

RlIO-3 Draft Determinations – Nat Grid Electricity Transmission (NGET)

The [Landscape Institute](https://landscapeinstitute.org) (LI) is the chartered body for the landscape profession and is the professional home for all landscape practitioners including landscape architects, landscape and parks managers, landscape planners, and urban designers. It is an educational charity that promotes the art and science of landscape practice. The LI's aim, through the work of its members is to protect, conserve and enhance the natural and built environment for the public benefit.

We are pleased to respond to a number of questions from the consultation, as detailed below. If you would like further information on any points, please contact Andrew Rylah at policy@landscapeinstitute.org.

ETQ9. What are your views on our consultation positions for the Transmission Owners' (TO) Environmental Action Plans (EAP) commitments in RlIO-ET3?

The Landscape Institute considers that there should be much more emphasis on using the opportunities in development design and construction to deliver net positive environmental outcomes. This is in addition to the benefits stated, namely *“A more environmentally sustainable network which focuses on mitigating emissions, limiting impact on the natural environment, and ensuring efficiency in operations”*, and the key stakeholder expectation, *“avoiding, mitigating, and compensating environmental impact”*.

These action plans need to start to reflect Government's commitment in the **Levelling Up and Regeneration Act (LURA)** to implement the new system of environmental assessment, Environmental Outcomes Reports. We think that EAPs and commitments should define the environmental ambitions and priorities that are to feed directly into the design process and ultimately into planning and DCO applications.

It is also important that environmental outcomes are developed through an integrated process, which considers ecosystems services, applies natural systems-thinking and builds in decision-making based on delivering multiple environmental benefits, rather than single perspective recommendations. For example, nature-based solutions to water management should integrate biodiversity and climate resilience, in addition to place-making and increasing access to nature. In many cases, nature-led solutions also carry lower capital and maintenance costs, lower

carbon footprint in construction and operation, and improved climate adaptation and resilience outcomes, compared to grey infrastructure¹.

The Landscape Institute also considers that more emphasis needs to be placed on aligning with the wider context to deliver positive environmental outcomes - such that interventions deliver benefits both at the site of the intervention, and at the wider ecological and landscape scale. For example, this may involve aligning with the Local Nature Recovery Strategy (connecting and strengthening green and blue corridors) and other local and regional environmental policies and strategies, which have been developed with stakeholder involvement. This principle of aligning with wider scale ecological corridors and habitats is already contained in the BNG metric. It recognises that each development site giving rise to net gain, contributes to a wider nature recovery framework. Alignment with this wider scale is a crucial opportunity within the Business Plan to ensure interventions maximise their positive environmental impact. Linear developments are of particular value in presenting opportunities to connect green infrastructure networks.

Projects developed in accordance with the BNG metric in isolation do not allow for alignment with important strategies to reduce risks and build resilience within our natural capital.

The following evidence and policies demonstrate that BNG alone and following the metric in isolation isn't a full solution and why the EAPs should be more demanding:

- Data sources which inform positive environmental outcomes, including the **Natural Capital Risk Register (October 2024)** quantify the natural capital benefits provided by each broad ecosystem asset, and rate the risk for each that needs to be addressed.
- Frameworks which inform the planning, design and management of landscape and ecological assets, such that restoration of nature and biodiversity also produces benefits to society, including nature connection, health and well-being, community enjoyment of outdoor spaces and routes. For example, the **Environment Act (2021)** states “long term targets in respect of any matter which relates to **a) the natural environment**, or **b) people’s enjoyment of the natural environment**”.
- The **Environmental Improvement Plan (2023)** sets out the goal that the whole population is to have access to good quality green and blue spaces within 15 minutes of home. The BNG metric alone does not take into consideration connecting people with nature, or delivery of this goal, which contributes to wider environmental issues, policies and frameworks.
- **NPPF (2024) paragraph 163** provides that “**The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts.**” The delivery of climate adaptative and resilient outcomes for our environment requires a broader holistic understanding and methodology. The BNG metric applied on its own does not address the

¹ [Marta Vicarelli, Karen Sudmeier-Rieux, Ali Alsadadi, Aryen Shrestha, Simon Schütze, Michael M. Kang, Madeline Leue, David Wasielewski, Jaroslav Mysiak, On the cost-effectiveness of Nature-based Solutions for reducing disaster risk, Science of The Total Environment, Volume 947, 2024](#)

fragmentation and imbalance of natural systems, which contribute to loss of habitats and biodiversity.

The requirement to consider climate and societal impacts, and also to implement spatial planning for biodiversity restoration is contained in the **Global Nature Recovery Targets (Convention on Biological Diversity COP 15 (2022))**, which specifies:

- Reverse the loss of nature by 2030, achieve recovery by 2050
- All areas to be under biodiversity-inclusive spatial planning
- Address impacts of climate on biodiversity, increase resilience, adaptation and mitigation
- Acknowledge the crucial link with ecosystem services

We welcome the proposed enhanced common reporting requirements on biodiversity delivery and cost.

We support the proposal to accept EAP commitments made by TOs to provide 10% BNG for projects requiring planning consent, plus other environmental compensation activities required by legislation.

We strongly disagree with OFGEM's proposal to reject commitments by TOs to deliver additional biodiversity compensation beyond 10% BNG for projects requiring planning consent, and for BNG provision to be made for other construction activities not requiring planning consent.

Many of the points the LI made in its response to the [DEFRA consultation on the implementation of BNG for minor, medium and brownfield development](#) are relevant.

We precis some of the points below:

- While individual minor developments may seem small, their cumulative effect is substantial. Ecological studies consistently show that fragmented, small-scale developments, when not part of a coherent green network, lead to significant habitat fragmentation and incremental habitat loss.
- BNG has played a crucial role in normalising green infrastructure design in minor developments. This delivers not only biodiversity gains but also vital climate resilience functions such as urban cooling, shading, benefits to air quality and increased water resilience such as increased permeable vegetated areas for water attenuation, increased resilience to both flooding and drought.
- Every development presents an opportunity to connect nature, improve habitats, and enhance wildlife habitat including pollinating species. The role of mandatory BNG as a tool for Nature Recovery as set out in the **Environment Act (2021)** is also a key part of UK's commitment to halt and reverse nature loss by 2025, aligned with the Global Biological Framework.

We note that in the DEFRA consultation on BNG for NSIPs, views were sought on how 10% BNG would be calculated, over what area and whether **temporary land** might be considered. In our response to the [DEFRA consultation on BNG for NSIPs](#) we did not promote the view that all land within Order limits should necessarily be used in the BNG calculations. We recognised that some use of land would be so temporary that it could be excluded from BNG calculations as long as a robust reinstatement requirement was secured in the DCO. We also recognised that on

linear projects such as overhead electric lines, the need for limits of deviation to be included in the Order limits means that not all the land included in the Order limits would ultimately be needed. We felt that this could be factored into BNG calculations, but that it would differ on a project-by-project basis. We make this point regarding NSIPs, where there will be a legislative obligation for 10% BNG, to show that we recognise the need for finessing the detail of how BNG calculations would be undertaken. However, we strongly support the principle of mitigating any construction-related environmental impacts and seeking every feasible opportunity for environmental net gain.

ETQ11. Do you have any views on our proposed approach to biodiversity funding, notably whether it is appropriate or not for consumers to fund biodiversity outputs beyond legislative requirements?

The Landscape Institute is opposed to Ofgem's opinion that consumer funding is inappropriate for biodiversity outcomes beyond minimum legal thresholds. Additional costs are likely to be relatively marginal and the proposals would support government policy objectives, deliver multiple social and environmental benefits and be viewed positively by affected communities.

- This position conflicts with the responsibilities of Ofgem and National Grid and conflicts with government policies and objectives mentioned earlier.
- There is significant public support for infrastructure projects that provide environmental benefits^[OBJ].
- It could be considered as contravening the polluter-pays principle, a fundamental concept of sustainable infrastructure development.
- The UK has legal and moral responsibilities to tackle the biodiversity and climate crises, a commitment for which the public has shown its support².
- Consumers increasingly expect regulated infrastructure to deliver environmental and societal benefits as part of their core operations. Investment in sustainable, resilient infrastructure now provides long-term gains which reduces financial and environmental burden.³
- Ofgem's decision to support and incentivise biodiversity actions in RIIO-2 was a positive step forward, and a reversal of this position would undermine years of constructive stakeholder engagement. This would also weaken the integrity of the EAP process.

ETQ23. What are your views on our consultation position for the LEI UIOLI in RIIO-ET3?

The Landscape Institute supports the decision to retain the Landscape Enhancement Initiative (LEI)²⁸ allowance to enable the TOs to undertake a variety of work on localised landscape improvements in respect of designated areas. We would wish to see such enhancement projects also clearly include the setting of such designated areas in compliance with NPPF s.189.

² See [Climate Outreach 'Britain Talks Climate' evidence](#)

³ See ['Landscape Institute calls for landscape-led approach to development'](#)

We note the changes that NGET has proposed for the LEI that would impact the UIOLI for the remainder of RIIO-ET2 and for RIIO-ET3. We note that the RIIO-ET2 team is assessing these proposals, and would strongly suggest that National Grid Stakeholders' Advisory Group is involved in this process and is given the opportunity to engage over any changes to the proposals that NGET has put forward.

There is no explanation why this PCD has been removed from baseline costs, nor whether the funding for other LEIs has been increased to deliver a different, holistic approach for positive landscape and visual outcomes.

The LI would welcome that the case is set out and analysis is provided to justify any funding changes.

ETQ56. Do you support our qualitative assessment framework for NOCs other (Vegetation Management, Ongoing environmental costs, Small Tools Equipment Plants & Machinery (STEPM) and company bespoke NOCs other costs) and Flood Mitigation? If not, how should we assess these costs? Are there any additional costs that we should include in this framework?

The Landscape Institute welcomes the inclusion of expenditure that is primarily for the day-to-day maintenance of the network to a safe and good standard including that for vegetation maintenance and flood mitigation.

NOC Other: Flood mitigation

We urge design development to consider nature-based solutions for flood management and mitigation. Whilst these may not be appropriate in all locations, they are often considerably cheaper, and more adaptive and resilient than hard-engineered solutions. They are also likely to complement landscape character in rural areas and contribute to BNG, access to nature and climate resilience. This requires early collaborative, multi-disciplinary working between sectors including engineering, hydrology, landscape architecture and others to adopt a holistic approach. This should be indicated on the Qualitative Assessment Framework Flow chart.

Nature can play a major role in improving resilience to flooding as detailed in the **Environment Agency publication** which captures the latest research about natural flood management. Nature-based solutions would also contribute towards the **Net Zero Capital Carbon Construction UIOLI allowance**, reducing the need for carbon off-setting.

NOC Other Vegetation Management

Vegetation management and maintenance is essential. Even where theoretically low-maintenance plantings such as woodland planting are the appropriate design solution, long-term management and maintenance is required. We firmly believe that this management / maintenance must be in perpetuity on land in the ownership of NGET or the relevant undertaker or operator. We also consider that long-term monitoring is an essential part of the process, to ensure that established vegetation is meeting its functional requirements. This should include ecological monitoring in line with best practice, to ensure that habitat values are in good thriving condition, as

a species-diverse and functioning habitat (beyond merely vegetation covering the ground).

In terms of NSIPs we made points in this regard in our response to the [DEFRA consultation on BNG for NSIPs](#). Here we said:

“For land which has been compulsorily acquired for the proposed development and remains in the applicant’s, undertaker’s or operator’s ownership, the maintenance should be in perpetuity and stated as such, not limited to 30 years from the date of habitat creation or enhancement. See also the Secretary of State’s confirmation of the secured commitment to management in perpetuity for the Lower Thames Crossing project as set out in their decision letter, (para 390).

For land not in the control of the applicant/ undertaker/ operator, we agree that it must be maintained for at least 30 years.

However, our concerns for both are over the monitoring of this over the 30 year+ period and what controls the local planning authority will have for enforcement if appropriate maintenance is not delivered or in the case of large-scale plant failure. It is essential that the management / maintenance plan is sufficiently detailed and is secured. It may be appropriate for Secretaries of State to give weight to planning performance agreements (PPA), where the cost (or some) of the ongoing cost of the monitoring is funded by the developer.”

Properly resourced and executed, monitoring would be essential to identify and respond to a range of potential issues affecting habitat and species composition. This includes threats from invasive species, plant diseases, and climate change pressures that could lead to soil erosion or impact specific genera. Ultimately, effective monitoring is vital to securing long-term nature restoration, biodiversity, and landscape objectives.

Therefore, we consider that the cost calculations must allow for the timescales we refer to above and for ongoing monitoring.

Visual amenity

The Landscape Institute notes that there are no baseline costs included for visual amenity because the Sector Specific Methodology Decision (SSMD) is not to retain the Visual Amenity PCD and re-opener.

Please also note our comments in ETQ23.

NGETQ9. Do you agree with our requirement for clarity and consistency in optioneering assessments and underlying assumptions when considering asset health and GIS use for Site Strategies?

The Landscape Institute agrees that there should be transparent assessment processes when determining the use of gas insulated / air insulated switchgear for site strategies. The consideration of both landscape and especially visual effects should be considered as part of those assessments.

We also urge that these decisions are taken early in the optioneering process. The difference can be very significant, particularly from a visual point of view. We are not stating that one or the other (GIS or AIS) is preferable from the point of adverse visual effects, as it would depend entirely on the context, including the landscape character of the proposed site. The decision should be made, and the planning or Development Consent Order application and its environmental impact assessment (EIA) should be clear about which would be adopted. EIAs based on Rochdale Envelopes of an assumed worst-case scenario of the alternatives are very wide-ranging in the flexibility required; they can be confusing for local stakeholder engagement.

A further situation when these decisions must be made early is when NGET assets are to be co-located with or near substations and / or converter halls by others. The land requirements, the potential for shared facilities such as access tracks and the potential to take a holistic approach to design including visual and landscape mitigation (e.g. through screen planting) can only be addressed strategically if the NGET design decisions are confirmed at the same time as those other development proposals coming forward – as far as that is possible. It is desirable to be able to undertake a masterplanning approach to such areas, to set out key parameters both within consents and for future post-consent approvals.

Optioneering assessments should also address the requirements for good design set out in the relevant National Policy Statement Statements (NPS) for Nationally Significant Infrastructure Projects (NSIP), and in development plans and the NPPF for planning applications.