

**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.

Site Address	Land off, Miry Lane, Upperthong, Holmfirth, HD9 3UQ
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Description	Overhead lines application for replacing the existing open wire conductors in favour of 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: 02-Oct-2025

Application no: 2025/92358

Preamble

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

'replace the existing open wire conductors in favour an Aerial Bunched Conductor'

AT Land off, Miry Lane, Upperthong, Holmfirth, HD9 3UQ

It is stated that the works are required:

'In order 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 proposal by Northern Powergrid to erect an aerial bunched conductor along a route of 400m of the existing overhead electric line.

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.

Holme Valley Parish Council – Confirms they have no comment to make

Assessment

The revised overhead line would comprise a single strand conductor 'aerial bunched conductor' or ABC conductor in place of the existing mix of between 4 and 2 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 development is within has the following allocations / constraints:

- Within to the Netherthong / Deanhouse Conservation Area.
- Within an area with a known presence of Bats & Twite Birds.
- Adjacent to land allocated Urban Green Space within the Kirklees Local Plan
- Adjacent to a number of Grade II listed buildings.

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 infrastructure 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?

There are a number of protected trees along the route that would potentially be affected by this change. Minor works to trees along the route might be required to facilitate the works. However, 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 a road. Similarly, although the line is within a bat alert layer, the trees along the route have the potential to support bat roosts.

The works required to facilitate the development are not considered to be significant given it would see replacement of existing infrastructure and whilst minor works to trees may need to be undertaken this is not considered to be to a significant extent in this case.

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 immediately adjacent to the development (1,2 Dock Hill, English Heritage ref: 1215914). The existing infrastructure is in place to both sides of Miry Lane with the wires crossing overhead in parts. The proposal would see small scale alteration to the existing infrastructure and 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 works to replace the existing open wire conductors in favour of an Aerial Bunched Conductor at land off, Miry Lane, Upperthong, Holmfirth, HD9 3UQ

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