

From: S37 Wayleaves <s37-Wayleaves@beis.gov.uk>
Sent: 03 August 2022 09:16
To: Planning Enquiries <planning_enquiries@herefordshire.gov.uk>
Cc: robert.birt@freedom-group.co.uk
Subject: Section 37 consent BEIS ref 1571U

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Good Morning,

Herefordshire Council - Signed Form B dated 28 April 2022 - Planning Reference 220876

I enclose a copy of a consent issued by the Secretary of State to place electricity lines above ground. Directions to the conditions pertaining to this planning permission, as defined under Section 90(2) of the Town and Country Planning Act, are incorporated within the document. Please note this consent was issued via our Energy Portal.

Should you wish to challenge this decision, your attention is drawn to the final paragraph giving details of where to obtain advice.

Yours sincerely



Department for
Business, Energy
& Industrial Strategy

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Date: 2nd August 2022

**OVERHEAD LINES
ELECTRICITY ACT 1989
TOWN AND COUNTRY PLANNING ACT 1990.**

With reference to the application particulars of which are specified below, I am directed by the Secretary of State to inform you that consent is hereby granted pursuant to section 37(1) of the Electricity Act 1989 ("the 1989 Act") to the installing or keeping installed above ground of electric lines ("the lines") particulars of which are specified below ("the Development").

Pursuant to section 37(3) of the 1989 Act this consent is given subject to the following conditions:

1. The Development shall be constructed in accordance with the application and the plans set out in the particulars below.
2. Subject also to regulations 65, 66, 89 and 90 of The Conservation of Habitats and Species Regulations 2017, the Secretary of State may review this consent at any time after a period of five years from the date hereof, and upon such review, after giving all persons concerned an opportunity of being heard, he may vary or revoke this consent.
3. If the Secretary of State revokes this consent, then any lines or apparatus forming part of the Development shall be removed within such period as the Secretary of State may direct.

Pursuant to section 90(2) of the Town and Country Planning Act 1990 ("the 1990 Act") the Secretary of State hereby directs that planning permission for the Development shall be deemed to be granted subject to the following condition(s):

1. The Development to which this permission relates shall be begun not later than the expiration of three years beginning from the date of this consent.

Reason: To comply with the requirements of section 91 of the 1990 Act.

2. The Company shall dismantle and remove any temporary lines and equipment

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referred to in the application together with any redundant lines and apparatus replaced by the Development within six months from the date of commissioning of the Development.

Reason: To restore the land as far as possible to its condition before the redundant lines and apparatus were installed.

PLANNING AUTHORITY REFERENCE: Herefordshire Council - Signed Form B dated 28 April 2022 - Ref. 220876

APPLICANT COMPANY: WESTERN POWER DISTRIBUTION (WEST MIDLANDS) PLC

DATE OF APPLICATION: 10th May 2022

PARTICULARS OF OVERHEAD LINES:

Name of Scheme: BRILLEY RECONDUCTORING

Situated in the Parishes of:

- Brilley

Route as indicated on plan reference 1622754/P1 (or within a distance not exceeding sixty metres on either side thereof)

Voltages:

- 11kV

The validity of the Secretary of State's decision may be challenged by making an application to the High Court for leave to seek a judicial review. Parties seeking further information as to how to proceed, including time limits, should seek independent legal advice from a solicitor or legal adviser or alternatively may contact the Administrative Court at the Royal Courts of Justice, Strand, London, WC2 2LL (General Enquiries 020 7947 6000).

Authorised by the Secretary of State

Yours faithfully,

Mr Francesco Marolda

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OVERHEAD LINES MANAGER