

DELEGATED ASSESSMENT

Application no: PA/2025/1373

Proposal: Application under section 37 of the Electricity Act 1989 for a 11kV Overhead Line Diversion to address safety issues, 3 Pole Spans to be replaced by new line route with 4 poles

Location: Field South of Marris Drive, Winterton, DN15 9UX

Applicant: Harry Shepherd - Wayleave Officer - Northern Powergrid

Officer: Matthew Gillyon

POLICY

National Planning Policy Framework (NPPF)

Section 12: Achieving well-designed places

Core Strategy

CS5: Delivering Quality Design in North Lincolnshire

Local Plan

DS1: General Requirements

DS17: Overhead Power Lines and High-Powered Electrical Installations

Material Consideration

The Statutory Consents Regime for Overhead Power Lines in England and Wales under Section 37 of the Electricity Act 1989.

CONSULTATIONS

Highways: No comments to make on this application

LLFA Drainage Team: No comments

PUBLICITY

The proposal has been advertised by means of site notice which was displayed on the 17/11/2025. This is in accordance with the LPAs statutory duty set out under article 15 of the Development Management Procedure Order 2015.

Comments Received: no comments received

MATERIAL CONSIDERATIONS

Site description and proposal

Northern Powergrid is seeking to undertake works that are considered to be exempted from the Electricity Act 1989 by falling within the Overhead Lines (Exemption)(England and Wales) Regulations 2009.

The proposal relates to the request by Northern Powergrid to improve the electricity supplies in the Winterton Area. The span of overhead conductor poles is 128m which exceeds the maximum span length for this type of conductor. The effect of the long span causes an increase in conductor sag affecting clearances within the span. The proposal includes the installation of a new pole within the diverted line, with the pole to be moved less than 60m. The new poles measure 12m in height.

This application has been made under the provisions of the Electricity Act 1989. The North Lincolnshire Council has been notified of the application in its capacity as the local planning authority for the area in which the application is located. Should the council object to the proposal the Secretary of State will hold a Public Inquiry to hear all objections before any decision is reached.

Having reviewed the details of the proposal, the following legislation is considered;

Electricity Act 1989 – Section 37

Consent required for overhead lines

(1A) So far as relating to the installation of an electric line, subsection (1) is subject to section 33(1) of the Planning Act 2008 (exclusion of requirement for other consents for development for which development consent required).

(2) Subsection (1) above shall not apply—

(a) in relation to an electric line which has a nominal voltage not exceeding 20 kilovolts and is used or intended to be used for supplying a single consumer;

Part 15, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended):

Permitted Development

B. Development by statutory undertakers for the generation, transmission, distribution or supply of electricity for the purposes of their undertaking consisting of—

(a) the installation or replacement in, on, over or under land of an electric line and the construction of shafts and tunnels and the installation or replacement of feeder or service pillars or transforming or switching stations or chambers reasonably necessary in connection with an electric line;

Development not permitted

B.1 Development is not permitted by Class B if—

(a) in the case of any Class B(a) development—

(i) it would consist of or include the installation or replacement of an electric line to which section 37(1) of the Electricity Act 1989 (consent required for overhead lines) applies

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

(a) in the case of any Class B(a) development consisting of or including the replacement of an existing electric line, compliance with any conditions contained in a planning permission relating to the height, design or position of the existing electric line which are capable of being applied to the replacement line;

(b) in the case of any Class B(a) development consisting of or including the installation of a temporary electric line providing a diversion for an existing electric line, on the ending of the diversion or at the end of a period of 6 months from the completion of the installation (whichever is the sooner) the temporary electric line is removed and the land on which any operations have been carried out to install that line is restored as soon as reasonably practicable to its condition before the installation took place;

Planning Act 2008 – Part 4: Section 33

Effect of requirement for development consent on other consent regimes

(1) To the extent that development consent is required for development, none of the following is required to be obtained for the development or given in relation to it—

(h) consent under section 36 or 37 of the Electricity Act 1989 (c. 29) (construction etc. of generating stations and installation of overhead lines);

(6) In this section “consent” means—

(b) a consent, or authorisation, that—

(ii) is given under legislation,

Considering this legislation, the council do not consider that the new replacement power line would raise an issue. It would not have a significant adverse visual impact on the surrounding area, with the proposal replacing 3 existing poles and equipment with 4 new poles and to improve the electricity supplies in the Winterton area.

In the circumstances, the development is acceptable and will not have any negative

environmental consequences. It accords with and helps to fulfil development plan objectives for the locality the council and the utilities company to provide an essential service. The council has no objection to the proposed development.

RECOMMENDATION: No objection from the council