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 /91297/W**
Site Address	**Back O'Wall, Slaithwaite, Huddersfield, HD7 5UZ**
Description	**Overhead lines application for replacement of existing open wire conductors in favour of aerial bunched conductor**
Recommending Officer	**Sarah Longbottom**

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: 23-Jul-2025

Application no: 2025/91297

Preamble

Northern Powergrid have notified Kirklees Council, as Local Planning Authority, of their intention for the installation of 3 Phase Overhead Aerial Bunded Conductor (ABC Line) to replace existing 3 Phase Open Wire Conductor at Back O Wall, Slaithwaite, Huddersfield HD7 5UZ. It is stated that the works are required to provide a new electricity request to the above location, and as part of the works it is required that they carry out the proposed refurbishment works detailed above in order to future proof the overhead line at this location.

The accompanying letter and information provide details, in plan form, of the works, which will see the existing arrangements modified from open wire and shows the extent that these works shall be undertaken.

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 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+ strands of conductor.

The land on which the pole would be sited is designated Green Belt within the Kirklees Local Plan. It is approximately 250m north east of the nearest listed building, and within a Twite Buffer zone.

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. 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 a 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 250m to the south west of the site. Given this distance and 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 installation of 3 Phase Overhead Aerial Bunded Conductor (ABC Line) to replace existing Open Wire Conductor at Back O Wall, Slaithwaite, HD7 5UZ.

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 Sarah Longbottom, Deputy Team Leader, Development Management
Authorised by - Kirsty Nicholls, Team Leader, Development Management