

**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. 2023/N /92572/W

**Site Address land at, Bog Green Lane, Colne
Bridge, Huddersfield, HD5 0PS**

Description Overhead Lines

Recommending Officer Teresa Harlow

DECISION -

**I hereby authorise the approval of this notification under Section 37 of
the Electricity Act 1989 for the reasons set out in the officer's report and
recommendation annexed below in respect of the above matter.**

Lee Stoney

AUTHORISED OFFICER

Date: 16-Oct-2023

Preamble

Northern Powergrid have notified Kirklees Council, as Local Planning Authority, of their intention to:

Provide poles and a new section of 11kv overhead line to serve a single consumer at Bog Green Lane, Upper Heaton, Huddersfield. HD5 0PS. This would comprise the erection of an intervening pole into an existing line, a section of underground line (not for assessment here) and two further poles to provide a 'spur'. Both the latter poles would be supported with stays and the northern pole would have a transformer. This section of overhead line would around 45m in length and run parallel to the road.

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, electric line which has a nominal voltage not exceeding 20 kilo volts to be used or intended to be used for supplying a single consumer: 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 of Energy Security and Net Zero. 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 overhead line works would comprise of an intervening line in an existing overhead line, and a short run of overhead line adjacent a highway, supported by two poles, one with transformer.

The proposed works would have no materially harmful impact on the visual amenities of the area. The existence of overhead lines supported by timber poles is a well-established feature that would not be out of place in the landscape. In addition, there is a significant high voltage electricity line supported with pylons in close proximity to the site.

The land on which the poles would be sited is designated Green Belt and with a 'Biodiversity Opportunity Zones' of Mid-Altitudinal Grasslands within the Kirklees Local Plan. It is within the Bat Alert layer and within the buffer zone of the high voltage electricity line, as designated by National Powergrid.

Impacts:

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

No, the works would have no perceptible impact. The works are in an open landscape where there are already a number of vertical poles and electricity apparatus.

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

The whole area is within the bat alert layer, but the works would not directly impact on buildings or flora used for roosts.

There are no geological or physiographical features of special interest that would be affected by the proposal.

The works would not have a 'significant adverse impact' on the conservation of flora, fauna and geological or physiographical features of special interest?

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

West Yorkshire Archaeology Service state: *I have checked the West Yorkshire Historic Environment Record and the site for these works includes the possible site of a medieval kiln. However, the proposed works are very minor and appear to consist of a single new electricity pole within the sensitive area, this is considered as having negligible archaeological implications on the potential buried archaeology and no archaeological works are recommended for this project.*

There are no listed buildings close to the poles or line.

The works would not have a 'significant adverse impact' on protecting sites, buildings and objects of architectural, historic or archaeological interest.

Conclusion

No 'significant adverse environmental impact' is likely as a result of the proposed works to provide electric line which has a nominal voltage not exceeding 20 kilo volts to be used or intended to be used for supplying a single consumer:

Recommendation

It has been assessed that no 'significant adverse environmental impact' is likely as a result of the proposal to provide electric line which has a nominal voltage not exceeding 20 kilo volts to be used or intended to be used for

supplying a single consumer at Bog Green Lane, Upper Heaton, Huddersfield.
HD5 0PS

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.**