a low carbon economy and therefore accords with each of these three objectives.
- 4.38 Section 14 of the NPPF ('Meeting the challenge of climate change, flooding and coastal change') also sets out a number of core planning principles that should underpin decision making. In particular paragraph 161 reads:

"The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."

Local policy

- 4.39 The local planning authority for the area is the East Riding of Yorkshire Council (**ERYC**). A full consideration of relevant local policy was included in the planning applications submitted to the ERYC for each of the Birkhill Wood Substation and the Wanlass Beck Extension.
- 4.40 The East Riding Local Plan is the name for the portfolio of planning documents that together provide the framework for managing development and addressing key planning issues in the East Riding area. The East Riding Local Plan strategy document (**ERLP SD**), adopted in April 2016, sets out policies on how growth and development will be managed in East Riding to 2029. The strategy document sits alongside the Allocations Document, adopted in July 2016, which contains policies that guide the development of specific sites.
- 4.41 The relevant policies in the ERLP SD are considered to be the following:
- (a) Policy S1: Presumption in favour of sustainable development.
 - (b) Policy S2: Addressing climate change.
 - (c) Policy S4: Supporting development in Villages and the Countryside.
 - (d) Policy S8: Connecting people and places.
 - (e) Policy EC1: Supporting the growth and diversification of the East Riding economy.
 - (f) Policy EC4: Enhancing sustainable transport.
 - (g) Policy EC5: Supporting the energy sector.
 - (h) Policy EC6: Protecting mineral resources.
 - (i) Policy ENV1: Integrating high quality design.
 - (j) Policy ENV2: Promoting a high-quality landscape.
 - (k) Policy ENV3: Valuing our heritage.

- (l) Policy ENV4: Conserving and enhancing biodiversity and geodiversity.
 - (m) Policy ENV5: Strengthening green infrastructure.
 - (n) Policy ENV6: Managing environmental hazards.
 - (o) Policy A1: Beverley and Central sub area
- 4.42 The East Riding Local Plan Update 2020-2039 (**ERLP Update**) was submitted on 31 March 2023 to the Planning Inspectorate for examination and is made up of a portfolio of planning documents. Whilst it has not yet been adopted, given the advanced stage, great weight should be afforded to its draft policies. The relevant policies in the ERLP Update are considered to be:
- (a) Policy S1: Sustainable development;
 - (b) Policy S2: Addressing Climate Change;
 - (c) Policy S3: Focussing Development.
 - (d) Policy S4: Supporting development in Villages and the Countryside
 - (e) Policy S8: Connecting People and Places
 - (f) Policy S9: Strengthening blue/green infrastructure
 - (g) Policy EC1: Supporting the growth and diversification of the East Riding economy
 - (h) Policy EC4: Enhancing sustainable transport
 - (i) Policy EC5: Supporting the renewable and low carbon energy sector
 - (j) Policy EC6: Protecting Mineral resources.
 - (k) Policy ENV1: Integrating high quality design.
 - (l) Policy ENV2: Promoting a high-quality landscape.
 - (m) Policy ENV3: Valuing our Heritage.
 - (n) Policy ENV4: International, National and Local Sites of Importance for Biodiversity.
 - (o) Policy ENV5: Enhancing biodiversity and geodiversity.
 - (p) Policy ENV6: Managing environmental hazards.
 - (q) Policy A1: Beverley and Central sub area
- 4.43 At the local level, ERYC has declared a climate emergency and supports action to address climate change through promotion and support of low carbon and renewable energy generation in appropriate locations if the residual harm of such development is outweighed by its wider benefits. This approach is set out ERLP SD policies S2 and EC5 (Ref 7.5) and the ERLP Update policies S2 and EC5.
- 4.44 Policy S4 of the ERLP SD is supportive of energy development and associated infrastructure where the proposal does not detract from the character and appearance of the area and is of

an appropriate scale to its location taking into account the need to support sustainable patterns of development, encourages the re-use of previously developed land where appropriate, and does not involve a significant loss of best and most versatile (BMV) agricultural land.

- 4.45 The Project will support the decarbonisation of the electricity network and increase renewable energy generation in accordance with national and local strategies and policies by providing a connection point to the Grid for renewable energy projects. The permanent loss of this land is not anticipated to give rise to significant effects on ALC Grade 2 land having regard to the abundance of ALC Grade 2 in the vicinity. As such it is considered that these benefits outweigh the loss of agricultural land in this instance in accordance Policy S4 of the ERLP SD and ERLP SD Update.
- 4.46 In summary, the urgent need for renewable energy infrastructure and an improved electricity transmission network to address the causes of climate change is acknowledged at both local and national level.

Other matters

- 4.47 Under section 9 of the 1989 Act NGET has a general duty to develop and maintain an efficient, co-ordinated and economical electricity transmission network.
- 4.48 Paragraph 1 of Schedule 9 of the 1989 Act also requires NGET, in formulating any relevant proposals, to “have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest” and to, “do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects”.
- 4.49 The Project has been developed in accordance with these statutory duties, with the location of the substation infrastructure which forms the Project having been subject of a detailed site selection and optioneering exercise.
- 4.50 Additionally, the Horlock Rules, which provide guidance on the siting of new electrical substation infrastructure have been taken into account in the design of the Project.
- 4.51 The following NGET policies are also relevant:
- (a) *National Grid's Stakeholder, Community and Amenity Policy* (Published December 2016): This policy includes 10 commitments linked to NGET's environmental obligations under the 1989 Act. Of particular relevance to the Project are Commitments 1 (Establishing Need), 3 (seeking to avoid areas which are nationally or internally designated for their landscape, wildlife or cultural significance), 4 (minimising the effects of works and new infrastructure on communities), 5 (mitigating the adverse effects of works through the application of best practice environmental assessment techniques) and 7 (enhancing the environment); and
 - (b) *NGC Substations and the Environment: Guidelines on Siting and Design* (Published 4 October 2020): This National Grid document contains guidelines on the siting and design of substations to mitigate the environmental effects of such development.
 - (c) *National Grid's Environmental Operations Policy* (Published 31 March 2024): NGET is committed to operating its business in an environmentally responsible way and ensuring that sustainability shapes its thinking and decision-making.

Summary of the benefits of the Project

- 4.52 The key benefits that will arise from the Project, which are supported by the aforementioned national, local and NGET policies, are:
- (a) Meeting energy demand and customer connection requirements;
 - (b) Transitioning to net zero/low carbon economy; and
 - (c) Energy security/reliability of supply.

5 Alternatives and optioneering

- 5.1 In line with NGET's standard optioneering process, the following high-level options were identified:
- (a) Do-nothing (as the counterfactual option);
 - (b) Consideration of a market-based solution through the offer of non-firm connection contracts where generator outputs could be restricted;
 - (c) Consideration of a non-transmission, whole systems solution through delivering against the identified electricity transmission network need without resorting to the construction of new electricity transmission infrastructure e.g. substations, overhead lines or pylons;
 - (d) Consideration of the feasibility of using existing NGET substations; and
 - (e) Identification of a new substation within a 2km radius of the Creyke Beck Substation.
- 5.2 The location of any site needed to secure a connection to the existing 400kV 4ZR and proposed North Humber to High Marnham Project overhead line routes
- 5.3 These high-level options were then assessed applying the following eleven criteria: (1) capacity and future development potential, (2) design and technical complexities, (3) operation and maintenance, (4) safety, (5) health and security, (6) planning, (7) land and consents, (8) third party impact and network coordination, (9) environment and sustainability, (10) timing of programme and (11) resources and cost.
- 5.4 The options at paragraph 5.1 (a), (b) and (c) were discounted because they would not deliver a compliant connection.
- 5.5 For the option at paragraph 5.1(d), consideration was given to the technical feasibility of securing the customer connections using the existing land holding at the Creyke Beck Substation. However, given the number of existing connections at the existing Creyke Beck Substation and to be secured through the Wanlass Beck Extension, a new geographically separate new substation was preferred for network resilience reasons. This option was therefore not taken further.
- 5.6 For the option at paragraph 5.1(e), seven different locations (sites 1, 2, 3, 4, 5, 5a and 6) were considered during the siting exercise. An integral part of the iterative design of the Birkhill Wood Substation was the consideration of mitigation through sensitive design development in accordance with the Horlock Rules. These provide guidance for the routing of high-voltage overhead transmission lines and were therefore relevant to the OHL Works.

- 5.7 A siting study was undertaken in February 2023 to determine the optimum siting for the Birkhill Wood Substation within a defined search area which extended 500m either side of the existing towers that support OHL (tower reference 4ZR OHL between tower 4ZR001 at Creyke Beck substation and 4ZR008 to the north of the A1079) that avoid locally designated landscape areas. Proximity to the OHL was a key consideration and determined the 500m search area to minimise the length of the high voltage cable and OHL assets, as any increase in length increases the likelihood of impacting additional landowners and increasing the cost of delivery of the Project.
- 5.8 An initial identification and appraisal of the seven 'long list' site options was undertaken using mapping which identified areas of potential environmental and land use constraints within the siting study area. Mapping was used to exclude areas in the siting study area (as far as reasonably possible) so as to minimise potential direct impacts upon key environmental receptors including natural heritage, cultural heritage, and landscape and visual receptors. The sites selected for the long list are shown on the drawing attached at Appendix 5. This drawing also shows relevant environmental designations and constraints across the siting study area.
- 5.9 In respect of each of the long list sites:
- (a) Sites 1, 2, 4 and 6 were ruled out primarily due to consenting, environmental and socio-economic factors.
 - (b) Site 1 conflicted with a high-pressure gas main and overlapped with a planned highways scheme.
 - (c) Site 2 was discounted due to technical and cost disadvantages of crossing the A1079 to connect to the Creyke Beck Substation, compared to southern alternatives.
 - (d) Site 4 fell within the boundary of a proposed solar farm application and the alignment of field boundaries, drainage ditches and footpaths and the presence of a residential property meant a substation at this location would need to be at a 45-degree angle to the OHL which would be unviable given the OHL diversion and incoming customer cable connections.
 - (e) Site 6 was located within the boundaries of an existing planning permission for a converter station and cable routes for an offshore windfarm and development was restricted by agreed easements and proximity to the substation, which introduced construction and technical challenges.
- 5.10 Based on the high-level assessment, a shortlist of options was created that were determined to be the most appropriate options, as they could accommodate the required connections agreed with existing customers and could provide space for future customer connections. Three options were shortlisted for further analysis, being:
- (a) **Site 3:** A new substation North of Creyke Beck, connecting to the 4ZR route between towers 4ZR005 and 4ZR007 West of the OHL;
 - (b) **Site 5:** A new substation North of Creyke Beck, connecting to the 4ZR route between towers 4ZR003 and 4ZR004 West of the OHL;
 - (c) **Site 5a:** A new substation North of Creyke Beck, connecting to the 4ZR route between towers 4ZR005 and 4ZR007 perpendicular to the OHL

- 5.11 The three shortlisted sites were subject to a further comparative options appraisal which applied landscape and visual amenity, ecology, historic environment, water, geology and soils, noise, traffic and transport, public rights of way and technical complexity criteria.
- 5.12 All three sites were physically constrained due to the presence of third party utility infrastructure and the presence of a bridleway and private road. However, Site 3 was discounted due to the presence of an ethylene pipeline dissecting the site. This was considered to carry increased cost risk to manage and mitigate such a constraint.
- 5.13 The feasibility of the technical solutions (AIS or GIS) ultimately determined which of the two remaining sites (5 and 5A) could be brought forward. An Air Insulated Substation (AIS) solution on 5A (which provides for a east-west aligned site)) would require building over a section of Park Lane, a designated bridleway and private road, which would trigger the need for a significant bridleway diversion and extinguishing multiple third-party private rights of access. The existing OHL would also need to be permanently diverted around the substation. An AIS solution on Site 5 (which provides for a north-south aligned site) would require a high-pressure gas main to be diverted. Both options would incur significant time, cost and complexity and as such an AIS solution was not considered feasible on either site.
- 5.14 The decision was therefore taken to take forward a GIS (non SF6) solution which requires a smaller footprint and would enable both the bridleway / private road and the high-pressure gas main to be avoided. This decision was further validated when further third-party customer connections were accepted for connection into the proposed site and thus increasing the required footprint.
- 5.15 It was concluded that, of the two sites, Site 5 offered the best technical solution in terms of proximity to the existing NGET network whilst reducing the number of interactions with third party assets. Additionally, it provided an improved series of options for the connection of customer cable circuits, this being the key driver for the development of the new substation.

6 Consents

The Town and Country Planning Act 1990 (the 1990 Act)

Birkhill Wood Application

- 6.1 The planning application for the Birkhill Wood Substation was submitted to East Riding of Yorkshire Council in its capacity as local planning authority on 2 July 2025 and validated on 17 July 2025 with reference 25/01898/STPLF (**Birkhill Wood Application**). This permission will authorise key elements of the Birkhill Wood Substation referred to in paragraph 3.8 above.

Wanlass Beck Application

- 6.2 A planning application for Wanlass Beck Substation Extension was submitted to East Riding of Yorkshire Council in its capacity as local planning authority on 31 December 2024 and validated on 8 January 2025 with reference 24/03819/STPLF (**Wanlass Beck Application**). Together the Birkhill Wood Application and the Wanlass Beck Application are referred to hereafter as the **Planning Applications**.
- 6.3 At the point of making the Wanlass Beck Application, it had been anticipated that the Wanlass Beck Substation would be progressed before the Birkhill Wood Substation and that the Access Road and the Link Road would be constructed under the Wanlass Beck Application prior to the Birkhill Wood Substation. As such, whilst the Birkhill Wood Application makes provision for the Access Road Section 1, it does not make provision for Access Road Section 2 between Birkhill

Wood Substation and the other existing and proposed electricity transmission infrastructure at Creyke Beck Substation. This latter section of the Access Road Section 2 is included in the Wanlass Beck Application only. The Project therefore requires both the Wanlass Beck Application and the Birkhill Wood Application to be granted.

- 6.4 Paragraph 15.2 of the CPO Guidance states that:

"Where planning permission will be required for the scheme, and permission has yet to be granted, the acquiring authority should demonstrate to the confirming authority that there are no obvious reasons why it might be withheld".

- 6.5 NGET does not consider there to be any reason why the Planning Applications would not be granted as it anticipates any concerns with the Planning Applications can be resolved through imposition of planning conditions or engagement with third party objectors as set out below.
- 6.6 Although the majority of the Project lies in Flood Zone 1, mitigation measures have been proposed and the Environment Agency have confirmed that, subject to the imposition of planning conditions, the proposed development will meet the National Planning Policy Framework's requirements in relation to flood risk.
- 6.7 NGET carried out the archaeological investigations in September / October 2025 and the resultant report, and details of any necessary archaeological mitigation, will be submitted to the local planning authority which would satisfy the planning conditions proposed to be imposed. NGET considers that such a condition can be complied with therefore the preservation of archaeological assets at the Site does not present an impediment to the Project.
- 6.8 Objections have been raised in relation to the Planning Applications but NGET is engaging with the relevant third parties and with the local planning authority to resolve these and does not envisage any reason why resolution should not be forthcoming or pose an impediment to the Project.
- 6.9 As set out in paragraph 4 above, the Project is in accordance with the ERLP Update and the ERLP SD, national policy and the NPPF as well as meeting wider energy policy goals at a national level.

Archaeological investigation

- 6.10 Archaeological geophysical surveys have been completed which confirm low potential for archaeological remains within the red line boundary of the Birkhill Wood Application. An Archaeological Written Scheme of Investigation was submitted with the Birkhill Wood Application which sets out a programme of further archaeological investigation (trial trenching) which will confirm if archaeological remains are present.
- 6.11 The consultee responses of the Humber Archaeology Partnership to the Birkhill Wood Application confirm the approach set out in the Written Scheme of Investigation is appropriate. Whilst they would prefer that the archaeological investigations (trial trenching) is completed prior to determination, they have further advised that if the application cannot be deferred, compliance with the Written Scheme of Investigation could adequately be secured through the imposition of pre-commencement planning conditions.
- 6.12 NGET carried out the archaeological investigations in September / October 2025. These will lead to the production of a report to include the details of any necessary archaeological mitigation which will be submitted to the local planning authority and thereby satisfy the planning conditions which are expected to be imposed by the local planning authority. NGET considers

that such a condition can be complied with therefore the preservation of archaeological assets at the Site does not present an impediment to the Project.

Permitted Development Rights

- 6.13 Other components of the Project do not require planning permission because either they do not constitute development requiring planning permission under the 1990 Act or they benefit from permitted development rights under the Town and Country Planning (General Permitted Development) (England) Order 2015 (the **GPDO**) as set out below:

Project Component	Planning consenting position
Temporary construction areas & access	Permitted development pursuant to Class A of Part 4 of Schedule 2 of the GPDO
New underground cables	Permitted development pursuant to Class B(a) of Part 15 of Schedule 2 of the GPDO
Overhead line works	Permitted development pursuant to Class B(a) of Part 15 of Schedule 2 of the GPDO
All other works within NGET owned land	Permitted development pursuant to Class B(f) of Part 15 of Schedule 2 of the GPDO

The 1989 Act

- 6.14 Section 37 of the 1989 Act is the main means of obtaining consent for minor works relating to overhead lines in England unless they are exempted from such a requirement by meeting certain limitations and restrictions under the Overhead Line (Exemption) (England and Wales) Regulations 2009 (**Exemption Regulations**).
- 6.15 Part of the Birkhill Wood OHL Works will require section 37 consent: whilst the two new towers sit outside of operational land, they will benefit from an exemption under the Exemption Regulations as they are within the alignment of the existing overhead lines and will not be greater than 10% higher than the existing towers. The Exemption Regulations also allow deviation of existing OHL towers providing that the deviation is no greater than 60m from the existing OHL. This exemption is met as the length of the downlead to the gantry is less than 60m in length. The temporary diversion of overhead line will require Section 37 consent given the length of the diversion required.
- 6.16 An application for section 37 consent was lodged with the UK Energy Portal and the Form B notice sent to ERYC on 15 October 2025. NGET has no reason to believe that consent will not be forthcoming in advance of any decision to be taken by the Secretary of State as to whether to confirm the Order.

Environmental Impact Assessment (EIA) Screening

- 6.17 Separate screening requests were submitted to East Riding of Yorkshire Council in relation to the Wanlass Beck Substation and the Birkhill Wood Substation on 30 August 2023 and responses were received by AECOM on 17 November 2023. These concluded that the Wanlass Beck Substation and the Birkhill Wood Substation would not comprise EIA development and as such an EIA would not be required to be undertaken nor would an Environmental Statement be required as part of the planning applications.
- 6.18 Since the Screening opinion for the Birkhill Wood Substation was sought from the LPA, there have been some changes to the Project design. These include:
- (a) Minor changes to junction and road alignment layout;
 - (b) Additional temporary land take for junction build out, watercourse (ditch) crossing and utility crossing points (required for construction works only; land to be reinstated following completion of works);
 - (c) Amended Access Road junction design to facilitate construction vehicles; and
 - (d) Minor amendments to substation layout and building dimensions.
- 6.19 These changes would not have the effect of moving the Project to within one of the types of development that are listed in Schedule 1 of the Regulations. It remains that this specific type of development is also not listed under Schedule 2 of the Regulations. The changes are not considered to result in additional significant effects from those set out in the screening request. Neither the Birkhill Wood Substation development nor that for the Wanlass Beck Substation Extension constitute EIA development on the basis of the screening criteria and thresholds. Whilst noting the above, a suite of supporting documents, as agreed during the pre-application stage with ERYC, form part of the planning applications.

Habitats Assessment

- 6.20 A Habitats Regulations Assessment test of Likely Significant Effects (Stage 1 Screening) has been undertaken for the Project, and a Habitats Regulations Assessment – Stage 1 Screening Report has been prepared for the Birkhill Wood Substation and the Wanlass Beck Substation Extension.
- 6.21 Based on the 'source-pathway-receptor model' the following Habitats sites were identified as being of relevance to the HRAs:
- (a) Humber Estuary Special Protection Area (**SPA**); and
 - (b) Humber Estuary Ramsar.
- 6.22 Based on the recognised impact pathway buffer distances and professional judgement, the following impact pathways were considered:
- (a) Loss of functionally linked habitat (**FLH**); and
 - (b) Noise and visual disturbance (including within the FLH).
- 6.23 Likely Significant Effects on the qualifying features of the Humber Estuary SPA/Ramsar have been screened out on the basis of a suite of wintering and breeding bird surveys which demonstrate that both alone and in-combination with other plans and projects no pathways are present between the potential sources of impact and the receptors.

- 6.24 Based on best available scientific information and professional judgement, it is considered that the Project will not have an adverse effect on the integrity of any Habitats sites in view of those sites' conservation objectives, therefore a Stage 2 – Appropriate Assessment is not required.

Additional consents

- 6.25 An Ordinary Watercourse Consent from the Lead Local Flood Authority is required for any works within an ordinary water course (including the four culvert crossings proposed and any new outfalls for surface water drainage).
- 6.26 Such a requirement is typical for this type of development and NGET and their contractors are familiar with the necessary scope of works to fulfil these. Should additional consents/licences be identified as being required as the Project's detailed design develops, NGET and their contractors are confident that these will also be satisfactorily agreed with the relevant authorities.
- 6.27 A pond within 250m of the Birkhill Wood Application red line boundary received a positive Great Crested Newt eDNA survey result and therefore the Project has the potential to disturb Great Crested Newt terrestrial habitat. Natural England have informally advised that the Project would be eligible for a District Level Licence and NGET have now formally submitted an enquiry to Natural England for formal confirmation and the compensation payment that will be required. Once confirmed, NGET will sign a Great Crested Newt Level Licensing Impact Assessment and Conservation Payment Certificate to confirm that the compensation payment is accepted. The Licence will be applied for prior to the commencement of any works which will be issued following the payment of the compensation. The District Level Licence will allow NGET to comply with legal duties to protect Great Crested Newts.
- 6.28 The Project requires the permanent diversion of the Bridleway (Rowley 13) to facilitate the formation of the new junction with the A1079 for the A1079 Access (as shown in Figure 1. Powers to divert the bridleway have already been granted through the Hornsea Four Offshore Wind Farm Order 2023 (**Hornsea Four Order**). However, as NGET does not have the benefit of the Hornsea Four Order, to ensure NGET can guarantee the exercise of powers to secure the diversion, it has made applications to secure the diversion pursuant to section 257 Town and Country Planning Act 1990.

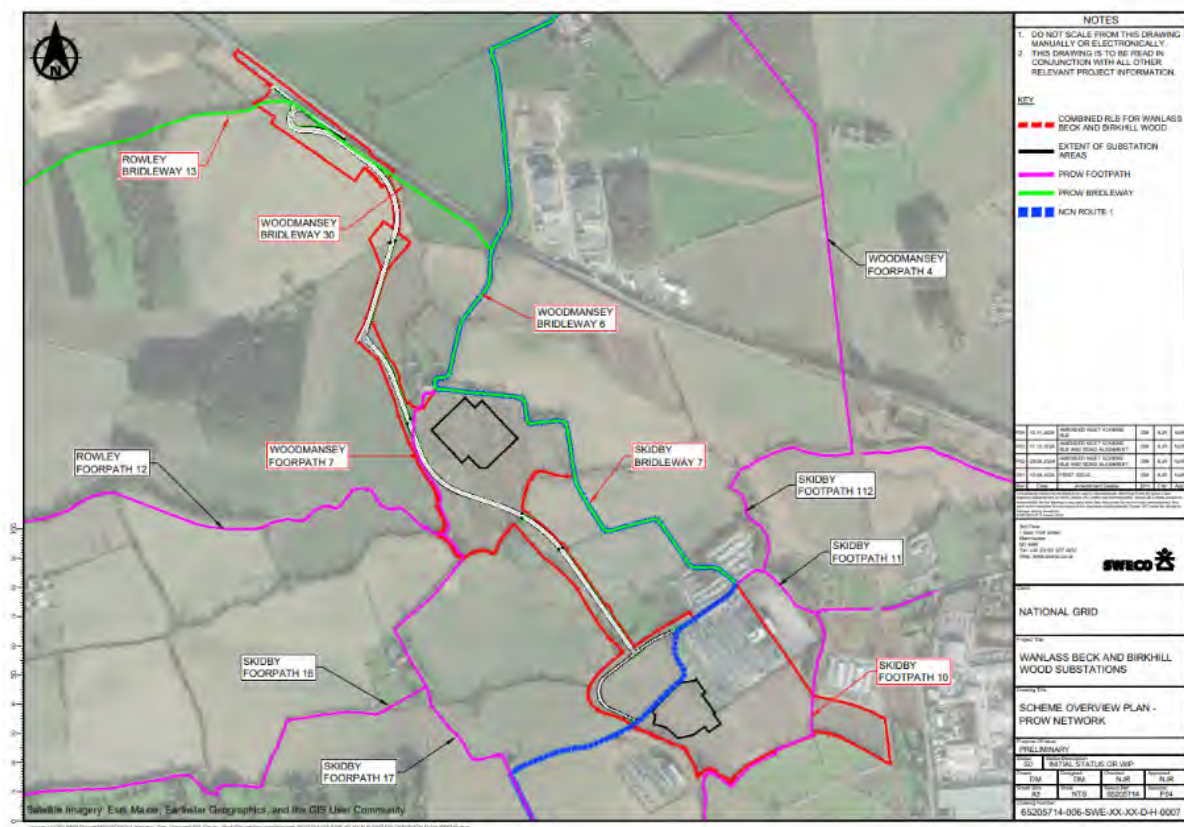


Figure 1: Location of Rowley Bridleway

- 6.29 Two separate applications for diversion orders associated with the Birkhill Wood Application (September 2025) and the Wanlass Beck Application (June 2025) have been submitted to ERYC. The 28-day non-statutory landowner notification period concluded on 30 October 2025. ERYC will now proceed to make the Orders and carry out the statutory 28-day public consultation for both diversion order applications concurrently towards the end of Q4 of 2025 with a view to confirming the Orders in January 2026 (subject to receipt of public objections).
- 6.30 As the diversion follows the same route as was deemed acceptable by the Secretary of State when the Hornsea Four Order was confirmed, it is anticipated that the diversion will be confirmed and NGET does not consider that the need for the diversion order presents an impediment to the granting of the CPO.

Section 278 agreement

- 6.31 The Project requires certain highway works to be undertaken to the A1079 to facilitate temporary and permanent access to the Project. A section 278 agreement had been negotiated between the local highways authority and the promoter for the Hornsea Four Order. Given that NGET cannot take the benefit of this section 278 agreement as it is personal to the parties to it, to ensure that the highway works take place and access is facilitated, NGET will enter into a section 278 agreement with the local highways authority.
- 6.32 The scope of the works and the route for access was deemed acceptable by the Secretary of State when the Hornsea Four Order was confirmed and therefore NGET does not consider that the anticipated negotiation of the section 278 agreement presents an impediment to the granting of the CPO.

7 Land and new rights required

- 7.1 The Order Land is shown on the Order Maps. It comprises all the land required for the construction, operation, repair, maintenance and decommissioning of the Project.

Freehold Acquisition

- 7.2 NGET is taking a proportionate approach to acquisition and only seeks to acquire the freehold title to the Order Land for the purposes of above ground permanent infrastructure, namely the Birkhill Wood Substation, the Access Road and landscaping and biodiversity net gain mitigation.
- 7.3 The Order Land that NGET seeks to acquire is shown coloured pink on the Order Maps and comprises a limited number of Plots (specifically 01-008, 01-043, 01-045, 01-046, 01-052, 01-053, 01-054, 02-003 and 02-004).
- 7.4 Section 3 of this Statement explains the works which will be undertaken at the substation site to undertake the Project. Freehold acquisition is necessary to ensure that NGET have the necessary exclusive possession and control of the land required for the safe construction, operation and maintenance of these installations.

Access Road Section 2

- 7.5 NGET seeks freehold acquisition of plots 01-052, 01-0153, 02-003 and 02-004 to facilitate the construction of the Access Road south of Birkhill Wood. This section of the Access Road is required primarily for operational efficiency and future proofing network resilience. Creyke Beck Substation serves as a base for 3-4 peripatetic engineers managing and maintaining NGET assets in the local area. It is anticipated that a permanent team will be based at Creyke Beck Substation in 4-5 years who will also manage and maintain the Birkhill Wood Substation. Without the full extent of the Access Road being in place, the engineer team will be required to travel a circuitous route via Park Lane to move between the respective substation infrastructure, which would take approximately 19 minutes, and which would therefore be highly problematic in the event of an emergency.
- 7.6 The local planning authority also opposes intensification of Park Lane's use due to its unsuitability for movements of heavy loads and impact on residential amenity. There are multiple assets within the Creyke Beck Substation that are due for replacement in the next few years which will require numerous items of plant and vehicle movements. This section of the Access Road would enable these movements to take place without impacting Park Lane. It would also prevent interference with that road arising as a result of the construction of the Wanlass Beck Substation.

Bridleway diversion

- 7.7 NGET seeks freehold acquisition of plot 01-008 to facilitate the diversion of a bridleway which impinges on the location of the proposed substation infrastructure. Under section 119 Highways Act 1980, landowner consent to the bridleway diversion is required. Although heads of terms have been entered into with the relevant landowner in which they will provide their consent to the Bridleway Diversion, NGET has sought freehold acquisition of this plot to ensure that the diversion can go ahead if negotiations with the landowner are not resolved.

Birkhill Wood Substation footprint

- 7.8 NGET seeks freehold acquisition of plots 01-043, 01-045 and 01-046 to facilitate the construction of the Birkhill Wood Substation. This area will include the Birkhill Wood Project

infrastructure as well as that part of the Access Road between the Birkhill Wood substation and the Creyke Beck Substation. The design of the infrastructure in plots 01-042 and 01-045 complies with the standoff distances required in relation to the high pressure gas main located within plot 01-045. The remaining land without infrastructure is to be utilised for landscaping and to comply with biodiversity net gain requirements (see drawing at Appendix 4), for which freehold acquisition is required to ensure the effective delivery of necessary management and maintenance requirements.

Wind turbine

- 7.9 The layout of the Birkhill Wood Substation necessitates the removal of a wind turbine located approximately 900m north-west of the Creyke Beck Substation. NGET's technical team consider it appropriate for the wind turbine to be removed given its proximity to live electricity infrastructure which, if damaged as a result of any physical interface with the wind turbine, would create a risk to life and significantly impact on the electricity transmission network. Freehold acquisition of the wind turbine plot is proposed in the Order at plot 01-043. .
- 7.10 In arriving at the location of the Birkhill Wood Substation, NGET did consider if alternative locations would be practicable to avoid the need to acquire the freehold of the wind turbine land and avoid the need for its removal. However, feasible alternatives were not available due to the need to accommodate other electricity infrastructure connecting into the Birkhill Wood Substation and to avoid unacceptable impacts to the residential amenity of the Poplar Farm dwelling, located in proximity to this location.

Compulsory acquisition of new rights

- 7.11 Save in respect of the land identified for freehold acquisition, NGET's approach is to only acquire the interests that it requires over the various plots within the Order. Accordingly, for some elements of the Project, NGET seeks to create new rights over the relevant land rather than to acquire the freehold.
- 7.12 The Order Land that NGET seeks to acquire new rights over is shown coloured blue on the Order Maps.
- 7.13 The new rights sought by NGET have been separated into 'packages' based on their purpose and applied to specific plots, as appropriate. Some of the rights are only required for temporary purposes, such as the creation of construction compounds, and will only be exercised during the construction phase. Other rights will be permanent in nature, such as the right to keep installed, operate, maintain and decommission the new (realigned) sections of overhead line. The rights 'packages' have been tailored in this way to ensure that a proportionate approach to compulsory purchase is taken, and that the impact for affected landowners and occupiers is limited so far as reasonably practicable. Accordingly, if a plot is only required in order to facilitate limited works, the relevant rights package is sought in relation to that land.
- 7.14 The Order clearly identifies whether it is proposed to acquire land or new rights in land in respect of the numbered parcels of the Order Land. Where new rights are proposed to be acquired, the description identifies the name of the appropriate rights package.
- 7.15 The rights packages are defined in full in the Order and are replicated below:

Name of Rights Package	Rights

Construction Access	Rights to access the land, with or without vehicles, plant, machinery, apparatus, equipment, materials and personnel for the purposes of or incidental to constructing, installing, commissioning, altering and inspecting, the overhead electrical lines, substation and associated infrastructure, and installing, altering or reinstating land drainage systems, including rights to: 1. carry out works to facilitate such access such as clearing vegetation, and constructing, laying down, using and removing access roads, including any necessary temporary bridging, culverting or diversion of water courses and drains, modifying road verges and junctions and installing, using, altering, diverting, and removing services and utilities; 2. install, use and remove temporary welfare facilities and security camera towers for security personnel to enable 24-hour security patrols and rights to prevent any works on or use of the land that would prevent the exercise of the aforementioned rights
Construction Compound Rights	All rights necessary for the purposes of or incidental to the establishment, use and removal of works compounds associated with the construction and commissioning of the electric cables and/or the construction, commissioning and decommissioning of the electric lines, including to: 1. erect, create, use and remove a works compound which may include hardstanding, portable cabins and offices, security measures and welfare facilities including portable toilets and electricity generators; 2. store, stockpile and where necessary use, manage and process plant, machinery, apparatus, materials (including excavated material) and/or equipment; 3. access and remain on the compound area with or without vehicles, personnel and plant, machinery, apparatus, equipment and materials for such purposes; 4. fence, erect hoardings or signage or otherwise secure the compound; 5. carry out de-watering and drainage works and install, alter or reinstate land, drainage systems; 6. discharge water into existing drains and watercourses; 7. install, use and remove artificial lighting; 8. park vehicles; 9. protect and prevent damage to or interference with the exercise of the Construction Compound Rights including the operation and maintenance of any works constructed pursuant to these Construction Compound Rights; 10. fell, trim or lop trees, shrubs, hedges and bushes and to clear and remove any and all vegetation which may damage, obstruct or interfere with the exercise of these Construction Compound Rights; 11. install, use, alter, divert and remove services and utilities; 12. the right to erect repair reinstate and remove temporary scaffolding; 13. carry out archaeological environmental and/or ecological mitigation measures

	14. make good any damage caused in connection with the exercise of these Construction Compound Rights; and 15. carry out any activities ancillary or incidental thereto
Overhead Line Rights	All rights necessary at all times for the purposes of or incidental to the construction, retention, use, operation, protection, maintenance, surveying, testing, repair, alteration, renewal, replacement, commissioning and removal and decommissioning of the overhead electricity lines and associated infrastructure, including rights to: 1. enter and remain on the land and adjoining land with or without personnel, vehicles, plant, machinery, apparatus and equipment including scaffolding, materials and personnel for such purposes; 2. take all necessary rights of support for the electric lines; 3. install and remove protection measures for third party structures/assets, including scaffolding; 4. prevent or restrict access to the land and adjoining land while works are being carried out; 5. test and commission the electric lines and to remedy initial faults and defects in them at any time; 6. enter the land and carry out surveys and investigations, including aerial surveys (including the right to fly an unmanned aircraft over the land and to enter and retrieve and recover any such unmanned aircraft from the land); 7. carry out archaeological works and surveys, environmental and/or ecological mitigation; 8. carry out works required or permitted by a planning permission and/or consent or licences; 9. erect and remove fencing and security measures; 10. store and stockpile and where necessary use, manage and process plant, machinery, apparatus, and materials (including excavated material) and/or equipment; 11. construct, lay down, use and remove access roads including any necessary temporary bridging, culverting or diversion of water courses and drains and modifying road verges and junctions; 12. carry out de-watering and drainage works and install, alter, reinstate or remove land drainage systems; 13. discharge water into existing drains and watercourses; 14. protect and prevent damage to or interference with the operation and maintenance of the electric lines and the exercise of these Overhead Line Rights; 15. fell, trim or lop trees, shrubs, hedges and bushes and to clear and remove any and all vegetation which may damage, obstruct or interfere with these Overhead Line Rights or access to the electric lines; 16. prevent and remove any works on or use of the land that would prevent the works, access to or the operation and maintenance of the electric lines; 17. erect, create, use and remove hoarding, welfare facilities including portable toilets, portable cabins and offices, security cameras, parking of vehicles and electricity generators; 18. install, use and remove artificial lighting;

	19. install, use, alter, divert and remove services and utilities; 20. prevent changes to the use, or level of the surface of, the land; 21. make good any damage caused in connection with the exercise of these Overhead Line Rights; and 22. carry out any activities ancillary or incidental thereto. and rights to prevent any works on or use of the land that would prevent the exercise of the aforementioned rights.
Access Rights	All rights necessary to access the land at all times with or without vehicles, plant, machinery, apparatus, equipment (including without limitation scaffolding), materials and personnel, to exercise the Overhead Line Rights and/or the Construction Compound Rights and for purposes of or incidental to constructing installing repairing replacing commissioning decommissioning altering and inspecting the substation and associated infrastructure including rights to: 1. carry out works to facilitate such access including to construct, lay down, use and remove access roads including any necessary bridging, culverting or diversion of water courses and drains, modifying road verges and junctions and installing, using, altering, diverting, protecting and removing services and utilities and erecting and removing of any necessary fencing, safety and security measures; 2. fell, trim or lop trees, shrubs, hedges and bushes and to clear and remove any and all vegetation which may damage, obstruct or interfere with these rights; 3. prevent and remove any works or use of the land which may interfere with or obstruct such access or the exercise of these rights; 4. make good any damage caused in connection with the exercise of these rights; and 5. park any vehicles on the land; 6. prevent or restrict access to the land and adjoining land while works are being carried out; 7. rights to install security gates and fences to prevent unauthorised access 8. carry out any activities ancillary or incidental thereto and rights to prevent any works on or use of the land that would prevent the exercise of the aforementioned rights
Freehold acquisition	Freehold acquisition or to acquire lesser rights as set out in the SoR

8 Acquisition by agreement

Engagement Strategy

- 8.1 The Schedule to the Order identifies those persons with an interest in the Order Land. NGET has attempted to engage constructively in meaningful discussions with all known owners and

occupiers of the Order Land, with a view to acquiring the land and new rights needed for the Project by agreement if at all possible, in accordance with the CPO Guidance.

- 8.2 Engagement with the majority of owners and occupiers commenced in April 2023 in connection with requests for access to survey land to inform development of the Project design and will continue in parallel with promotion of the Order. Such engagement has included in person meetings, calls, site visits and email exchanges.
- 8.3 Detailed land referencing activities for the Project commenced in Autumn 2023 with desktop studies undertaken to establish Land Registry title information together with known information about landowners and occupiers in the area. Desktop studies were also undertaken to identify any special category land in the area. Sources of information included local authority websites, Commons Register, Natural England, English Heritage, Highways England, Crown Estate and the National Trust. Desktop referencing was completed in June 2024.
- 8.4 This was followed by contact land referencing which commenced in July 2024. This included the issuing of detailed questionnaires to all known persons with interests in land. This also included the erection of notices in respect of unregistered land (accompanied by a plan showing the extent of the unregistered land) and investigations into that land. Such notices requested that any party with an interest in the unregistered land come forward and make claim to their interest. Land interest questionnaires were then sent to claimants to confirm their interest. Site walkovers were also conducted to identify any information not obtained from desktop research or contact site referencing, for example any information that has recently changed or change in land use.
- 8.5 In July 2024, land interest questionnaires were issued along with a plan to landowners, occupiers and other interested parties asking for information about the nature of their ownership, occupation, if there are tenancies and/or any other party with an interest in their land such as rights of way. Recipients of land interest questionnaires were also asked to identify whether the boundary of their interest is correctly identified on the plan. This fed into the detailed land referencing for the purpose of producing the Order Maps and Schedule to the Order.
- 8.6 Taking account of this comprehensive and thorough approach, NGET has met the test of diligent inquiry in establishing the persons interested in the land, and such landowners as have been identified will accordingly be notified of the proposed compulsory purchase order.
- 8.7 National Grid's overarching land rights strategy approach was developed in 2010 to provide a consistent methodology for acquiring land and rights for National Grid's infrastructure projects, in particular aimed at securing permanent rights to protect the long-term lifespan of the infrastructure. This approach has been implemented in all National Grid projects requiring land and rights acquisition and is under continuous review to ensure that it is still fit for purpose, achieves what it needs to for the business, and meets the expectations of third party landowners and occupiers. It promotes and enables effective and consistent communication with those who are most affected by National Grid's proposals and embodies the principles of the CPO Guidance on seeking to acquire land and rights by negotiation if at all possible. It ensures that people are treated fairly and consistently, no matter where they live, and seeks to encourage landowners to enter into voluntary agreements and prompt long term stakeholder relationships.
- 8.8 Negotiations to acquire the land and new rights needed for the Project are being carried out by Dalcour Maclaren (DM) acting on behalf of and managed/instructed by NGET.
- 8.9 Throughout the engagement period, NGET and DM have taken time to explain NGET's land requirements, kept landowners apprised of the Project's progress/programme, and considered feedback received.

- 8.10 NGET carried out a thorough engagement programme, including a four-week consultation period from 29 June 2023 to 27 July 2023, leafletting campaign, creation of a public website and a consultation event on 8 July 2023 to inform and involve the local community and stakeholders, helping to identify and address concerns early. All feedback from the consultation was considered prior to the submission of the Birkhill Wood Application and the Wanlass Beck Application. Despite 1,321 unique website visits, public feedback was minimal, indicating low opposition and effective communication throughout the process.

Progress to date

- 8.11 Appendix 6 sets out the progress of negotiations NGET has had with landowners in respect of freehold acquisitions and rights to be acquired to date. Negotiations have taken place on a Without Prejudice basis and Appendix 6 sets out the position in respect of Heads of Terms and legal agreements including details of meetings held and dates that agreements have been reached.
- 8.12 NGET is committed to securing the land and rights needed for the Project by voluntary agreement if possible and is continuing to progress negotiations with landowners and occupiers as quickly as possible. However, despite these efforts, NGET has not yet secured all the interests in the Order Land that it requires for the delivery of the Project. To provide certainty that the land and rights required for the Project can be assembled within a reasonable timeframe to enable the Project to be delivered, it is therefore necessary for NGET to start the CPO process in parallel with private treaty negotiations. Running the CPO process in parallel with continuing landowner negotiations is expressly envisaged by paragraph 17 of the CPO Guidance and NGET remains fully committed to continuing to progress negotiations throughout the CPO process in order to acquire land by agreement, where possible.

Other assistance and commitments provided to landowners

- 8.13 In addition to seeking to acquire land and rights by negotiation, NGET has taken other steps to try to help owners and occupiers affected by the Order.
- 8.14 NGET has offered advice and support to affected landowners by way of offering to meet reasonable professional advisors' fees in accordance with the advice provided at paragraph 19 of the CPO Guidance. As noted above, in most cases, landowners have not raised individual concerns, but where they have, individual meetings have been held to fully understand the issues and alleviate concerns. There will be continuing dialogue with landowners as construction detail develops.
- 8.15 If voluntary agreements cannot be concluded, parties subject to compulsory acquisition will be entitled to compensation under the CPO Compensation Code.

9 Special Category and Statutory Undertakers Land

Land belonging to other licence-holders

- 9.1 The Order Land does not include any land owned by other licence-holders.

Land belonging to other statutory undertakers

- 9.2 The Order Land does not include the acquisition of any freehold or leasehold land which is owned by other statutory undertakers.

Land belonging to a local authority

- 9.3 The Order Land does not include any land which is owned by a local authority.

Land owned by the National Trust

- 9.4 The Order Land does not include any land which is owned by the National Trust.

Land forming part of a common, open space or a fuel or field garden allotment

- 9.5 The Order Land does not include any common land, open space or fuel or field garden allotments.

Burial grounds, ecclesiastical property or land which includes listed buildings or is in a conservation area

- 9.6 The Order Land does not include any burial grounds, ecclesiastical property or land (including listed buildings) and is not within a conservation area.

Crown Land

- 9.7 The Order Land does not include any Crown Land.

10 Mining Code

- 10.1 The mining code in Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981 is to be included within the Order in respect to the land shown coloured blue in the Order Maps. The rights that NGET is seeking pursuant to the Order will not interfere with any mining and minerals rights over such land and so the mining code is being included for the purposes of asset protection, i.e. to ensure that NGET's apparatus and equipment are adequately safeguarded and protected in the future.

- 10.2 With regard to the land shown coloured pink in the Order Maps, it is not necessary to incorporate the mining code since NGET will be acquiring all interests in this land under the Order.

11 Delivery and funding

11.1 Delivery

- (a) NGET has an excellent track record in delivering infrastructure projects, including new substations, and has an excellent financial standing as explained below.
- (b) NGET has extensive experience of building, operating and maintaining linear infrastructure schemes including overhead electricity systems and substations.
- (c) By way of example, NGET has developed and delivered or is delivering the following projects:
 - (i) Harker substation replacement and removal project – This upgrades the existing Harker substation as well as upgrades to the existing overhead lines to replace old infrastructure, reinforce the network and facilitate new customer connections; and
 - (ii) Little Horsted 400kV substation and 132kV substation – This replaces existing infrastructure with new infrastructure which provides additional network capacity.

- (d) The following provides a high-level overview of the delivery programme for the Project:
- (i) The procurement process, which led to the appointment of the principal contractor for the Access Road, commenced in Q1 of 2025 and the contract was awarded in Q4 of 2025.
 - (ii) The procurement process, which will lead to the appointment of the principal contractor for the substation build, is anticipated to commence in Q1 of 2026 and the contract is anticipated to be awarded in 2026.
 - (iii) Post contract award, the principal contractor will conduct detailed design work, which will be required before the commencement of construction works, and place orders for the required substation and overhead line equipment.
 - (iv) The principal contractor for the S278 work will mobilise onsite and commence construction activities, which are planned for Q1 of 2026.
 - (v) The principal contractor for the remainder of the Access Road works will commence construction activities, which are planned for Q2 of 2026
 - (vi) The principal contractor for the Birkhill Wood Substation works will mobilise onsite and commence construction activities, which are planned for Q2 2027
 - (vii) The construction end date, including commissioning & testing, is planned for Q4 of 2030.
 - (viii) There are construction activities within the new Birkhill Wood Substation anticipated to extend beyond 2030 to accommodate signed customer connection offers.

11.2 Funding

- (a) NGET is responsible for developing, constructing, and financing the Project. It is also responsible for the payment of compensation for the acquisition of land and rights required for the Project whether pursuant to a voluntary agreement or the Compensation Code.
- (b) NGET has taken expert advice on the likely costs of implementing the Project, including the cost of construction and the funding of the acquisition of the interests in land described in the Order.
- (c) An assessment of the required funding has taken account of the total cost of payments for acquiring both freehold land and rights over land. This total cost has included the estimated value of compensation payable in relation to disturbance, severance and injurious affection, third party professional fees, blight and claims arising under both Section 10 of the Compulsory Purchase Act 1965 and Part 1 of the Land Compensation Act 1973.
- (d) The estimated land costs for delivery of the Project are £2.1m. This has been included in the project budget in the construction phase and will be available when powers pursuant to the Order are exercised.
- (e) NGET has a strong credit rating and in January 2025 sanctioned a budget for the Project that accommodates the implementation costs of the Order and other project enabling

works e.g. surveys, designs, land acquisition costs (including any potential compensation claims for blight), Access Road construction, procurement of equipment subject to long lead times).

- (f) Accordingly, the land acquisition costs and potential compensation claims for blight can be fully met as and when they are required, and this would include any “early payments” under the blight provisions of the Town and Country Planning Act 1990. The Project has a contingency for lands activities which would meet any valid claims which may be made in future.
- (g) NGET investments inclusive of construction costs of this Project are however proposed to be funded via Ofgem's regulatory framework known as RIIO-T3 Load Related Re-opener (**LRR Process**). It aims to ensure that funding decisions for load-driven and non-load infrastructure projects are made efficiently, transparently, and in a way that supports the UK's Net Zero and CP2030 goals.
- (h) In accordance with the standard timescales for the LRR Process, NGET anticipates submission of the Eligibility Letter in December 2025, submission of Needs Case in April 2026 and Project Assessment in November 2025. A response from Ofgem is anticipated in May 2027, prior to the programmed commencement of works for the Birkhill Wood Substation.
- (i) NGET does not consider there to be any financial impediment to the delivery of the Project.

12 Human rights

- 12.1 Each plot of land described in the Order is required either for the purposes of the Project, or is needed to facilitate, mitigate, or is incidental to the Project.
- 12.2 NGET is taking a proportionate approach to compulsory acquisition and, rather than seeking to acquire the freehold title to all of the Order Land, is seeking to acquire a combination of freehold title and rights.
- 12.3 NGET has sought to acquire the rights and interests in land which are required to deliver the Project through private treaty negotiation. Details of the negotiations to date are set out in Appendix 5 to this Statement.
- 12.4 NGET considers that it has taken a proportionate approach to land assembly, having regard to the impact on affected persons. NGET has sought to acquire only such land and/or interests which are necessary for the Project to proceed.
- 12.5 Notwithstanding the efforts that have been made to acquire interests in the land by way of voluntary agreement, as at the date of this Statement, NGET has been unable to secure all of the requisite interests through negotiation. It is therefore necessary to seek compulsory powers to enable the delivery of the Project.
- 12.6 Negotiations to acquire interests by private treaty will continue in parallel with the CPO process. Where an agreement is reached with the owner of any part of the Order Land, that land, save where expressly stated otherwise, will be retained as part of the Order Land. This will enable NGET (and its successors) to acquire any third-party interests that may subsist in the land which might otherwise delay, impede or prevent the implementation or operation of the Project. This is the approach recommended in the General Overview at page 6 of the CPO Guidance.

- 12.7 With regard to human rights, Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with rights protected by the European Convention on Human Rights (**Convention**). The position is summarised in paragraph 12 of the General Overview of the Guidance, which states that a compulsory purchase order should only be made where there is *"a compelling case in the public interest"*. The Guidance makes it clear that an acquiring authority should be sure that the purposes for which it is seeking compulsory acquisition powers sufficiently justify interfering with the human rights of those with an interest in the land affected. In making this assessment, an acquiring authority should have regard, in particular, to the provisions of Article 1 of the First Protocol to the Convention, and in the case of dwelling, Article 8.
- 12.8 Article 1 of the First Protocol states that:
- "...Every natural or legal person is entitled to peaceful enjoyment of his possessions" and "no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law..."*
- 12.9 Article 8 of the Convention states that *"Everyone has the right to respect for his private and family life, his home and his correspondence"* and that this right should not be interfered with *"except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others"*.
- 12.10 Whilst owners and occupiers of the Order Land may be deprived of their property/interest in property if the Order is confirmed, this will be in accordance with the law. NGET is only seeking the acquisition of the freehold title to the Order Land where necessary. The remainder of the Order Land is proposed to be affected by new rights only. The Order is being promoted in the public interest and the public benefits have been set out in detail earlier in this Statement. NGET considers that the Order will strike the right balance between the public interest in the implementation of the Project and those private rights that will be affected by the Order.
- 12.11 Article 6 of the Convention provides that:
- "In determining his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law."*
- 12.12 The Order has been extensively publicised and consultation has taken place with the community and key stakeholders in the region. All those affected by the Order will be notified, will have the right to make representations and objections to the Secretary of State, and objecting parties will have the right to be heard at a public inquiry. It has been held by the courts that statutory processes are in compliance with Article 6 of the Convention.
- 12.13 Those whose interests are acquired under the Order will also be entitled to compensation which will be payable in accordance with the Compulsory Purchase Compensation Code. The Compensation Code has been held to be compliant with Article 8 and Article 1 of the First Protocol to the Convention.
- 12.14 NGET has sought to keep any interference with the rights of those with interests in the Order Land to a minimum. The land within the Order has been limited to the minimum required for the Project infrastructure to be installed, operated and maintained.
- 12.15 The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have therefore been fully taken into account. There is a compelling case in the

public interest for the Order to be made and confirmed, and the interference with the private rights of those affected that would be the inevitable result of the exercise of compulsory purchase powers conferred by the Order would be lawful, justified and proportionate.

13 Equalities Act

- 13.1 NGET has, as a non-public body exercising public functions, had regard to the public sector equality duty set out in s149(1) of the Equality Act 2010 and has, in promoting the Order, undertaken a community consultation and landowner engagement exercise.
- 13.2 NGET has taken account of and considered receptors and effects on those receptors through its environmental assessment processes for the Project.
- 13.3 Based on its consultation, engagement and assessment, NGET does not currently consider that the Project will give rise to any disproportionate or differential impacts on persons who share a relevant protected characteristic as defined in the Equality Act, as compared to persons who do not share such relevant protected characteristic. However, the engagement process is ongoing and NGET's position will be continually monitored and should any persons or categories of persons be identified who may adversely impacted by the Project packages of assistance measures will be put in place as necessary so as to mitigate so far as practicable any identified activity that may have an adverse impact on these individuals.

14 Statement justifying extent of scheme to be disregarded for the purposes of assessing compensation in the 'no-scheme world'

- 14.1 Paragraph 196(v), Section 14, of the CPO Guidance requires a statement to be included in every statement of reasons which justifies the extent of the scheme to be disregarded for the purposes of assessing compensation in the 'no-scheme world'.
- 14.2 Section 6(A) of the Land Compensation Act 1961 (LCA 1961) provides that "*the no-scheme principle is to be applied when assessing the value of land in order to work out how much compensation should be paid by the acquiring authority for the compulsory acquisition of the land*". For the purposes of section 6(A), the "scheme" means the scheme of development underlying the acquisition.
- 14.3 Section 6 explains that the underlying scheme is to be the scheme provided for by the Order unless it is shown that the underlying scheme is a scheme larger than, but incorporating, the scheme provided for by that instrument.
- 14.4 The Order authorises the compulsory acquisition of land and rights needed for the Project. The Project is the "scheme" for the purposes of section 6(A).

15 Conclusion

- 15.1 NGET has made the Order pursuant to section 10 of, and Schedule 3 to, the 1989 Act, and having regard to the CPO Guidance. If confirmed by the Secretary of State for Energy Security and Net Zero, the Order will authorise NGET to purchase compulsorily the land and new rights in land required for the Project.
- 15.2 As set out above, the Project is required primarily for network capabilities reinforcement and new customer connections, as well as for asset health and environmental management reasons, and is fully supported by national energy policy. In this regard the key benefits that will arise from the Project are:

- (a) Meeting energy demand and customer connection requirements;
- (b) Transitioning to net zero/low carbon economy; and
- (c) Energy security/reliability of supply.

15.3 The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have been fully taken into account, along with NGET's duties under the Equality Act 2010. The interference with the private rights of those affected would be lawful, justified and proportionate.

15.4 The public benefits of the Project substantially outweigh the private interests affected, which in any event NGET has sought to minimise by only acquiring rights over the majority of the Order Land, rather than freehold interests, as well as amending the Project to address specific landowner concerns where reasonably practicable to do so. Additionally, in order to ensure that a proportionate approach is taken to the acquisition of rights, NGET is only seeking the rights that it needs in relation to each plot, rather than adopting a 'blanket' approach across all of the land.

15.5 NGET anticipates that all requisite planning consents will be in place for the Project by the time that the Order enables the exercise of powers of compulsory acquisition and there are no physical or legal impediments to the implementation of the Order.

15.6 In light of all of the above, there is a compelling case in the public interest for confirmation of the Order.

15.7 The Secretary of State should confirm the Order accordingly.

16 Further information

Negotiation of acquisitions

16.1 Owners and occupiers of land affected by the Project who wish to negotiate a voluntary agreement or discuss matters of compensation should contact NGET's appointed land agent, Dalcour Maclaren:

- (a) By telephone on 0333 049 4785;
- (b) By email to birkhillwood@dalcourmaclaren.com; or
- (c) In writing to: Land Assembly Team, Dalcour Maclaren, The Barn, Bignell Park Barns, Bicester, OX26 1TD.

Compensation

16.2 Provision is made by statute with regard to compensation for the compulsory acquisition of land and the depreciation in value of properties. More information is given in the series of booklets published by the Department for Housing, Communities and Local Government entitled "Compulsory Purchase and Compensation" listed below:

- Booklet No. 1 - Compulsory Purchase Procedure.
- Booklet No. 2 - Compensation to Business Owners and Occupiers.
- Booklet No. 3 - Compensation to Agricultural Owners and Occupiers.

- Booklet No. 4 - Compensation for Residential Owners and Occupiers.

16.3 These booklets are available to download for free online at: <https://www.gov.uk/government/collections/compulsory-purchase-system-guidance>

16.4 A copy of this Statement, the Order and maps are available for inspection at <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects/creyke-beck-substation-extension>. The Order and Maps can also be inspected at the following libraries:

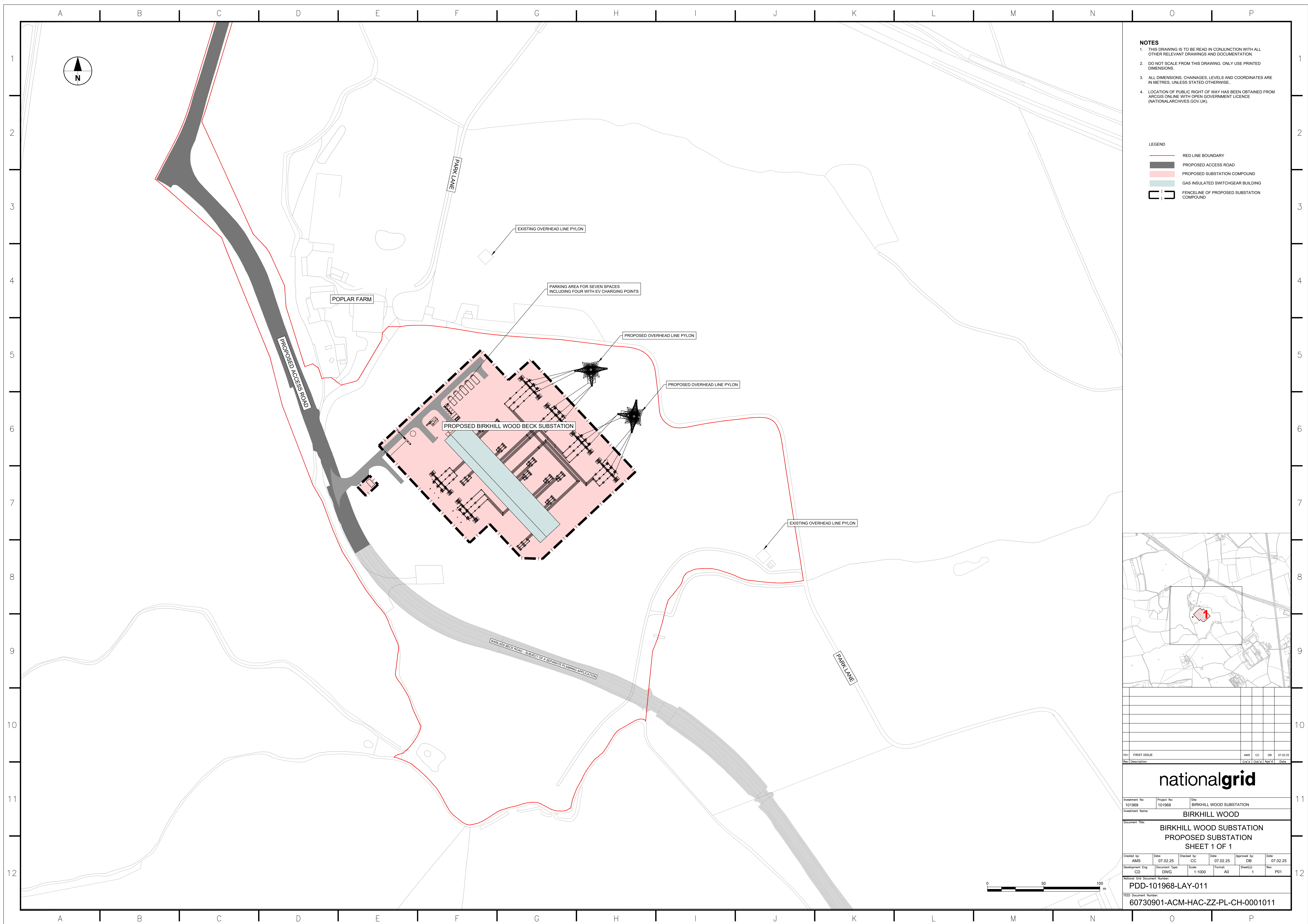
Location	Times
Cottingham Centre Market Green Cottingham HU16 5QG	Monday: 9.30am – 4:30pm Tuesday: 9.30am – 4.30pm Wednesday: Closed Thursday: 9.30am – 6:30pm Friday: 9.30am – 1pm Saturday: 9.30am – 12:30pm Sunday: Closed
Greenwood Avenue Library 220 Greenwood Avenue Hull HU6 9RU	Monday: 10am – 12.30pm Tuesday: Closed Wednesday: 10am – 12.30pm & 2pm – 6.30pm Thursday: Closed Friday: 10am – 12:30pm & 2pm – 5pm Saturday: 10am – 1pm Sunday: Closed
Beverley Library Champney Treasure House Champney Road Beverley HU17 8HE	Monday: 9.30am – 4.30pm Tuesday: 9.30am – 6.30pm Wednesday: 9.30am – 4.30pm Thursday: Closed Friday: 9.30am – 4.30pm Saturday: 9am – 4pm Sunday: Closed

17 List of documents

- 17.1 The Order, Order Schedule and Order Map.
- 17.2 Department for Levelling Up, Housing and Communities' *Guidance on Compulsory purchase process* (January 2025) (CPO Guidance).
- 17.3 Ten Point Plan for a Green Industrial Revolution (November 2020)
- 17.4 Energy White Paper published (December 2020)
- 17.5 The Net Zero Strategy: Build Back Greener (2021)
- 17.6 Powering Up Britain: Net Zero Growth Plan (April 2023)
- 17.7 Clean Power 2030 Action Plan

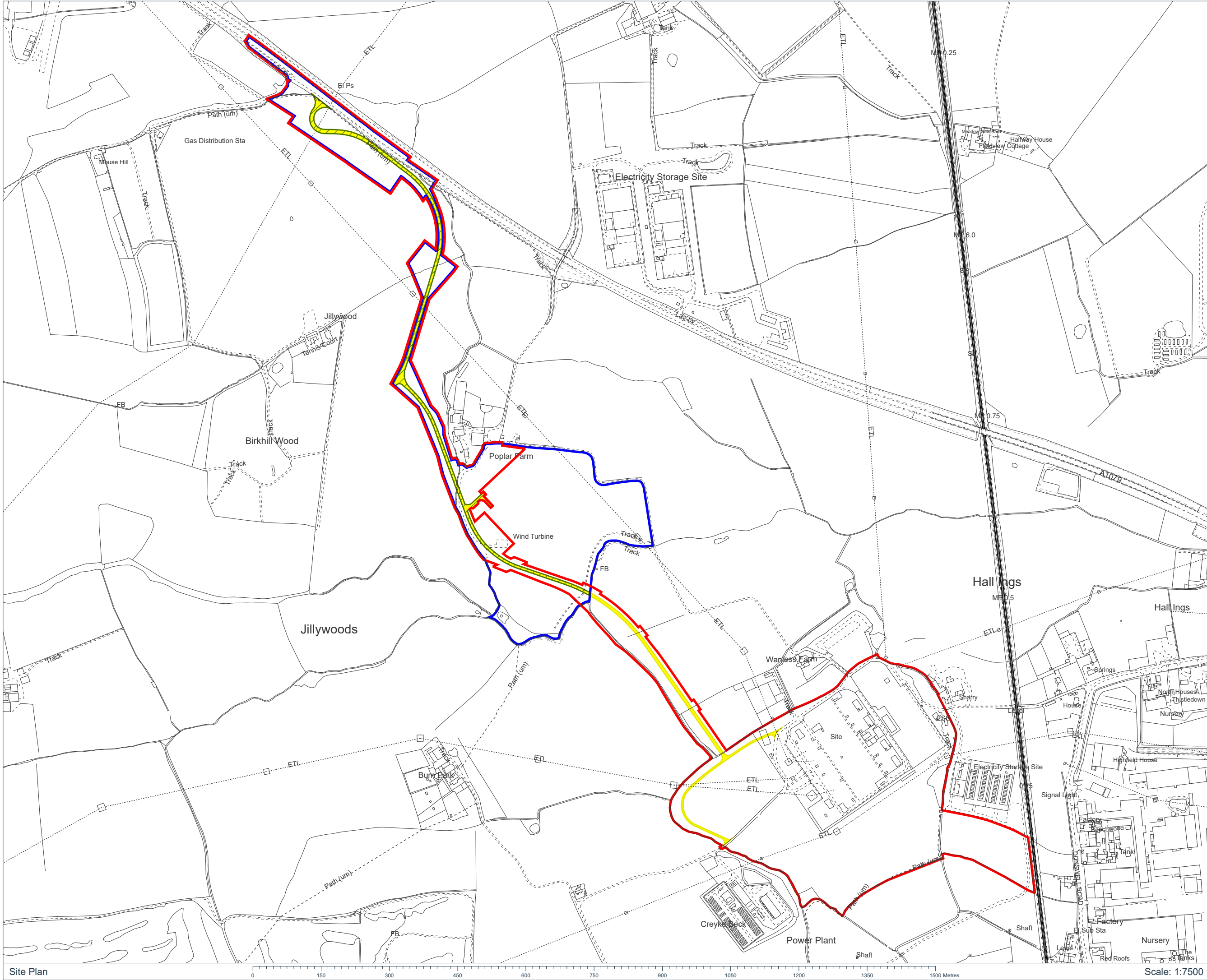
- 17.8 "Future Energy Scenarios 2024", the National Energy System Operator (NESO)
- 17.9 National Policy Statement EN-1 (updated 24 April 2025)
- 17.10 National Policy Statement EN-5 (updated 17 January 2024)
- 17.11 NPPF (December 2024)
- 17.12 The East Riding Local Plan Strategy Document (April 2016)
- 17.13 The East Riding Local Plan Allocations Document (July 2016)
- 17.14 Appendices to this Statement of Reasons:
 - (a) Appendix 1: Drawing showing Birkhill Wood Substation Layout
 - (b) Appendix 2: Drawing showing the Access Road
 - (c) Appendix 3: Drawing showing OHL Works
 - (d) Appendix 4: Drawing showing biodiversity net gain mitigation works
 - (e) Appendix 5: Site selection long list
 - (f) Appendix 6: Schedule of Landowner Engagement

Appendix 1: Drawing showing Birkhill Wood Substation Layout



Appendix 2: Drawing showing the Access Road

Drawing Location: C:\Users\Sarah Garvey\Dalour MacLaren\Birkhill Substation 23003517 - Geomatics\01 DM Plans\2025\104_23003517_PLN_INFO_219.aprx



Site Plan



- Key:
- Birkhill Wood Planning Application Boundary (09.10.2024)
 - Birkhill Wood Access Road (Access Road Section 1)
 - Wanlass Beck Planning Application Boundary (09.10.2024)
 - Wanlass Beck Access Road (Access Road Section 2)

Notes:

Coordinate System: British National Grid
Projection: Transverse Mercator
Datum: OSGB 1936

Interest:
N/A

Location:
Land adjacent to the A1079, between Cottingham and Beverley

Coords: 503942, 435568

Scheme Name:
Birkhill Wood Substation Project

Drawing Name:
Planning Application Land Plan

Drawing No: 23003517_PLN_INFO_219.1

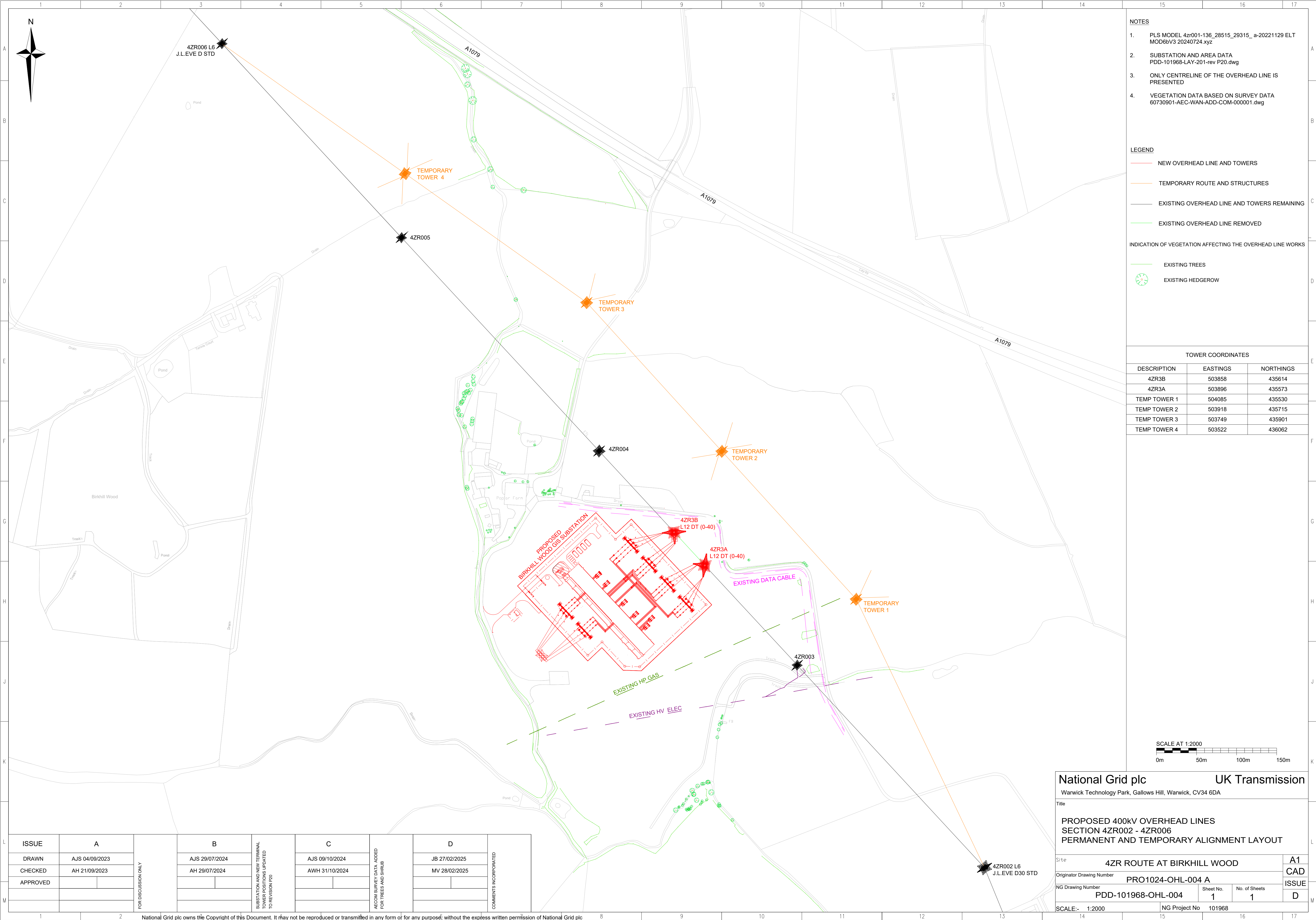
Rev	Date	Description
-	06.11.2025	First Issue

Drawn:	SG	
Approved:	OK	
Sheet No:	1 of 1	
Sheet Size:	A3	



Plan produced on behalf of National Grid Electricity Transmission.
BASED UPON THE ORDNANCE SURVEY MAP WITH THE SANCTION
OF THE CONTROLLER OF HM STATIONERY OFFICE.
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Appendix 3: Drawing showing OHL Works

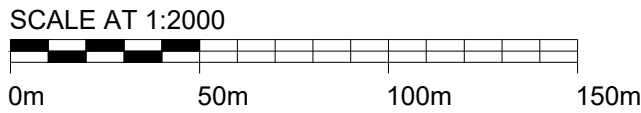


- NOTES
- PLS MODEL 4zr001-136_28515_29315_a-20221129 ELT MOD6bV3 20240724.xyz
 - SUBSTATION AND AREA DATA PDD-101968-LAY-201-rev P20.dwg
 - ONLY CENTRELINE OF THE OVERHEAD LINE IS PRESENTED
 - VEGETATION DATA BASED ON SURVEY DATA 60730901-AEC-WAN-ADD-COM-000001.dwg

- LEGEND
- NEW OVERHEAD LINE AND TOWERS
 - TEMPORARY ROUTE AND STRUCTURES
 - EXISTING OVERHEAD LINE AND TOWERS REMAINING
 - EXISTING OVERHEAD LINE REMOVED

- INDICATION OF VEGETATION AFFECTING THE OVERHEAD LINE WORKS
- EXISTING TREES
 - EXISTING HEDGEROW

TOWER COORDINATES		
DESCRIPTION	EASTINGS	NORTHINGS
4ZR3B	503858	435614
4ZR3A	503896	435573
TEMP TOWER 1	504085	435530
TEMP TOWER 2	503918	435715
TEMP TOWER 3	503749	435901
TEMP TOWER 4	503522	436062



National Grid plc

UK Transmission

Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA

Title

PROPOSED 400kV OVERHEAD LINES
SECTION 4ZR002 - 4ZR006
PERMANENT AND TEMPORARY ALIGNMENT LAYOUT

Site

4ZR ROUTE AT BIRKILL WOOD

A1

Originator Drawing Number

PRO1024-OHL-004 A

CAD

NG Drawing Number

PDD-101968-OHL-004

ISSUE

Sheet No.

1

No. of Sheets

1

D

SCALE:-

1:2000

NG Project No

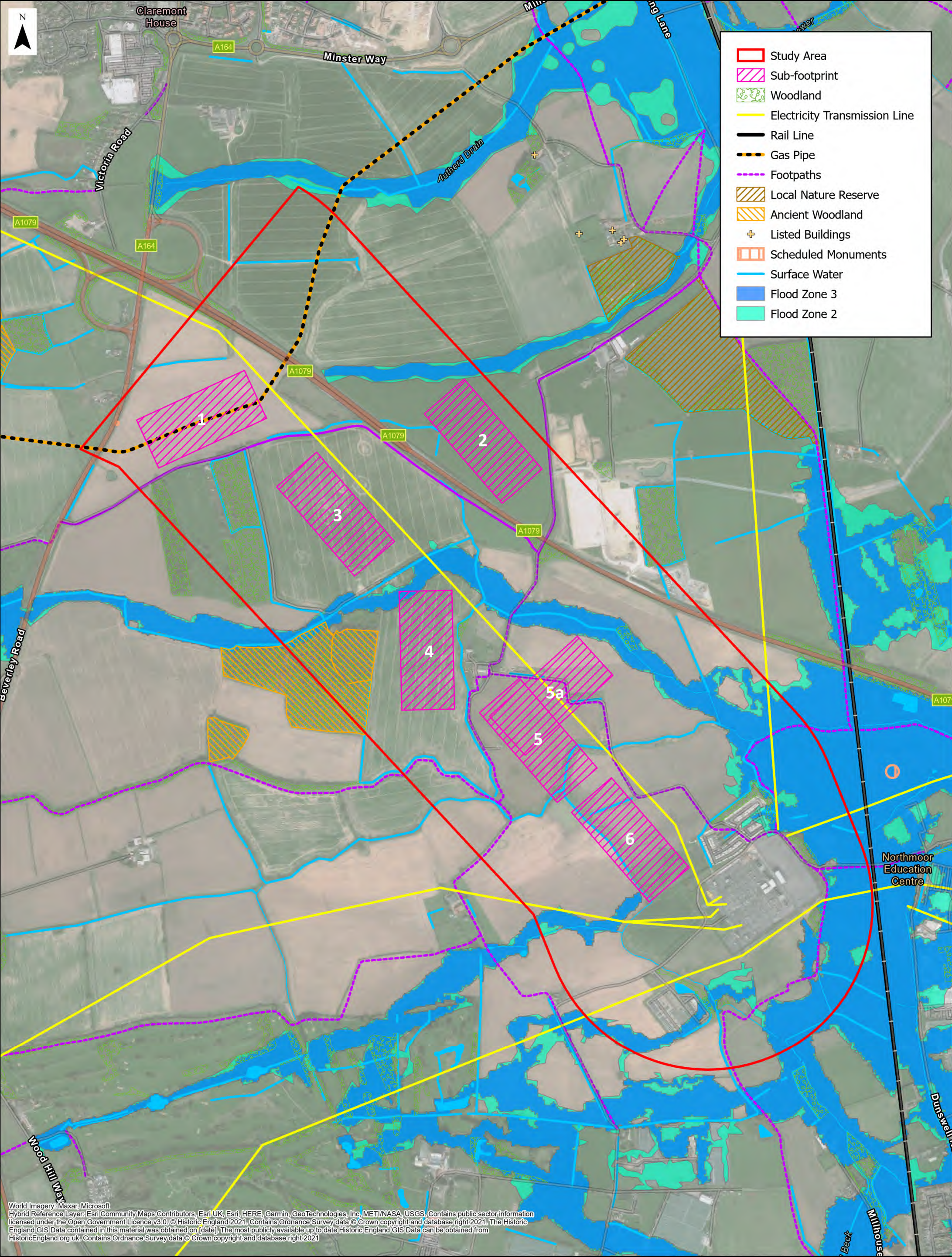
101968

ISSUE	A	FOR DISCUSSION ONLY	B	SUBSTATION AND NEW TERMINAL TOWER POSITIONS UPDATED TO REVISION P20	C	AECOM SURVEY DATA ADDED FOR TREES AND SHRUB	D	COMMENTS INCORPORATED
DRAWN	AJS 04/09/2023		AJS 29/07/2024		AJS 09/10/2024		JB 27/02/2025	
CHECKED	AH 21/09/2023		AH 29/07/2024		AWH 31/10/2024		MV 28/02/2025	
APPROVED								

Appendix 4: Drawing showing biodiversity net gain mitigation works



Appendix 5: Site selection long list



Appendix 6: Schedule of Landowner Engagement

CPO Plot(s)	Interest name	Agreement being sought	Status of negotiations
01-001, 01-010, 01-027, 01-028	Andrew James Martin White Model Farm Long Lane BEVERLEY East Riding of Yorkshire HU17 0RN (trading as C. W. White & Son)	Option for Lease, term of 1 year with option for extension beyond 1 year.	Heads of terms were agreed on the 6 th January 2025. Solicitors were instructed on the 9 th January 2025 and legal completion is expected by the end of 2025.
01-009	Albanwise Limited c/o Mills & Reeve LLP Botanic House 100 Hills Road CAMBRIDGE Cambridgeshire CB2 1PH	Option for a termed easement for Overhead Line Rights,	Heads of terms were agreed in principle on the 11 th November 2024. Solicitors were instructed on the 9 th December 2024 and legal completion is expected at the end of 2025.
01-002, 01-002a, 01-003, 01-004, 01-005, 01-006, 01-007, 01-008, 01-010, 01-011, 01-013, 01-014, 01-015, 01-016a, 01-016b, 01-017, 01-018, 01-019, 01-020, 01-021, 01-022, 01-023, 01-024, 01-025, 01-026, 01-027, 01-029, 01-030, 01-031, 01-032, 01-033a, 01-033b, 01-035, 01-040, 01-048, 01-054a, 01-054b	Albanwise Synergy Limited Mills & Reeve LLP Botanic House 100 Hills Road CAMBRIDGE CB2 1PH	Option for termed Easement, associated rights and PRoW diversion consent.	Heads of terms were agreed in principle on the 11 th November 2024. Solicitors were instructed on the 9 th December 2024 and legal completion is expected by the end of 2025.
01-002, 01-002a, 01-003, 01-004, 01-005, 01-006, 01-007, 01-008, 01-009, 01-011, 01-013, 01-014, 01-015, 01-016a, 01-016b, 01-017, 01-018, 01-019, 01-020, 01-021, 01-022, 01-023, 01-024, 01-025, 01-026, 01-029, 01-030, 01-031, 01-032, 01-033a, 01-033b, 01-035, 01-040	G. Woodmansey & Son Limited Manor Farm Bentley BEVERLEY East Riding of Yorkshire HU17 8PP	Tripartite Option for Surrender of part of the AHA Leasehold Interest and PRoW diversion consent.	Heads of terms were first issued on the 3 rd June 2025 following prior communications with Albanwise Synergy Limited as Landlord. Meetings have been conducted on the 17 th and 26 th September 2025, resulting in the issue of updated heads of terms on the 26 th September 2025. Further updated heads of terms were issued on the 10 th October 2025 along with an updated plan. NGET are awaiting a response to the heads of terms offered.
01-010, 01-027, 01-034, 01-036, 01-037, 01-041, 01-	North Poplar Farm Limited High Warrendale Warter	Option for Freehold Acquisition and associated Rights.	An initial meeting was held on the 22 nd May 2023 and a follow-up meeting was held on the 21 st July

042, 01-043, 01-044, 01-045, 01-046, 01-047, 01-048, 01-049, 01-050, 01-052, 01-053, 01-054a, 01-054b, 01-055, 01-056, 01-057, 02-001	York YO42 1XG	Option for Overhead Line Easement.	2023 when heads of terms were first discussed. Heads of Terms were first presented on the 1st March 2024 at in person meeting. Version two of the heads of terms were issued on the 14th January 2025. Further correspondence was issued by NGET on the 24th September, providing an update on negotiations and revising two key points, in the hope of reaching agreement of terms. The latest in person meeting was held on the 22nd October 2025 and updated heads of terms were issued on the 28th October 2025. NGET are awaiting a response to the heads of terms offered.
01-043	Wind Energy One Limited c/o Grant Thornton UK Advisory & Tax LLP St Peter's Square 1 Oxford Street MANCHESTER M1 4PB (In Liquidation)	Option for Surrender of Leasehold Interest.	Negotiations have been conducted with Aisling Renewables Limited, it is understood the Leasehold Interest will transfer from Wind Energy One Limited imminently. Heads of terms were agreed in principle on the 8th September 2025. Solicitors were instructed on the 8th September 2025 and legal completion is expected by the end of 2025.
01-054b, 01-059, 02-002, 02-003, 02-004, 02-005	Sean Edward Brown 7 Southwood Road COTTINGHAM East Riding of Yorkshire HU16 5AE & The Executor of the Estate of the Late Edward James Brown 7 Southwood Road COTTINGHAM	Option for Freehold Acquisition and associated Rights. Option for Overhead Line Easement.	Heads of Terms were first issued 28th February 2024. Version two of the heads of terms were issued on the 13th January 2025. A meeting MS Teams meeting was held on 28th October 2025 and version 3 of the heads of terms were issued on the 29th October 2025. Progress in negotiations has been hindered due to an unresolved Probate issue that is still pending resolution.
01-058, 01-060	Albert John Evans Wanlass Farm Park Lane COTTINGHAM	Option for Easement.	Heads of terms were issued on the 26 th March 2025 and are agreed in principle.

	East Riding of Yorkshire HU16 5SB & Cottingham Caravan and Motorhome Services Wanlass Farm Park Lane COTTINGHAM HU16 5SB	Option to vary existing Access Rights over NGET land.	Solicitors were instructed on the 11 th June 2025 and legal completion is expected by the end of 2025.
01-046	Cornerstone Telecommunications Infrastructure Limited Hive 2 1530 Arlington Business Park Theale READING Berkshire RG7 4SA	n/a	No negotiations held as no rights are being impacted. Apparatus will remain on NGET tower.
01-004, 01-007, 01-011, 01-018, 01-021, 01-025, 01-029, 01-036	INEOS Manufacturing (Hull) Limited Hawkslease Chapel Lane LYNDHURST Hampshire SO43 7FG	Pipeline crossing protection Agreement in the form of Deed of variation to subterranean lease or Deed of Easement	Ineos/Sabic (pipeline agents) aware of NGET civil works proposals in detailed design. Meeting proposed with INEOS legal to established form of protection agreement.
01-042, 01-045	Northern Gas Networks Limited 1100 Century Way Thorpe Park Colton LEEDS LS15 8TU	Pipeline crossing and works proximity protection agreement	NGET working on NGN G17 protection process, once approved by NGN we are to offer an asset protection agreement suitable for the works.
01-002a, 01-003, 01-008, 01-032, 01-033b, 01-035, 01-040, 01-042, 01-045, 01-055, 01-057	Northern Powergrid (Northeast) PLC Lloyds Court 78 Grey Street NEWCASTLE UPON TYNE NE1 6AF	No rights required in the CPO. Where necessary land owner agreement to sign wayleave agreement from NPG	NGET has applied to NPG for undergrounding 11kv adjacent to Birkhill Wood. Voluntary agreements being sought from appropriate landowners to consent to NPG works.
01-041, 01-042, 01-044, 01-045, 01-055, 01-058, 01-060	KCOM Group Limited 37 Carr Lane Hull East Yorkshire HU1 3RE	No agreement required. No KCOM rights to be altered	KCOM engaged on NGET proposals. Protection works to telecom cable approved in NGET non-operational land. Other plots, NGET works won't affect cable route. NGET will maintain contact with KCOM as an interested party throughout design and construction