

**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. 2025/N /91123/W

Site Address	Upper Park, Park Lane, Berry Brow, HD4 6TR
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Description	Overhead lines application for the replacement of existing open wire conductors to an aerial bunched conductor
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Recommending Officer	John Holmes
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DECISION – No Objections

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

Kirsty Nicholls

AUTHORISED OFFICER

Date: 17-Jun-2025

Application no: 2025/91123

Preamble

Northern Powergrid have notified Kirklees Council, as Local Planning Authority, of their intention to replace the existing open wire conductors in favour of an aerial bunched conductor along the route of the existing overhead electric line at Upper Park, Park Lane, Berry Brow, HD4 6TR.

It is stated that the works are required to 'improve the security of electricity supplies and also resolve any safety issues'

The accompanying letter and information provide details, in plan form, of the route of the existing infrastructure which would be replaced.

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 revised overhead line would comprise one single strand conductor 'aerial bunched conductor' or ABC conductor in place of the existing two – four strand lines along this section. No other alterations are proposed to the line, poles or supporting structures.

The proposed alteration would have no material impact on the visual amenities of the area. Although it is recognised that ABC conductors comprise a thicker strand of 'cable', this is offset by the neater appearance of a single strand as opposed to two – four strands of conductor.

The land on which the pole would be sited is designated Green Belt within the Kirklees Local Plan. It is also in the twite buffer zone and an area identified as being at risk of land instability as a result of former mining activity.

Impacts:

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

The proposed alteration would have no significant impact on the visual amenities of the area and would be read in the context of the existing site and development already in place. The proposal is not considered to be significantly greater than that of the existing infrastructure.

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 are not anticipated as being required to facilitate the works. Furthermore, going forward there would be less conflict with trees arising from one-strand cable than the existing 2-4

strands.

The area is within the 'twite' buffer where these ground nesting birds may be found. However, the overhead line would not impact on this habitat and the line itself runs alongside an access road.

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

The nearest listed building is approximately 170m to the south west of the site, with intervening developments largely blocking views of the listed building from the application site. Notwithstanding this given the nature of the proposal it is considered it would not have a significant impact in this regard which is greater than that of the existing development.

Recommendation

It has been assessed that no 'significant adverse environmental impact' is likely as a result of the replacement of the existing open wire conductors in favour of an aerial bunched conductor along the route of the existing overhead electric line At Upper Park, Park Lane, Berry Brow, HD4 6TR.

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)

(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 – Kirsty Nicholls, Team Leader, Development
Management**