

ANNEX B – Simplified Notification

THIS FORM IS FOR USE BY APPLICANTS TO ADVISE LOCAL PLANNING AUTHORITIES OF PROPOSED WORKS TO BE UNDERTAKEN WITHIN THEIR DESIGNATED AREA THAT ARE CONSIDERED TO BE EXEMPTED UNDER THE OVERHEAD LINES(EXEMPTION) (ENGLAND AND WALES) REGULATIONS 2009. LOCAL AUTHORITIES HAVE THE RIGHT TO INVOKE THE FULL SECTION 37 PROCESS UNDER THE ELECTRICITY ACT 1989 SHOULD IT BE CONSIDERED NECESSARY.

The Form should be sent in triplicate to each Local Planning Authority in whose area the proposed development would be situated.

DETAILS OF APPLICANT

Name: National Grid Electricity Distribution ('NGED')

Address: c/o Dalcour Maclaren, Units 3-4, Bredon Court, Bickeridge Park, Twyning, Gloucestershire, GL20 6FF

Telephone No: 07917 969659

Email address: lucy.davies@dalcourmaclaren.com

Applicant's reference: NGED 23001778 – EP – Boston to Bicker Fen Date: 19/05/2023

To: Chief Executive, Boston Borough Council

Electricity Act 1989: Overhead Lines (Exemption) (England and Wales) Regulations 2009

NGED propose to undertake the following works set out below which are exempt from requiring Section 37 Consent under the Electricity Act 1989 by falling within The Overhead Lines (Exemption) (England and Wales) Regulations 2009: Regulation 3(1)(e).

NGED intend to carry out the refurbishment of their existing Bicker Fen – Boston 132kV overhead line ('OHL'). This includes the re-wiring of approximately 15.5km of OHL and the installation of ancillary infrastructure, including insulators and conductor fittings across 55 no. towers, all of which fall within Boston Borough Council's administrative area.

In accordance with the July 2014 Guidance Note to the Statutory Consents Regime for Overhead Power Lines in England and Wales under Section 37 of the Electricity Act 1989, the refurbishment of the existing OHL on a "like-for-like" basis would be permitted development and exempt from requiring Section 37 consent as a "design successor".

For works considered exempt under Regulation 3(1)(e), whilst a new consent is not required from central government, as a responsible undertaker, NGED are required to submit a 'simplified Section 37 notification' to the relevant Local Planning Authority. As the proposed development is considered to be exempt under Regulation 3(1)(e) and would constitute a "design successor" as per the above Section 37 Guidance Note, Dalcour Maclaren on behalf of NGED are therefore submitting this Section 37 notification to Boston Borough Council, as the relevant authority.

As per the relevant guidance, the local planning authority should screen notifications and provide a response within **6 weeks** advising if they have no objections or wish to invoke the full section 37 consent process for the proposal. If no response is received within 6 weeks, it is assumed that the Council does not wish to comment/has no objections to the proposed development.

Subject to the Council's agreement, the proposed works are considered to be exempt from required Section 37 Consent by virtue of satisfying the limitations on the exemptions contained in Regulation 3 for the following reasons:

- The proposed development does not fall within a "sensitive area" as defined by the Electricity Works (Environmental Impact Assessment) Regulations 2017;

- There will be no change to the nominal voltage of the overhead line;
- The route of the replacement OHL will not deviate from the existing by more than 60m in accordance with limitation 4(1)(d); and
- All conditions of the original Section 37 Consent will be complied with.

Boston Borough Council is therefore requested to indicate that it has no objection to the work being carried out by returning two copies of this Form with the Certificate completed and signed.

Yours faithfully

Lucy Davies

For and on behalf of NGED

CERTIFICATE

TO BE COMPLETED BY THE RELEVANT PLANNING AUTHORITY AND RETURNED TO THE APPLICANT WITHIN SIX WEEKS OF RECEIPT
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The Boston Borough Council

*(i) objects/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) wishes/does not wish the Secretary of State to consider the application using the full section 37 process under the Electricity Act 1989

*The reasons for requesting the full section 37 process are:

Dated:

Signed:

Designation

(on behalf of the Borough District Council)

****delete as appropriate***