



Department for  
Business, Energy  
& Industrial Strategy

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Our ref: 1496u  
Your ref: EQN892

23 August 2022.

Dear Miss Shepperd,

**SCREENING DECISION BY THE SECRETARY OF STATE UNDER THE  
ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)  
(ENGLAND AND WALES) REGULATIONS 2017 (“THE 2017  
REGULATIONS”)**

**NAME OF SCHEME: Finstock Heath**

A Screening decision has been requested regarding the installation of a single additional wire to 3 spans of existing 2 wire Over Headline (OHL) upgrading it from 2 Phase to 3 Phase in the vicinity of Finstock Heath at land west of Witney Road, Finstock (the “proposed works”)

The proposed works require Section 37 consent under the Electricity Act 1989 and are subject to the 2017 Regulations.

The Secretary of State has considered the factors set out in Schedule 3 of the 2017 Regulations, together with the documentation supplied by Dalcour Maclaren, on behalf of Southern Electric Power Distribution Ltd (“the Applicant”) in relation to the impacts on the environment of the proposed works and the views of West Oxfordshire Council (“the LPA”)



In reaching his decision, the Secretary of State notes the following factors:

- The proposed works do not fall within Schedule 1 (mandatory EIA)
- The proposed works fall under Schedule 2 of the 2017 Regulations as the electricity line is to be installed above ground in a sensitive area.
- The development is within the Cotswold Area of Outstanding Natural Beauty (AONB) however, the LPA, in their Form b return dated 18 August 2021, stated that the proposed scheme's visual effects are likely to be minimal and localised and these effects are not so significant as to warrant an Environmental Statement under the terms of the 2017 Regulations. However, as the proposed works are in an AONB, the Secretary of State informed the Applicant that a Form b Annex A was still required, this was provided on 1 June 2022, this returned confirmed that the LPA did not consider the proposed works as EIA development.
- Natural England, in their reply, noted that development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. They suggested that the Cotswolds Conservation Board (CAB) should be consulted. The Applicant contacted CAB on 15 July 2022 and the CAB replied on 19 July 2022 noting the Applicants statutory duty under Section 85 of the Countryside and Rights of Way Act 2000 (conserving and enhancing the natural beauty of the AONB)
- CAB also highlighted the visual impact of the project, in particular Landscape Character Type (LCT) 9. The Applicant, in their response state that they will have due regard for the preservation, conservation and protection of features, sites and objects of special interest with regard to natural beauty, flora, fauna, geological and physiographical, architectural, historic, and archaeological. Regarding any potential visual impacts, the Secretary of State notes that the proposed works is a like for like replacement with the addition of a third wire and accepts the Applicant's assertion that necessary appropriate mitigation measures will be implemented to minimise the effect of the proposed development on the environment.
- Regarding archaeological impacts, it was noted that the proposal would affect a significant monument, Grimm's ditch. The Secretary of State notes that agreement between the Applicant and the Lead Archaeologist for Oxfordshire County Council, that a programme of archaeological monitoring will be implemented during the pole replacement works. Also, a Written Scheme of Investigation detailing the methodology for these works will be produced and submitted to the Lead Archologist for review and approval prior to the commencement of the works. The Secretary of State is content with this approach.



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Taking account of the abovementioned factors and information received, the Secretary of State concludes that the proposed works **are not EIA development** under the 2017 Regulations and do not require a statutory EIA as they are unlikely to have significant effects on the environment due to their nature, location and size. A copy of this letter has been sent to the LPA for information.

Yours sincerely,

*John McKenna,*

Head of Network Consents  
Energy Infrastructure Planning Delivery team.