



Department for  
Business, Energy  
& Industrial Strategy

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Our ref: 1557u, 1640u, 1642u.  
Your ref: 1607217

29 September 2022

Dear Robert,

**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: RECON CALDY SPUR PT3**

**LOCATION: Newcastle, Craven Arms, Shropshire SY7 8QX.**

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

- Uprate approximately 4.2km of an existing 2 wire 11,000-volt wood pole overhead line to a 3 wires 11,000-volts to upgrade the supplies to adjacent farms & properties near to Newcastle, Craven Arms, Shropshire SY7 8QX. Six additional wood pole supports are also to be installed in the line to maintain the required clearance. The maximum pole height proposed is 11.5m with a tolerance of 60m.

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 Western Power Distribution (West Midlands) PLC (“the Applicant”) in relation to the impacts on the environment of the Development and the views of Shropshire Council (“the LPA”). 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.
3. The Development is located within the Shropshire Hills Area of Natural Beauty and two Local Wildlife Sites ('Bicton Hill' and 'Cefncalanog') and is also close to a scheduled monument (ref. DSA4558 'Caer Din Ring')
4. It is noted that the LPA assessed the Development under the requirements of the 2017 Regulations and provided their screening views (Form b and Annex A, dated 16 February 2022) stating that they did not believe an Environmental Impact Assessment was required subject to completion of ecological impact and protected species surveys, which should include recommendations for reasonable avoidance and/or mitigation measures during construction where appropriate. This was further supported by the letter provided by Shropshire Council's Ecology Officer, Sophie Milburn, dated 21 January 2022, stating that additional information was required, including:
  - an Ecological Impact Assessment,
  - a great crested newt survey should be carried out by an experienced, licensed ecologist in line with the Great Crested Newt Mitigation Guidelines by Natural England (2001) and should be submitted with any necessary mitigation scheme and method statement to the Local Planning Authority in support of the planning application;
  - a mitigation strategy and precautionary method statement in regards to badgers;
  - as areas of the proposed scheme lie within Shropshire Council's Environmental Network, the development must clearly demonstrate how it will 'promote the conservation, restoration and enhancement of priority habitats [and] ecological networks.
5. The Secretary of State noted that the Applicant had submitted a Preliminary Ecological Appraisal (PEA) Report, dated January 2022, to the energy portal on 11 April 2022. However, after further investigations it became clear that the Applicant had not provided the LPA with this PEA report and had not addressed the issues raised in Sophie Milburn's letter.
6. The Secretary of State informed the Applicant on 8 September 2022, that the additional information requested by Sophie Milburn would need to be addressed before any further action could be taken on this Development.
7. The Secretary of State also questioned whether this Development should have been submitted as multiple applications, due to the length of the lines and the area covered. It was agreed that one screening decision would be sufficient for all applications submitted.



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8. The Applicant replied to the Secretary of State on 14 September 2022 and attached a further reply from Sophie Milburn, dated 13 September 2022 in which conditions were recommended to ensure the protection of wildlife and to provide ecological enhancements, these included the following:
- Designated sites: Rhos Fiddle SSSI lies approximately 1km to the west. There are five Local Wildlife sites within a kilometre of the site. Curney Plantation lies 100m to the south, Cwm Moch lies 300m to the north, Brynmawr lies 600m to the south-west, Mason's Bank West lies 500m to the north-east and Bicton Hill lies 300m to the south-west. No negative impacts upon such designations are anticipated as a result of the proposals.
  - Habitats: No potential significant bodies of standing water were identified within a 250m zone of influence but two sections of running water (WB1 – WB2) within a 250m zone of influence. Trees and hedgerows either left in place or, if they have to be taken out then they will be replaced by additional native tree planting at a 2:1 ratio. No long-term effects upon the grassland are anticipated. Where possible direct works such as driving in posts will avoid the wooded stream corridors.
  - Bats: All significant trees on/bordering the site is to be retained, wherever possible. If any trees are to be removed to enable works, then they are to be inspected by an Ecological Clerk of Works for bat features and those features inspected for signs of bats prior to removal and are to be replaced by planting native UK species at a 2:1 ratio.
  - During works the trees should be protected in line with BS 5837: 2012 Trees in relation to design, demolition and construction. Efforts should be made to reduce nocturnal lighting spill onto the trees to below 1 lux.
  - Great crested newts and other amphibians: No potential significant bodies of standing water were identified within a 250m zone of influence but two sections of running water (WB1 – WB2) within a 250m zone of influence. An EPS search on MAGIC found a GCN breeding pond 0.5km west of the site.
  - The suitability of the terrestrial habitat for GCN upon the site itself is considered to be good overall, given the presence of a combination of woodland, pasture and hedgerows and a number of potential, artificial, surface refugia present upon the site.
  - The following working methods are recommended:
    - Any excavations will be backfilled on the same day as excavation, or checked immediately prior to backfilling;
    - A means of escape, such as a wooden ramp, will be provided in all excavations that cannot be backfilled on the same day or alternatively, all excavations should be well-covered with plywood;
    - No piles of loose construction materials/ arisings which will require later removal from the site are to be created during works – all such



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material will be used a permanent habitat (left undisturbed), kept on hardstanding, stored on pallets, removed immediately from the site or checked prior to being removed.'

- If GCN are encountered during works, then works to stop and an ecologist to be contacted.
- Birds: Any tree/bramble/hedge clearance works (where required) must be timed to occur outside the bird breeding season (this is February – August inclusive). In the event that works are required within this time period then inspections for nests should be undertaken by a suitably qualified ecologist immediately prior to the start of any works. Should any active nest be found, works shall cease and a minimum 5m buffer is to be formed until subsequent checks by the ecologist prove the absence of nesting birds.'
- Retention of all significant trees where possible or mitigated for by planting up of native species at a 2:1 ratio for any trees lost.
- If Barn owls are encountered, then work will stop and advice sought from a qualified ecologist.
- Badgers: The following working methods are recommended:
  - Any excavations will be back-filled on the same day as excavation, or checked immediately prior to backfilling;
  - A means of escape, such as a wooden ramp, will be provided in all excavations that cannot be backfilled on the same day or alternatively, all excavations should be well-covered with plywood;
  - No piles of loose construction materials/ arisings which will require later removal from the site are to be created during works – all such material will be used a permanent habitat (left undisturbed), kept on hardstanding, stored on pallets, removed immediately from the site or checked prior to being removed.
  - If any badgers or signs of badger activity are encountered during works then work to stop and advice sought from a suitably qualified ecologist.
- Reptiles: The following working methods are recommended:
  - Any excavations will be back-filled on the same day as excavation, or checked immediately prior to backfilling;
  - A means of escape, such as a wooden ramp, will be provided in all excavations that cannot be backfilled on the same day or alternatively, all excavations should be well-covered with plywood;
  - No piles of loose construction materials/ arisings which will require later removal from the site are to be created during works – all such material will be used a permanent habitat (left undisturbed), kept on hardstanding, stored on pallets, removed immediately from the site or checked prior to being removed.
  - If any reptiles are encountered during works then work to stop and advice sought from a suitably qualified ecologist.



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- Hedgehogs: To avoid harming hedgehogs during the course of development, the following measures must be adhered to:
  - Any potential hibernation features (debris) should be removed carefully and, where possible, by hand;
  - Materials should not be stacked in the working area unless raised up on pallets, or similar.
  - In the event a hibernating hedgehog is encountered, it should be covered with a cardboard box and advice sought from an appropriately qualified and experienced ecologist or from the British Hedgehog Preservation Society.
- White clawed crayfish: No poles to be driven into the brooks or ditches and works shall avoid working directly in and around the brooks. Works will be distanced from the brooks or measures taken to prevent any additional sediment runoff into the brook from the works. If any white clawed crayfish or signs of crayfish activity are encountered during works then work is to stop and advice sought from a suitably qualified ecologist.
- Dormice: Any vegetation clearance or works taking place within target note 14 is to take place with a licensed dormouse ecologist as an Ecological Clerk of Works to carry out fingertip searches for dormice or nests. If any dormice are encountered during works then work to stop and advice sought from a suitably qualified ecologist.
- Other species: Sensitive site clearance methodology must be adhered to

9. Natural England were not consulted by the Applicant, however, the Secretary of State is content with the evidence supplied by the LPA's Ecology Officer.

10. The Applicant informed the Secretary of State that two further applications, reference numbers 1640u and 1642u, had been submitted.

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.

*John McKenna*

Head of network consents  
Energy Infrastructure Planning