# Consultation on Consents, Land Access and Rights for Electricity Network Infrastructure

# Response Form

The consultation is available at: [www. gov.uk/government/consultations/electricity-network-infrastructure-consents-land-access-and-rights](https://www.gov.uk/government/consultations/XXX)

The closing date for responses is 2 September 2025 at 11.59pm.

Please return completed forms:

* By email to: [electricitynetworkconsents@energysecurity.gov.uk](mailto:electricitynetworkconsents@energysecurity.gov.uk)
* Or by post to: Electricity Networks Planning, Consenting and Communities. Department for Energy Security and Net Zero, 7th Floor, 3 Whitehall Place, London, SW1A 2EG

## Personal / Confidential Information

Information you provide in response to this consultation, including personal information, may be disclosed in accordance with UK legislation (the Freedom of Information Act 2000, the Data Protection Act 2018 and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential please tell us but be aware that we cannot guarantee confidentiality in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded by us as a confidentiality request.

We will process your personal data in accordance with all applicable data protection laws. See our [privacy policy](https://www.gov.uk/government/publications/desnz-consultations-privacy-notice/privacy-notice-relating-to-consultation-responses-received-by-desnz).

We will summarise all responses and publish this summary on [GOV.UK](https://www.gov.uk/search/policy-papers-and-consultations?parent=department-for-energy-security-and-net-zero&content_store_document_type%5B%5D=closed_consultations&content_store_document_type%5B%5D=closed_calls_for_evidence&organisations%5B%5D=department-for-energy-security-and-net-zero&order=updated-newest). The summary will include a list of names or organisations that responded, but not people’s personal names, addresses or other contact details.

We usually publish a summary of all responses, but sometimes we are asked to publish the individual responses too. Would you be happy for your response to be published in full?

Yes

Yes, but without identifying information

No, I want my response to be treated as confidential

## About You

Name:

Email address:

Are you responding on behalf of yourself or an organisation?

Individual

Organisation

If you are responding on behalf of an organisation, what is the name of your organisation?

Name:

If you are responding on behalf of an organisation, what type of organisation is it?

|  | Respondent type |
| --- | --- |
|  | Local authority |
|  | National Park or National Landscape representative |
|  | Statutory consultee |
|  | Other public body |
|  | Trade, professional or representative body |
|  | Land agent or surveyor |
|  | Electricity network operator |
|  | Independent Distribution Network Operator or Independent Connection Provider |
|  | Electricity generation owner/developer |
|  | Battery storage owner/developer |
|  | Other electricity connection customers, including charge point operators and housing developers |
|  | Charity or non-governmental organisation |
|  | Campaign group |
|  | Community group |
|  | Other. Please describe: |

How did you hear about this consultation?

|  |  |
| --- | --- |
|  | Email from this department |
|  | Email from elsewhere |
|  | Gov.uk alert |
|  | Trade newsletter |
|  | Social media |

## Questions

You do not have to answer all the questions in the consultation. If you do not have an opinion or evidence to provide on a question, you can leave it blank.

### Necessary Wayleaves

Question 1

Do you agree with the proposed changes to the Notice to Remove?

Agree

Disagree

Unsure

Question 2

Please explain the reasons for your answer.

Comment here:

Question 3

Do you agree with the proposed grounds to be included in the Notice to Remove?

Agree

Disagree

Unsure

Question 4

Please explain the reasons for your answer.

Comment here:

Question 5

Do you agree that extending the timeframe in which a Licence Holder is obliged to submit an application for a Necessary Wayleave or otherwise to comply with the Notice to Remove from 3 months to 6 months would better support voluntary agreements?

Agree

Disagree

Unsure

Question 6

Please explain the reasons for your answer.

Comment here:

Question 7

Do you have any further comments about the proposal to amend the Notice to Remove?

Comment here:

Question 8

Do you agree that written representations should apply without requiring the consent of the parties?

Agree

Disagree

Unsure

Question 9

Please explain the reasons for your answer. In what circumstances, if any, should oral hearings be used?

Comment here:

Question 10

Do you agree that a request for an oral hearing should be made at submission of evidence stage?

Agree

Disagree

Unsure

Question 11

Please explain the reasons for your answer. When should such a request be made?

Comment here:

Question 12

Do you agree with the proposal to hold oral hearings virtually at the discretion of the Inspector?

Agree

Disagree

Unsure

Question 13

Please explain the reasons for your answer.

Comment here:

Question 14

Do you agree with the proposal that photographs of the site should be agreed between parties as part of the written representations procedure?

Agree

Disagree

Unsure

Question 15

Please explain the reasons for your answer.

Comment here:

Question 16

Do you agree with the principle of applications being determined directly by officials acting on behalf of the Secretary of State?

Agree

Disagree

Unsure

Question 17

Please explain the reasons for your answer.

Comment here:

Question 18

Do you agree that external Inspectors should be appointed and a site visit undertaken for applications relating to new lines; where site photos cannot be agreed and/ or a site visit is requested?

Agree

Disagree

Unsure

Question 19

Please explain the reasons for your answer. Are there any other circumstances in which an external inspector should be appointed and a site visit undertaken?

Comment here:

Question 20

Do you have any further comments in respect of the above proposals (2-4) in respect of Necessary Wayleaves?

Comment here:

Question 21

Do you agree that the standard Necessary Wayleave should be 40 years?

Agree

Disagree

Unsure

Question 22

Please explain the reasons for your answer. Should another term limit be used?

Comment here:

### Tree Lopping and Felling

Question 23

Do you agree that the Electricity Act 1989 should be altered to give Licence Holders the responsibility to undertake tree maintenance, rather than landowners?

Agree

Disagree

Unsure

Question 24

Please explain the reasons for your answer.

Comment here:

Question 25

Are there any further steps that should be taken to ensure vegetation management is undertaken in a timely way whilst minimising risks to health and safety and protecting security of electricity supply and the interests of the landowner/occupier?

Comment here:

### Permitted Development Thresholds for Substations

Question 26

Do you agree that the PDR threshold should be changed from 29 to 45 cubic meters in England?

Agree

Disagree

Unsure

Question 27

Please explain the reasons for your answer.

Comment here:

Question 28

Do you agree that where permitted development rights should apply, if a substation exceeds 29 cubic metres capacity it should not exceed 3m in height?

Agree

Disagree

Unsure

Question 29

Please explain the reasons for your answer.

Comment here:

Question 30

Do you agree that where permitted development rights should apply, if a substation exceeds 29 cubic meters capacity it should not be located within 5m of a dwelling?

Agree

Disagree

Unsure

Question 31

Please explain the reasons for your answer.

Comment here:

Question 32

Do you agree that the proposed permitted development threshold of 45 cubic metres should be permitted in National Parks, National Landscapes or Heritage Coasts?

Agree

Disagree

Unsure

Question 33

Please explain the reasons for your answer.

Comment here:

Question 34

Do you agree that, for substations of 30-45 cubic metres in capacity, prior approval of the local planning authority on the siting and appearance of the substation should be required where the installation of the substation takes place in National Parks, National Landscapes or Heritage Coasts? Agree/Disagree/Unsure

Question 35

Please explain the reasons for your answer.

Comment here:

### Section 37 Consenting for Overhead Lines

Question 36

Do you agree that upgrades from single-phase to three-phase overhead lines should be exempt from requiring section 37 consent, provided that the voltage remains the same, the line follows the existing route and is outside a SSSI or European site?

Agree

Disagree

Unsure

Question 37

Please explain the reasons for your answer.

Comment here:

Question 38

Do you agree that this exemption should also apply in National Parks and National Landscapes, so that LPA notification would no longer be required?

Agree

Disagree

Unsure

Question 39

Please explain the reasons for your answer.

Comment here:

Question 40

Do you agree with the proposal to increase the maximum allowable height for small overhead line supports from 10m to 12m, where there is no change in voltage?

Agree

Disagree

Unsure

Question 41

Please explain the reasons for your answer.

Comment here:

Question 42

Do you agree with the proposal to limit the increase in maximum allowable height to small supports only and not extend this increase to larger supports?

Agree

Disagree

Unsure

Question 43

Please explain the reasons for your answer.

Comment here:

Question 44

Do you agree that projects involving an increase in the nominal voltage of existing overhead lines from 6.6 kV to 11 kV should be exempt from requiring section 37 consent, provided that no new line routes are introduced; no major structural alterations are made; and no part of the line is within a SSSI or European Site?

Agree

Disagree

Unsure

Question 45

Please explain the reasons for your answer.

Comment here:

Question 46

Do you agree that upgrades from 6.6 kV to 11 kV should also be allowed in National Parks and National Landscapes without needing to notify the LPA?

Agree

Disagree

Unsure

Question 47

Please explain the reasons for your answer.

Comment here:

Question 48

Do you agree that overhead lines with a nominal voltage of up to 33 kV and up to four consumers should be exempt from requiring section 37 consent?

Agree

Disagree

Unsure

Question 49

Please explain the reasons for your answer.

Comment here:

Question 50

Do you agree that the need to seek approval from LPAs should be removed for the replacement of open wire conductors with bundled conductors in National Parks and National Landscapes?

Agree

Disagree

Unsure

Question 51

Please explain the reasons for your answer.

Comment here:

Question 52

Do you agree with the alternative proposal to amend regulation 3(1)(e) so that minor works such as the alteration or conductor type or replacement of existing poles are exempt from the need to seek approval from LPAs in National Parks and National Landscapes, subject to meeting the required conditions?

Agree

Disagree

Unsure

Question 53

Please explain the reasons for your answer.

Comment here:

Question 54

Do you agree with the proposal to increase the allowable distance for permanent diversions to 60m for small supports and 100m for larger supports?

Agree

Disagree

Unsure

Question 55

Please explain the reasons for your answer.

Comment here:

### Private Streets

Question 56

Do you agree that schedule 4 to the Electricity Act 1989 should be amended to align with the Gas Act 1986 to allow DNOs to upgrade and install electricity cables underground without needing consent from property owners in private streets?

Agree

Disagree

Unsure

Question 57

Please explain the reasons for your answer.

Comment here:

### Nationally Significant Infrastructure Projects Thresholds

Question 58

Do you agree that overhead line projects using 132 kV wooden poles should no longer be classified as Nationally Significant Infrastructure Projects (NSIPs) and therefore should not be consented under the NSIP regime?

Agree

Disagree

Unsure

Question 59

Please explain the reasons for your answer.

Comment here:

Question 60

Do you agree that the distance threshold for classifying overhead line projects as NSIPs should be increased from 2km to 10km, based on the length of a single continuous line?

Agree

Disagree

Unsure

Question 61

Please explain the reasons for your answer.

Comment here:

Question 62

If you believe that alternative thresholds should apply to electricity network overhead line projects, please specify what these should be.

Comment here:

Question 63

Please explain the reasons for your answer.

Comment here:

### Access Rights

Question 64

Do you agree that paragraph 9 of schedule 6 to the Electricity Act 1989 should be amended to clarify that access rights facilitate access over as much land as is necessary, regardless of the number of ownerships?

Agree

Disagree

Unsure

Question 65

Please explain the reasons for your answer.

Comment here:

Question 66

Do you agree that paragraph 10.3 of schedule 6 to the Electricity Act 1989 should be amended to clarify that the provisions relating to making good, or paying compensation for, any damage caused while exercising access rights also apply to the access of adjacent third-party land?

Agree

Disagree

Unsure

Question 67

Please explain the reasons for your answer.

Comment here:

Question 68

Are there any other instances of land access rules and regulations which unnecessarily restrict the activities a developer can undertake?

Comment here:

Question 69

Do you agree that the powers of access granted under paragraph 9 of schedule 6 to the Electricity Act 1989 (including any amendments made in relation to proposal 11) should be extend to Transmission Owners?

Agree

Disagree

Unsure

Question 70

Please explain the reasons for your answer.

Comment here:

Question 71

Do you agree that in the case of Transmission Owners only, the notice period prior to entry should be 30 working days?

Agree

Disagree

Unsure

Question 72

Please explain the reasons for your answer.

Comment here:

Question 73

Do you agree that the provisions outlined under paragraph 10(3) of schedule 6 to the Electricity Act, relating to making good, or paying compensation for, any damage caused while exercising access rights, are sufficient in relation to the changes proposed under proposals 11 and 12?

Agree

Disagree

Unsure

Question 74

Please explain the reasons for your answer.

Comment here:

Question 75

Are there any other safeguards, beyond extending the notice period and ensuring the provisions regarding compensation are carried over, that should be put in place in relation to the extension of access rights to include Transmission Owners?

Comment here:

## Next Steps

Thank you for your views on this consultation.

Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply

At the Department for Energy Security and Net Zero we carry out our research on many different topics and consultations, and your views are valuable to us. Would you be happy for us to contact you again from time to time either for research or about other consultations?

Yes No