

TOWN PLANNING STATEMENT OF EVIDENCE

24 JULY 2026

**THE NATIONAL GRID ELECTRICITY TRANSMISSION PLC (WEST BURTON TO RATCLIFFE-
ON-SOAR REFURBISHMENT PROJECT)
COMPULSORY PURCHASE ORDER 2026**

STATEMENT OF EVIDENCE

PAUL JARVIS
DIRECTOR
WSP

1. QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Paul Jarvis. I am a Chartered Town Planner with a degree BSC (Hons) in Town and Regional Planning from the University of Dundee.
- 1.2 I am the Infrastructure Planning Service Line Director for WSP responsible for Operational and People Leadership, undertaking Project Director/Planning lead roles on major projects and leading a range of infrastructure planning projects. I regularly lead large teams of specialists, including infrastructure planners, town planners, urban designers, architects, engineers, transportation planners and environmentalists.
- 1.3 I have worked as a town planner for thirty-two years and have been a member of the Royal Town Planning Institute (**MRTPI**) for thirty years. I have wide experience in managing the submission of applications for major projects on behalf of public and private sector clients as well as preparing planning policy and guidance. I provide town planning advice to developers and public sector organisations throughout all stages of the planning process. This includes pre-application and post-application discussions with planning authorities and other stakeholders and preparation of planning statements and other associated documents to support planning applications.
- 1.4 In my role supporting National Grid Electricity Transmission plc ("**NGET**") I am responsible for providing consenting advice in relation to the West Burton to Ratcliffe-on-Soar refurbishment project (the "**Project**") and various other projects including customer connections involving new NGET substations, NGET asset management such as replacement infrastructure and ground investigation works. This involves providing planning advice on projects both in the development and delivery stages and includes determining optimal planning strategies including planning applications and / or reliance upon permitted development rights under the Town and Country Planning (General Permitted Development) (England) Order 2015 (the "**GPDO**") (**CD, A12**).

2. INTRODUCTION AND SCOPE OF EVIDENCE

- 2.1 The structure of my statement of evidence is set out in paragraph 2.3 below.
- 2.2 In broad terms, my *statement* will explain the consenting position of the Project, including detail of the consenting position and the proposed approach in respect of obtaining secondary consents as the Project transitions to delivery. My statement of evidence explains that planning and other consenting matters do not present any impediment to delivery of the Project in accordance with paragraph 15 of the Ministry of Housing, Communities & Local Government's Guidance on the Compulsory Purchase Process (June 2026) ("**CPO Guidance**") (**CD, B18**).
- 2.3 The description of the Project, the need for the development and the consideration of alternatives in developing the detailed proposals for the Project are set out in the Statement of Evidence of Ms Evans (**NGET/LE/1**). In light of this, my statement of evidence is therefore structured as follows:
 - 2.3.1 Section 3 provides an overview of the planning policy support for the Project;
 - 2.3.2 Section 4 provides a summary of the overarching consents strategy and review of the planning position;
 - 2.3.3 Section 5 provides a response to Objections; and
 - 2.3.4 Section 6 sets out my conclusions.
- 2.4 References in my evidence to the core documents are made by the abbreviation, for example, "**(CD, CXX)**". The evidence of other witnesses is referred to by the name of the author.

3. PLANNING POLICY SUPPORT FOR THE PROJECT

Introduction

- 3.1 The Project is supported at all levels of planning policy. In this section, I describe the principal national and local planning policies of relevance to the Project and explain how they provide support for it. I begin by dealing with the policies in force in respect of nationally significant infrastructure projects ("**NSIP**"), before going on to consider the National Planning Policy Framework ("**NPPF**" December 2024) and the local development plan policy for those areas within which the Project is located. I conclude with a short summary of the benefits of the Project.

National Policy Statements

- 3.2 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 the delivery of NSIPs, recognising that providing affordable, reliable and sustainable energy is a key issue in UK Government policy.
- 3.3 The NPSs provide the policy framework within which applications for NSIPs are required to be determined. However, those policies are explicitly recognised within the NPSs as being potentially material considerations in respect of other development too.
- 3.4 For the Project, the overarching NPS for Energy ("**NPS EN-1**" December 2025 (**CD, B01**)), and the NPS for Electricity Networks Infrastructure ("**NPS EN-5**" December 2025 (**CD, B02**)), are considered to be material considerations as they relate to the form of development underlying the CPO and demonstrate national policy support for the Project.

NPS EN-1

- 3.5 NPS EN-1 sets out the Government's policy for delivery of major energy infrastructure. NPS EN-1 sets out the concept of critical national priority ("**CNP**") infrastructure (paragraph 4.2) which includes low-carbon infrastructure defined as (amongst other things) all power lines within the scope of NPS EN-5 including network reinforcement, upgrade works and associated infrastructure for electricity grid infrastructure. This extended scope recognises the clear need for infrastructure to meet national security and net-zero aims through clean energy generation and the means of transmitting it across the UK.
- 3.6 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 4.2.28).
- 3.7 Paragraph 2.1.2 recognises that:
"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. High quality infrastructure is crucial for economic growth, boosting productivity and competitiveness."
- 3.8 Paragraph 2.4.1 notes that, given the vital role of energy to economic prosperity and social well-being, it is important that our supplies of energy remain secure, reliable and affordable and paragraph 3.3.3 sets out the need for new nationally significant electricity infrastructure, stating that:
"To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand. Our analysis suggests that even with major improvements in overall energy efficiency, and increased flexibility in the energy system, 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 by switching from fossil fuels to low carbon electricity."
- 3.9 Paragraph 3.3.67 states that existing transmission infrastructure must adapt and evolve to cope with the reality that in the transition to net zero, the electricity system will grow in scale, dispersion, variety and complexity. This means that work is needed to protect against the risk of large-scale supply interruptions.

3.10 Paragraph 3.3.80 recognises that:

"...the case for network reinforcement is demonstrated if the proposed development represents an efficient and economical means of:

- *reinforcing the network to accommodate such connections; or*
- *reinforcing the network to ensure that it is sufficiently resilient and capacious (per any performance standards set by Ofgem) to reliably supply present and/or anticipated future levels of demand."*

3.11 It is therefore clear that NPS EN-1 establishes that secure, reliable and affordable energy supply is critical to the UK economy and society. It identifies low carbon energy infrastructure, including network reinforcement such as the Project, as CNP. There is an urgent need to deliver such infrastructure at pace, with strong government support. Decision-makers should give substantial weight to the need for CNP infrastructure such as the Project. Overall, NPS EN-1 provides explicit policy support for the Project.

NPS EN-5

3.12 NPS EN-5 is the NPS for electricity networks infrastructure and was developed to provide policy direction on the development of new electricity networks.

3.13 NPS EN-5 reinforces the importance of a robust transmission system to enable new generation, storage, and interconnection in paragraph 1.1.1. It confirms that meeting Clean Power 2030 (**CD, B15**) and net zero targets depends on expanding and upgrading the electricity network in paragraph 1.1.3. Paragraph 2.1.4 of NPS EN-5 recognises that transmission infrastructure will have an ongoing function requiring maintenance, reinforcement, and replacement over time. NPS EN-5 evidently provides supports for the Project as part of the continuous strengthening of the national grid (see from paragraph 1.1.2).

3.14 Paragraph 1.1.6 states that:

"As identified in EN-1, government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. This includes: for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure ..."

3.15 Paragraphs 2.1.4 and 2.1.5 also recognise that:

"Generally, nationally significant electricity networks are likely to have an ongoing function, but will be subject to maintenance, reinforcement works and for assets to be replaced when they come to the end of their lifespan." (Paragraph 2.1.4)"

"As stated in Section 4.2 of EN-1, to support the urgent need for new low carbon infrastructure, all power lines in scope of EN-5 including electricity network reinforcement and upgrade works, and associated infrastructure such as substations, are considered to be CNP infrastructure." (Paragraph 2.1.5)"

3.16 NPS EN-5 provides strong national policy support for electricity network reinforcement, such as the Project, by recognising the critical role of transmission and distribution infrastructure in delivering energy security, Clean Power 2030 and net zero objectives. NPS EN-5 identifies an urgent need (paragraph 2.1.5) for network expansion, upgrading and reinforcement, acknowledges that network assets will require ongoing reinforcement throughout their operational life, and confirms that a reliable electricity system is essential to accommodate new generation, storage and increasing electricity demand (paragraph 1.1.1). As noted above, NPS EN-5 provides explicit policy support for the Project.

National Planning Policy Framework

3.17 The NPPF (**CD, B10**) 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.

- 3.18 In this context it emphasises three overarching objectives (Paragraph 8):
- "(i) An economic objective - to help build a strong, responsive and competitive economy, including by identifying and coordinating the provision of infrastructure;*
- (ii) A social objective - to support strong, vibrant and healthy communities; and*
- (iii) 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."*
- 3.19 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.
- 3.20 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 states:
- "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".*
- 3.21 Government is proposing to update the current NPPF. The Consultation Draft NPPF (**CD, B19**, December 2025) contains a specific new development plan and decision-making policies for energy including electricity network infrastructure. The most relevant policy is W3 which states:
- "W3: Renewable and low carbon energy development and electricity network infrastructure***
- In considering proposals for renewable and low-carbon energy development and electricity network infrastructure, substantial weight should be given to:*
- (a) The benefits of such development for improving energy security, supporting economic development and moving to a net zero future;*
- (b) In the case of applications for the re-powering and life-extension of existing sites, the additional benefit of utilising an established site for this purpose; and*
- (c) The contribution that small-scale and community-led renewable and low carbon energy projects can make to reducing emissions, along with their associated economic and social benefits.*
- Applicants should not be required to demonstrate the need for renewable or low carbon energy development and electricity network infrastructure. Where proposals for this form of development come forward outside areas which have been identified as suitable for them they should be acceptable when assessed against the national decision-making policies in this Framework, taken as a whole.*
- Where development is expected to be time-limited, applications should be accompanied by proposals for decommissioning and site restoration, including details of how these measures are expected to be implemented."*
- 3.22 The Project will assist in the delivery of a low carbon economy and the transition to net zero and the NPPF therefore provides strong policy support for the Project as outlined above.
- Local Policy***
- 3.23 The Project is located within the counties of Lincolnshire and Nottinghamshire, with the overhead line ("**OHL**") route passing through the jurisdictions of Bassetlaw, West Lindsey District Council, Newark and Sherwood District Council, Gedling Borough Council, and Rushcliffe Borough Council.

- 3.24 Together, the adopted and emerging development plan documents of these authorities provide the local policy context.
- 3.25 As the Project includes the refurbishment of existing 400 kV single circuits and associated works and are either considered to not be 'development' requiring planning permission or are consented pursuant to NGET permitted development rights (see section 4 below), this section does not assess development management policy compliance. Instead, it considers the extent to which the Project relates to, and accords with, the strategic objectives and policy themes of the relevant development plans.

Bassetlaw District Council ("BDC")

- 3.26 The adopted development plan for Bassetlaw is the Bassetlaw Local Plan 2020-2038 (adopted May 2024 – "**BLP**", **CD, B20**). The BLP guides the location and delivery of development, allocates land for housing, employment and supporting infrastructure, and establishes policies to promote sustainable growth whilst protecting and enhancing BDC's built, natural and historic environment. Policy ST33 'Design Quality' requires high quality design that reflects local context and distinctiveness, respects landscape, natural and heritage assets whilst Policy ST35 'Landscape Character' states that development should protect and where possible enhance the distinctive qualities of the relevant landscape character policy zone identified in the Bassetlaw Landscape Character Assessment 2009 (**CD, B21**).
- 3.27 Policy ST49 'Renewable Energy Generation' supports zero carbon and low carbon renewable energy development, including community energy schemes, where impacts on landscape, natural and heritage assets, amenity, highway safety and other environmental factors are satisfactorily resolved. It requires details of expected power generation and a decommissioning programme to return the site to an acceptable state after cessation of operations.
- 3.28 Policy ST56 'Provision and Delivery of Infrastructure' seeks the timely provision of physical, social and green/blue infrastructure.
- 3.29 In the context of the above policies, the refurbishment work of the Project does not introduce new built form or permanent land use change and so are consistent with ST33 and 35. The Project works otherwise clearly align with the relevant policy principles set out in the BLP.

West Lindsey District Council ("WLDC")

- 3.30 The adopted development plan for West Lindsey is the Central Lincolnshire Local Plan (adopted April 2023 – "**CLLP**", **CD, B22**). The CLLP seeks to balance economic growth with the conservation of landscape, biodiversity, heritage and community assets, while ensuring that development is supported by appropriate infrastructure and contributes to wider climate change and sustainability objectives.
- 3.31 Policy S1 'The Spatial Strategy and Settlement Hierarchy' emphasises delivering sustainable growth through the provision of the infrastructure, facilities and services necessary to support communities, economic development and future growth across Central Lincolnshire.
- 3.32 Policy S14 'Renewable Energy' supports the transition to a net-zero carbon future by encouraging investment in renewable energy and associated energy infrastructure, including wider transformation infrastructure. Policy S16 'Wider Energy Infrastructure' supports the transition to a net-zero carbon future by recognising the need for significant investment in new and upgraded energy infrastructure, including electricity transmission infrastructure, whilst ensuring that any associated impacts are appropriately mitigated through sensitive siting and design.
- 3.33 Policy S53 'Design and Amenity' promotes high-quality, sustainable development that responds positively to local character, landscape and heritage, protects important views and natural features, supports biodiversity, ensures compatibility with surrounding land uses, provides suitable access and utility infrastructure, and minimises adverse impacts such as noise, vibration, dust and visual harm.

- 3.34 The policy framework above illustrates the Local Plan's strategic emphasis on the transition to a net-zero carbon future by encouraging investment in renewable energy and associated energy infrastructure. The refurbishment works ensure that essential infrastructure remains viable, sustainable and fit for purpose. The refurbishment works form part of the ongoing maintenance and enhancement of electricity transmission infrastructure within this strategic context, and are consistent with WLDC policy.

Newark and Sherwood District Council ("NSDC")

- 3.35 The adopted plan for Newark and Sherwood District Council is the Newark and Sherwood Amended Core Strategy (adopted 2019 – **"NSCS", CD, B23**). The NSCS sets out the vision, spatial strategy and policy approach for managing housing, employment, infrastructure and environmental protection. It also provides the overarching policy framework for matters such as landscape character, climate change, biodiversity, renewable energy, sustainable development and the historic environment, ensuring that future development is delivered in a coordinated and sustainable manner.
- 3.36 Spatial Policy 2 'Spatial Distribution of Growth' supports infrastructure provision required to facilitate sustainable growth, economic development and service provision across the district.
- 3.37 Core Policy 10 'Climate Change' seeks to reduce carbon emissions by efficient use of resources, low-carbon infrastructure, renewable energy generation and effective flood risk management while ensuring new development contributes towards climate change mitigation and adaptation.
- 3.38 Taken together, these and other strategic policies illustrate NSDC's recognition of the importance of low-carbon infrastructure and the provision of appropriate infrastructure to facilitate sustainable growth. The Project works clearly align with the policy principles set out in the NSCS.

Gedling Borough Council ("GBC")

- 3.39 GBC adopted its Aligned Core Strategy (**"ACS", CD, B24**) (Part 1 Local Plan) in September 2014. The document sets out the strategic policy direction for future development in Gedling Borough by planning for new homes, jobs and infrastructure. GBC's Local Planning Document (adopted July 2018, **CD, B25**) sets out detailed policies to help deliver specific allocations and help in the day-to-day assessment of planning applications; and includes site specific policies, allocations of non-strategic sites and designations for new housing, employment, retail, community facilities, recreation and open space, nature conservation and other land uses.
- 3.40 ACS Policy A 'Presumption in Favour of Sustainable Development' promotes sustainable development by supporting proposals that deliver economic, social, and environmental benefits and ensures applications that comply with Local Plan and Neighbourhood Plan policies. Policy 1 'Climate Change' expects development to mitigate against and adapt to climate change, and to comply with national and local targets on reducing carbon emissions and energy use. Policy 2 'The Spatial Strategy' directs most development to promote urban concentration, seeks to maximise existing infrastructure, encourages brownfield redevelopment, and identifies key settlements for growth. This evidence-led approach provides a sustainable framework for meeting development and infrastructure needs.
- 3.41 The policy framework above illustrates GBC's strategic emphasis on adapting to climate change and maximising existing infrastructure. The refurbishment works ensure that essential infrastructure remains viable, sustainable and fit for purpose, and enable further renewable generating capacity to connect into the network. The refurbishment works form part of the ongoing maintenance and enhancement of electricity transmission infrastructure and fit within this strategic context.

Rushcliffe Borough Council ("RBC")

- 3.42 RBC's Local Plan is a two-part document comprising The Rushcliffe Local Plan Part 1: Core Strategy (**"RBCCS"**) (Adopted December 2014, **CD, B26**) which provides the

strategic approach to development and identifies main strategic sites. RBC's Local Plan Part 2: Land and Planning Policies was adopted in October 2019 (**CD, B27**) and identifies non-strategic land allocations and designations and provides detailed planning policies to guide the determination of planning applications.

- 3.43 RBCCS Policy 1 'Sustainable Development' promotes sustainable development by supporting proposals that deliver economic, social, and environmental benefits. Policy 2 'Climate Change' expects development to mitigate against and adapt to climate change, and to comply with national and local targets on reducing carbon emissions and energy use. Policy 2 'Climate Change' expects development to mitigate against and adapt to climate change, and to comply with national and local targets on reducing carbon emissions and energy use. Policy 3 'The Spatial Strategy' directs most development to inter alia maximise existing infrastructure. Policy 18 'infrastructure' states that development must be supported by timely infrastructure.
- 3.44 The Project works clearly align with the policy principles set out in RBCs Local Plan.
Nottinghamshire County Council ("NCC") and Lincolnshire County Council ("LCC")
- 3.45 The new Nottinghamshire and Nottingham Waste Local Plan (adopted September 2025, **CD, B28**) forms the land use planning strategy for waste development within the County up to 2038. Policy SP1 'Waste prevention and re-use' states that all new development should be designed, constructed, and operated to minimise the creation of waste, maximise the use of recycled materials, and assist with the collection, separation, sorting, recycling and recovery of waste arising from the development during its use. Policy SP5 'Climate Change' notes for proposed development for waste management facilities to minimise climate change impacts through resource efficiency, emissions reduction and low-carbon design, while ensuring resilience and adaptability to future climate change.
- 3.46 The Lincolnshire Minerals and Waste Local Plan (adopted July 2024 - **"LMWLP", CD, B29**) supports sustainable development and promotes a proactive approach to approving proposals that deliver economic, social and environmental benefits (Policy DM1: 'Presumption in favour of sustainable development'). Policy DM2: 'Climate Change' seeks to minimise the carbon impacts of minerals and waste development by reducing transport distances, promoting efficient resource use, supporting renewable energy generation, and encouraging carbon reduction measures. Policy DM6: 'Impact on Landscape and Townscape', requires development to minimise adverse effects on landscape and townscape character, valued landscape features, and important views through appropriate design, landscaping, planting, and screening measures.
- 3.47 Given that the refurbishment works form part of the ongoing maintenance and enhancement of electricity transmission infrastructure within this strategic context, I consider that the Project works are consistent with the relevant NCC and LCC plans above.

Conclusions on policy support

- 3.48 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, and the Project accords with these policy imperatives.
- 3.49 Notwithstanding that the Project is permissible under permitted development rights (see section 4 below), or otherwise does not require planning permission (see section 4 below), the preceding planning policy section makes clear that, even if express permission were required, the development is supported by national and local planning policy and there would be no planning impediments to its delivery.

Summary of the benefits of the Project

- 3.50 The above national and local policy also provides support for and are aligned with the key benefits that will arise from the Project, which are:
- 3.50.1 Meeting energy demand and customer connection requirements;
- 3.50.2 Transitioning to net zero/low carbon economy;

- 3.50.3 Providing critical network reinforcement; and
- 3.50.4 Energy security/reliability of supply.

3.51 These Project benefits are described more fully in the statement of Ms Evans (NGET/LE/1).

4. OVERARCHING CONSENTS STRATEGY

Planning Position

- 4.1 In this section, I describe the planning position relevant to the Project, starting with the overall consenting strategy, explaining why no express permission is required in respect of it, and explaining the position in respect of environmental impact assessment and secondary consents. It is my opinion, in light of what is set out below, that there are no planning impediments to the delivery of the Project.
 - 4.2 NGET's position (which has not been challenged by any objector to the CPO) is that the component parts of the Project either:
 - 4.2.1 Do not comprise development within the meaning of section 55 of the Town and Country Planning Act 1990 ("**TCPA**") (**CD, A06**); or
 - 4.2.2 fall within the scope of the permitted development rights under the GPDO.
 - 4.3 In respect of the first point, section 57(1) of the TCPA states that planning permission is required for the carrying out on land of any development. Development is defined within section 55(1) of the TCPA as the "*carrying out of building, engineering, mining or other operations in, on, over or under the land, or the making of any material change in the use of any buildings or other land*". However, certain operations and uses of land are deemed for the purposes of the TCPA to not involve development under section 55(2) of the TCPA and therefore do not require planning permission. Section 55(2)(c) of the TCPA states that: "*(2)The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land— (c) the carrying out by a local authority or statutory undertakers of any works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of any street or other land for that purpose;*"
 - 4.4 The majority of the Project works fall within the descriptions given in section 55(2) including:
 - 4.4.1 The refurbishment of the OHLs;
 - 4.4.2 The repair of OHL accessories; and
 - 4.4.3 Gantry refurbishment.
 - 4.5 In addition to the above, planning permission can also be granted by the GPDO which is, in effect, a national grant of planning. The GPDO provides deemed planning permission for certain developments (providing the relevant exceptions, limitations and conditions are met) without the developer having to make a formal application to the local planning authority for planning permission. This is known as 'permitted development'.
 - 4.6 Permitted development rights cannot be relied upon where development Environmental Impact Assessment ("**EIA**") development. As set out at paragraphs 4.26 to 4.30 below, the Project is not deemed to be EIA development; as such, Article 3 of the GPDO is not invoked. Given the Project works are not EIA development, permitted development rights can be relied upon.
- Schedule 2, Part 15, Class B***
- 4.7 The rights relied upon by National Grid (other than those rights relied upon for temporary construction compounds – see paragraphs 4.11 – 4.13 – and for the construction of a means of access to a highway – see paragraphs 4.14 to 4.16) are within Schedule 2 of the GPDO, Part 15 - Class B - Development by statutory undertakers for the generation,

transmission, distribution or supply of electricity for the purposes of their undertaking consisting of:

"(a) the installation or replacement in, on, over or under land of an electric line and the construction of shafts and tunnels and the installation or replacement of feeder or service pillars or transforming or switching stations or chambers reasonably necessary in connection with an electric line; and

(f) any other development carried out in, on, over or under the operational land of the Undertaking."

- 4.8 Alongside development which is permitted as outlined at paragraph 4.7 above, the GPDO also identifies circumstances in which development does not benefit from these permitted development rights. Development which is not permitted by Class B is (so far as relevant for present purposes) as follows:

"B.1 Development is not permitted by Class B if—

(a) in the case of any Class B(a) development—

(i) it would consist of or include the installation or replacement of an electric line to which section 37(1) of the Electricity Act 1989 (consent required for overhead lines) applies; or

(ii) it would consist of or include the installation or replacement at or above ground level or under a highway used by vehicular traffic, of a chamber for housing apparatus and the chamber would exceed 29 cubic metres in capacity;

...

(e) in the case of any Class B(f) development, it would consist of or include—

(i) the erection of a building, or the reconstruction or alteration of a building where its design or external appearance would be materially affected, or

(ii) the installation or erection by way of addition or replacement of any plant or machinery exceeding 15 metres in height or the height of any plant or machinery replaced, whichever is the greater."

- 4.9 The above exclusions relating to the use of Class B of the GPDO have been considered and do not apply in respect of the Project works.

- 4.10 Class B(a) would therefore permit the following elements of the Project works:

4.10.1 Replacement of underground electric cables

4.10.2 Replacement and / or refurbishment of any foundations and components of towers; and

4.10.3 Extension and replacement of existing cable sealing end compound fencing to allow for additional switch gear and additional space required for new, taller Cable Sealing End terminations and new gantries.

GPDO 2015, Part 4, Class A, A1-A2

- 4.11 The need for temporary construction compounds is permitted development under the GPDO, Schedule 2, Part 4, Class A by reason of their siting being within or adjoining to the land where the Project works are proposed to take place.

- 4.12 Class A permits *"The provision on land or building buildings, moveable structures, works, plants or machinery required temporarily in connection with and for the duration of operations being or to be carried out on, in, under or over that land or on land adjoining that land unless"* subject to the following restrictions:

A.1 Development is not permitted by Class A if -

"(a) the operations referred to are mining operations, or

(b) planning permission is required for those operations but is not granted or deemed to be granted."

A.2 Development is permitted by Class A subject to the conditions that, when the operations have been carried out—

"(a) any building, structure, works, plant or machinery permitted by Class A is removed, and

(b) any adjoining land on which development permitted by Class A has been carried out is, as soon as reasonably practicable, reinstated to its condition before that development was carried out."

- 4.13 There are no mining operations proposed within the Project. The construction compounds and associated structures will be removed following construction works and the contractor will reinstate the land, to the condition it was before the development was carried out, in agreement with individual landowners, upon completion of the works. Therefore, the temporary construction compounds required as part of the Project can be constructed pursuant to permitted development rights.

GPDO 2015, Part 2, Class B

- 4.14 The construction of a means of an access to a highway is deemed to be permitted development under the GPDO, Schedule 2, Part 2, Class B.
- 4.15 Schedule 2, Part 2, Class B of the GPDO permits the following as permitted development:
"The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part)."
- 4.16 There are no new accesses proposed to be constructed onto a trunk road or classified road – therefore permitted development can be relied upon by NGET for such works.

Section 37 EA 1989

- 4.17 Consideration has also been given to the point that the permitted development rights under Schedule 2, Part 15, Class B(a) of the GPDO, cannot be relied upon where section 37(1) of the Electricity Act 1989 ("**EA 1989**") applies (**CD, A04**). Section 37(1) of the EA 1989 is the key statutory provision that requires consent for OHL.
- 4.18 NGET has therefore also considered whether any of the works proposed as part of the Project require separate consent under section 37 of the EA 1989.
- 4.19 I am advised that section 37 of the EA 1989 establishes the requirement for consent to install or keep installed an electric line above ground. Electric line means any line used for carrying electricity and includes *"any structure, pole or other thing in, on, by or from which any such line is or may be supported, carried or suspended"*. However, consent is not required where an exemption applies, which includes exemptions under the Overhead Lines (Exemption) (England and Wales) Regulations 2009 (the "**Exemption Regulations**") (**CD, A09**).
- 4.20 As the Project involves reconductoring the existing OHL infrastructure, it is considered that the following exemption under Regulation 3(1)(e) of the Exemption Regulations would apply to this Project (as the OHLs are not within a European Site or Site of Special Scientific Interest):
"Exemptions from section 37(1) of the Act
3.—(1) Section 37(1) of the Act shall not apply in relation to—
(e) the installation or keeping installed, subject to the limitations in regulation 4 and the provisions of regulation 5, of an electric line (no part of which is within a European site or an SSSI) which replaces an existing line whether or not it is installed in the same position as the existing line in question."
- 4.21 In summary, the Project will rely upon Permitted Development rights in the GPDO or section 55 2(c) TCPA to enable the works to take place.

Secondary consents

- 4.22 Separately, secondary consents may also be required depending on the location of elements of the works and environmental constraints. They are currently anticipated to comprise such consents as outlined in paragraph 4.23 below. These may include consents from:
- 4.22.1 Natural England;
 - 4.22.2 Environment Agency / Lead Local Flood Authority;
 - 4.22.3 Highways Authorities;
 - 4.22.4 Network Rail; and
 - 4.22.5 Utilities providers.
- 4.23 The timing and applicability of certain secondary consents – such as Temporary Traffic Regulation Orders; Basic Asset Protection Agreements; Protected Species Licences and Risk Activity Permits - may also be influenced by the sequencing of works across outage periods and route sections. Risk Activity Permits - may also be influenced by the sequencing of works across outage periods and route sections.
- 4.24 Secondary consents may also be required from the following, subject to the location and nature of works:
- 4.24.1 Local Planning Authorities: WLDC, NSDC, GBD and RBC;
 - 4.24.2 Lead Local Flood Authorities: LCC and NCC; and
 - 4.24.3 Highway Authorities: LCC and NCC.
- 4.25 Secondary consents, such as those outlined above, are not considered to be impediments to the Project as required permissions are being tracked on an on-going basis and are being recorded throughout the lifecycle of the Project. For example, such consents were secured in relation to Outage 1: Stoke Bardolph to Ratcliffe-on-Soar for the undertaking of reconductoring works and associated activities along the eastern section of the route, including underground cable replacement works within Ratcliffe-on-Soar Substation.

Consideration of Environmental Impact Assessment (EIA)

- 4.26 Notwithstanding that certain elements within the Project works are either considered to not be 'development' requiring planning permission or are to be consented pursuant to NGET permitted development rights, NGET has undertaken a proportionate review of the potential environmental impacts associated with the works. The review complied with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("**the EIA Regulations**") (**CD, A13**) and The Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017 (**CD, A14**). Further, the output of this review confirmed that permitted development rights are available and are not precluded by virtue of the Project being EIA development, as explained above.
- 4.27 The review of the potential environmental impacts associated with the works considered an area comprising the main OHL routes connecting High Marnham, West Burton, Staythorpe, Cottam, Ratcliffe-on-Soar, and Stoke Bardolph, including substations and adjoining land needed for access and construction. The adopted methodology involved pre-outage enabling works, followed by planned outage periods for cable and OHL replacement. The process included exposing existing assets, removing redundant infrastructure, installing new structural and electrical components, and conducting testing and commissioning before circuits return to service.
- 4.28 NGET's review had regard to the standard environmental topics / receptor types broadly reflecting Schedule 4 of the EIA Regulations and established UK practice. These topics typically include inter alia 'population and human health'; 'biodiversity'; 'air quality'; 'climate change'; 'noise and vibration'; 'landscape and visual effects'; 'traffic and transport'; 'cumulative effects'.

- 4.29 Having reviewed the potential impacts, mitigation and any reasonably anticipated residual effects it is considered that the Project is not reasonably anticipated to give rise to significant environmental effects for the purposes of the EIA Regulations.
- 4.30 The works are largely confined to existing operational assets and land, are temporary and localised during construction, and, where minor effects could arise (e.g. ecology, noise, dust, traffic, public right of way disruption, and water environment), these are capable of being avoided or reduced to negligible levels through established management measures.

Conclusion on consenting

- 4.31 Based on the above, it is my professional view that there are no planning or permitting impediments which would prevent the successful implementation of the Project works.

5. RESPONSE TO OBJECTIONS

As set out above, given that there have been no objections regarding the overall approach to consenting in respect of this Project, I have not provided a response to any objections to the Project on this basis. The responses to objections are provided in the statements of Ms Evans (**NGET/LE/1**), Mr Harper (**NGET/DH/1**) and Mr Kirby (**NGET/WK/1**).

6. CONCLUSIONS

- 6.1 As my Statement of Evidence has demonstrated, there is planning policy support for the Project within the NPSs, the NPPF and local development plan policy and the key benefits that will arise from the Project are in accordance with the NPS EN-1 and EN-5.
- 6.2 Many aspects of the Project are considered not to be 'development' requiring planning permission under TCPA. Where consent is required, consent for the Project is in place as Project works are consented pursuant to NGET's permitted development rights under the GPDO.
- 6.3 No objections received have challenged the consenting approach or planning policy support for the Project. It is my professional view that there are no planning or permitting impediments which would prevent the successful implementation of the Project works as the works can be undertaken under permitted development rights. In my view, there are no physical or legal impediments to the delivery of the Project.

7. DECLARATION

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



Paul Jarvis

24 July 2026