Department for Energy Security & Net Zero

Guidance

Form B

This Form must be used in connection with an application to the Secretary of State for Energy Security and Net Zero (ESNZ) for consent under section 37 of the Electricity Act 1989 to install and keep installed above ground an electric line of any voltage.

This Form should be sent to each local planning authority in whose area the proposed development would be situated. The views obtained by means of this Form are then to be submitted to the Secretary of State to help inform the decision making process on the application.

The local planning authority[1] is required to sign and complete all sections of Part Two and Part Three and to return this form to the Applicant **within two months[2]**. Please note that the Secretary of State would not progress a section 37 application in the absence of a completed Form B. Additional information describing this procedure and the reason for it can be found in the published Guidance Note 14D/226.

Appendix A

If the section 37 application is for a development as referred to under Schedule 2 of the Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017 (the 2017 Regulations) (i.e. the proposal is within a sensitive area[3] or the voltage is of 132kV or more), the Secretary of State will be required to make a Screening Decision before the section 37 application can be decided. To inform its decision, the Secretary of State must receive the views of the Local Planning Authority. To this effect:

- The applicant should submit to the Local Planning Authority the additional information referred to under Regulation 12 of the 2017 Regulations, and
- The Local Planning Authority should provide their views by completing Appendix A[4].

[1] Please note: if the development falls partially within a National Park, a Form B must be completed by each relevant planning authority for that area. If the proposal concerns a line of 132kV or more, the Part One, Certificate of the Form B must also be completed by the County Council.

[2] The relevant planning authority is obliged to make its representations to the Secretary of State on the proposal within a statutory two month period or obtain an extension to the time limit from the Secretary of State and as agreed with the Applicant as per Regulation 8 of the Electricity (Applications for Consent) Regulations 1990.

[3] The full list of sensitive areas is in legislation at https://www.legislation.gov.uk/uksi/2017/580/schedule/2/made

[4] Appendix A enables the local planning authority to give its views under regulation 13(3) of the 2017 Regulations.

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Form B - Part One

To be completed by the Applicant

Name	Paul Roberts
Company	Southern Electric Power Distribution PLC
Applicant's Reference	FCZ794

PARTICULARS OF PROPOSED DEVELOPMENT

Application is being made to the Secretary of State for Energy Security and Net Zero:

a) for consent under section 37 of the Electricity Act 1989 to install or keep installed an electric line above ground;
b) for a direction under section 90(2) of the Town and Country Planning Act 1990 that planning permission for the proposed development be deemed to be granted.

1. Description of the proposed development[5].

Address:
Pensfold Lane
Slinfold
Horsham
RH12 3BU

In order to provide our customer with their requested electricity supply Southern Electric Power Distribution PLC will be required to upgrade 7 spans of existing Overhead Electricity Cable from Single Phase to 3 Phase and install an additional supply to the existing pole P20806664, this pole currently only supplies 1 customer.

Line Length to be upgraded – 243m

Start Point:
TQ0968732260
Easting: 509687 Northing: 132260
TQ0967932253
Easting: 509679 Northing: 132253
TQ0967632213
Easting: 509676 Northing:132213
TQ0967332170
Easting: 509673 Northing: 132170
TQ0963832168
Easting: 509638 Northing: 132168
TQ0960332166
Easting: 509603 Northing: 132166
TQ0957132164
Easting: 509571 Northing: 132164

[5] In this section the Applicant should include the link to the Energy Portal application which will contain the necessary information to enable the LPA to provide their views on the proposal.

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TQ0952632156
Easting: 509526 Northing: 132156

Cable drums will be set up at a pole and then the use of a winch from the opposite end will be used to pull through the conductor whilst using rollers attached to the pole tops. The cable will be caught and tensioned manually.

All land Rights have been granted from all parties affected

Site Plan attached REF: FCZ794

2. Details of any representations or objections which have been received by the applicant prior to the submission of this form[6].

NA

3. Details of the Applicant's compliance with their duty as specified under paragraph 1(1)(a)(b) of Schedule 9 to the Electricity Act 1989[7].

This Application is fully complaint with paragraph 1 of Schedule 9 of the Electricity Act 1989

For and on behalf of the applicant:

Date: 06/01/2025 Signed: Paul Roberts

Form B - Part Two

To be completed by the Local Planning Authority

CERTIFICATE

The local planning authority:

Choose an item. to the development described above in Part One of this Form;

Choose an item. that a public inquiry be held pursuant to paragraph 2 of Schedule 8 to the Electricity Act

[6] In this section the Applicant should list any consultations and representations received prior to consulting the LPA. These consultations should be made available for review by the LPA on the Energy Portal.

[7] In this section the Applicant can indicate the sections or documents within the Energy Portal application that include the measures to comply with this requirement.

1989 before the Secretary of State reaches his decision on the application.

Dated Click or tap to enter a date. Signed: Click or tap here to enter text.

Designation: On behalf of the:

If the Local Planning Authority objects to the development, please provide details below:

Form B - Part Three

To be completed by the Local Planning Authority

CONSULTATIONS AND OBSERVATIONS

LPA Planning Reference

1. List the names of interested parties consulted by the local planning authority and provide particulars of any comments received[8].

[8] Please note if the proposal falls within a SSSI Risk Zone the local planning authority should consult with the relevant statutory conservation body to seek guidance on any necessary mitigation.

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2. Provide details of any objections or representations received by the local planning authority.

3. Are there any restrictions on the land that require the Applicant to obtain approval from other organisations[9]?

   Yes ☐ No ☐

   If yes, please provide details below:

4. Is the local planning authority's agreement to the proposal subject to modifications or conditions being applied to the consent? (If so, specify the modifications or conditions proposed and state whether they are acceptable to the Applicant).

   Choose an item.

5. Does the local planning authority consider that the proposal is an EIA development and should be subject to an Environmental Impact Assessment? (Please note: if the development falls under Schedule 2 of the 2017 Regulation, the Secretary of State must receive[10] the local planning authority's views in order to make its EIA Screening Decision and therefore **Appendix A** must be completed.

   Choose an item.

   Date Click or tap to enter a date. Signed: Click or tap here to enter text.

Appendix A

LOCAL PLANNING AUTHORITY'S VIEWS

The LPA should consider if the Applicant has submitted sufficient information to determine whether or not the proposal is an EIA development. Please note that the Applicant must take into account the relevant criteria set out in Schedule 3 when compiling the required information.

Has the Applicant provided the following information?	
1. a description of the physical characteristics of the whole development and, where relevant, of demolition works	Yes ☐ No ☐
2. a description of the location of the development, with regard to the environmental sensitivity of geographical areas likely to be affected	Yes ☐ No ☐

[9] e.g. consent under Section 38 of the Commons Act 2006.

[10] Regulation 13 of the 2017 Regulations sets out the legal requirement for this consultation.

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3. a description of the aspects of the environment likely to be significantly affected by the development	Yes ☐ No ☐
4. a description of any likely significant effects resulting from:	
a. the expected residues and emissions and the production of waste	Yes ☐ No ☐
b. the use of natural resources, in particular soil, land, water and biodiversity	Yes ☐ No ☐

The LPA should provide their views in the comments section in the next page taking account of the below factors where relevant to the proposal and tick the relevant boxes for confirmation.

Characteristics of development			Select all relevant factors
(a)	the size and design of the whole development		☐
(b)	cumulation with other existing and approved developments;		☐
(c)	the use of natural resources, in particular land, soil, water and biodiversity;		☐
(d)	the production of waste;		☐
(e)	pollution and nuisances;		☐
(f)	the risk of major accidents and disasters that are relevant to the development, including those caused by climate change, in accordance with scientific knowledge;		☐
(g)	the risks to human health (for example, due to water contamination or air pollution).		☐
Location of development			Select all relevant factors
(a)	the existing and approved land use;		☐
(b)	the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;		☐
(c)	the absorption capacity of the natural environment, paying particular attention to the following areas—		☐
	(i)	wetlands, riparian areas and river mouths;	☐
	(ii)	coastal zones and the marine environment;	☐
	(iii)	mountain and forest areas;	☐
	(iv)	nature reserves and parks;	☐
	(v)	areas classified or protected under domestic legislation or legislation of EEA states;	☐
	(vi)	European sites (as defined in regulation 8(1) of the Conservation of Habitats and Species Regulations 2017);	☐
	(vii)	areas in which there has already been a failure to meet environmental quality standards that are set out in European Union legislation and are relevant to the development, or in which it is thought that there is such a failure;	☐
	(viii)	densely-populated areas;	☐
	(ix)	landscapes and sites of historical, cultural or archaeological significance.	☐
	Type and characteristics of potential impact		Select all relevant factors
(a)	the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected);		☐
(b)	the nature of the impact;		☐
(c)	the transboundary nature of the impact;		☐
(d)	the intensity and complexity of the impact;		☐
(e)	the probability of the impact;		☐
(f)	the expected onset, duration, frequency and reversibility of the impact;		☐
(g)	the cumulation of the impact with the impact of other existing and approved developments;		☐
(h)	the possibility of effectively reducing the impact.		☐

The LPA should provide their views below and give reasons for their conclusion as to whether the proposal is an EIA

development or not.

Dated Click or tap to enter a date.

Signed: Click or tap here to enter text.

Designation:

On behalf of the: