

ELECTRICITY OVERHEAD LINES NOTIFICATION CASE OFFICE REPORT

APPLICATION REFERENCE:	PL/2026/00781
APPLICATION TYPE:	Section 37 Notification - Overhead Lines Electricity Act
SITE ADDRESS:	Greenacre Farm Broomfield, Yatton Keynell, Chippenham, Wiltshire, SN14 7JY
DEVELOPMENT DESCRIPTION:	Upgrade 5 spans of 11KV overhead lines to 3rd wire and upgrade the existing pole mounted transformer from 100kva to 200kva and adding a H pole.
RECOMMENDATION:	No Objection

REASON FOR NOTIFICATION

Where development to overhead lines (OHL), which fall within Section 37 of the Electricity Act 1989 (S37), requires consent such applications are made to the Secretary of State (SoS) for Energy and Climate Change.

All applications for consent are considered by the SoS carefully on a case-by-case basis and a decision is taken on the merits of each proposal. If consent under S37 is granted, the SoS may also give a direction for planning permission to be deemed to be granted for the development under section 90(2) of the Town and Country Planning Act 1990.

Where the applicant proposes works to an OHL, which requires S37 consent, the relevant planning authority must be notified of the works and given the opportunity to provide a representation on behalf of the local community. If, after receipt and review of that notification, the relevant planning authority considers that there is likely to be a significant adverse environmental effect, they may make an objection to the SoS who must hold a public inquiry unless the objection is withdrawn or the SoS grants consent subject to modifications or conditions that meet the objection of the relevant planning authority.

A simplified procedure is applied under which 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 advising if they have no objections or wish to invoke the full S37 process for that proposal.

Even if the relevant planning authority (or other statutory bodies consulted by the applicant) do not object to the proposal, they may propose conditions to be attached to the planning permission for that development that meet the six tests for conditions as described in the National Planning Policy Framework which the SoS may decide to incorporate in any consent given.

This notification (received 27.01.2026 and made by SSE plc) is requesting Local Authority views on the proposal and requesting for the Local Authority to sign and complete all sections of Part Two and Three of a certificate provided by them as part of the submission.

PROPOSAL

No plans have been provided, save for a location plan, in support of this notification; however, written detail indicates that SSE proposes the following development:

- The upgrade of 5 spans of 11KV OHL
- To 3rd wire and update the existing pole mounted transformer from 100kva to 200kva
- To add a H pole

SITE DESCRIPTION/CONTEXT

The OHL site spans approximately 450m, over land associated with 'Greenacre Farm', adjacent to (east and south-east of) a single-track unclassified road in Yatton Keynell, a large village part of the Chippenham Community Area. The existing OHL can be seen from the adjacent road, and other nearby roads, as well as from existing public right of way (PRoW) 'YKEY6' which crosses under one section of the OHL.

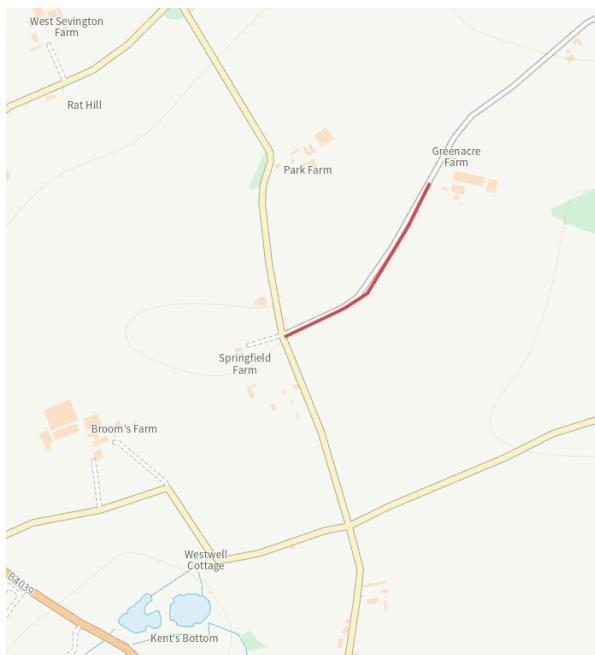


Figure 1: map view of site (red)



Figure 2: aerial view of site (red)

The site is not within a national landscape area (previously area of outstanding natural beauty), conservation area, nor within the curtilage of a listed building or schedule monument. The site is not within – or near to – other sensitive areas, including ecological designations.

The nearest watercourse is more than 500m east of the site, the site is in an outer source-protection zone, in flood zone 1 – at the lowest risk of flooding from rivers and seas – and, within the Councils strategic flood risk assessment, has not been identified as being at high risk of groundwater or surface water flooding.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Town and Country Planning Act 1990

- [Section 90](#)

Electricity Act 1989

- [Section 37](#)

[The Electricity \(Applications for Consent\) Regulations 1990](#)

Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017

- [Schedule 2](#)
- [Schedule 9](#)
- [Regulation 12](#)
- [Regulation 13](#)

[Department of Energy & Climate Change Guidance Note: The Statutory Consents Regime for Overhead Power Lines In England and Wales Under Section 37 of the Electricity Act 1989 \(July 2014\)](#)

[National Planning Policy Framework \(NPPF\)](#)
[Planning Practice Guidance \(PPG\)](#)

PLANNING HISTORY

No recent planning history at the site, of relevance to the proposal.

CONSULTATION AND REPRESENTATION

The S37 regime enables views to be gathered on the OHL proposal prior to the SoS making a decision on whether to grant consent. To help inform the decision-making process, views from select parties are obtained by the applicant and submitted to the SoS.

The consultation responsibility lies with the applicant, and they will be separately requesting representations themselves from statutory bodies who are responsible for environmental and heritage protection such as Natural England, Natural Resources Wales (NRW), Cadw, English Heritage, Welsh Historic Monuments and, where appropriate, the Environment Agency.

Given the above and given that the general public and nongovernmental organisations are able to directly give their views on the proposal, the local authority have not themselves carried out direct consultation before providing a representation in response to this notification. The notification details were, nonetheless, publicised on the Council's website prior to responding to the notification; and, at the time of writing, no public representation has been received.

PLANNING CONSIDERATIONS AND CONCLUSION

Schedule 9 of the Electricity Act 1998, places a duty on the applicant, when preparing any relevant proposals, for SoS determination, to:

- (a) have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and*
- (b) do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.*

The scheme proposes an upgrade to existing OHL and transformer along with the addition of an H pole. Taking into account the current site situation, the scheme will not result in an unacceptable change to the character of the setting. Furthermore, given the lack of ecological designation, or local record of protected species, no mitigation measures are necessary in the interest of protecting flora and fauna etc.

The Local Planning Authority has NO OBJECTION and does not wish to recommend that conditions are imposed.