

**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 /92804/W

Site Address	Lane Side, Kirkheaton, Huddersfield, HD5 0NT
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Description	Overhead lines
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Recommending Officer	Teresa Harlow
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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:

Upgrade the existing low voltage overhead line to 120 Aerial Bunched Conductor.

The upgrade of apparatus is required to maintain the supply of electricity and improve the electricity network in the area. The proposal would improve the electricity supply to Lane Side Kirkheaton

The accompanying plan shows the location of the extent of overhead line it is proposed to alter from two strand to bunched conductor. This also shows the refurbishment and replacement of existing poles, but these works do not fall to be assessed under this submission.

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, additional pole supports to an existing 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 overhead line works would comprise of altering low voltage conductors (two strands per pole) to bunched conductors (single strand) on a run of overhead line supported by existing poles along a 400 metre stretch of Lane Side Kirkheaton. No other alterations are proposed.

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. The bunched conductor would reduce the number of strands

supported by the poles but would otherwise result in no material impact on the visual amenity of the area.

The land on which the poles would be sited is designated Green Belt and a 'Biodiversity Opportunity Zone' (Valley Slopes) within the Kirklees Local Plan.

Impacts:

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

No, it would have no perceptible impact.

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

No not 'significant adverse impact', there are no trees protected by TPO that would be affected by the works. However, to alter from LV to ABC conductors would require some pruning works to trees, principally within the Laneside Quarry Local Wildlife Site, to the north of Lane Side.

The area is identified in the biodiversity 'constraints' layer as having both newts and bats in the area. In addition, Laneside quarry Local Wildlife Site is located to the north of the proposed works. The works required to the trees to change the cable would be minor; although associated works to refurbish and replace poles may be more intrusive.

The subject of this submission is the change to conductors alone. These works would not have a significant adverse impact on the conservation of flora or fauna.

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

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

No. 26 Lane Side is a Grade II listed building. The proposed works would have an imperceptible impact on the significance of this building. The number and siting of poles would not alter, the overhead line would alter from multiple strand to single bunched strands.

It is concluded that no sites, buildings or objects of architectural, historic or archaeological interest in the vicinity of the works would be significantly adversely affected by the proposed works.

Conclusion

No 'significant adverse environmental impact' is likely as a result of the proposed upgrade of the existing low voltage overhead line to 120 Aerial Bunched Conductor.

Recommendation

It has been assessed that no 'significant adverse environmental impact' is likely as a result of the proposed upgrade of the existing low voltage overhead line to 120 Aerial Bunched Conductor..

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.**