
STATUTORY INSTRUMENTS

2013 No. 1479

The Planning Act 2008 (Nationally Significant Infrastructure Projects) (Electric Lines) Order 2013

Exempt installations

2. Section 16 of the Planning Act 2008 is amended as follows—

(a) after subsection (3)(a) insert—

“(aa) if the length of the line (when installed) will be less than two kilometres,

(ab) if—

- (i) the line will replace an existing line,
- (ii) the nominal voltage of the line is expected to be greater than the nominal voltage of the existing line (but see subsection (3A)),
- (iii) the height above the surface of the ground of any support for the line will not exceed the height of the highest existing support or support which is being replaced by more than 10 per cent, and
- (iv) where the line is to be installed in a different position from the existing line, the distance between any new support and the existing line will not exceed 60 metres and the existing line will be removed within twelve months from the date on which the installation of the line which replaces it is complete,”

(b) after subsection (3) insert—

“(3A) Paragraph (ab)(ii) of subsection (3) (condition that nominal voltage of line expected to be greater than nominal voltage of existing line) does not apply if any part of the line (when installed) will be within a European site or an SSSI.”

(c) for subsection (4), substitute—

“(4) In this section—

“European site” has the same meaning as in the Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490);

“existing line” means an electric line which—

- (a) has been installed or is kept installed above ground in accordance with a consent granted under section 37(1) of the Electricity Act 1989⁽¹⁾ or an order granting development consent; or
- (b) has been installed above ground and is an electric line to which section 37(1) of the Electricity Act 1989 does not apply by virtue of—
 - (i) paragraph 5(4) or (5) of Schedule 17 to that Act, or
 - (ii) the Overhead Lines (Exemption) (England and Wales) Regulations 2009 (S.I. 2009/640), as amended by the Overhead Lines (Exempt Installations) (Consequential Provisions) Order 2010⁽²⁾;

(1) 1989 c.29, as amended by the Planning Act 2008 c.29.

(2) S.I. 2010/29.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“premises” includes any land, building or structure;

“SSSI” means a site of special scientific interest notified under sections 28 to 28D of the Wildlife and Countryside Act 1981⁽³⁾.”

(3) 1981 c.69, as amended by the Countryside and Rights of Way Act 2000 c.37, the Natural Environment and Rural Communities Act 2006 c.16, and the Marine and Coastal Access Act 2009 c.23.