

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Lead Development Management Planner (Interim) - BBC & SHDC

To: Planning Committee - 29 April 2026

(Author: Joe O'Sullivan - NSIP Consultant Planner)

Purpose: To consider Planning Application H22-0245-26

Application Number: H22-0245-26

Date Received: 13 March 2026

Application Type: ELECTRICITY

Description: Section 37 Overhead Line Works on the existing 400 kV 4ZM Lines in the vicinity of the Spalding Tee-Point, Surfleet Seas End and Moulton Seas End

Location: Vicinity of the Spalding Tee-Point Surfleet Seas End Moulton Seas End

Applicant: National Grid

Agent: Atkins Realis

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You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H22-0245-26>

1.0 REASON FOR COMMITTEE CONSIDERATION

- 1.1 To inform members of two applications which are to be made to Secretary of State (SoS) for the Department for Energy, Security and Net Zero (DESNZ) by National Grid Electricity Transmission plc ('NGET') under the provisions of the Electricity Act 1989. The application the subject of this Consultation seeks consent for proposed works along the existing 4ZM line.
- 1.2 The purpose of the Report is to agree this Council's response to the prior formal consultation to these applications. And that, the Council response be provided via the appropriate Form B certificate and returned to the applicant accordingly.

2.0 PROPOSAL

- 2.1 The application which is the subject of this Consultation seeks consent for proposed works along the existing 4ZM line. The existing 400kV overhead line would be reconfigured to turn into and out of the new Weston Marsh Substation A as new overhead line for a length of 900 metres with 4 new pylons. It includes the dismantling and removal of 2 pylons and approximately 730 metres of overhead line along the 4ZM route. The Proposal will therefore result in the net addition of 2 new pylons and approximately 170 metres of Overhead Line.
- 2.2 The proposal also includes associated construction works, comprising the construction compounds and haul road. Access to the proposed construction works would be provided via Stone Gate, which provides connection to the south via the A151. To minimise construction traffic flows on Marsh Road, a dedicated haul road is proposed, to provide construction access from Stone Gate to the working area, with Highway improvement works anticipated to be required in places along the southern extents of Stone Gate.

3.0 SITE DESCRIPTION

- 3.1 The Scheme is located approximately 2.5 km north of Weston, 2.2 km east of Surfleet Seas End, and 2.3 km west of Moulton Seas End, and is located south-west of the Spalding Tee-Point and the existing 4ZM and 2WS overhead lines.
- 3.2 The site is located within open countryside but not within a landscape or ecological designated site. It is in proximity to PROW's; notably MON 2/1 & Wstn 7/1, and residential properties. The site and surrounding area consist of flat Agricultural Land, provisional ALC Grade 1, which is Best and Most Versatile Agricultural Land. It is also located within Flood Zone 3.

4.0 RELEVANT PLANNING POLICIES

- 4.1 Not relevant in this instance.

5.0 RELEVANT PLANNING HISTORY

- 5.1 No relevant planning history

6.0 REPRESENTATIONS

- 6.1 Before the submission of a Section 37 application, it is the responsibility of the applicant, to consult with statutory stakeholders.
- 6.2 The Applicant has consulted with Natural England, Environment Agency, Historic England and the Marine Management Organisation prior to the submission of the Form B. No substantive concerns were raised.
- 6.3 The District Council has consulted surrounding neighbours, Parish Councils and internal departments in relation to Environmental Health, Ecology and Heritage matters.
- 6.4 Weston Parish Council - Comments awaited
- 6.5 Moulton Parish Council - Comments awaited
- 6.6 Surfleet Parish Council - Comments awaited
- 6.7 Environmental Protection - Comments awaited
- 6.8 Ecology- Comments awaited
- 6.9 Heritage - Comments awaited
- 6.10 Public Representation
- 6.11 40 letters of objection have been received including from Lincolnshire Against Needless Destruction (LAND) and Meridian Action Group (MAG). A summary of these Objections are as follows:
- Project Fragmentation between different consenting regimes and different pieces of infrastructure.
 - EIA Compliance in respect of cumulative impacts particularly Weston Marsh Substation.
 - Procedural Prematurity in advance of the submission of the Weston Marsh Substation application.
 - Permanent Loss of Best and Most Versatile Agricultural Land.
 - Landscape and Visual Impact.

7.0 CONSIDERATIONS

- 7.1 The construction of 400kV overhead lines (amongst other works) requires consent under Section 37 of the Electricity Act 1989 and will be determined by DESNZ. The District Council has been notified of the applications in its capacity as the local planning authority for the area in which the applications are located. This involves prior formal consultation with the local planning authorities and other bodies, and South Holland District Council is a formal consultee in this process. At the same time, National Grid Electricity Transmission plc is seeking a direction from the Secretary of State that the development is 'deemed' to be granted by virtue of Section 90 of the Town and Country Planning Act 1990.
- 7.2 The District Council is required to indicate whether:
- (i) it has any objections to the proposal (or considers whether the development should be subject to any conditions); and
- (ii) it wishes to be heard at a public inquiry into the proposal (paragraph 2 of Schedule 8 of the Electricity Act 1989).
- Responses to these applications are sought by the 12th May 2026.
- 7.3 **Assessment**
- 7.4 This report details the assessment of a proposal for the construction of an overhead electricity line, specifically under Section 37 of the Electricity Act 1989, which requires consent from the Secretary of State for such projects; and seeks a decision on the Council's response to the proposal.
- 7.5 In this instance, there are no planning applications to determine under the Planning Acts, but instead, the Council is a consultee for its view on the proposal via Form B, which is a statutory consultation document submitted by the applicant to the LPA. The LPA must complete Part Two (Certificate) and Part Three (Consultations and Observations) and return it within two months.
- 7.6 When considering whether to grant "deemed planning permission" under Section 37 of the Electricity Act 1989 for an overhead power line, the Secretary of State primarily assesses the:
- need for the electricity infrastructure
 - environmental impact of the proposed line, taking into account factors like its visual impact on the landscape, potential disruption to local communities, and effects on wildlife; and
 - potential mitigation measures proposed by the applicant.
- 7.7 Need
- 7.8 The new Weston Marsh Substation A (the subject of a future planning application) and associated Overhead Line works are required to provide the connection of the Outer Dowsing Offshore Windfarm to the National Electricity Transmission System. The Outer Dowsing Offshore Windfarm was granted consent by the SoS for DESNZ on 10 February 2026.
- 7.9 The decision for the Outer Dowsing Windfarm by SoS for DESNZ establishes the need and benefits of the scheme and therefore, connecting ODOW to the NETS at the earliest opportunity is critical for the delivery of clean, green energy. There is an agreement in place between National Energy System Operator (NESO) and ODOW a grid connection for ODOW in the vicinity of Weston Marsh by 2030.
- 7.10 This is in advance of the Grimsby to Walpole DCO submission and therefore there is a need to deliver the infrastructure in advance in order to connect the consented ODOW to the grid.
- 7.11 Landscape & Visual
- 7.12 The proposed development is located within the Open Countryside, in proximity to a number of PROWs; most notably MON2/1 & Wstn7/1. It is not located within a particular landscape destination. There are also a number of residential receptors with proximity of the overhead line works.

- 7.13 It must be acknowledged however that the area is already dominated by energy Infrastructure including the existing overhead Lines 4ZM and 2WS.
- 7.14 The new pylons will be situated adjacent to existing infrastructure. Visual impact of the construction activities will be temporary. Nevertheless, views will change; however, that scheme will not introduce new infrastructure that does not already exist within the existing Landscape, but change the position of such infrastructure in relation to the existing Overhead lines.
- 7.15 The mitigation measures will include Landscape and Ecological Management Plan (LEMP) based upon an Outline LEMP to be submitted with the formal s37 application to the SOS. The LEMP as a mitigation measure should be secured by appropriately worded planning conditions, attached to the deemed consent under section 90 of the Planning Act.
- 7.16 There will be an adverse impact upon the Landscape; however, the mitigation measures proposed above will minimise the adverse impacts as far as possible.
- 7.17 Loss of Best and Most Versatile Agricultural Land
- 7.18 The proposed development is located on provisional Grade 1 Agricultural Land and therefore would constitute Best and Most Versatile Agricultural Land (BMVAL).
- 7.19 The permanent loss of BMVAL is in relation to the pylon foundation area which equates to approximately 100m² per Pylon. The s37 Overhead Line Works across the two consultations would result in the permanent loss of up to 0.04 hectares for the siting of seven new pylons (assuming a 10 x 10 m footprint and that three of the existing pylons to be removed would be reinstated to agricultural use (noting one removed pylon is not situated on agricultural land)).
- 7.20 Temporary loss during construction in relation to construction compounds and haul roads will be reinstated to agricultural use in accordance with a Soil Management Plan.
- 7.21 The mitigation measures will include a Soil Management Plan (SMP) based upon an Outline SMP, to be submitted with the formal s 37 application to the SOS. The SMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.
- 7.22 There will be an adverse impact upon BMVAL; however the mitigation measures proposed above will minimise the adverse impacts as far as possible.
- 7.23 Ecology
- 7.24 The proposed development is not located within an ecological designation. The Wash Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI) and The Wash and North Norfolk Coast Special Area of Conservation (SAC) are within 10 km. In addition, Nene Washes SPA, Ramsar site and SSSI, are within 30 km of the Scheme Site Boundary.
- 7.25 There is one SSSI (Surfleet Lows SSSI) and one Local Nature Reserve (LNR) (Vernatt's LNR) present within 5 km. There are 12 sites non-statutorily designated for their biodiversity value as Local Wildlife Sites (LWSs) within 2 km of the Scheme, of which four are located within 0.5 km.
- 7.26 The section 37 submission will include a Habitat Regulations Assessment Screening Report and appropriate ecological surveys. The mitigation measures will include Landscape and Ecological Management Plan (LEMP) based upon an Outline LEMP to be submitted with the formal section 37. The LEMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.
- 7.27 The mitigation measures proposed above will minimise the adverse impacts as far as possible.

7.28 Heritage

7.29 There are no Scheduled Monuments or Listed Buildings or Conservation Areas located within 500 metres of the site. The closest designated Heritage Assets are Wragg Marsh Farmhouse and Pigeoncote (both Grade II listed) at a distance of approximately 680 metres. There is no direct impact upon these heritage assets. Indirect impacts during construction are temporary and reversible. Archaeological matters will be considered by Lincolnshire County Council.

The mitigation measures will include a Construction Environmental Management Plan (CEMP) based upon an Outline CEMP to be submitted with the formal section 37 application. The CEMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.

7.30 The mitigation measures proposed above will minimise the adverse impacts as far as possible.

7.31 Construction Impacts

7.32 The Construction Activities and their impact would be mitigated through a Construction Environmental Management Plan (CEMP) based upon an Outline CEMP to be submitted with the formal s37 application to the SOS. The CEMP would include measures to mitigate and manage construction impacts, including hours of operation, site management, noise abatement, dust management, pollution prevention and control etc.

7.33 As part of the CEMP a Communications Plan and Construction Traffic Management Plan (CTMP) would be prepared. The CEMP as a mitigation measure should be secured by appropriately worded planning conditions attached to the deemed consent under section 90 of the Planning Act.

7.34 There will be an adverse construction impact however, the mitigation measures proposed above will minimise the adverse impacts as far as possible and such impacts are temporary.

7.35 **Conclusion**

7.36 South Holland District Council have been consulted upon the overhead line works. This consultation is in advance of the section 37 submission and its purpose is to allow South Holland District Council to provide their views on the proposals. The SoS will make a decision upon the section 37 consent once submitted.

7.37 The main mitigation is in the form of a Soil Management Plan, Construction Environmental Management Plan and a Landscape and Ecological Management Plan, all based upon Outline Management Plans to be submitted as part of the Section 37 submission and secured by planning conditions.

7.38 Lincolnshire County Council have also been consulted by the Applicant and will provide their responses within their Form B on matters such as Highways as the Local Highway Authority, Flood Risk and Drainage as the Local Lead Flood Authority and Archaeological matters.

8.0 RECOMMENDATIONS

8.1 That National Grid Electricity Transmission plc ('NGET') be advised that the District Planning Authority (on behalf of South Holland District Council) has no objection to make to the proposed development, as described in Form B, accompanying plans and Environmental Summary Report subject to:

i.the Secretary of State's consideration of the above concerns particularly in relation to loss of BMVAL and construction impacts upon the local community.

ii.that the Secretary of State takes account of the cumulative impact of the Weston Marsh Substation application which is yet to be submitted.

iii.the suggested mitigation in the form of a Soil Management Plan, Construction Environmental Management Plan and a Landscape and Ecological Management Plan all based upon Outline Management Plans to be submitted as part of the Section 37 submission be secured by planning conditions attached to the deemed consent under section 90 of the Planning Act.

8.2 Subject to the Secretary of States consideration of the above matters and the imposition of planning conditions to secure appropriate mitigation the District Council does not request that a public inquiry be held pursuant to paragraph 2 of Schedule 8 of the Electricity Act 1989 before the Secretary of State reaches a decision on the application. That the appropriate Form B certificate be duly completed and returned to the applicant accordingly.

Background papers:- Planning Application Working File

Lead Contact Officer

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