DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H04-0323-20**	**Applicant:**	**Atkins Ltd**
Proposal:	Details relating to Condition 18 (Point of contact for local residents and local business for any queries or complaints relating to noise generated by the construction and/or operation of the Development) of H04-0823-17		
Location:	North Ing Drove Donington Spalding		
Terminal Date:	11th June 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

30 Pollution

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application seeks to discharge condition 18 of planning permission H04-0823-17 for the Viking Link Interconnector project. This states:

"A point of contact will be provided by the applicant to local residents and local business for any queries or complaints relating to noise generated by the construction and/or operation of the Development. If a local resident or local business complains direct to the applicant or the applicant has been notified in writing by the Council of any complaint about noise generated by the construction and/or operation of the Development the applicant shall carry out investigations to establish the justification, or otherwise, of the complaint, the likely cause and possible remedial measures. A written report to the complainant, copied to the Council, shall be made as soon as reasonably practicable following the investigation and/or remedial work. The applicant shall keep all such reports in an appropriate file and such file shall be made available to the Council on request."

History

H04-0823-17 - Approved 8/10/18
Works to facilitate the Viking Link electrical interconnector with an approximate capacity of 1400 megawatts (MW) extending from Revsing, Jutland,
(Denmark) to Bicker Fen, Lincolnshire (UK) comprising:
- Installation of two (2) subsea high voltage direct current (DC) cables between Mean Low Water Springs (MLWS) and landfall at Boygrift in East Lindsey;
- Installation of two (2) onshore DC cables between the landfall at Boygrift and the converter station at North Ing Drove in South Holland;
- Construction of associated Temporary Construction Compounds (TCC) and Temporary Works Areas (TWA) and temporary vehicle access
arrangements required for DC and AC cable installation;
- Erection of converter station buildings together with the formation of internal roads, permanent access road from the A52, erection of security fencing,
formation of landscaping with associated temporary construction compounds;
- Installation of up to six (6) onshore high voltage alternating current (AC) cables between the converter station at North Ing Drove and the existing Bicker
Fen 400 kilovolt (400kV) Substation owned and operated by National Grid Electricity Transmission Plc (NGET);
- Installation of link pillars along the AC cable route for inspection and maintenance purposes, these will be contained within fenced areas;
- Installation of all associated drainage mitigation works; and
- Installation of fibre-optic cable(s) with the high voltage AC and DC cables

Given the scale of the development, planning permission was also granted by East Lindsey DC, Boston BC and North Kesteven DC. A similar condition was imposed by those authorities and the same document has been submitted to support condition compliance applications to all authorities.

Consultation Responses

SHDC Environmental Protection - No objection.

Planning Considerations

Whether the submitted document contains sufficient information in order to satisfy the requirement of condition 18. This is a comprehensive document setting out in detail the complaints procedure, including the points of contact and liaison with the local community and local authorities.

Conclusion

The submitted document contains the required information in order to satisfy condition 18.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a

duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.