

Date: 19 May 2022
DWD Ref: 15705



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By post and email: Francesco.Marolda@beis.gov.uk

Dear Mr Marolda,

THE ELECTRICITY ACT 1989 (AS AMENDED) – SECTION 37 ‘CONSENT REQUIRED FOR OVERHEAD LINES’

PROPOSED NEW 132KV OVERHEAD LINE AT WEST END ROAD, KEMPSTON WEST END, MK43 8RZ.

We write on behalf of our client, Renewable Connections Development Limited (‘the Applicant’) to notify Bedford Borough Council of it has submitted an application under section 37 ‘Consent required for overhead lines’ of the Electricity Act 1989 (the ‘1989 Act’) to the Secretary of State for Business, Energy and Industrial Strategy in respect of the above proposed overhead electric line (‘OHL’) at Kempston West End.

The proposed application under s.37 relates to a proposed new overhead electric line (‘OHL’) in connection with the proposed Snakes Meadow Solar Farm. For clarity, you will be aware that the planning application under the Town and Country Planning Act 1990 (‘TCPA’) for the proposed Snakes Meadow Solar Farm was submitted to Bedford Borough Council on 8 September 2021 (LPA Ref. 21/02526/MAF) (‘the Proposed Solar Farm’ or the ‘Solar Farm Proposals’). The Proposed Solar Farm includes an underground electrical connection route to a point of connection (‘PoC’) compound located south east of the site at Kempston West End. The PoC compound will require an approximately 15 metre (‘m’) section of 132kV OHL to be installed from its busbars in order to connect it (and the Proposed Solar Farm) to an existing pylon (operated by UK Power Networks) located adjacent to West End Road, Kempston West End.

The easting and northing of the proposed OHL is X: 499276.798 and Y: 247591.499. The location and alignment of the proposed OHL is shown on the submitted Site Layout Plan (Ref. RNC001-PL-03_rev07).

It is the Applicant’s understanding from recent discussions with BEIS that the 15m section of OHL required to connect the Proposed Solar Farm to the electricity grid will require consent under Section 37 of The Electricity Act 1989. In addition to this, it is also understood that the any proposals for 132kV OHLs (and above) are required to request a Screening Opinion from BEIS under Paragraph 2(a) of Schedule 2 of the EIA Regs (in advance of any full application). It should be noted that a separate EIA screening request has also been submitted to BEIS, and that the local planning authority (Bedford Borough Council) have been consulted via the ‘Form B’ on both the s.37 application and OHL EIA screening request.

Partners

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It is the Applicant's preference to submit this application under s.37 in advance of the LPA decision on the Proposed Solar Farm and run the two in parallel. That said, the applicant acknowledges that the Proposed OHL shall not come forward until such a time as the LPA approves the Proposed Solar Farm under the TCPA, and is content for a condition to be imposed on the s.37 to emulate this.

The application comprises the following documents in accordance with Schedule 8 'Consents under sections 36 and 37' of the 1989 Act and the Secretary of States 'Guidance Note: The statutory consents regime for overhead power lines in England and Wales under section 37 of the Electricity Act 1989:

- Application Covering Letter (this Letter);
- Appendix 1 to this Letter – EIA Screening Information (including Site information)
- Form B (and its Appendix A for EIA Screening) – both to be completed by the LPA;
- A Statement (Schedule 1) providing details of the following:
 - o the relevant company's reference number;
 - o the name of the proposed overhead line;
 - o the location of the line, including the relevant planning authority and parish;
 - o confirmation that the line will comply with the 'Electrical Safety, Quality and Continuity Regulations 2002';
 - o the specification and length of the line;
 - o the voltage of the line;
 - o any tolerance requested;
 - o if the relevant planning authority/other consultees have requested conditions to be included on any consent; and
 - o whether all permissions have been obtained from landowners and/or occupiers for the land along the proposed route.
- The following maps and plans identifying the proposed overhead lines, including Ordnance Survey co-ordinates:
 - o Site Location Plan (Ref. RNC001-SP-02_rev02);
 - o Site Layout Plan (Ref. RNC001-PL-03_rev07);
 - o Mast/OHL Elevations Plan (Ref. RNC001-SD-22);
 - o Environment Agency Flood Risk Map; and
 - o MAGIC Mapping Extract.
- A copy of the notification letter sent to the relevant planning authority, Bedford Borough Council, dated 24.11.2021;

- A copy of the notice to be published in a local newspaper within the vicinity of the site; and
- The relevant fee of £402.50

All of the above listed Application Documents can be downloaded via the following link:
www.snakesmeadowsolarfarm.co.uk

Further information on the Site, construction activities and potential environmental impacts can be found at Appendix 1 to this Letter (EIA Screening Information).

Further to the above, in accordance with regulation 5 'Publication of notice of application for consent under section 37', notice of the applications will be published in the Bedford Times and Citizen for two successive weeks on 19 May and 26 May 2022. A copy of the notice to be published also accompanies this letter. The notice describes by reference a map the land over which the lines are proposed to pass and specifies a location within the locality of the land in question (in addition to a web address) at which that map (and the other application documents) may be inspected.

The Proposed Development would facilitate the generation of renewable energy. Therefore, it would enable a positive contribution towards reducing carbon emissions and also contribute to supporting the local community and economy.

We look forward to hearing from you soon.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rob Booth'.

Rob Booth
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DWD
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Encs:

Appendix 1 – EIA Screening Information
'Form B' – for completion of Bedford Borough Council
Notice under Regulation 5
Site Location Plan
Site Layout Plan
Magic Map Extract
Environment Agency Flood Risk Map
Snakes Meadow Solar Farm EIA Screening Opinion – (Bedford Ref. 20/01551/EIASCR)

Appendix 1 – s.37 EIA Screening Information

The following sections of this letter will provide information on the following:

- A description of the Site and Surrounding Area (including environmental designations);
- A description of the physical characteristics of the development;
- A description of the environmental topics which could be impacted by the development; and
- An assessment of which (if any) aspects of the environment could be significantly affected by the Proposals.

The Site and Surrounding Area

The Site (i.e. the area proposed to be occupied by the 15m section of OHL) is comprises approximately 0.1 hectares of flat agricultural land in arable rotation, located immediately adjacent West End Road. Bordering the Site is an existing pylon tower, which forms part of a larger series of electrical pylons and overhead lines which dominate the flat landscape in which the Site is located. Situated on the other side of West End Road to the north, are the residential properties of Allington Cottage and Chancel Cottage of Kempston West End.

The surrounding area is largely flat and agricultural, with scattered residential properties and farmsteads. The nearest town of Kempston, a suburb of Bedford, is located 3.5km to the east of the Site. The villages of Stagsden and Wood End lie approximately 1.25km and 1.5km north and south of the Site respectively. There are no densely populated areas near to or within 3km of the Site.

The Site is located entirely within Flood Zone 1, the zone least at risk to flooding according to the Environment Agency. It should be noted that no ground works are proposed as part of the OHL proposals. As such flood risk is not thought of as a major consideration to the proposals. An Environment Agency Flood Map has been provided with this letter for reference.

There are no environmental designations or local environmental designations within or in the immediate vicinity of the Site. An area of ancient woodland is located approximately 325m south of the Site, on the opposing side of the field in which the Site is situated. The nearest listed building lies c.360m to the south of the Site, the Grade II listed property 'Justin's Farmhouse', further details of which are set out later in this letter. A MAGIC map has also been provided with this letter to show the Site and its surrounding designations.

The Proposed Development and its physical characteristics

The proposed OHL connection will involve the construction of approximately 15m of 132kv overhead cabling starting from the Proposed Solar Farm's PoC compound (to be consented under TCPA) connecting into a nearby existing high voltage pylon tower. The Applicant has an agreement with the owner of the land to construct and suspend the proposed OHL over the land in order to facilitate a grid connection for the Solar Farm.

No foundations or physical structures are required to form part of the OHL proposals, on the basis that the both ends of the 15m OHL will connect into the existing tower and a PoC mast to be consented and constructed (in advance of the Proposed OHL) under TCPA. The line will be installed by using

specialist conductor pulling machines that string and tension the conductor between the connection points at the existing tower. The new overhead line conductors will be uninsulated and are likely to be of All Aluminium Alloy Construction (AAAC) type. The overhead lines will have a minimum clearance of approximately 22m. At their highest point, the OHL will reach approximately 30m from the ground (see submitted Elevations Drawing (Ref. RNC001-SD022)).

No security fencing is proposed as part of the OHL proposals on the basis that the above noted clearance is sufficient to avoid any intervention. The PoC compound where the OHL originates will be secured by 2m high perimeter fencing.

A Site Layout Plan (Ref. RNC001-PL-03_rev07) and Elevations Plan (Ref. RNC001-SD-22) have been submitted to illustrate the Proposed OHL in the context of the adjacent PoC compound and pylon.

Further information on the Site, construction activities and potential environmental impacts can be found at Appendix 1 to this Letter (EIA Screening Information).

Overview of Construction Activities

The proposed OHL can only be erected and connected to the existing pylon tower once the PoC compound has been constructed. The construction of the proposed OHL can be summarised as follows:

- provision of temporary access and a working area for plant, equipment, materials and personnel to access the PoC compound and existing tower site;
- installation of conductor and insulators on the existing tower (conductor stringing); and
- reinstatement of access and working areas to original condition.

Construction hours will be agreed with the local planning authority. It is proposed that working hours will be in line with those proposed for the Proposed Cranfield Road Solar Farm development, as follows:

- Monday to Saturday: 07:00 to 19:00; and
- Sunday: 09:00 to 13:00.

The overall duration of the works required to fit the proposed OHL is expected to take approximately 4 weeks. Any impacts caused by the construction works, such as vehicle movements or noise would be temporary and unlikely result in any impact or nuisance when considering the scale and duration of the works involved.

Access to the Site for the erection of the OHL will use the PoC access which will have been constructed and used for the PoC erection by the time the OHL is to be installed.

The construction and operation of the proposed OHL is not anticipated to generate any residues, notable emissions (besides temporary construction vehicles) or waste. The OHL would involve the use of some materials that are non-renewable. For example, the copper and/or aluminium used for the wiring associated with the OHL. The development would also involve the temporary removal and use of a small portion of land from agricultural use (beneath the line) during construction. The Proposed OHL will not require the use of soil, land water or biodiversity.

Environmental Impacts

In assessing the potential impact of the proposed OHL, it should be noted that there would be no physical works proposed to the area over which the OHL will be suspended. The following sections of this letter cover relevant environmental considerations which might be affected or in some influenced by the construction and/or operation of the Proposed OHL.

Landscape and Visual Impact

The Site is not located within any statutory or non-statutory landscape designations such as a National Park (NP), Area of Outstanding Natural Beauty, (AONB) or local plan Special Landscape Area (SLA). Nor are there any landscape features of value that will be affect by the proposal.

The Site and surrounding area is characterised by its flat and open appearance, the baseline position of the pylon tower and PoC compound (required to construct the OHL) comprise partially exposed electrical infrastructure in an otherwise agricultural surrounding. There are a number of large existing pylons connected by OHLs which characterise the area and immediate landscape in which the Site is located.

The proposed OHL and PoC infrastructure associated with the Proposed Solar Farm would be adjacent to the existing pylon tower and would be partially visible from Allington Cottage and Chancel Cottage at Kempston West End. The curtilage of the property is enclosed by boundary hedgerows with some mature tree cover although partial views would be apparent from the upper floor windows in the immediate context of the existing pylons and transmission lines.

It is proposed in the separate TCPA application for the Proposed Solar Farm (pending determination) that native hedgerows would be planted around the PoC compound to mitigate ground level visual effects. Though, it will not be possible to mitigate the proposed OHL on the basis that they would suspended in the air above ground, that said, they will be connecting into a much larger existing pylon/OHL. Any views from PRoWs (such as the nearest ones 1.5km from the Site) would not be unlikely to distinguish the proposed OHL from the existing pylon and lines and the POC compound. Considering the visual influence of the existing pylon, and to some degree the proposed POC infrastructure, it is considered that the proposed OHL would result in a low/negligible level of change to the landscape once constructed.

The PoC infrastructure would be visible from the Kempton West Road and public footpaths 25 and 26 approximately 1.5km to the east of the solar PV Site. Considering the distance of these PRoWs from the Site, it is unlikely that the addition of the proposed OHL to the overall PoC/Pylon massing will alter the views experience by users.

Heritage

There are no World Heritage Sites, Conservation Areas, Registered Parks and Gardens, or Registered Battlefields are located within or near to the Site.

In terms of built heritage, in the vicinity of the proposed OHL at Kempston West End are two Grade II Listed Buildings: Justin's Farmhouse, c.360m to the south, and Old Farmhouse, c.470m to the south.

Of particular note is the Grade II Listed Justin’s Farmhouse, located c.360m to the south of the PoC compound. The Heritage Statement submitted with the planning application for the wider Solar Farm proposals also notes that the PoC infrastructure will be visible in views from Justin’s Farmhouse and would have potential to further erode the historic landscape character. However, the assessment considers that the proposed PoC will result in a small degree of harm, at the lowermost end of less than substantial, to the significance of Justin’s Farmhouse. Considering that the Proposed OHL will form an extension to the PoC massing when viewed from the listed asset, and will be situated on the opposite side of the PoC (to the north), it is not likely that any further harm will be caused by the addition of the OHL nor by the combined effect of proposed line in the context of the PoC compound and neighbouring pylons.

A negligible impact to the heritage significance of designated heritage assets is anticipated when considering distance, location and context.

Ecology

The entirety of Site for the OHL is comprised of agriculturally managed field of little ecological importance. As no physical development is proposed to the area where the proposed OHL is to be suspended over, it can be concluded that there will be little to no impact on surrounding habitats and species. There might be potential for temporary impact generated during the temporary construction period of the OHL. That said, the PoC compound and wider Solar Farm Proposals will be subject to a Construction Environmental Management Plan (CEMP) which will detail protection measures for any habitats and features present during the construction.

The nearest habitat of any designated value to the Site is Kempston Wood, an area of Ancient Woodland located approximately 350m to the south. It is not anticipated that there will be any impact to the nearby Ancient Woodland, due to the limited construction impacts and maintenance required for the Proposed OHL.

Traffic and Transport

Traffic associated with the Proposed Development would be largely limited to the temporary construction phase, during which appropriate and proportionate management measures would be implemented. Traffic during operation would be limited to periodic maintenance/inspection.

In view of the characteristics of the Proposed Development, the relatively low environmental sensitivity of the location and the limited potential for impacts, it is considered that the proposed OHL would not result in significant environmental effects that require an EIA to be undertaken.

Table 1 – Screening Checklist for Kempston West End OHL

Screening Question to be considered	Yes / No – Brief Description	Is this likely to result in a significant effect? Yes/No - Explanation
1. Will construction, operation or decommissioning of the project involve actions which will cause physical changes in the locality (topography, land	No The Proposed Development will involve small scale construction works to install the new line between a pre-existing PoC and Pylon. There will be no changes to	No No physical change is anticipated to occur to the Site (in terms of topography, land use or water bodies) in connection with the proposed OHL.

use, changes in waterbodies, etc)?	topography, land use or waterbodies.	
2. Will construction or operation of the project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	<p>Yes</p> <p>The proposed development will use materials and energy as part of standard construction practice. The construction activities will be relatively short term (4 weeks), and the requirements for materials will not be very large.</p>	<p>No</p> <p>The proposed development will not consume significant quantities of natural resources. No significant effects arising from use of resources by the development are anticipated to occur.</p>
3. Will the project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?	<p>No</p> <p>The substances/materials that will be used for construction are well known and the risks associated with their use and storage well understood. There are no concerns regarding actual or perceived risks to human health.</p> <p>No hazardous substances will be used during operation of the proposed development.</p>	<p>No</p> <p>No significant effects from substances causing actual or perceived risks to human health are anticipated to occur.</p>
4. Will the project produce solid wastes during construction or operation or decommissioning?	<p>Yes</p> <p>There will be some minor wastes generated during construction of the OHL, such as packaging and off-cuts from construction materials.</p> <p>No solid wastes will be produced during operation of the proposed development.</p>	<p>No</p> <p>During construction relatively small quantities of waste will be generated that will be recycled or disposed of using standard waste management practices.</p> <p>No significant effects arising from waste management are anticipated to occur.</p>
5. Will the project release pollutants or any hazardous, toxic or noxious substances to air?	<p>No</p> <p>No hazardous, toxic or noxious substances will be released to the air during construction or operation of the development.</p>	<p>No</p> <p>No significant effects from emissions to air are anticipated to occur.</p>
6. Will the project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	<p>Yes</p> <p>Noise will be generated by construction activities, and light will be produced by lighting of the construction works, including security lighting.</p> <p>No noise or light will be generated by operation of the proposed development. During operation of the overhead line electric and magnetic fields (EMF) will be</p>	<p>No</p> <p>The construction will be carried out within the existing legislative requirements of the Control of Pollution Act 1974 and apply best practicable means to minimise noise and vibration. Construction works at the site will be carried out as agreed with the local planning authority. There is no requirement for noisy activities as part of these proposals, such as pile driving. The overall duration of construction activities will be relatively short.</p>

	<p>generated around the overhead lines.</p>	<p>The proposed overhead lines will be designed to comply with the statutory requirements of the Electricity Safety, Quality and Continuity Regulations 2002, and with Government policy on optimum phasing (Code of Practice: Optimum phasing of high voltage double circuit power lines').</p> <p>Given the location of the construction works and the existing presence of operational power lines within the immediate and wider area, the proposed development are unlikely to represent a significant change within the context of existing site.</p>
<p>7. Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p> <p>It is not consider that any materials with potential to release contaminants will be required in order to fit the OHL. Appropriate construction measures will be employed to ensure that pollutants are not released to water or land.</p> <p>No risk of contamination to land or water will arise from the operation of proposed development.</p>	<p>No</p> <p>Adherence to Environment Agency guidance and good site construction practices will ensure that no significant effects on land or water resources will occur during construction.</p>
<p>8. Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?</p>	<p>No</p> <p>There are no areas of environmental damage present at the Site, nor is the Proposed Development considered to affect or damage the Site or surrounding area. No ground works are proposed in order to construct the OHL.</p>	<p>No</p> <p>No significant effects are anticipated.</p>
<p>9. Will there be any risk of accidents during construction or operation of the project which could affect human health or the environment?</p>	<p>No</p> <p>Standard operating methods and contractor health and safety management procedures, during both construction works and operation of the overhead line, will ensure that there is a low likelihood of accidents resulting from the development.</p>	<p>No</p> <p>There is a low residual risk of accidents occurring during construction or operation of the proposed development.</p>
<p>10. Will the project result in social changes, for example, in demography, traditional lifestyles, employment?</p>	<p>No</p> <p>The proposed development will not displace employment, and will not be a significant generator of employment opportunities at any stage. Construction workers would be sourced from existing markets.</p>	<p>No</p> <p>There will be no significant economic or demographic changes as a result of the proposed development</p>

	No other social changes will result from the development.	
11. Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the project?	<p>No</p> <p>The proposed development is not located within any statutory or non-statutory nature conservation designations.</p> <p>The closest statutory designated site is over 300 m away (Grade II Listed Building) at its nearest point. The closest non-statutory site is also over 300 m from the Site (Kempston Wood). Given the nature of the planned construction and operational activities, and the distance to designated sites, there are not expected to be effects on either statutory or non-statutory sites.</p>	<p>No</p> <p>Given the low level of construction activity required, it is not anticipated that designated sites located away from the development will be affected.</p>
12. Are there any other areas on or around the location which are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests or woodlands, which could be affected by the project?	<p>No</p> <p>As noted in the above letter, no sensitive ecological areas have been identified within the footprint of the proposed development.</p> <p>The closest potentially sensitive area to the development is Kempston Wood located approximately 350 m from planned construction works.</p> <p>No construction or operational activities are anticipated to affect sensitive ecological areas.</p>	<p>No</p> <p>No significant effects on sensitive ecological areas, and to ecological populations reliant upon them, are anticipated due to distance from construction activities.</p>
13. Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the project?	<p>No</p> <p>Considering the nature of the proposed works and Site, along with the existing infrastructure present at the Site, it is not considered that the Proposed OHL would give rise to any additional impacts to habitats.</p>	<p>No</p> <p>The activities being undertaken as part of the proposed development are not anticipated to significantly affect any protected, important or sensitive species of fauna or flora.</p>
14. Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	<p>No</p> <p>The closest surface water body to the development is located approximately 250 m to the south of planned construction works.</p>	<p>No</p> <p>No significant effects on surface or groundwater resources are likely due to the distance from and lack of intrusion from construction activities.</p>

	Groundwater at the Site should not be impacted as no groundworks are proposed in order to construction/fit the OHL.	
15. Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	<p>No</p> <p>The landscape in the area around the proposed development is generally open and flat, with views extending over large distances. No landscape areas or features of high value have been identified in the immediate vicinity of the proposed development.</p> <p>A landscape and visual impact assessment ('LVIA') was prepared for the wider Solar Farm proposals, which included the PoC compound to which the Proposed OHL will connect. The LVIA concluded that the PoC compound would cause less than substantial harm to the landscape and views from heritage assets. It follows that the Proposed OHL, as a minor extension to this, would have a negligible impact when considered cumulatively with the surrounding infrastructure.</p>	<p>No</p> <p>When considering the existing pylon towers which dominate the surrounding landscape, and the presence of the PoC compound which is required to fit the OHL, there will likely be a negligible impact from the addition of the OHL to the landscape.</p>
16. Is the project in a location where it is likely to be highly visible to many people?	<p>No</p> <p>As noted in the response to Question 15, the landscape in the area around the proposed development is generally open and flat, with views extending over large distances. However, within the context of the existing and proposed infrastructure in the immediate vicinity, it is not anticipated that the visual impact of a new overhead line would be significant.</p>	<p>No</p> <p>Due to the location of the proposed development, it will cause little to no visual impact.</p>
17. Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?	<p>No</p> <p>A public road (West End Road) passes adjacent north of the location of the new OHL, but is not heavily used.</p>	<p>No</p> <p>The construction activities for the proposed development and any associated traffic will not result in any significant changes to the accessibility of West End Road.</p>
18. Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental	<p>No</p> <p>The level of construction traffic will be limited to the delivery of some construction materials and equipment, and the movement of</p>	<p>No</p> <p>The proposed development will generate very low levels of traffic during construction, and</p>

<p>problems, which could be affected by the project?</p>	<p>workforce. All traffic will access the site using the same access as will be used for the PoC compound.</p>	<p>there will be no change in traffic levels during operation.</p>
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