DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H04-0783-20**	**Applicant:**	**National Grid Viking Link**
Proposal:	Clarification of indicative size of buildings on original application approved under H04-0823-17.		
Location:	Land North Of North Ing Drove Donington Spalding		
Terminal Date:	30th October 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework 2019

NPPF

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

The applicant sets out the reason for the application as follows:
"In the original application, 'indicative' building sizes were presented in the Environmental Statement - Chapter 17, Tables 17.3 and 17.4. Whilst it was the project's intention for these to remain indicative due to the need for further detailed design and the lack of a contractor at that stage, in its decision SHDC conditioned these under Planning Condition 4, therefore formalising these as the consented building sizes. Following the appointment of Siemens as contractor, the detailed design

process has now completed, resulting in minor changes being made to the sizes of buildings as a result of more clarity on the actual equipment sizes that will need to be housed. Some have increased while others have decreased on the original Table 17.4 dimensions, although all buildings are still within the Rochdale Envelope applied and no changes have been made to the dimensions in Table 17.3. Overall the total footprint of buildings has actually decreased by nearly 15% on the original design indicated. The newly submitted details under this application formalise the actual building sizes that will now be constructed under Planning Condition 4."

Condition 4 of H04-0823-17 reads as follows:
"The dimensions of the main buildings and structures of the converter station shall not exceed the dimensions set out in Table 17.3 and 17.4 of chapter 17 of the Environmental Statement.

Reason: To enable the Council to exercise reasonable and proper control over the design and appearance of the Development.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006."

The detailed design is the subject of the current undetermined condition compliance application H04-0752-20.

There is an overall increase to the footprint to the Control Building, AC Switchyard and Spare Parts Building. However, the overall total footprint of the scheme and the heights of each building and area has decreased from the consented envelope and the more compact design results in a beneficial landscape and visual impact compared to the pre-consent design. In addition, the AC Switchyard is larger than the previously consented dimensions as it has been combined with the AC reactor area, so overall the footprint of these two areas has decreased.

Pre-application discussions established that this change to condition 4 could be dealt with by means of a Non-Material Amendment.

Site Description

The converter station site consists of a 30 hectare field, broadly rectangular in shape currently in arable use located approximately 1.8 km to the north-west of Donington. The existing access to the site is from a narrow road known as North Ing Drove. To the north of the site are the wind turbines off the Bicker Fen wind farm and overhead electricity lines. The proposed permanent access road would be routed through agricultural land from the A52 to North Ing Drove and follows field boundaries for the majority of its length. The proposed AC cable route is also routed through agricultural land to the north of the proposed converter station site and east of the Bicker Fen 400 kV Substation.

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

H04-0323-20 - 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 - Approved 6 May 2020.

H04-0752-20 - Details of detailed design (3, 4 & 28), construction environmental management plan (6, 10, 11, 12 & 13), traffic management plan (8 & 16), artificial lighting (15), drainage management (19, 20, 21 & 29), landscaping proposals (25, 26, & 27), written scheme of investigation (32) and point of contact for complaints (18) - current undetermined application.

Consultation Responses
N/A

Planning Considerations

The key consideration is whether the changes may be considered to be non-material. As stated above condition 4 was prescriptive and did not account for the element of flexibility required for the detailed design of the converter station once a contractor had been appointed. The detailed design of the converter station has now been submitted for approval and as stated above remains within the Rochdale Envelope with a decrease in footprint of 15%. Given this it is considered that this matter may appropriately be considered as a minor amendment to the original planning permission.

Conclusion

That it is appropriate for this matter to be considered a non-material amendment.

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.