



Department for
Business, Energy
& Industrial Strategy

Lucy Davies
Dalcour Maclaren Ltd
4 Bredon Court
Brockridge Park
Twyning
Gloucestershire
GL20 6FF

Our ref: 1485U
Your ref: AE17

1 September 2022

Dear Ms Davies,

**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: TOWER AE17 TAMWORTH-DRAKELOW OHL

LOCATION: WEST OF ALVECOTE LANE, TAMWORTH, B79 0ED

Screening decision for a proposed development (“the Development”) to:

- Install one (1) new steel lattice tower of 132 kilovolt (KV) with a maximum height of 26.1 metres to replace an existing tower of the same voltage.

The Development requires Section 37 consent under the Electricity Act 1989 and is subject to the 2017 Regulations.

The Secretary of State for Business, Energy and Industrial Strategy (“the Secretary of State”) has considered the factors set out in Schedule 3 of the 2017 Regulations, together with the information within the supplied documentation (“the Application”) by Dalcour Maclaren Ltd (“the Applicant”) on behalf of Western Power Distribution Plc in relation to the impacts on the environment of the Development and the views of the North Warwickshire Borough Council (“the LPA”). In particular, in reaching his decision the Secretary of State notes the following factors:

1. The Development does not fall within Schedule 1 (mandatory EIA).
2. The Development falls under Schedule 2 of the 2017 Regulations as the electricity line is to be installed above ground in a sensitive area.

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3. It is noted that the LPA has assessed the Development under the requirements of 2017 Regulations and made a screening opinion stating that the Development does not amount to EIA development (letter dated 16 September 2021, ref. PRE/2021/0176).
4. The Development is to install a tower within 10 metres of the footprint of the existing tower and will utilise the same materials. Following the construction of the replacement tower, the existing tower will be dismantled and its foundation would also be removed.
5. The Development is located within the Alvecote Meadows part of the Alvecote Meadows Site of Special Scientific Interest (“the SSSI”). The SSSI in general consists of a series of shallow pools which lie along the course of the River Anker which is considered of high sensitivity due to its wide variety of habitats, plant species and animals. However, the Application states that the habitat affected by the Development comprise a small area of grassland and scattered hawthorn scrub and bramble. The Application further confirms that due to the minimal amount of vegetation clearance that will be required to facilitate the Development it is unlikely that there will be any significant effects to any protected species, however any vegetation clearance will be carried out under ecological supervision to ensure that there is no harm to such species should presence be found.
6. The Application includes a Precautionary Method of Works Statement (“PMoW”) and an Environmental Impact Assessment Screening Opinion (“SOR”) which detail avoidance and mitigation measures and good practice measures. Such measures also include:
 - a. Sensitive removal of vegetation under the supervision of a suitably qualified ecologist (SQE) to monitor that the development proceeds in accordance with relevant environmental requirements and in adherence with the required good practice and mitigation measures,
 - b. All staff will be provided with a Toolbox Talks with the procedure to follow and actions to take should any protected species be found on site,
 - c. Vegetation searches using hand tools and carried out in stages and under the supervision of the SQE will be done for the areas of vegetation likely to support Hazel Dormouse, Water Voles, Badgers and reptiles, and
 - d. Measures to minimise noise and light disturbance and measures to reduce the risk of entrapment.

The Application states that the closest water body is 90 metres south of the Development followed by a canal located 195 metres south, however it also confirms that surveys have been undertaken for European Protected Species Licences, including for Great Crested Newts (“GCN”) which found no evidence of GCN within 500 metres of the Development and further pre-construction checks will be done by an the SQE if necessary. The screening opinion of the LPA on this matter is that there are no concerns provided that the Applicant consults Natural England and the Warwickshire Wildlife Trust (“WKWT”) to agree any further necessary measures. The Application also confirms that the Development has also been agreed with WKWT and that a programme to implement any reinstatement measures will be followed in agreement with the advice provided by WKWT upon completion of the works (SSSI Assent report, dated 30 September 2021).

In view of the above, the Secretary of State considers that any potential likely significant effects to protected species will be mitigated subject to the implementation of adequate measures as detailed in the PMoW, SOR and as agreed with Natural England and WKWT.



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7. The Application does not indicate any potential effects on water or air quality, provided that the measures included in the PMoW and SOR are followed. These measures would include best practice pollution control measures, the use of low ground pressure tyres to minimise ground compaction and the risk of rutting, the installation of aluminium Trackway panels from access points to tower locations, and vehicle emissions control measures.
8. With regards to production of waste associated with the Development, the LPA's screening option states that "*there is unlikely to be any issues with the production and disposal of waste*". The Application further states that all waste material will be removed from the site and disposed of appropriately in waste steel skips, which will be located on the Trackway pad on-site for the duration of the works. In addition, the Application indicates that after the existing tower removal of works are complete, the whole area will be scanned with metal detectors to ensure no materials are left, thereby preventing any possible contamination.
9. With regards to the use of natural resources, the Application does not indicate that there would be any temporary or permanent loss of agricultural land associated with the Development. The Application further includes measures for the disposal of any excavated soils and the use of excess spoil. It is also noted that on this matter, the LPA's screening option does not raise any concerns.
10. The Application states that the Development is located within Flood Zone 1 which has the lowest annual risk of flooding and therefore considers that the works will have a negligible effect on flood risk in the area as the replacement tower will not cause an increase in the amount of impermeable area. The LPA's screening opinion further confirms that "*there is negligible impact on flood risk*" arising from the Development.
11. The Application does not include information on Biodiversity Net Gain (BNG) for the Development. However as stated above, the Application confirms that only a minimal amount of vegetation clearance will be required. It is also noted that there is no advice from Natural England on requiring any BNG schemes to be delivered as part of the Development (assent letter dated 8 October 2021, ref. 0709211427LA and email of 19 April 2022 and email of 19 July 2022). Further the LPA's screening opinion does not raise any concerns in relation to BNG.
12. With regards to designated heritage assets, the Application confirms that the Development does not pass through any of these. The closest scheduled monument is the "Alvecote Priory and Dovecote" Scheduled Monument which is at approximately 1650 metres from the Development and therefore no harm is anticipated to arise to the heritage significance of this asset.
13. The Application states that the Development is not within an area known for high archaeological potential, however, it also states that there is a local Historic Environment Record located on the site of the Development which cites evidence of the remains of a post-Medieval water meadow. Nevertheless, the Application confirms that the potential for buried archaeology and heritage assets to be present and impacted by the Development is considered to be limited. The LPA's screening opinion does not raise concerns on this matter, confirming that "*there are no local or national heritage assets in the locality*". Further to the above, the Warwickshire County Council's archaeologist confirmed that they do not consider that the Development will have a significant archaeological impact (letter dated 8 October 2021).



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14. The Application does not indicate that there are any listed buildings in the vicinity of the Development and no concerns have been raised by the LPA either in the screening opinion nor in the Form B dated 16 September 2021.
15. The Application states that the nearest residential receptor is at approximately 190 metres from the Development, however due to temporary nature of the construction works, it does not indicate that there would be any potential significant effects to the surrounding residential receptors. This is further confirmed by the LPA's screening opinion which states that *"there are significant separation distances to the nearest residential property and the proposed works are temporary in nature. It is not considered that they would give rise to any unusual or prolonged construction practices and thus the likelihood of accidents or harm to public health would be very low"*. In addition, with regards to landscape and visual effects, the Application states that long-range views are available further away from the site, but these are limited, particularly due to screening provided by the surrounding woodland. The Application therefore confirms that the Development is considered to be in accordance with the current land use and settings of the landscape.
16. The Development forms part of a wider maintenance works which are planned to take place on the existing overhead line and support towers along the Tamworth to Drakelow and Gresley overhead line ("the wider development"). Although the wider development is not included as part of the Development requiring Section 37 under the Electricity Act 1989, the PMoW includes various measures to protect species and habitats potentially present in the area of the wider development. Such measures include the presence of the SQE on site during any necessary and agreed vegetation clearance works and that all works will be carried out in line with a Construction Environmental Management Plan outlining best practice techniques and precautionary methods of working.
17. The SOR includes an assessment of all towers undergoing refurbishment along the wider development falling within the SSSI's Impact Risk Zone. This states that it is unlikely that the works within the Impact Risk Zone will introduce any new significant impacts on the designated site given the scale and nature of the works. The SOR also states that there is unlikely to be any significant increase in risk of collision with birds, impact on local water supplies, or permanent increase in traffic and therefore any effects arising from the wider development within the Impact Risk Zone will likely be limited in scale and temporary.
18. Finally, it is noted that the LPA, after assessing the SOR, has issued an updated screening opinion and confirmed that the Development remains a non-EIA development (letter dated 12 July 2022, ref. PRE2021/0176). Further to this the screening opinion of LPA includes in its assessment a consideration of cumulative effects and states that *"there are no other known developments in the area which would result in any cumulative impacts"*.
19. Therefore, with regards to cumulative effects with other existing and approved developments, considering the temporary and localised nature of the Development, the measures proposed to protect the sites of the wider development included in the PMoW and SOR and the confirmation by the LPA that there no other known developments in the area, the Secretary of State agrees that it is unlikely that there would be any localised likely significant effects from the Development in combination with other existing or approved projects.



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20. Warwickshire County Council was consulted and confirmed that they would delegate powers to North Warwickshire Borough Council to provide an opinion on the Development (email dated 11 November 2021).
21. North Warwickshire Borough Council, as mentioned above, has made a screening opinion stating that the Development does not amount to EIA development (letter dated 16 September 2021, ref. PRE/2021/0176) and after assessing the SOR further issued a letter updating the screening opinion which confirmed that the Development remains a non-EIA development (letter dated 12 July 2022, ref. PRE2021/0176).
22. Natural England was also consulted and confirmed that the proposed methodology associated with the Development (email dated 30 September 2021, ref. 0709211427LA) should safeguard the special interest of the SSSI (email dated 14 October 2021). Natural England further issued assent under Section 28H of the Wildlife and Countryside Act 1981 (as amended) (letter dated 8 October 2021, ref. 0709211427LA) and subsequently also provided advice to the Applicant on the standard of biosecurity measures that should be maintained with all equipment and all clothing at the site of the Development whilst raising no further concerns nor any objections to the Development as proposed (email dated 19 July 2022).
23. Warwickshire Nature Conservation Trust issued consent to the Development (letter dated 01 September 2021, ref. 0000315.00).

Taking account of the abovementioned factors and information received, the Secretary of State concludes that the Development is **not an EIA** development under the 2017 Regulations and does not require a statutory EIA as it is unlikely to have significant effects on the environment due to its nature, location and size. A copy of this letter has been sent to the LPA for information.

Francesco Marolda

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