

DELEGATED DECISION REPORT

Application Reference Number	20NP0018EL
Description / Site Address	Relocation of existing wood pole no.15 at on land south of Ewe Hill, Ingram, Alnwick, Northumberland, NE66 4TL
Expiry date of publicity / consultations	6 April 2020
Last date for decision	15 April 2020

Details of Proposal

Northumberland National Park Authority has been consulted under the Electricity Act 1989 and the Overhead lines (Exemption) (England and Wales) Regulations 2009 for:

- Relocation of existing wood pole

The proposed works are located at Ewe Hill, approximately 1.3km to the north-west of Ingram and in close proximity to the River Breamish. The works involve relocating an existing pole approximately 20m further to the south-east.

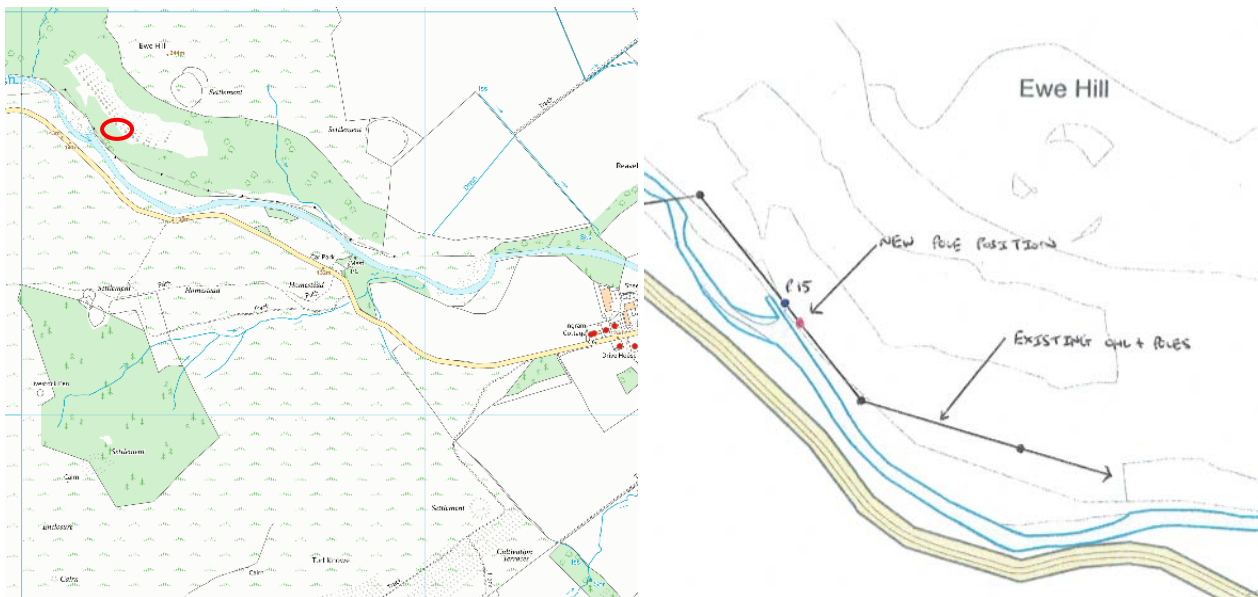


Figure 1: Site Location

The supporting information indicates that the proposed works are required to maintain security of electricity supplies in the area.

Planning Policy & Guidance

National Policies

National Planning Policy Framework (NPPF) (2019)



National Planning Practice Guidance

The Town and Country Planning (General Permitted Development) (England) Order 2015

Electricity Act 1989

Overhead Lines (Exemption)(England and Wales) Regulations 2009

Local Policies

Northumberland National Park Authority Core Strategy and Development Policies Document (Core Strategy) (2009)

Policy 3	<i>General Development Principles</i>
Policy 17	<i>Biodiversity and Geodiversity</i>
Policy 20	<i>Landscape Quality and Character</i>

Northumberland National Park Local Plan 2017-2037 Publication Draft Plan

Policy ST1	<i>Sustainable Development</i>
Policy ST2	<i>General Development Principles</i>
Policy DM1	<i>Community Facilities and Infrastructure</i>
Policy DM10	<i>Habitats, Biodiversity and Geodiversity</i>
Policy DM11	<i>Landscape, Tranquility and Dark Night Skies</i>

The NNPLP has been submitted to the Secretary of State for examination. The Inspector has agreed Main Modifications that he considers will make the plan sound and there is currently an ongoing consultation on these modifications. As some policies within the NNPLP are currently under consultation, it is considered they can currently be afforded little weight. However, it is anticipated that Local Plan policy DM11 will not be altered and as it is relevant to the current application, can be given more weight. It is however the view of the LPA that consideration of the policies within the NNPLP would not materially alter the assessment of the proposals as undertaken below.

Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The adopted development plan is the Northumberland National Park Core Strategy (2009) and the policies within the Core Strategy are considered to be in accordance with the NPPF and can therefore be given due weight.

Supplementary Planning Guidance

NNPA Building Design Guide Supplementary Planning Document (Design Guide SPD)

NNPA Landscape Supplementary Planning Document (Landscape SPD)



Relevant Planning History

There is no relevant planning history in relation to this site.

Consultation/Representations

NNPA Ecologist: Original Response 25th March 2020: The proposal is adjacent to the River Breamish SSSI which is part of the River Tweed SAC. Any works that could impact on the features of interest of the SAC should have a Habitats Regulations Assessment with Northern Powergrid the Competent Authority in this instance. This should include a method statement for the works, which has not been included with this application. If it is proposed to use concrete to fix the new pole the method statement should cover all the working methodologies used to prevent pollution of the burn. The prevention of silt entering the burn from any excavation should also be covered as well as potential pollutants (oil, diesel etc) from the machinery being used. If when the method statement is assessed there is no risk to the features of interest it could be screened out. This is likely as the works are relatively minor but consideration for this riverine SAC should be taken.

Further Response 31st March 2020: As the applicant has provided a method statement and advised that they are completing a HRA as part of the process for obtaining assent from Natural England, no further comment or objection.

Assessment

Part 15 Class B of the 2015 GPDO states that:

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;*
- (f) any other development carried out in, on, over or under the operational land of the undertaking.*

constitutes permitted development, unless section 37(1) of the Electricity Act 1989 applies.

The Overhead Lines (Exemption)(England and Wales) Regulations 2009 state that Section 37(1) of the Electricity Act shall not apply in relation to development listed in the exemption regulations; as such, **the proposal is considered to be permitted development and the Local Planning Authority can only object to the proposal on grounds of environmental impact.**

The Local Planning Authority has been consulted under the Electricity Act 1989 and the Overhead lines (Exemption) (England and Wales) Regulations 2009 in relation to the relocation of a wood pole.



The proposals will result in the relocation of a single pole to a location approximately 20m south-east of its current location with no additional infrastructure proposed. On this basis it is considered that any impact on landscape would be minimal and insufficient to warrant requesting the application to be considered by the Secretary of State

The works are in close proximity to the Tweed Catchment Rivers – England: Tweed Catchment Site of Special Scientific Interest (SSSI) and River Tweed Special Area of Conservation (SAC). As such, the NNPA Ecologist has been consulted on the proposals. Given the close proximity to the SAC the Ecologist advised that a Habitat Regulations Assessment (HRA) would be required in order to demonstrate that the proposals would have no likely significant effect on the interest features of the SAC, with Northern Powergrid being the Competent Authority responsible for undertaking the HRA. The Ecologist advised that this would require the submission of a Method Statement outlining the working methods to be employed to ensure that there would be impact on the adjacent riverine habitats through the release of cement, sediments or other potential pollutants or direct damage to SAC habitats. In response the applicant has provided a Method Statement and advised that Northern Powergrid are in discussion with Natural England regarding the works and will be undertaking an HRA as part of the Natural England assent process. This information has been provided to the NNPA Ecologist who has advised that as the applicant has now provided a Method Statement and will be obtaining assent from Natural England for the works, there are no outstanding concerns or objections to the proposals.

The proposals are therefore considered to be in accord with the requirements of Core Strategy policies 3, 17 and 20. Although it can currently be afforded little weight, the proposals are also considered to accord with the requirements of policies ST1, ST2, DM1, DM10 and DM11 of the emerging Northumberland National Park Local Plan (NNPLP).

Recommendation & Conditions

It is recommended that the following representation is made:

Northumberland National Park Authority raises **no objection** to this notification and **does not** wish the Secretary of State to consider the application.

Background Papers

Application File: 20NP0018EL



	Signature	Date
Planning Officer	C Godfrey	31/03/2020
Head of Development Management	S.Buylla	01/04/2020