
STATUTORY INSTRUMENTS

1990 No. 2035

The Overhead Lines (Exemption) Regulations 1990

Further restrictions on the exemptions contained in regulation 3

5.—(1) Regulation 3(1)(e) shall only apply in a case where either—

- (a) the electric line is to be installed in a different position from the existing line; or
- (b) the height above the surface of the ground of any support for the electric line will exceed the height of the highest support which is to be replaced,

if it is determined for the purposes of this regulation that there is not likely to be a significant adverse effect on the environment.

(2) For the purposes of this regulation it shall be determined that there is not likely to be a significant adverse effect on the environment if—

- (a) notice is given by the person proposing to instal the electric line to the relevant planning authority of the proposal to instal that electric line; and
- (b) the relevant planning authority does not, within six weeks of receiving that notice—
 - (i) determine that if the electric line were installed in accordance with the proposal it would in the opinion of that authority be likely to have a significant adverse effect on the environment; and
 - (ii) notify the person by whom the notice was given and the Secretary of State of that determination.

(3) In this regulation “relevant planning authority” has the same meaning as in paragraph 2(6) of Schedule 8 to the Act⁽¹⁾.

(1) Paragraph 2(6)(a) of Schedule 8 was amended by paragraph 83(1) of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c. 11).