

Delegated Officer Recommendation

Case Officer: **AMB** Date: **11 May 2021**
 Consults Expiry:
 Site Notice Expiry:
 Advert Expiry:
 Neighbour Expiry:
 Expiry Date: **11 May 2021**
 Extension of Time:
 BVPI Category: **Other**

WD/2021/0837/OH

PROPOSED RELOCATION OF TWO SECTIONS OF THE 4VM OVERHEAD LINE.
 LAND TO THE WEST OF CROCKSTEAD FARM, EASTBOURNE ROAD, HALLAND
 BN8 6PT

Parish: East Hoathly with Halland

LB ref:

Received Complete: 30 March 2021

Cons Area:

Recommendation - No objections

Case Officer Initials Date

Pre-commencement conditions agreed with applicant? N/A

CIL Liability checked by Officer Initials Date

CIL Liable No

CIL Exemption Claimed No

Team Leader/Senior Initials Date

Authority to Delegate Required? Date

Fields filled in on Custom screen on Datawright?

Admin

Decision notice checked Initials Date

CIL Liability Notice Issued Date

2. Framfield Parish Council

Comments not received.

Response to Parish Councils:

None required.

Other third party responses (including local residents). See full text on website

None received.

2. Other Relevant Responses/Issues

None.

Pre-Application Matters

Proposals for new sub-station provided for discussion with the LPA.

3. Relevant Planning History

Application No.	Description	Decision and Date
None relevant		

4. Details of Case

Site

The application site is located to the north-east of the A22, and east of the C26 (Eastbourne Road), approximately midway between Halland village and the town of Uckfield.

The site comprises land at the northern edge of the field over which overhead electricity lines pass and includes one supporting tower/pylon. The site is located within the Low Weald landscape character area. To the west and on the opposite side of the C26 are a pair of dwellings and High Cross Farm some 290 – 450m from the existing pylon. There is a listed building some 480m to the south-west and other side of the A22, Crockstead Farm is approximately 300m to the south-east. The grounds of High Cross Manor border the north perimeter of the field, and Hamilton Palace is approximately 430m from the existing pylon.

Policy Framework

The up-to-date approved 'development plan' for Wealden District Council comprises the following documents:

- The Wealden District Council (incorporating part of the South Downs National Park) Core Strategy Local Plan (adopted 19th February 2013)
- The Wealden Local Plan (adopted December 1998) (Saved Policies).
- The East Sussex and Brighton & Hove Waste Local Plan (adopted February 2006) (Saved Policies).
- East Sussex, South Downs and Brighton and Hove Waste and Minerals Local Plan (adopted February 2013).
- The Affordable Housing Delivery Local Plan (May 2016).

On 28 March 2013 an application was made to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 challenging the validity of the Core

Strategy on the grounds that it failed to comply with the requirements of Directive 2001/43/EC on the Assessment and Effect of Certain Plans and Programmes on the Environment and the implementing Environmental Assessment of Plans and Programmes Regulations 2004. This was dismissed by Order dated 21 February 2014. However, an appeal on 3 grounds was made to the Court of Appeal. On 7 October 2014, the Court of Appeal dismissed Grounds 1 and 2 relating to the housing numbers in the Core Strategy (original ruling was upheld).

Ground 3 related to whether the Council had considered reasonable alternatives to the use of a 7 km zone in relation to the provision of SANGS. On 9 July 2015 in response to a Court of Appeal decision, the Council has made changes to its Core Strategy Policy WCS 12 relating to Ashdown Forest.

Prior to the Court of Appeal Judgement Policy WCS12 provided that any net increase in residential development between 400m and 7km would be required to mitigate its recreational impact through the provision of Suitable Alternative Natural Green Space (SANGS) and on-site visitor management measures. The reference to the 7km zone of influence and the specific mitigation identified in this policy has now been removed. However all planning applications will continue to be subject to the Habitat Regulations which protect the Ashdown Forest Special Protection Area (SPA).

The rest of the Core Strategy is unaffected therefore remains intact as part of the adopted development plan for the purposes of this application.

Certain policies of the Wealden Local Plan (1998) have been 'saved' via Direction of the Secretary of State dated 25 September 2007, under the provisions of Paragraph 1(3), Schedule 8 of the Planning & Compulsory Purchase Act 2004. Annex 1 of the National Planning Policy Framework confirms that these 'saved' policies still form part of the development plan.

Under 'saved' policies EN1 (sustainable development) and EN27 (layout and design) of the Wealden Local Plan 1998, the Council has also formally adopted the Wealden Design Guide, November 2008, as a Supplementary Planning Document. Some 'saved' policies and the design guide continue to have material weight where they are in compliance with the NPPF and CSLP (having regard to paragraph 216 of the NPPF).

The Council had proposed a new Local Plan. This was submitted for independent examination on the 18 January 2019. Following the Stage 1 hearing sessions into the Examination, the Inspector wrote to the Council advising that the Plan was unsound, could not proceed and should be withdrawn. The Plan has since been withdrawn, following resolution at Full Council on 19th February 2020.

Constraints

The application site is located outside defined development boundaries and is within Low Weald landscape character area.

Relevant Policies

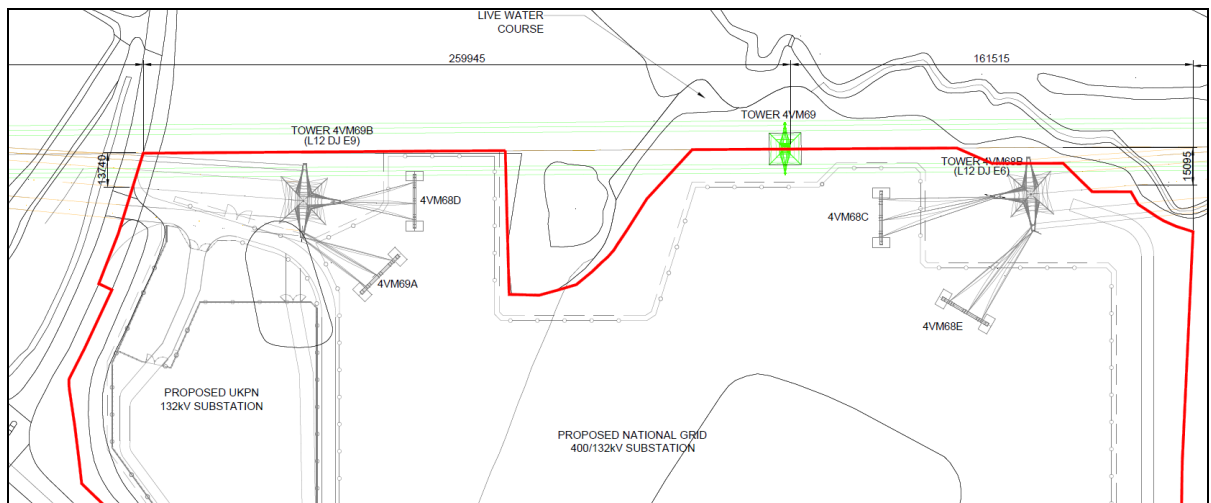
The National Planning Policy Framework (NPPF) in force from February 2019 is a material planning consideration when assessing and determining planning applications. Due regard has been had to any relevant national policy guidance, in particular paragraphs 8, 11, 127, 130, 170, 175 of the NPPF.

- Saved Policies GD2, EN1, EN8 and EN27 of the adopted Wealden Local Plan 1998.
- Spatial Objectives SPO1, SPO13 and Policies WCS12 and WCS14 of the adopted Wealden Core Strategy Local Plan 2013.

Proposal

UK Power Networks have given notice under The Overhead Lines (Exemption) (England and Wales) Regulations 2009 for a proposal to relocate 2 sections of the 4VM overhead line between towers numbered 68 and 70. It is proposed to remove existing tower 69 and installed two new towers. The new towers will shift 18.7m – 20m south of the existing power lines, with new section of overhead line to connect to tower 68 to the east, and to tower 70 to the west.

The proposed plan shows other lines directed from the proposed towers into the field, in which a new grid supply point / large-scale substation is proposed (the subject of a separate application).



5. Assessment & Conclusion

The proposal to erect two new towers to replace an existing single tower/pylon, and re-direct a section of overhead would not significantly alter the landscape or visual amenity of the area, having regard to the existing presence of high power overhead lines and sequence of pylons in this area.

The pylons and re-direction of power lines are contingent on other development within the field, and those works are the subject of a full application for planning permission.

Considering the two proposed towers in isolation, there would be no significant adverse impact on the environment and it is therefore recommended that no objections be raised to the tower proposals.

However, it is recommended that an advisory note be added to the decision notice to inform the applicant that a 'no objection' comment in respect of the proposed towers and relocation of sections of the overhead does not prejudice the Council's consideration of the full application for permission for the large-scale substation.