

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

**Regulation 5 of The Overhead Lines (Exemption) (England and Wales)
Regulations 2009**

DELEGATED DECISION FOR POWER RELATED DEVELOPMENT

Reference no.	2021/N /94526/W
Site Address	Hind Hill Farm Former, New Hey Road, Scammonden, Huddersfield, HD3 3FW
Description	Works to overhead line
Recommending Officer	John Holmes

DECISION – NO OBJECTION

I hereby authorise the Recommendation of no objection for this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Julia Steadman

AUTHORISED OFFICER

Date: 16-Dec-2021

Application no: 2021/94526

Preamble

Northern Powergrid have notified Kirklees Council, as Local Planning Authority, of their intention to re route an overhead line At Hind Hill Farm Former, New Hey Road, Scammonden, Huddersfield, HD3 3FW. It is stated that the works will consist of the following: -

- Replacement and conversion of wooden pole into terminal pole (with 2.no stay wires)
- Installation of new underground cable to highway with a new transformer pole in grassland adjacent to the highway boundary
- Reconfiguration of the existing network layout

The reason for the works is to accommodate development which will affect the existing overhead line.

An accompanying plan details the route of the existing overhead line, and the route of the underground cabling / terminal pole.

Under section 37 of the Electricity Act 1989, the Secretary of State's consent is generally required before electric lines may be installed above ground. Under the Overhead Lines (Exemption) (England and Wales) Regulations 2009, certain minor works involving the installation of such lines are exempted from the requirement of consent under section 37. This allows, for example, the upgrade of an existing overhead line, subject to the Local Planning Authority determining that no 'significant adverse environmental impact' is likely.

The simplified procedure of this notification is where the applicant submits a notification to the relevant planning authority for proposed works. The relevant planning authority will screen notifications and respond to the applicant within six weeks advising if they have no objections or wish to invoke the full section 37 process for that proposal. Full section 37 applications for overhead lines are made to the Secretary of State for Department for Business, Energy and Industrial Strategy. The section 37 regime enables views to be gathered on any particular overhead line proposal before the Secretary of State makes a decision to grant consent. Views are obtained by the applicant from the relevant planning authority on behalf of the local community, and from statutory bodies with responsibilities for environmental and heritage protection.

Assessment

The proposed alterations would see som underground cabling of what is currently overhead line, and the removal of one pole with the installation of a new pole.

The proposed alterations are considered to have no material impact on the visual amenities of the area given the existing installation already in place and the intention for underground cabling to comprise part of the re routing.

The land on which the pole would be sited is designated Green Belt within the Kirklees Local Plan. It is also within an area with a known presence of radon gas, the wildlife habitat network and an area with a known presence of swift & twite birds as well as bats.

Impacts

Would the overhead line works have a 'significant adverse impact' on natural beauty?

Given the scale of the development and the existing infrastructure which is in place it is considered that the proposal would not have a significant adverse impact on natural beauty.

Would the overhead line works have a 'significant adverse impact' on the conservation of flora, fauna and geological or physiographical features of special interest?

No, there are no trees protected by TPO that would be affected by this change. Minor works to trees along the route might be required to facilitate the works. However, vegetation likely to be disturbed is not significantly sized and any loss is considered likely to be small scale and is not considered to have a significant impact.

The area is within the 'twite' buffer where these ground nesting birds may be found. However, the line would not impact on this habitat and the line itself runs underground or along existing routes. Similarly, although the line is within a wildlife habitat network and area with a known presence of swift birds, the scale / nature of the proposal is not considered to give rise to significant impacts in this regard.

Would the overhead line works have a 'significant adverse impact' on protected sites, buildings and objects of architectural, historic or archaeological interest?

A listed building is located to the south of the site, this building is not visible from the site due to the steep topography to the south which rises steeply from north to south. As such there would be no significant impact upon this building.

There are a number of buildings to the north east of the site which, whilst not listed, are historic in terms of their age and design being traditional stone building dwellings. There is already infrastructure in place to provide electricity / telecommunications to these properties which is above ground. Given the proposal would be moving the existing infrastructure further away from these buildings, and would involve some underground cabling it is considered that the proposal would be acceptable in this regard.

Recommendation

It has been assessed that no 'significant adverse environmental impact' is likely as a result of the proposed rerouted overhead line at Hind Hill Farm (Former), New Hey Road, Scammonden, Huddersfield, HD3 3FW

It is recommended that Northern Powergrid be informed that Kirklees Council Local Planning Authority:

(i) does not object for the proposed development detailed above to be undertaken under the exemptions laid down in the Overhead Lines (Exemption)(England and Wales) Regulations 2009.

(ii) does not wish the Secretary of State to consider the application using the full section 37 process under the Electricity Act 1989.

Recommendation by John Holmes, Deputy Team Leader, Development Management

Authorised by David Shepherd, Strategic Director: Growth and Regeneration.