



The Secretary
The National Grid Company plc
PO Box 110
Harrogate
North Yorkshire
HG2 7UR

Department of
Trade and Industry

*Electricity
Directorate*

1 Victoria Street
London SW1H 0ET

Our ref: AAM/14/5
AAM/14/6

Enquiries 0171 218 8000
Direct Line 0171 215 2785
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3 December 1997

Dear Sir/Madam

ELECTRICITY ACT 1989
TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION TO INSTAL ELECTRIC LINES ABOVE GROUND IN THE
BOROUGH OF THURROCK, COUNTY OF ESSEX

1 THE APPLICATION

1.1 I am directed by the Secretary of State for Trade and Industry (the Secretary of State) to refer to the applications dated 8 October 1996 (the applications) by The National Grid Company plc (the Company) for the consent of the Secretary of State under section 37 of the Electricity Act 1989 (section 37 consent), to the installing of electric lines above ground in the Borough of Thurrock in the County of Essex (the Development), and for a direction under section 90 of the Town and Country Planning Act 1990 (section 90 direction) that planning permission for the Development be deemed to be granted.

1.2 In accordance with the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990 (the 1990 Regulations) the Company also submitted to the Secretary of State on 14 October 1996 a document entitled "Coryton Connection Proposed 400kV Overhead Transmission Line: Environmental Statement" (the Environmental Statement).

1.3 The relevant planning authorities (Essex County Council and Thurrock Borough Council) were consulted and made no objection to the Development.

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II PLANNING CONDITIONS

2.1 The relevant planning authorities have made representations as to planning conditions which they would like to see for exercising reasonable and proper control over the Development. These stipulations were, approval being obtained from the County and Borough Councils to a landscaping programme; and, approval being obtained from the County and Borough Councils, in consultation with the Nature Conservancy Council for England (English Nature) and the Environment Agency, to a scheme to enable the relevant planning authorities to exercise control over how the Development is constructed, including details of appropriate working practices and timing of the works.

2.2 The Secretary of State has considered carefully the representations as to conditions made by the relevant planning authorities. She agrees that they are suitable for inclusion in the section 90 direction.

III THE SECRETARY OF STATE'S CONSIDERATION OF VARIOUS RELEVANT MATTERS

3.1 No objection was made to the applications by the relevant planning authorities or from any other quarter.

3.2 Paragraphs 3.3 to 3.6 below record the Secretary of State's consideration of the various issues highlighted in the local planning authority's appraisal of the Development.

Visual impact

3.3 The Secretary of State has considered the visual impact of the Development on what is a flat open marshy landscape. She notes that the local planning authority considers that the chosen route takes most account of the surrounding landscape, and that its visual impact is to be minimised by (i) taking the Development along the southern edge of the marshlands and the northern edge of the oil refinery, and (ii) by including a scheme for appropriate screen planting as the subject of a planning condition. For these reasons, the Secretary of State is satisfied that the visual impact of the Development, with the mitigation set out above, is acceptable.

Impact on nature conservation

3.4 The Secretary of State has considered the effect of the Development on nature conservation. She notes that it would cross part of a country wildlife site of local importance; accordingly it could disrupt the valuable habitats found within its various ditches, marshlands and reed beds (including the nesting of birds); and could conflict with (i) the Environment Agency's planned land management schemes to improve habitats for birds by raising water levels and (ii) the flight paths of birds. However, she recognises that the route and positions of towers have been carefully selected to minimise such disturbances and that the Company has liaised with landowners and occupiers to mitigate future possible problems in this area. A scheme to exercise control over how the Development is constructed has been agreed with the

Environment Agency and English Nature and is included as the subject of a planning condition; this scheme, to be prepared in consultation with the bodies listed in paragraph 2.1 above, will include requirements for the timing of works, the removal of all surplus and waste materials, the retention of watercourses and the fitting of bird diverters if shown to be necessary. For these reasons, the Secretary of State is satisfied that the impact of the Development on nature conservation, with the mitigation set out above, is acceptable.

Effects on public health

3.5 The Secretary of State recognises that concerns have been expressed over the health effects of exposure to electro-magnetic fields from electricity powerlines. On this matter she relies on the advice of the Government's scientific advisers, the National Radiological Protection Board (NRPB). The NRPB keeps a close watch on developments such as the latest research, and its view remains that the results of published epidemiological studies do not provide a basis for quantitative restrictions in respect of exposure of the public to electro-magnetic fields from overhead lines or other electricity supply apparatus. She therefore concludes that health effects do not provide sufficient grounds for refusing consent for the Development.

Impact on farming operations

3.6 The Secretary of State has considered the effect of the Development on farming operations. She notes that the route and the positions of towers have been carefully selected to cause least interference with normal farming operations and that the Company has liaised with landowners and occupiers to mitigate future possible problems. For these reasons, the Secretary of State is satisfied that the impact of the Development on farming operations is acceptable.

IV SECRETARY OF STATE'S CONSIDERATION OF POSSIBLE EFFECTS ON EUROPEAN SITES

4.1 The Conservation (Natural Habitats, &c) Regulations 1994 (the 1994 Regulations) require the Secretary of State to consider whether the Development would be likely to have a significant effect on a European Site, as defined in the 1994 Regulations.

4.2 The Secretary of State considers that the Development, no part of which will be within 1500 metres of any European site, will not cause any significant adverse effect on the integrity of any such Site.

4.3 Accordingly the Secretary of State did not consider it necessary to carry out an assessment of the implications for any European Site pursuant to the 1994 regulations.

V SECRETARY OF STATE'S CONSIDERATION OF THE ENVIRONMENTAL STATEMENT

5.1 The 1990 Regulations prohibit the Secretary of State from granting consent unless she has first taken the environmental information, as defined in those Regulations, into consideration.

5.2 The Secretary of State has considered the environmental information carefully, in addition to the Environmental Statement, she has also considered the comments made by the relevant planning authorities in consultation with statutory consultees. She is satisfied that the information provides her with sufficient information to enable her to reach a decision on the application now before her.

5.3 Taking into account the way in which the environmental effects of the Development will be modified and mitigated by planning conditions, the Secretary of State concludes that the environmental effects will not be such that it would be appropriate to refuse section 37 consent for the Development.

SECRETARY OF STATE'S DECISION ON THE HOLDING OF A PUBLIC INQUIRY

6.1 Given the position of the relevant planning authorities as indicated in paragraph 1.3 and the Secretary of State's ability to impose appropriate planning conditions, the Secretary of State concludes there is no mandatory requirement to hold a public inquiry.

6.2 Paragraph 3(2) of Schedule 8 to the Electricity Act 1989, however, requires the Secretary of State to consider all objections that she has received pursuant to the Electricity (Applications for Consent) Regulations 1990 (Applications for Consent Regulations) together with all other material considerations, to determine whether it would nevertheless be appropriate to hold a public inquiry.

6.3 The Secretary of State, having received no objections to the Development and having carefully considered all other material considerations, has concluded that a public inquiry into the application is not warranted.

VI SECRETARY OF STATE'S DECISION ON THE APPLICATION

7.1 The Secretary of State, having regard to the matters specified in paragraph 1(2) of Schedule 9 to the Electricity Act 1989, and having carefully considered the views of the relevant planning authorities, the representations made, the environmental information and all other relevant matters, has decided to grant consent under section 37 of the Electricity Act 1989, subject to conditions providing for possible review of the consent at any time in accordance with the Conservation (Natural Habitats, &c) Regulations 1994, and, in any other circumstances, at any time after the expiration of five years from the date of the grant of the consent and for the removal of the lines within such period as the Secretary of State may direct should she revoke the consent following any such review.

7.2 The Secretary of State has also directed that the planning permission which she deems to be granted should contain a number of planning conditions. In addition to those stipulated by the relevant planning authorities (see paragraphs 2.1 and 2.2 above), these will include a condition that the Company shall start the Development within five years of the date of the section 90 direction.

7.3 I accordingly enclose the Secretary of State's consent under section 37 of the Electricity Act 1989 and a direction under section 90 of the Town and Country Planning Act 1990.

Yours faithfully

A handwritten signature in black ink, appearing to read 'L. Cadman', written in a cursive style.

LAWRENCE CADMAN



The Secretary
 National Grid Co plc
 PO Box 110
 Harrogate
 North Yorkshire
 HG2 7UR

COMMITTEE OF INQUIRIES		0171 - 215 5000
Direct Line		0171 - 215 2765/2955
ACTION		Fax 0171 - 630 9570
DATE 4 DEC 1997		
INFORMATION		
FILE REF	Our Reference AAM/14/5	
	Date - 4 DEC 1997	

Dear Sir

OVERHEAD LINES
 ELECTRICITY ACT 1989
 TOWN AND COUNTRY PLANNING ACT 1990.

With reference to the application particulars of which are specified below, I am directed by the Secretary of State to inform you that consent is hereby granted pursuant to section 37(1) of the Electricity Act 1989 ("the 1989 Act") to the installing above ground of electric lines ("the lines") particulars of which are specified below.

Pursuant to section 37(3) of the 1989 Act this consent is given subject to the following conditions:

1. Subject to regulations 50, 51, 71 and 72 of The Conservation (Natural Habitats, &c.) Regulations 1994, the Secretary of State may review this consent at any time after a period of five years from the date hereof, and upon such review, after giving all persons concerned an opportunity of being heard, she may vary or revoke her consent.
2. If the Secretary of State revokes this consent the lines shall be removed within such period as the Secretary of State may direct.

Pursuant to section 90(2) of the Town and Country Planning Act 1990 ("the 1990 Act") the Secretary of State hereby directs that planning permission for the Development shall be deemed to be granted subject to the following condition(s):

1. In these conditions, unless the context otherwise requires -

"the County Council" means Essex County Council and
 "the Borough Council" means Thurrock Borough Council and their assigns and successors in title;

"the commencement of the Development" means the date on which the Development shall be taken to be initiated in accordance with section 56 of the 1990 Act, as amended;

"the Company" means National Grid Co plc and its assigns and successors in title;

"English Nature" means the Nature Conservancy Council for England and its assigns and successors in title.

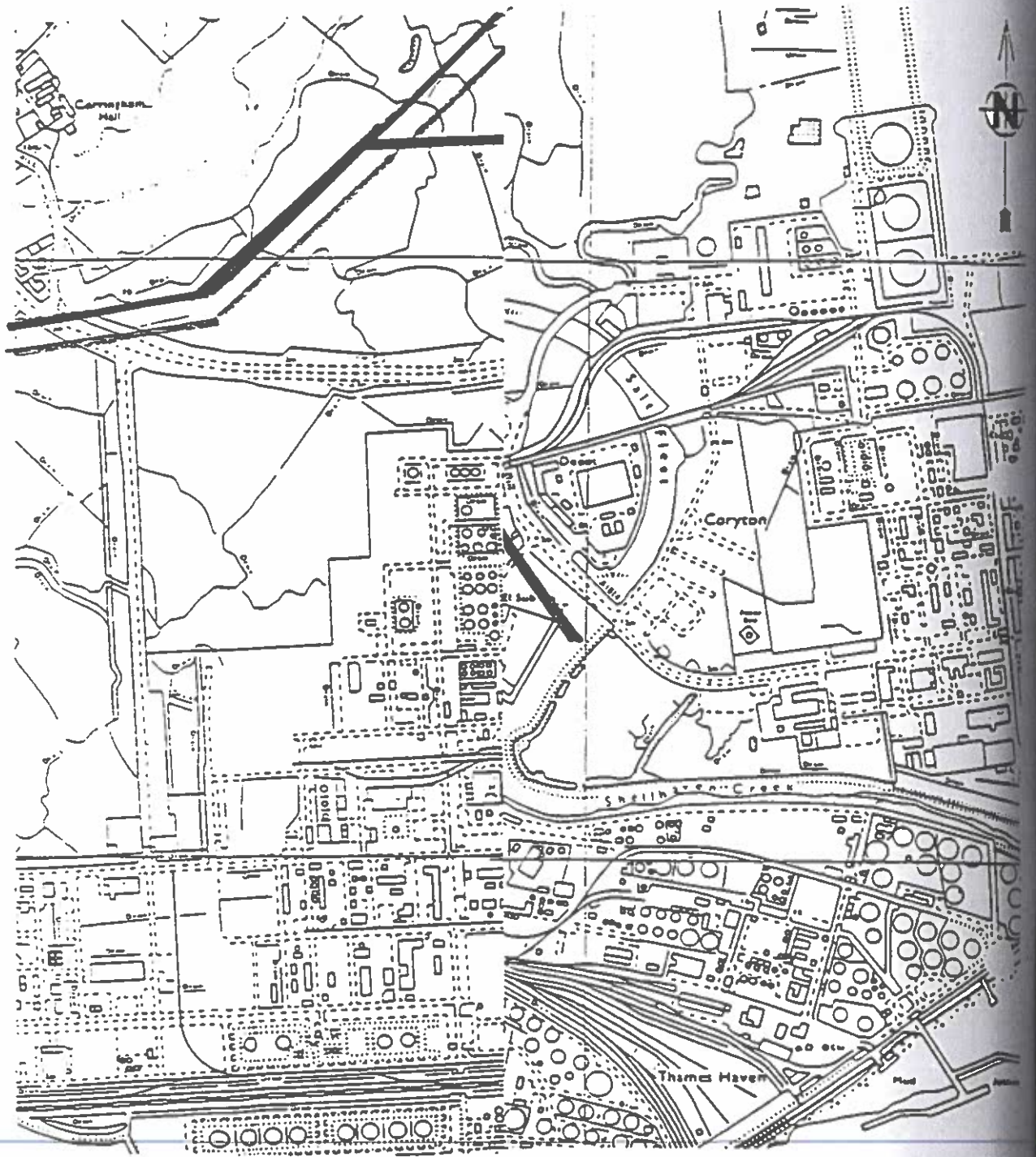
2. The Development to which this permission relates shall be begun not later than the expiration of five years beginning with the date hereof.

Reason: To comply with the provisions of section 91 (1) of the 1990 Act

3. The Development shall not take place until details of a landscaping scheme have been submitted to and approved in writing by the County and Borough Councils, in consultation with relevant landowners.
4. The commencement of the Development shall not take place until the Company has submitted to and secured the approval in writing of, the County and Borough Councils in consultation with English Nature and the Environment Agency, to a construction scheme which shall include:
 - (a) the timing of works in connection with the Development;
 - (b) the fencing of working areas;
 - (c) Where excavation is necessary, the stripping and replacement of the topsoil on completion;
 - (d) the removal of all surplus and waste materials, including temporary access tracks, on completion of works;
 - (e) the retention of all existing watercourses;
 - (f) the co-ordination of tower construction with future land management schemes; and
 - (g) the fitting of bird diverters to the lines wherever "bird strike" is shown to be a problem.
5. The Development shall be constructed only in accordance with the scheme referred to in condition 4 subject to any variations to the scheme as may be agreed in writing with the County and Borough Councils.

Reason: To preserve the environment as far as practicable and to enable the County and Borough Councils to exercise reasonable and proper control over details of the Development.

6. Where any matter is required to be approved or agreed by County and Borough Councils under any of the foregoing conditions ~~that matter in default of approval or agreement shall be determined by the Secretary of State.~~



ISSUE	A	
DRAWN	L.H	09-09-95
CHECKED	<i>MJD</i>	9.26.95
APPR'D	<i>MJD</i>	9.26.95
RECORDED		
FILMED		

VICE

FIRST ISSUE

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PROPOSED 400kV OVERHEAD LINE CONNECTION APPLICATION FOR CONSENT UNDER SECTION 37 OF THE ELECTRICITY ACT 1989			
Station	CORYTON		
Circuit			
Dwg. No.	13/4478	Sht. No.	1
SCALE: - 1:10,000		Work Ref	REF: 5.4.



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London SW1H 0ET

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Fax 0171 - 630 9570

Dear Sir

Our Reference AAM/14/6

Date = 4 DEC 1997

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TOWN AND COUNTRY PLANNING ACT 1990.

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1. Subject to regulations 50, 51, 71 and 72 of The Conservation (Natural Habitats, &c.) Regulations 1994, the Secretary of State may review this consent at any time after a period of five years from the date hereof, and upon such review, after giving all persons concerned an opportunity of being heard, she may vary or revoke her consent.
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"the Company" means National Grid Co plc and its assigns and successors in title;

"English Nature" means the Nature Conservancy Council for England and its assigns and successors in title.

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2. The Development to which this permission relates shall be begun not later than the expiration of five years beginning with the date hereof.

Reason: To comply with the provisions of section 91 (1) of the 1990 Act.

3. The Development shall not take place until details of a landscaping scheme have been submitted to and approved in writing by the County and Borough Councils, in consultation with relevant landowners.
4. The commencement of the Development shall not take place until the Company has submitted to and secured the approval in writing of, the County and Borough Councils in consultation with English Nature and the Environment Agency, to a construction scheme which shall include:

- (a) the timing of works in connection with the Development;
- (b) the fencing of working areas;
- (c) Where excavation is necessary, the stripping and replacement of the topsoil on completion;
- (d) the removal of all surplus and waste materials, including temporary access tracks, on completion of works;
- (e) the retention of all existing watercourses;
- (f) the co-ordination of tower construction with future land management schemes; and
- (g) the fitting of bird diverters to the lines wherever "bird strike" is shown to be a problem.

5. The Development shall be constructed only in accordance with the scheme referred to in condition 4 subject to any variations to the scheme as may be agreed in writing with the County and Borough Councils.

Reason: To preserve the environment as far as practicable and to enable the County and Borough Councils to exercise reasonable and proper control over details of the Development.

6. The Company shall dismantle and remove from the site any redundant lines and apparatus within six months from the date of commissioning of the lines.

Reason: To restore the land as far as practicable to its condition before the redundant lines and apparatus were installed.

7. Where any matter is required to be approved or agreed by County and Borough Councils under any of the foregoing conditions that matter in default of approval or agreement shall be determined by the Secretary of State.

PLANNING AUTHORITY REFERENCE: EN/845/96 Essex CC
96/THU/860/ENCON Thurrock BC

APPLICANT COMPANY: National Grid Co plc

DATE AND REFERENCE OF APPLICATION: 8 October 1996 5.4.345.1/bjp 084

PARTICULARS OF OVERHEAD LINES:

Situated in the Borough of Thurrock

Route as indicated on Map No 13/4479 Issue A or within a distance
not exceeding 50 metres on either side thereof.

Voltage 132,000

Yours faithfully



Authorised by the Secretary of State