

WRITTEN REPRESENTATION

Representation by National Grid Electricity Transmission Plc to the One Earth Solar Project ("the Project")

Introduction

We are instructed by National Grid Electricity Transmission Plc ("**NGET**") in relation to the application made by the One Earth Solar Limited ("**the Applicant**") for a Development Consent Order ("**the draft Order**") to authorise the One Earth Solar Project ("**the Project**") and in particular NGET's existing and proposed infrastructure and land interests which will be located within and in close proximity to the proposed limits of the Order boundaries ("**Order Limits**"). This written representation is made on behalf of NGET.

The Project

The Project comprises the proposed the construction, operation and maintenance, and decommissioning of a solar photovoltaic ("**PV**") array electricity generating facility.

The site for the Project ("**the Site**") includes solar PV arrays, Battery Energy Storage Systems ("**BESS**"), onsite substations and associated grid connection infrastructure which will allow for the generation and export of electricity to the proposed National Grid High Marnham Substation as well as areas for landscaping and ecological enhancement.

NGET is part of the National Grid group, which owns and operates the electricity transmission infrastructure in the UK. National Grid holds the Transmission Licence for England and Wales and is thus obligated to develop and maintain an efficient, co-ordinated and economical system of electricity transmission and to facilitate competition in the generation and supply of electricity, as set out in Section 9 of the Electricity Act 1989 ("**the Electricity Act**"). As a responsible statutory undertaker, NGET's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations.

NGET does not object in principle to the proposals. However it is imperative that relevant and adequate protections are put in place so not to compromise NGET's ability to deliver its statutory undertaking. NGET wishes to make a written representation to the Applicant in order to protect their position in relation to the infrastructure and land which is within or in close proximity to the draft Order Limits in addition to protecting its future proposed infrastructure.

The draft Order Powers

NGET notes that the Book of Reference and Land Plans indicate that powers for the permanent acquisition of and temporary possession of land and extinguishment of rights are included over NGET's operational land and industrial apparatus. The Applicant is seeking permanent acquisition of rights and temporary possession over several land plots which contain NGET apparatus and are subject to rights held by NGET to maintain their apparatus, including plots 02-001, 04-003, 04-005, 04-006, 04-010, 04-012, 04-013, 04-014, 04-015, 05-011, 06-003, 07-012, 07-009, 07-010, 06-011, 08-010, 08-011, 08-004, 08-007, 08-008, 08-006, 08-009, 08-003, 08-001, 08-002, 08-003 of the Land Plans and referenced in the draft Order as Work Area 1, 4, 5, 6b, 7 and 8.

NGET's rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Limits must be maintained at all times and access to inspect and maintain such apparatus must not be restricted. NGET will require appropriate protection for retained

or proposed apparatus, including compliance with relevant standards for works proposed within close proximity of its apparatus or proposed apparatus.

Where the Applicant intends to acquire land or rights, or interfere with any of NGET's interests in land or NGET's apparatus, NGET will require appropriate protection in the form of entering into a Side Agreement and through its Protective Provisions. In addition to this, further in depth engagement between NGET and the Applicant is required in relation to the impact on its apparatus and rights.

NGET Land and Infrastructure Impacted

The documentation and plans submitted for the Project have been reviewed in relation to impacts on NGET's existing apparatus and land interests located within this area.

NGET owns and operates 1 x 400kVA and 1 x 275kVA substations and multiple 400kV overhead lines that are located within and in close proximity to the Order Limits for the Project. These assets form an essential part of the electricity transmission network in England and Wales. The details of the electricity assets are as follows:

High Marnham 400kVA Substation

High Marnham 275kVA Substation

ZDF 400kV OHL – Cottam – Staythorpe 1 – High Marnham – Stoke Bardolph

ZDA 400kV OHL - Cottam – Grendon – Cottam – Staythorpe 2

ZDA 400kV OHL – High Marnham – West Burton

ZDA 400kV OHL Cottam – Staythorpe 1 – High Marnham – Stoke Bardolph – disc High Marnham

ZDA 400kV OHL – Cottam – Eaton Socon – Wymondley 2

4VE 400kV OHL - Cottam – Grendon – Cottam – Staythorpe

4ZV 275kV OHL – Chesterfield – High Marnham 1 - Chesterfield – High Marnham 2

XE 275kV OHL High Marnham – Thurcroft – West Melton

Future NGET infrastructure within / in close proximity to the proposed Order limits

The proposed Order limits are in close proximity to or overlap with land required for future NGET infrastructure which is required for future generation connections (subject to obtaining the necessary consents and land rights):-

- Construction of a new substation as part of the Brinsworth to High Marham ("**BRHM Project**") project to the west of the existing site in High Marnham, near Normanton on Trent in Nottinghamshire); and
- Construction of a new high voltage electricity transmission line between the new Birkhill Wood Substation in the East Riding of Yorkshire and a new substation a High Marnham in Nottinghamshire (known as the North Humber to High Marnham project) ("**NHMH Project**").

These proposals are part of NGET's Great Grid Upgrade whereby NGET infrastructure projects across England and Wales are upgraded to connect additional renewable energy to homes and businesses and crucially, contribute to the Government's drive to achieve net zero by 2050.

The BRHM Project will involve proposals to build and operate a new 400 kV substation extending to the west of NGET's existing site in High Marnham, near Normanton on Trent in Nottinghamshire. The proposals will include removal of some of the existing equipment and replacing it with new infrastructure. The new substation will facilitate connections of third-party customers to the electricity transmission network, including the Project. The BRHM Project also propose temporary and permanent diversions of the existing Chesterfield to High Marnham, High Marnham to Stoke Bardolph

and High Marnham to West Burton overhead electricity lines. BRHM have undertaken non-statutory consultation.

The NHHM project which proposes to construct a new 400kV overhead line is a Nationally Significant Infrastructure Project ("**NSIP**") and is required to reinforce the electricity transmission network between the north of England and the Midlands. The NHHM project completed their statutory consultation stage earlier this year. Engagement between The Project and the NHHM has been ongoing since December 2023 to identify interactions between the two projects and is expected to continue regarding suitable interface arrangements to facilitate the delivery of both projects. NGET welcomes the opportunity to enter into a Statement of Common Ground ("**SOCCG**") with the applicant.

The Project seeks the ability to compulsorily acquire rights over land within which the High Marnham substation and part of the Brinsworth to High Marnham Project, will be constructed (to which the Project will connect). The Project also seeks the ability to compulsorily acquire rights over land within which the proposed route for the NHHM Project is proposed to be constructed.

It is imperative that adequate protection is secured for NGET to safeguard its ability to deliver and operate its future projects both in terms of protection for future assets as well as future land and rights for the delivery of these projects.

Protective Provisions

It is noted that the draft Order as applied for did not include suitable protective provisions for the benefit of NGET. In light of the interactions with the Project and existing and future NGET assets NGET requires its Protective Provisions to be included within the draft Order to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards.

In addition it is particularly important that in light of the above interactions with the Project and various NGET projects, NGET also requires that the Protective Provisions include cooperation provisions for its future assets including the NHHM and BRHM projects.

The recently granted Awel Y Mor Development Consent Order ("**AYM DCO**") and Mona Offshore Wind Development Consent Order ("**Mona DCO**") provide precedents for the protection of NGET future assets via protective provisions. The protective provisions secured in the AYM DCO ensured the protection of existing and future NGET infrastructure at the Bodelywddan substation. This was because NGET was bringing forward a project to upgrade the existing Bodelywddan substation comprising extending the substation itself as well as associated overhead line works to the south of the existing substation to enable the connection of multiple NGET customer projects in this location. The AYM DCO project was just one of the connecting projects and therefore specific protective provisions were included in the AYM DCO to avoid those future NGET works from being prejudiced by the AYM DCO project. As such, NGET seeks a form of protective provisions based on those included in the AYM DCO and the recently granted Mona DCO.

NGET is currently in the process of agreeing with the Applicant the protective provisions along with any supplementary agreements which may be required. NGET will keep the Examining Authority updated in relation to these discussions.

Summary

The draft Order seeks powers to compulsorily acquire permanent rights and temporary rights over several land plots containing NGET's apparatus. In order to safeguard NGET's ability to deliver its statutory undertaking and licence obligations, it is critical that NGET's consent is a precondition to any such land being occupied, or any such interest or right being acquired. NGET's Protective Provisions, which it requires to be included in the Order, will include provision for such consent. In

the absence of appropriate provisions for the protection of NGET, it's ability to deliver its statutory duties will be severely compromised.

It is therefore of paramount importance that the Applicant continues to engage with NGET to ensure protection for the existing and proposed NGET assets, along with facilitating all future access and other rights as are necessary to allow NGET to properly discharge its statutory obligations. NGET reserves the right to make further representations as part of the examination process and in relation to specific interactions with its NHHM and BRHM projects. NGET will in the meantime negotiate with the Applicant with a view to reaching a satisfactory agreement.