

## The Chilterns Conservation Board

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Chairman: Mike Fox  
Vice Chairman: Cllr Ian Reay  
Chief Officer: Steve Rodrick

3<sup>rd</sup> March 2014

Anna Kulhavy  
Senior Economist  
OFGEM  
9 Millbank  
London  
SW1P 3GE

My Ref.: Dev Plans/Other/NG/CCB response re NG visual impact provision 030314

**By E-mail only – [anna.kulhavy@ofgem.gov.uk](mailto:anna.kulhavy@ofgem.gov.uk)**

Dear Anna,

### **Visual Impact Provision – Consultation on OFGEM's assessment of National Grid Electricity Transmission's proposed Visual Impact Provision policy**

The Chilterns Conservation Board has downloaded information about the above consultation and wishes to make the comments as detailed in the attached appendix (Appendix 2) by way of response.

It should be noted that not all elements of the public consultation document have been responded to, only those that are considered to have a direct or indirect impact on protected landscapes generally, the Chilterns Area of Outstanding Natural Beauty or its management, or the Chilterns AONB Conservation Board.

The Chilterns Conservation Board is a body that represents the interests of all those people that live in and enjoy the Chilterns AONB. It is made up of representatives nominated by the organisations listed in Appendix 1.

The attached response has been prepared under delegated powers in consultation with the Conservation Board's Planning Committee and will be presented for approval to the Committee which next meets on 14<sup>th</sup> May 2014. Should you require any further information do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Colin White', with a stylized flourish at the end.

**Colin White MRTPI  
Planning Officer**

**For and on behalf of the Chilterns Conservation Board**

Copy to: Chilterns Conservation Board Planning Committee, NAAONB (e-mail)

## **Appendix 1**

### List of Organisations providing Nominees to the Chilterns AONB Conservation Board

- Buckinghamshire, Hertfordshire and Oxfordshire County Councils;
- Central Bedfordshire and Luton Borough Councils (unitary authorities):
- Aylesbury Vale, Chiltern, North Hertfordshire, South Buckinghamshire, South Oxfordshire, Three Rivers and Wycombe District Councils;
- Dacorum Borough Council:
- The Central Bedfordshire, Buckinghamshire, Hertfordshire and Oxfordshire Parish Councils (6 elected in total), and
- DEFRA (8 in total).

**Chilterns AONB Conservation Board Comments on Visual Impact Provision – Consultation on OFGEM’s assessment of National Grid Electricity Transmission’s proposed Visual Impact Provision policy**

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.”

The attached response has been prepared by Colin White, Planning Officer, under delegated powers and will be presented for approval to the Conservation Board’s Planning Committee which meets on 14<sup>th</sup> May 2014. Any further comments made at that meeting will be duly forwarded. Should you require any further information do not hesitate to contact the writer.

Response of the Chilterns AONB Conservation Board

1. Thank you for the opportunity to respond to OFGEM’s assessment of National Grid’s revised Visual Impact Provision Policy. The Chilterns Conservation Board responded to the previous consultation on this document and is grateful that changes have been made to clarify how National Grid will manage the T1 allowance.
2. The Board welcomes OFGEM’s support for the Visual Impact Provision Policy. However, we have a number of comments on the revised Policy which we consider, subject to any changes proposed or suggested, would make the Policy more robust.
3. Section 2 of the Visual Impact Provision Policy asks what the Visual Impact Provision can be used for. The Board welcomes and supports the principle that the policy will also apply to lines ‘adjacent to protected landscapes, where an effect can be shown to their setting’. However, at present the Landscape and Visual Impact Methodology does not appear to cover this issue. The Board considers that the Methodology ought

to be amended to address this and in order to ensure that all those parts of lines that have an impact on a protected landscape are properly identified.

4. In Section 3 some detail is provided about how the Visual Impact Provision will be used. The process chart on page 5 states that 'Cases arguing for other transmission lines that lie adjacent and in reasonable proximity to a national park or an AONB to be included in the assessment, will be considered on their merit'. The Board considers that the text is not clear about who will have the opportunity to make the case in this instance. For example, do stakeholders on the advisory group make the case, should representatives of the affected local areas put a case together, or will the initial desk top assessment identify all the potential cases? The Board considers that the text could usefully be clarified at this point.
5. The Board welcomes the fact that the visual impact of existing infrastructure will be assessed using GLVIA3 methodology and that any assessment will be carried out by suitably qualified landscape professionals. However, the Board is concerned that carrying out such detailed assessments for all possible schemes could take a considerable amount of time resulting in a significant reduction in the period for delivery. The Board considers that an objective judgement will be essential at the stage of final selection, given that the starting point is that all protected landscapes are of equal value.
6. The Board urges OFGEM to consider imposing a cut-off point early in the Price Control period by which all of the assessments must be completed in order that a final selection of schemes can be identified for further investigation. This would afford sufficient time to consult, design and deliver a scheme within the Price Control period.
7. In its current form, the Board considers that the proposed process will result in a significant amount of evidence being gathered that may well end up being redundant. The Board questions whether it is a realistic proposal to assess all schemes, even if this is undertaken at a high level, from the outset of this Price Control Period and are concerned that this could be at the expense of the delivery of other schemes in the medium-term.
8. Section 5 deals with engagement with stakeholders. The Board considers that it would be helpful if a clear timeframe were to be established to clarify at which stage each of the relevant consultees will be involved. A number of stakeholder groups are identified (for example other stakeholders, local groups and the wider public) and such clarity would help all that may become engaged in the process.
9. The Board welcomes that fact that engagement with AONB conservation boards and management units/partnerships will take place.
10. Review of the Visual Impact Provision policy document is covered in Section 7. The Board welcomes the commitment to review the Policy in 2017 and would be grateful to be involved at that stage. In addition, it should be noted that as part of the results of feedback, National Grid have stated that they will not be seeking to increase the Visual Impact Provision beyond £500m, but will keep the matter under consideration and may review their position later in the price control period. The Board wants National Grid to make a firm commitment to review their position on this matter, when they review the Visual Impact Provision policy in 2017.