A

www.carlisle.gov.uk

Economic Development
Planning Services
Civic Centre, Rickergate, Carlisle, CA3 8QG

Phone: 01228 817000 Fax: 01228 817199
Typetalk: 0800 95 95 98
Email: EDAdmin@carlisle.gov.uk

Recommendation Delegated Report

Date of Application Received: 28/12/2022 16:00:43 **Application Number:** 22/0981

Particulars and Location of Proposal:

Proposal:
Proposed Extension To Harker Substation As Part Of The Harker Energy Enablement Project Comprising Substation Buildings, Supergrid Transformers, Busbars & Switchgear, Diesel Generator, Mechanically Switched Capacitor, Associated Landscaping And Biodiversity Enhancement, Drainage, Internal Access Roads And Parking, Lighting & CCTV, Fencing & New Site Access

Location:
Land North of Harker Grid Sub Station, Harker, Carlisle

Ward: Longtown & the Border **Parish:** Multiple Parishes

Case Officer: Stephen Daniel

Summary of Consultee Responses:

Westlinton Parish Council: - no response received;
Rockcliffe Parish Council: - is it possible for any redundant pylons to be removed? The Parish skyline is already full of pylons and anything that can be done to improve the numbers visible would be appreciated;
Cumbria County Council - (Highways & Lead Local Flood Authority): - no objections, subject to conditions;
Highways England (Formally DOT): - no response received;
Environment Agency: - no objections;
MOD Safeguarding: - no response received;
Local Environment - Environmental Protection: - no objections, subject to conditions;
Cumbria Constabulary - North Area Community Safety Unit: - crime prevention measures have been included in this development. Provided some advice on site security and crime prevention;
Natural England: - is not able to provide specific advice on this application and, therefore, has no comment to make on its details;

National Grid UK Transmission - Plant Protection: - no response received;
Cumbria County Council - (Archaeological Services): - no objections, subject to conditions.

Summary of Representations:

3.1 This application has been advertised by means of site and press notices as well as notification letters sent to ten neighbouring properties. No verbal or written representations have been made during the consultation period.

Delegated Powers/Reasons for delegated power recommendation:

Reason For Recommending Delegated Power Decision

This proposal is seeking planning permission for a proposed extension to Harker Substation as part of the Harker Energy Enablement Project comprising substation buildings, supergrid transformers, busbars & switchgear, diesel generator, mechanically switched capacitor, associated landscaping and biodiversity enhancements, drainage, internal access roads and parking, lighting and CCTV, fencing and new site access at Harker Substation, Harker, Carlisle.

The site is located on land to the west of the settlement of Harker, comprising the Harker Substation site in the ownership of the applicant and undeveloped land immediately adjacent to the north, separated by Harker End Road. The existing Harker Substation site is of irregular shape and is approximately 11.5ha with equipment currently reaching a maximum height of 15m.

The site is located approximately 5.5km north of Carlisle and 80m east of the M6 motorway at its closest point. To the north, south and east of the site the land is of mixed use: agricultural crops, sheep grazing, a haulage depot and residential areas. In general, the wider landscape is used for agriculture and forms a patchwork of crops and sheep / cattle grazing.

To the north of the proposed development the land is dominated by modified grassland used for grazing livestock, with fields separated by a mix of hedgerows, wet ditches, fences and lines of trees. At the time of writing, the area to the east of the proposed development is a construction site (for the separate Power Flow project) and the area to the west of the proposed development comprises modified grassland fields, bounded by hedgerows and ditches. Two pylons and existing 132 kV overhead lines are located within the agricultural grazing land to the north of the proposed development.

The footprint of the operational substation extension would be approximately 5.37 ha. The proposed development would also include surrounding landscaping, biodiversity net gain areas and a construction compound giving a total application red line boundary area of approximately 16.04 ha.

The equipment within the substation extension would consist of a variety of vertical structures supporting overhead busbars with ancillary equipment. The maximum height of the equipment would be approximately 15m and comparable with the existing substation.

The main elements of the proposed development are:

• Permanent substation access from public highway, main gate and pedestrian gate;
• A grey palisade security fence, typically 2.4m in height, with electric topper (to approximately 4m in total);
• Passive infra-red security lighting erected on columns and closed-circuit television (CCTV) security cameras would surround the equipment and create a secure compound;
• An internal access bituminous road with adjacent hard standing areas to provide a suitable base for substation equipment. Intervening areas would be surfaced with grey stone chippings;
• A 132 kV GIS substation building approximately 81m x 21m x 14m high;
• A 400 kV GIS substation building approximately 113m x 28m x 14.5m high;
• Six supergrid transformers (SGTs);
• Overhead line gantries – approximately 15m high;
• Busbars and switchgear;
• A diesel generator for backup power supply;
• Mechanically Switched Capacitor (MSC) Unit within a 1.8m high chain link fence compound of approximate size 24m by 23m. Maximum height of this equipment is 11.5m;
• Single-storey substation building to house welfare facilities and switching room;
• Approximately 30 car parking spaces and electric charging ports within the security fence for site staff;
• Installation of new fresh water, sewage, drainage, telecommunications equipment and low voltage power supplies to the site;
• Landscape and biodiversity outline proposals.
• A new 132 kV tower (26m in height) would also be erected to the north of the substation extension within the application site.

It is proposed that part of the temporary laydown area would be sited on the existing adjacent National Grid Smartwires / Power Flow compound. This would allow for construction traffic to use this existing compound access and then to enter the proposed development area using a connecting road**.** The compound would also include temporary cabins for offices and welfare facilities during the construction phase and allocated areas for receiving deliveries, storage of materials and equipment and, where required, for storage of waste items to be removed. There may be temporary access roads within the site, installed prior to the permanent substation road being constructed. The construction programme for the works within the site is approximately 24 months. HGV movements anticipated during construction would include deliveries of materials such as site cabins, aggregates, fuel, bituminous surfacing, concrete, heavy plant, reinforcing steel, steelwork and cladding. Other anticipated vehicle movements during construction to and from the site would include staff commuting to the site in staff cars, vans and crew buses.

Based on ground investigation works, it is anticipated that there would be approximately 35,650m3 of excavated spoil due to the proposed development. It is proposed that 80% of this would be re-used on site to create a level sub-station platform (assuming a suitable engineering standard) rather than importing fill. The remaining 7,130 m3 of excavated spoil would be removed from site.

The relevant planning policies against which the application is required to be assessed are the NPPF, the PPG and Policies SP1, SP2, SP6, CM5, CC4, CC5, IP2, GI1, GI3 and GI6 of the Carlisle District Local Plan 2015-2030.

The proposal raises the following planning issues:

1. Whether The Proposal Would Be Acceptable In Principle

The majority of the applicant's network was built from the 1950s to the 1970s, which means some equipment has been in service for more than 40 years and needs replacing as it comes to the end of its operational life. The applicant upgrades existing substations and also builds new substations to connect additional power generation or to meet increased demand from business and domestic consumers. These substation upgrades can be extensions of existing sites or can be new substations built alongside existing substations.

The applicant has identified a need to re-develop its existing Harker Substation site, due to the cumulative effect of a number of project drivers, primarily new customer connections combined with asset health and environmental management driven site requirements.

The substation at Harker comprises three main elements:
• 132 kV site built in the 1950s;
• 275 kV site built in the 1950s and 1960s; and
• 400 kV site built in the 1990s with addition approximately 10 years ago.

The majority of the original above and below ground assets, particularly the concrete support structures within the 132 kV and 275 kV sites, have been identified as requiring replacement. This, combined with the proposed customer connections, requires that the 132 kV site needs to be completely replaced; the majority of the 275 kV site would need to be removed / rationalised, and part of the 400 kV site would need to be replaced.

The applicant is contracted with the local electricity distribution company, Electricity North West Ltd (ENWL), to provide capacity to connect new distributed embedded generation across Cumbria. Typically, this generation is a mixture of locally based on-shore windfarms, solar farms, gas generation, and biomass generators, along with embedded battery storage facilities. Significant planned on-shore wind generation in the south-west of Scotland would also feed southwards into Harker Substation, along with upgrading of existing overhead line with Scottish Power Transmission (SPT). This increased generation creates an additional need to uprate and upgrade the existing 132 kV equipment at Harker Substation.

The applicant has an environmental ambition with particular focus on achieving net-zero carbon targets. Sulphur Hexafluoride (SF6) is an insulating gas used in substations. In line with the UK government's net zero carbon target, the applicant's strategy is to reduce its SF6 emissions year-on-year progressing towards a net zero position by 2050. SF6 reduction has been a key consideration in developing proposals for the re-development of Harker Substation and the aim is that the extension at Harker would contain SF6 free equipment.

To facilitate the proposed development, works are required that fall outside the scope of this planning application but form part of the Harker Energy Enablement Project. These include connecting the substation extension to the existing overhead line network and underground cabling to connect the substation extension to the existing infrastructure (both of which were taken into consideration in the siting of the substation). As the site has been screened by Carlisle City Council as not EIA development, it allows the applicant to make use of its Permitted Development Rights as a statutory undertaker and exemptions under Section 37 of the Electricity Act 1989.

In light of the above, the proposal would be acceptable in principle.

2. Whether The Siting, Scale And Design Would Be Acceptable

A Siting Study, completed in September 2021, initially looked at siting the proposed development either within the Harker Substation site or on adjoining land to the west owned

by the applicant. These options were discounted based on lack of available space and associated health and safety implications, system security issues and constraints from existing underground cabling and overhead lines.

Potentially suitable ‘focus areas’ outside the Harker Substation site were then identified. Following a robust options appraisal, a preferred focus area was identified immediately north of the Harker Substation site as it was considered to offer the best technical, cost and environmental solution within which to develop the detailed design.

The proposed development would include two large buildings (14m and 14.5m high), gantries 15m high, various plant and a new tower with overhead lines that would be approximately 26m high. The development would be large in scale but the proposed buildings and plant are all required and would lead to the replacement of existing plant and equipment in the future. The existing substation and associated pylons already have a significant impact on the surrounding area and siting the development adjacent to the existing Harker Substation would reduce the impact of the new development. As the proposed development is adjacent to existing infrastructure it would not represent an incongruous new element in the landscape, but it would extend the footprint and perception of the electricity landscape locally. Effects would diminish fairly quickly beyond the site boundary

In order to reduce the impact of the proposed development, significant levels of mitigation planting are proposed for the host field to the north of the proposed development, with new planting proposed to the west, north and east of the development. The proposed woodland would integrate with existing woodland belts and eventually screen the substation from the wider landscape. In addition, the new mitigation planting would also screen the existing Harker Substation from nearby receptors. There would be a loss of landscape elements as a result of the proposed development, which would consist of the loss of an agricultural field and small sections of hedgerow, but the landscape mitigation proposals include the addition of woodland, scrubland, hedgerows and wildflower meadow grassland which would bring additional diversity to the local landscape. By year 15, adverse effects would be reduced further once the proposed mitigation planting matured and integrated with the existing planting to screen the proposed development from nearby receptors.

In light of the above, given the need for the proposed development, the siting, scale and design would be acceptable.

3. Impact Of The Proposal On The Occupiers Of Neighbouring Properties

A residential property, Tewfaite House, adjoins the application site, with other residential properties lying to the west of Tewfaite House. Tewfaite House would not directly face the development and would be over 200m from the nearest elements of the proposed substation. The land between the substation and the dwelling, that lies within the application site, would be extensively landscaped in order to reduce the impact of the proposals on the occupiers of this dwelling.

Visual effects are broadly limited to receptors adjacent to the proposed development, or to the immediate north or east of the proposed development. Woodland to the south and west, plus the M6 embankment and vegetation, largely screen views towards the proposed development from these directions. Notable visual effects would be limited to these receptors, where the proposed development would be a prominent feature during construction and in operation. Effects would diminish fairly quickly beyond the proposed development area due to the relatively flat local landscape and hedgerow boundaries and woodland belts filtering views within and across the landscape and visual study area. By year

15 these effects would be reduced once the proposed mitigation planting matures and further screens the proposed development and also the existing Harker Substation (which would be a beneficial effect). The only visual effects identified as greater than minor adverse are on the visual receptor group at Tewfaite Green and it is assessed that the proposed mitigation planting would change these overall effects from moderate adverse, at year one of operation, to neutral by year 15 of operation.

A Noise Report has been submitted with the application. A three-dimensional acoustic model of the existing and proposed new plant has been developed as part of the Noise Report. The model considers the sound power level of the plant items, distance attenuation, acoustic screening provided by terrain and buildings etc, ground attenuation and atmospheric attenuation. The model was run with the new plant items and existing plant items and the results compared with those for the existing situation. Noise levels at all receptor locations assessed as part of the report would see noise levels reduce with the proposed development. This is due largely to the sound power level limits from the new plant being significantly lower than the measured sound power levels of plant on the existing Harker Substation.

The Noise Impact Assessment for the proposed operational plant has been carried out in accordance with IEMA Guidelines and BS4142 2014+A1:2019. The assessment predicted that rating sound levels from the proposed plant should not exceed the existing night-time background noise level and so no adverse impact is predicted except at Low Harker where a nighttime exceedance of 1.6 dB(A) is expected. This is a marginal exceedance and lower than the existing situation. A low adverse noise impact is, therefore, expected. For most locations there would be a beneficial impact. Noise levels at the outdoor areas of the closest commercial receptors are predicted to be lower than 52 dB(A). No impact is, therefore, expected on these outdoor areas.

The permanent site lighting would be provided by column mounted luminaires which would be dedicated, galvanised steel, mid-hinged columns. Luminaires would be LED with directable light output to minimise light pollution and at access gates the lights would be passive infrared (PIR) motion sensor operated. These would be a maximum of 8m in height. The site would not be permanently lit at night-time. Lights would only be switched on should there be any night-time operational call out.

Officers in Environmental Health have been consulted on the application. They have confirmed that they have no objections to the proposals subject to the imposition of a condition that requires the applicant, if a noise compliant is received, to employ an independent consultant approved by the Local Planning Authority, to assess the level of noise emissions from the facility at the complainant's property and to provide noise mitigation if deemed to be necessary.

In light of the above, the proposal would not have an adverse impact on the occupiers of any neighbouring properties.

4. Highway Matters

A Transport Statement has been submitted with the application. Construction of the proposed development is anticipated to generate an estimated 27,622 HGV vehicle movements (two-way) during a 520-day construction period, equating to approximately 43 HGV movements per day. It is estimated that there would be approximately 60 LGV movements per day also. Abnormal loads (AIL) are expected in connection with delivery of the six supergrid transformers over the course of the construction phase.

The transport assessment has concluded that the existing strategic road network has sufficient capacity to overcome the negligible increase in HGV and non-HGV construction traffic movements generated during the proposed construction period; operational traffic is considered to be imperceptible. The Transport Statement considers that the proposed development is acceptable from a transport perspective and states that it would be supported by a detailed Construction Traffic Management Plan to alleviate any concerns regarding construction phase traffic.

The Local Highway Authority (LHA) has been consulted on the application. The applicant states that the development would comply with the Cumbria County Council parking standards. They then equate it to maximum numbers. This is not correct. Cumbria does not have maximum numbers. The numbers stated in the document are, however, acceptable and appropriate. The connection to the M6 needs to be agreed with National Highways. The LHA note the proposed closure of Harker Road for approximately 4 weeks. The applicant is encouraged to contact the Traffic Team to allow for the diversion routes to be agreed and the Temp TRO process to commence.

The LHA took some exception to the use of the IEMA guidance to consider the potential impact of the development on the surrounding road network. The 1993 document (The Guidelines for the Environmental Assessment of Road Traffic) remains the current guidance and has not yet been superseded by a complete replacement document; but whilst the general topic areas and thrust of the guidance are still the most appropriate for an EIA, it is considered that much of the content is out of date. The guidance also does not cover more recent areas such as: proportionate assessment, digital EIA or greater weight towards scoping discussions and collaborative working. It, therefore, recommended that the applicant considers the impact of the development during the construction phase on the A7 / Low Harker junction as well as on the Low Harker/ Parkhouse Road Junction to show that the development during that phase would not have a severe impact on the local highway network, or for that matter an unacceptable impact on highway safety.

In response to the LHA's initial response, the applicant submitted some additional information. The additional comments in relation to the construction traffic and the management thereof is acceptable to the LHA. The LHA, therefore, has confirmed that it has no objections to the proposals, subject to the imposition of a condition to require the submission of a detailed Construction Traffic Management Plan.

5. Drainage Issues

The flood risk from the Rockcliffe Beck to the proposed development has been assessed in the submitted Flood Risk Assessment (FRA). A hydraulic model has been developed to assess peak water levels for a range of flood events. From these and the survey of the site, indicative flood extents have been developed. This study shows that the proposed development is not located within the functional floodplain of the Rockcliffe Beck and is not at risk in the 0.1 % annual exceedance probability (1 in 1000 year) flood event. Therefore, the site is not at risk of fluvial flooding.

The proposed drainage includes two proposed attenuation ponds (1,300 m3 and 1,100 m3) in combination with a permeable platform (2,715 m3) that would accommodate the rainfall event of 1 in 100-year (plus 40 % climate change allowance), limiting the discharge rate to the existing greenfield rate of the site, to 5 l/sec. The SuDS system would reduce the discharge flows of the proposed development and provides water quality benefits. It is proposed that the permeable platform would be extended along the road access in the

southern perimeter of the site to absorb any water avoiding water seepage into the existing highways ditch.

The Lead Local Flood Authority (LLFA) has been consulted on the application. It is content with the vast majority of the information contained in the drainage strategy and shown on the Drainage Layout. The sizing of the attenuation basin would probably need to be amended to take into account the fact that the climate change factor is 50% and not the 40% used in the calculations.

Following the receipt of amended drainage details, the LLFA has confirmed that it has no objections to the proposals, subject to the imposition of a condition which requires the submission of full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule for approval by the Local Planning Authority prior to the commencement of development.

6. Biodiversity

Landscaping and habitat creation measures are proposed within the design of the proposed development to provide screening and biodiversity enhancement. The landscaping would include native woodland planting, native scrub planting, an area of wildflower meadow mix (around the scrub planting areas), and native species-rich hedgerow planting (along the northern site boundary). Detailed planting mixes would be developed and agreed post consent. It is proposed that the mix for the native species-rich hedgerow planting would include hazel, hawthorn, blackthorn, dogwood, elder, holly and spindle.

Landscaping during operation would include aftercare and on-going management to ensure that new habitats are being managed in a way that is sympathetic to their biodiversity and landscaping value, the detail of which would be presented within a management plan which would be produced and agreed with the Local Planning Authority post-consent, and prior to site works commencing.

An EcIA and Biodiversity Net Gain Assessment have been undertaken, which have found that, following the implementation of the proposed mitigation measures, the proposed development would have no significant residual ecological effects. The site is predicted to have a value of 51.08 biodiversity units, equating to a 15.26% net increase. In terms of linear habitats, 370m of new native species-rich hedgerow would be planted, in addition to 165m of hedgerow to be re-instated following temporary loss, resulting in an overall net increase of 10.08%, which is a significant net increase.

In light of the above, the proposal would not have an adverse impact on biodiversity and would have a positive impact.

7. Archaeology

The study area for the proposed development area is a one km buffer. The proposed development area is made up of agricultural fields immediately to the north of the Harker Substation site. There are no designated or previously known non-designated heritage assets within the proposed development area. However, nine possible heritage assets of up to medium importance have been identified within the proposed development area. These are characterized as agricultural remains of the 18th and 19th century, two of which may have medieval origins. Geotechnical test pits and boreholes have identified paleoenvironmental remains outside the proposed development area but not within it.

There are seven designated heritage assets within the study area, all Grade II Listed Buildings of 18th and 19th century date. There are seven known non-designated heritage assets within the study area of prehistoric, post medieval and modern date. A further 27 heritage assets have been identified within the study area during research for the Desk Based Assessment. They are characterised by post-medieval farming, water management and transport. None are thought to have potential remains within the proposed development area.

There is negligible potential for previously unknown heritage assets Palaeolithic, Bronze Age and Iron to be present within the proposed development area; low potential for previously unknown heritage assets of Mesolithic, Neolithic, Romano-British and modern date to be present within the proposed development area; and medium potential for previously known heritage assets of early medieval – post-medieval date to be present. There is assessed to be low potential for previously unknown paleoenvironmental remains to be encountered within most of the proposed development area, but medium to high potential for paleoenvironmental remains of early medieval – post-medieval date to be present in the far north of the proposed development area. If previously unknown archaeological remains are present within the proposed development area, they are likely to be of negligible importance but could be up to medium importance. If paleoenvironmental remains are present within the proposed development area, they are likely to be of up to medium importance. There is no archaeological potential within the existing Harker Substation, as any remains would have been removed during the original construction.

The proposed development is likely to lead to less than substantial harm to up to eight assets of low to medium importance within the proposed development area. It is unlikely that there would be any physical impacts on paleoenvironmental remains within the proposed development area, but activities carried out during the de-commissioning of the existing Harker Substation may cause less than substantial harm.

Setting impacts on 21 newly identified heritage assets would be at the lower end of less than substantial harm and do not represent a likely constraint on development consent. No further detailed setting assessment is recommended. Archaeological monitoring (a watching brief) during groundworks for the construction would mitigate the potential harm predicted. Any such works should be conducted by a suitably qualified archaeological organisation in accordance with a written specification agreed in advance with the Local Planning Authority.

The County Archaeologist has been consulted on the application. The applicant has commissioned an archaeological desk-based assessment of the site, the results of which indicate that there is the potential for buried archaeological assets of local significance to survive within the site. These include a farmhouse shown on early 19th century maps, a medieval parish boundary and the course of a pre-19th century road. It is, therefore, considered that there is the potential for the construction of the proposed development to disturb buried archaeological assets. Consequently, the County Archaeologist has recommended that an archaeological evaluation and, where necessary, a scheme of archaeological recording of the site be undertaken in advance of development and advises that this work should be commissioned and undertaken at the expense of the developer. This programme of work can be secured through the inclusion of a condition in any planning consent.

8. Other Matters

Rockcliffe Parish Council has asked if is it possible for any redundant pylons to be removed. The Parish skyline is already full of pylons and anything that can be done to improve the

numbers visible would be appreciated. The National Grid (NG) has provided a written response to the Parish Council on this issue, which is reproduced below.

All towers not required as a result of this project would be removed. NG expect that there would be a reduction of two pylons when work on this project is complete. This project includes NGs proposed overhead line (OHL) works where new conductors would be installed onto existing pylons that connect into Harker Substation (which would be consented separately), and the refurbishment of other routes. Whilst the OHL work would cause an increase in the wirescape as a result of the new conductors, it is not expected that this would be a significant change as the prominent features (pylons) and the existing conductor circuit are already present. In this application, there are a number of other ways that NG has sought to minimise the visual impact of Harker Substation:

- the preferred location for the substation extension is close to the existing substation, therefore, focussing the infrastructure in one location and as far away from existing properties as possible.
- the site extension and substation build would allow for the future de-commissioning and removal of a proportion of the substation infrastructure that exists on the current site today. The extended substation would include similar equipment to the current substation and would look like a smaller version of the existing site.
- the design of the extension would also ensure overall visual cohesion to the existing substation, meaning the view of the site for the majority of residents who overlook it would not change significantly. With sufficient screening/ planting the additional infrastructure should not result in significant effects. NG has also submitted a landscape design with the planning application, which would further mitigate the visual impact of the extension.

Conclusion

In overall terms, the proposals would be acceptable in principle. The siting, scale and design of the plant/ equipment would be acceptable. The proposal would not have an adverse impact on the occupiers of any neighbouring properties, on highway safety, on drainage or on archaeology. The proposal would not have an adverse impact on biodiversity and should lead to some enhancements. In all aspects, the proposal is compliant with the relevant policies in the adopted Carlisle District Local Plan 2015-2030.

Since no representations have been received during the consultation period, the application has been considered and determined under the City Councils delegated powers procedure.

Planning History:

4.1 In April 2020, planning permission was granted for the erection of 2no. compounds for the installation of power flow equipment; high security fencing; temporary access to create new bellmouth onto public road and internal access road; installation of fibre optic and low voltage cables under the road to join the power flow equipment to the main substation (20/0082).

4.2 In June 2019, planning permission was granted for the installation of 49.9MW battery storage facility, fencing, closed-circuit television (CCTV) cameras and access road without compliance with condition 2 imposed by planning permission 18/0756 to amend the layout and reduce the battery containers from 25 to 20 (19/0345).

4.3 In October 2018, planning permission was granted for the installation of 49.9MW battery storage facility, fencing, CCTV cameras and access road (18/0756).

Human Rights Act 1998

6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

6.2 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need;

6.3 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

Recommendation: - Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

   Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:

   1. the submitted planning application form, received 28th December 2022;
   2. Location Plan (Dwg PDD-101268-CIV-010 Rev P05), received 28th

December 2022;

3. Site Plan (Dwg PDD-101268-CIV-011 Rev P04), received 28th December 2022;

4. Harker 400/ 132kV GIS Substation Elevations North (Dwg PDD-101268-ELE-002 Rev P03), received 28th December 2022;

5. Harker 400/ 132kV GIS Substation Elevations East (Dwg PDD-101268-ELE-001 Rev P02), received 28th December 2022;

6. Harker 400/ 132kV GIS Substation Elevations South (Dwg PDD-101268-ELE-004 Rev P03), received 28th December 2022;

7. Harker 400/ 132kV GIS Substation Elevations West (Dwg PDD-101268-ELE-003 Rev P03), received 28th December 2022;

8. Proposed 132kV GIS Building With Annexe Layout & Elevations Planning Sheet 01 (Dwg PDD-101268-LAY-108 Rev 07);

9. Proposed 132kV GIS Building With Annexe Layout & Elevations Planning Sheet 02 (Dwg PDD-101268-LAY-108 Rev 04);

10. Proposed 400kV GIS Building With Annexe Layout & Elevations (Dwg PDD-101268-LAY-107 Rev 06);

11. General Arrangement - Earhtworks Plan and Sections (Dwg PDD-101268-CIV-002 Rev P04), received 28th December 2022;

12. Harker 400/ 132kV GIS Substation Drainage Layout (Dwg PDD-101268-CIV-006 Rev P01), received 28th December 2022;

13. Swept Path Analysis (Dwg PDD-101268-CIV-004 Rev P05), received 28th December 2022;

14. Outline Landscape Planting Proposals (Dwg 1000 Rev 02), received 28th December 2022;

15. Planning, Design & Access Statement, received 28th December 2022;

16. Siting Study, received 28th December 2022;

17. Landscape & Visual Impact Appraisal, received 28th December 2022;

18. Preliminary Ecological Appraisal (PEA) Report, received 28th December 2022;

19. Ecological Impact Assessment, received 28th December 2022;

20. Biodiversity Assessment - Baseline - Figure 1, received 28th December 2022;

21. Biodiversity Metric 3.1 Calculation Tool, received 28th December 2022;

22. Transport Statement, received 28th December 2022;

23. Construction Traffic Management Plan, received 28th December 2022;

24. Outline Construction Environmental Management Plan, received 28th

December 2022;

25. Flood Risk Assessment, received 28th December 2022;

26. Drainage Strategy February 2023, received 10th February 2023;

27. Archaeological Desk Based Assessment, received 28th December 2022;

28. Written Scheme of Investigation for Archaeological Evaluation Version 2.1, received 22nd March 2022;

29. Noise Report, received 28th December 2022;

30. Statement of Community Engagement, received 28th December 2022;

31. Hedgerow Regs Assessment Survey, received 28th December 2022;

32. Bat Survey Report, received 28th December 2022;

33. Water Vole Survey Report, received 28th December 2022;

34. Wintering Goose Survey Report, received 28th December 2022;

35. the Notice of Decision;

36. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. No development shall take place until full details of proposed landscape works, including a phased programme of works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the site being brought into use or in accordance with the programme agreed by the Local Planning Authority. Any trees or other plants which die or are removed within the first ten years following the implementation of the landscaping scheme shall be replaced during the next planting season.

   Reason: To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policies SP6 and GI3 of the Carlisle District Local Plan 2015-2030.

4. Development shall not commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:

   • pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
   • details of proposed crossings of the highway verge;
   • retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
   • cleaning of site entrances and the adjacent public highway;
   • details of proposed wheel washing facilities;
   • the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;

- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/ footway;
- details of any proposed temporary access points (vehicular / pedestrian);
- surface water management details during the construction phase.

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety and to support Local Transport Plan Policies WS3 and LD4.

5. Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) shall be submitted to the Local Planning Authority for approval prior to development being commenced. This should be in line with the Drainage Strategy (February 2023) submitted with this application. Any approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule.

   Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere.

6. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority (LPA). This written scheme will include the following components:
   i) An archaeological evaluation;
   ii) An archaeological recording programme the scope of which will be dependant upon the results of the evaluation;
   iii) Where significant archaeological remains are revealed by the programme of archaeological work, there shall be carried out within one year of the completion of that programme on site, or within such timescale as otherwise agreed in writing by the LPA: a post excavation assessment and analysis, preparation of a site archive ready for deposition at a store approved by the LPA, completion of an archive report, and submission of the results for publication in a suitable journal.

   Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains.

7. In the event a complaint is received relating to noise caused by the proposed facility: Within 28 days from the receipt of a written request from the Local Planning Authority, the operator of the proposed facility shall, at the operators expense, employ an independent consultant approved by the Local Planning Authority, to assess the level of noise emissions from the facility at the complainant's property. This should be carried out in accordance with the most appropriate current standard (such as BS4142) and a suitable report prepared. The report should demonstrate compliance with the appropriate standard. If necessary the applicant shall, within 28 days, propose a scheme of noise mitigation to the Local Planning

Authority, to utilise any appropriate on site measures as is necessary, to ensure that sound levels from the site are reduced to an acceptable level, as agreed by the Local Planning Authority. This scheme shall specify the timescales for implementation.

Reason: To ensure that the proposed development does not have an adverse impact on the occupiers of any neighbouring properties.