



The Lodge  
90 Station Road  
Chinnor  
Oxfordshire OX39 4HA

Tel: 01844 355507

Fax: 01844 355501

[office@chilternsaonb.org](mailto:office@chilternsaonb.org)

[www.chilternsaonb.org](http://www.chilternsaonb.org)

Date: 11<sup>th</sup> September 2009

Our Ref: Planning/Wirescapes/DPCR review/CCB DPCR5 ref 93-09 response 110909

DPCR5 Response  
Electricity Distribution  
Office of Gas & Electricity Markets  
2<sup>nd</sup> floor  
9 Millbank  
London  
SW1 3GE

Dear Sir,

**Electricity Distribution Price Control Review Initial Proposals – Incentives and Obligations Paper Ref: 93/09**

Thank you for giving the Chilterns Conservation Board an opportunity to comment on your initial proposals for the EDPCR.

**Conservation Boards**

A Conservation Board is a statutory independent corporate body set up by Parliamentary Order under the provisions of Section 86 of the Countryside and Rights of Way (CRoW) Act 2000.

Section 87 of the CRoW Act sets out the purposes of a conservation board as:

- a) the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, and
- b) the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty

But if it appears to the board that there is a conflict between those purposes, they are to attach greater weight to the purpose mentioned in paragraph (a).

Furthermore “A conservation board, while having regard to the purposes mentioned in subsection (1) [of Section 87], shall seek to foster the economic and social well-being of local communities within the area of outstanding natural beauty, and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of outstanding natural beauty.”

Section 85 of the CRoW Act states under “General duty of public bodies etc”

“(1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”

I have prepared the following response under delegated powers and this will be presented for approval to the Conservation Board’s Planning Committee which meets on 3<sup>rd</sup> December 2009. Any further comments made at that meeting will be duly forwarded. Should you require any further information do not hesitate to contact me.

#### Response of the Chilterns Conservation Board

We have restricted our comments to the proposals set out in Chapter 9 of consultation paper 93/09 as these are of most concern and relevance to us. The Conservation Board sits on the steering group which was set up covering the EDF Energy Networks EPN and SPN areas to prioritise the delivery of the undergrounding of overhead wires in protected landscapes through DPCR4.

Before commenting on the specific sections of the consultation paper, the Board would like to record its grateful appreciation for the efforts made by OFGEM and the network operators (particularly EDF Energy Networks) which have meant that the current scheme has been hugely successful.

Paragraph 9.1 – The Board warmly welcomes the retention of the allowance for network undergrounding in National Parks and Areas of Outstanding Natural Beauty (AONBs) for the duration of DPCR5. We believe the model which has been a success in the AONBs and NPs does have relevance for the settings of these areas and hopefully OFGEM will feel able to extend the scheme to other important landscapes at a later date.

Paragraph 9.4 – The Board welcomes the proposal to remove the voltage caps as this will allow much greater flexibility in trying to ensure that those projects which have the greatest landscape benefit can be delivered.

Paragraph 9.5 – The Board recognises that we have benefitted as a result of EDF Energy’s support for the scheme and can see that this approach has a potentially wide application. We are therefore disappointed that OFGEM has not seen fit to ensure greater application of the scheme by making it mandatory.

Paragraph 9.7 – The Board has seen the huge benefit that is gained by the employment of a dedicated project officer and this has been crucial to the delivery of the many schemes that have taken place in EDF Energy’s EPN and SPN regions. We are therefore disappointed that OFGEM has not agreed to the direct funding of such posts through DPCR5.

Paragraph 9.8 – The Board welcomes the stance taken in connection with using the allowance to cover the cost difference between a normal replacement solution and a new underground solution where the replacement is driven by visual amenity benefits.

Paragraph 9.9 - We are disappointed that OFGEM remains of the view that newly built lines in National Parks and AONBs should continue to fall outside

the scheme. Whilst it is accepted that there are other mechanisms available to encourage undergrounding of new lines, the reality is that the extra costs of these would fall either on private landowners or local planning authorities. However, the benefits are shared by a much wider community and in the absence of Exchequer funding for the marginal costs, the Board considers that it is reasonable that the population as a whole should make a contribution through the electricity pricing mechanism.

Paragraph 9.10 – The Board continues to be disappointed that OFGEM will not allow the inclusion of overhead lines that are outside protected landscapes. A key aspect of the consideration of all proposed developments that may affect an AONB is the need to have regard to its setting. This is accepted by the Planning Inspectorate as a relevant issue which does not cause the confusions which seem to underpin OFGEM's decision to make the statutory boundary of an AONB/NP a hard and fast line, as far as the scheme is concerned. This is particularly confusing as National Grid has already recognised the importance of the setting of AONBs and National Parks when siting new transmission lines. We believe most, if not all stakeholders, would accept the need for some flexibility in the scheme to take account of the setting of a protected landscape, particularly if the work outside the AONB or NP is a continuation of work within the AONB or NP. We would ask you to reconsider this proposal and accept some flexibility where the local consultation process considers the work to be relevant to the purposes of the designation of the protected landscape.

Paragraph 9.12 – The Board welcomes the decision to change the definition of the point of completion of undergrounding work and thus the ability to carry over an element of the DPCR4 allowance.

Yours sincerely,

A handwritten signature in black ink that reads "Colin White". The signature is written in a cursive style with a long horizontal stroke extending to the right.

**Colin White MRTPI**  
**Planning Officer**  
**for and on behalf of the Chilterns Conservation Board**  
Copy to: Chilterns Conservation Board Planning Committee (by e-mail)