

Delegated Report

Planning Ref: 23/00611/OHL

Applicant: National Grid Electricity Distribution

Ward: Barwell



Hinckley & Bosworth
Borough Council

**Site: Land North West of Former Allotment Gardens Kirkby Road
Barwell Leicestershire**

Proposal: Installation of a T off electrical connection

1. Planning application description

- 1.1. This application is to notify the local planning authority as to whether the proposed works to install a T off electrical connection is exempt from the Planning Act 2008, the Overhead Lines (Exemption Installation) (England and Wales) order 2010 and the Overhead Lines (Exempt Installations) Order 2010.
- 1.2. The Planning Act 2008 set out a threshold for development consent for overhead lines of 132kV nominal capacity, an electric line of any voltage that is less than 2 kilometres in length or an electric line replacing an existing line that meets certain test, unless it is exempted.
- 1.3. The proposal seeks to install a new T off electrical connection from an existing 33kV wood pole overhead line between the A447 Barwell and Elwell Avenue, Leicestershire. The proposal includes 2 x 11 metres H poles connecting from an existing H pole (93ZHYH58), a single pole (10 metres) and 4 pair of terminal stays. The total length of the line is approximately 30 metres.
- 1.4. The proposed development is less than 132kv, less than 2 kilometres in length and does not replace existing line therefore requires notification to the local planning authority, completion of form B for less than 132kv and subject to section 37 consent from the DECC under the Electricity Act 1989.

2. Description of the site and surrounding area

- 2.1. The site is situated to the west of Kirkby Road and the A447 Road, Barwell. It is located within the countryside with settlements (Barwell SUE) to the southeast. The proposed powerlines connect from the 32 hectare solar farm to create a T off connection.

The surrounding landscape has allotment gardens, gentle sloping farmland field of matured hedgerows, matured trees and minor footpaths.

3. Relevant planning history

- None Relevant

4. Publicity

- 4.1. No publicity is required for this application.

5. Consultation

- 5.1. HBBC Environmental Services: No comment
- 5.2. Barwell Parish Council: No objection
- 5.3. LCC Ecology: No comment

6. Policy

- 6.1. Planning Act 2008
- 6.2. Overhead Lines (Exemption Installation) (England and Wales) Regulations 2010
- 6.3. Overhead Lines (Exempt Installations) Order 2010

7. Appraisal

- 7.1. The application site is well away from settlement. The proposed poles are above ground level, made of wood to match the existing poles. The T off connection is toward the west of the site and does not impact character of the area. The site does not have any major constraints or Article 4 directions. The poles do not block the footpath around the site. There is no significant impact on the surrounding vegetation or trees. The length of the line when installed would be less than 2 kilometres, the nominal voltage is less than 132kv and does not constitute a replacement of existing line.
- 7.2. The above is exempted from the Planning Act 2008 (Nationally Significant Infrastructure Projects) (Electric lines) Order 2013 but subject to section 37 of the Electricity Act 1989. It complies with all regulations in the Overhead Lines (Exemption Installation) (England and Wales) Regulations 2010 and The Overhead Lines (Exempt Installations) (Consequential Provisions) Order 2010.
- 7.3. Regulation 5(2) of the Overhead Lines (Exemption Installation) (England and Wales) Regulations 2010 states that should the local planning authority following receipt of details of the proposed works consider it likely that the proposal would have a significant adverse effect on the environment, then exemption would not be permitted under these regulations and a Development Consent Order under the Planning Act 2008 would be required and referred to the Secretary of State for determination.
- 7.4. It is not considered that the proposal development has a significant effect on the environment by virtue of its size and location outside of the settlement area. HBBC Environmental Health (Pollution) have raised no objections to the proposal. Taking the above into consideration the proposal is considered to be acceptable within the Exemption Regulations.

8. Equality implications

- 8.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
 - (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

8.3 There are no known equality implications arising directly from this development.

9. Recommendation

9.1 Proposal is exempt from planning permission under the Overhead Lines (Exemption) (England and Wales) Regulations.