

# SP MANWEB



## **Reinforcement to the North Shropshire Electricity Distribution Network**

SP Manweb's Responses to Relevant Representations

Application Reference: EN020021

**Deadline 1 Submission**

**SP MANWEB**

**Reinforcement to the North Shropshire Electricity  
Distribution Network**

**Response to Relevant Representations**

**PINS Reference EN020021**

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**QA Box**

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## SUMMARY

This document provides SP Manweb's response to the Relevant Representations submitted to PINS and available on the National Infrastructure Planning website.

Responses have been included to the Relevant Representations have been submitted by:

- The Coal Authority (RR-001);
- Kiernan Family (RR-002)
- Highways England (RR-004)
- National Grid Electricity Transmission Plc (RR-005)
- Inland Waterways (RR-006)
- Severn Trent Water Ltd (RR-007)
- Environment Agency (RR-008)
- Network Rail Infrastructure Ltd (RR-009)
- Shropshire Council (RR-010)
- Canal and River Trust (RR-011)
- NFU (RR-012)
- Public Health England (RR-013)
- The Woodland Trust (RR-014)

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## 1. INTRODUCTION

- 1.1. This document provides SP Manweb's response to the Relevant Representations submitted to PINS and available on the National Infrastructure Planning website<sup>1</sup>.

## 2. COAL AUTHORITY (RR-001)

Subject Matter
<p>I have checked the site location plan (DCO Document 2.1 Revision 1) against the information held by the Coal Authority and can confirm that the proposed development site is located outside of the defined coalfield. Accordingly, I can confirm that the Coal Authority has no comments or observations to make on this proposal.</p> <p>In the spirit of efficiency of resources and proportionality, it will not be necessary for you to consult the Coal Authority at any future stages of the Project. This letter can be used as evidence for the legal and procedural consultation requirements</p>

### SP Manweb Response

- 2.1. SP Manweb notes the response from the Coal Authority.

## 3. KIERNAN FAMILY (RR-002)

Subject Matter
<p>The proposed layout of overhead lines appears to include a spur which runs to within a matter of feet from our residence.</p>

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<sup>1</sup> <https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/reinforcement-to-north-shropshire-electricity-distribution-network/?ipcsection=relreps>

### SP Manweb Response

- 3.1. The closest poles to the Kiernan's property are;
- Pole 143 - 490m;
  - Pole 144 - 473m; and
  - Pole 145 - 483m.
- 3.2. At the closest point, measured to the centre line of the Order Limits, the property is approximately 472m from the overhead line.
- 3.3. The closest part of the Proposed Development is as an access track (approximately 8.4m).

Subject Matter
Our main concern/objection is our sleeping within a few feet of any resultant electromagnetic field and the subsequent health risks involved, as outlined in numerous scientific studies.

- 3.4. As noted above the property is in excess of 400m from the overhead line and is therefore at a distance from its associated electromagnetic fields.
- 3.5. In their Relevant Representation Public Health England (RR-013) acknowledge that:

*...the Environmental Statement (ES) has not identified any issues which could significantly affect public health.*

*We have no additional comments to make at this stage and can confirm that we have chosen not to register an interest with the Planning Inspectorate on this occasion.*

- 3.6. Accordingly, the ES assessment concluded that there would be no adverse significant health effects and this has been endorsed by the relevant statutory body.

**Subject Matter**

Is it really necessary, with such an expanse of farmland available, to site overhead power lines so close to dwellings which include listed buildings?

- 3.7. As noted above the proposed overhead line is not sited in proximity to the listed building. Chapter 8 of the Environmental Statement 'Historic Environment' (**DCO Document 6.8** (APP-060)) has not identified any significant effects on the listed buildings.

#### 4. HIGHWAYS ENGLAND (RR-004)

**Subject Matter**

The matter of use of the existing agricultural access to/from the A5 trunk road and the avoidance of the creation of any new access has interrelated requirements under the Highways Act (1980) Section 175b. The Order needs to confirm that no permanent rights of access are created by the Order and that the requirements of Section 175b are not engaged. The Order should confirm that the temporary works required to enable safe use of this access for purposes of construction activities will be removed when the authorised works are complete.

#### SP Manweb Response

- 4.1. SP Manweb confirm that no permanent rights of access will be created from the A5 to Plots 9, 10 and 11)<sup>2</sup>. Access onto the A5 is only temporary and the temporary works required to enable safe use of this access for purposes of construction activities will be removed once construction is completed.
- 4.2. SP Manweb is not seeking to compulsorily acquire rights from Highways England. It proposes only to rely on temporary use rights under Articles 26 and 27 and as a result any works are by definition temporary.

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<sup>2</sup> See Articles 26 and 27 of the draft DCO (DCO Document 3.1 (APP-012))



**Subject Matter**

The Draft Order makes no reference to traffic signage required to make the temporary A5 use of the agricultural field access suitable for use as a construction access and therefore acceptable to Highways England. We consider this to be part of the development and should be recorded as such.

**SP Manweb Response**

- 4.3. SP Manweb confirms that advance warning speed restriction signage indicating 'construction access ahead' with a speed restriction will be provided.
- 4.4. Since the Relevant Representation was submitted a draft 'Traffic Management Signage Strategy, Access AC2, A5' has been produced and is being discussed with Highways England. Once agreed this document will form part of the draft Construction Traffic Management Plan, which is in an appendix to the draft Construction Environmental Management Plan (CEMP) (**DCO Document 6.3.2** (APP-036)), and which will be secured by Requirement 9 to the DCO.

**Subject Matter**

Certain matters in the protective provisions, part 6 are not relevant to this application.

**SP Manweb Response**

- 4.5. SP Manweb notes the comments. The Protective Provisions are continuing to be discussed and developed in conjunction with Highways England.

**Subject Matter**

The protective provisions, part 6 need to make explicit reference to the need for geotechnical surveys as part of the design information for the trunk road works.

**SP Manweb Response**

- 4.6. In previous discussions with Highways England they have referred to supporting geotechnical assessments required by HD22/08.
- 4.7. SP Manweb confirm that any necessary geotechnical studies will be undertaken and the requirements of HD22/08 will be met.

<b>Subject Matter</b>
The deemed approval period for design and construction works associated with the A5, commencing at 28 days, is too short to enable completion of the necessary technical approvals processes required in accordance with the Design Manual for Roads and Bridges (DMRB).

**SP Manweb Response**

- 4.8. SP Manweb confirm that a 56 day approval period is acceptable and the DCO will be amended accordingly.

<b>Subject Matter</b>
Highways England will appoint the Principal Designer (PD), necessary to meet the requirements of the Construction Design and Management Regulations (2015) to ensure its legal duties are disclosed. Payment for this will be required from the applicant. This should be detailed within the provisions

**SP Manweb Response**

- 4.9. SP Manweb will appoint the Principal Designer as this is its duty under CDM Regulation 5(1)a. SP Manweb will discuss with Highways England how they will have appropriate opportunities to comment during the design review/approval/certification process.

<b>Subject Matter</b>
<p>The protective provisions need to state clearly that the temporary signage will need to comply with the Traffic Signs Regulations and General Directions (2016) and be approved by Highways England, including the process for design, approvals and works to be delivered in accordance to the DMRB. These requirements are not dissimilar from the requirements of the under-road conduit and therefore it is appropriate that clause 56(2) includes "temporary signage" as a specific definition</p>

**SP Manweb Response**

- 4.10. SP Manweb agree that the wording proposed by Highways England, with regard to the Traffic Sign Regulations and General Directions (2016), and delivery in accordance with DMRB, can be incorporated into the Protective Provisions.

**Ongoing Engagement**

- 4.11. SP Manweb is in ongoing discussion with Highways England regarding the Protective Provisions and a Statement of Common Ground which includes the matters referred to above.

**5. NATIONAL GRID ELECTRICITY TRANSMISSION (RR-005)**

<b>Subject Matter</b>
<p>National Grid is liaising with the Promotor to agree a final form for these Protective Provision</p>

**SP Manweb Response**

- 5.1. SP Manweb can confirm that discussions regarding the Protective Provisions are ongoing with National Grid.

## 6. INLAND WATERWAYS ASSOCIATION (RR-006)

Subject Matter
The Inland Waterways Association wishes the visual impact on the Montgomery Canal to be minimised. This should be done by passing the line under the canal rather than by an overhead cable.

### SP Manweb Response

- 6.1. This issue is considered under the response to the Canal and River Trust below (RR-011).

## 7. SEVERN TRENT WATER (RR-007)

Subject Matter
STW owns and operates assets which are located in close proximity to the proposed works; in a number of locations, the proposed works will cross STW's assets. These assets consist principally of two categories, namely (1) public water mains and (2) public sewers, all of which are kept and maintained pursuant to statutory powers.  It is essential that these assets remain in continuous operation in order to ensure the provision of water supplies to, and the effectual removal of sewage from, household and non-household customers.

### SP Manweb Response

- 7.1. SP Manweb agrees that there are a number of locations where STW assets are crossed by the proposals. The Proposed Development will not affect STW's ability to keep those assets in operation. This will be ensured through the protective provisions.

<b>Subject Matter</b>
<p>The protective provisions which are relevant to and reasonably required by a water undertaker are not necessarily the same as those required by a sewerage undertaker, and certainly not the same as the requisite provisions for an electricity or gas undertaker. Whilst Schedule 6 Part 2 includes certain provisions with which STW is content, taken as a whole it does not provide STW with the necessary degree of protection</p>
<p>Any works required to be carried out on STW’s water supply assets must be planned and performed to avoid risk of supply interruption, supply contamination, or damage to the integrity of the water network</p>
<p>Any works required to be carried out on STW’s sewerage assets must be planned and performed to avoid risk of service interruption, harm to human health, damage to the integrity of the sewerage network, or environmental damage.</p>
<p>Further, it is essential to STW that in the event of any alteration to or relocation of its assets, such work is carried out pursuant to STW’s statutory powers, so as to ensure that both existing and new water supply and sewerage assets unquestionably form part of STW’s statutory undertaking.</p>
<p>STW therefore intends to seek to conclude an agreement with SP Manweb PLC, incorporating appropriate provisions to enable STW to ensure that delivery of its statutory functions and essential public services are not put at risk. Such agreement is likely to stipulate the interaction between the parties to a greater extent than is the case under Schedule 6 Part 2. Discussions between the two parties have commenced, albeit they are at an early stage.</p>

**SP Manweb Response**

- 7.2. SP Manweb is in ongoing discussion with STW regarding the Protective Provisions and a Statement of Common Ground.

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## 8. ENVIRONMENT AGENCY (RR-008)

Subject Matter
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<p>The Environment Agency have been engaged in discussions, over recent years, with SP Energy with regards the proposed works and the potential impacts on matters within our remit. The submitted information offers a fair representation of those discussions and we are satisfied that the proposed works can be undertaken within impact on flood risk, protected species within our remit, or the wider water environment.</p>
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### SP Manweb Response

- 8.1. SP Manweb notes that the Environment Agency are generally supportive of the scheme. In the circumstances, there is no need to address all the points raised in their Relevant Representation

Subject Matter
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<p>In October 2018 we reviewed and provided comment on the Draft Construction Environmental Management Plan (CEMP), including reference to pollution prevention, impacts on groundwater and the protection of water voles, which has informed the latest iteration (Document Reference 6.3.2).</p>
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### SP Manweb Response

- 8.2. SP Manweb confirm that the draft CEMP has been updated to reflect EA comments as follows:
- Reference to a specific permit for the River Roden has been added;
  - Species Protection Plans for water vole / otters have been included;
  - Reference has been made to protecting private water supplies if/where they exist within the Order Limits;
  - Measures to protect areas of medium/high superficial aquifer vulnerability within the Order Limits lie have been added.
- 8.3. The Statement of Common Ground agreed with the Environment Agency reflects these updates to the draft CEMP.

<b>Subject Matter</b>
<p>With regards to water voles, and the potential for habitat enhancement initiatives, we have fed into the draft Habitat Improvement Strategy which is being developed in partnership with the Shropshire Wildlife Trust. We welcome this partnership with SP Energy and the potential for delivering net gain for biodiversity as well as protection of habitat and species during it's the construction phase.</p>

**SP Manweb Response**

- 8.4. The Habitat Improvement Strategy is not a DCO document but is being agreed separately with the Environment Agency and the Shropshire Wildlife Trust.

**9. NETWORK RAIL (RR-009)**

- 9.1. The issues raised in the Relevant Representation submitted on behalf of Network Rail relate to the protection of their assets. SP Manweb is in ongoing discussions with Network Rail to agree these points and the Protective Provisions.
- 9.2. It is important, though, to understand the extent of the works that effect Network Rail land as this is the context in which Network Rail's concerns and the protective provisions must be understood. There is a single crossing of Network Rail land. It will involve the erection of scaffolding on land adjacent to (but outside of) Network Rail Land, either side of the railway. Protective netting will then be pulled between the scaffolds. Thereafter, entry will be required onto land within the ownership of Network Rail to pull the wires which are part of the installation of protective netting. The scaffolding and netting will be removed once construction is completed.

**10. SHROPSHIRE COUNCIL (RR-010)**

- 10.1. SP Manweb has been working with Shropshire Council throughout the development of the project. SP Manweb notes that Shropshire Council is, in principle, supportive of the scheme as it will provide the additional electricity capacity needed to support the successful delivery of the Council’s adopted and emerging Local Plans and the aspirations of the adopted Economic Growth Strategy.
  
- 10.2. SP Manweb is in ongoing discussions with Shropshire Council to agree a Statement of Common Ground.

**11. CANAL AND RIVER TRUST (RR-011)**

<b>Subject Matter</b>
<p>The Trust have previously raised concerns with regards to the visual impact of the proposals on the canal which include an overhead crossing of the Montgomery Canal. A unique attraction of the Montgomery Canal is based on its visual amenity value, in addition to its significance as a heritage and wildlife corridor and as a sustainable transport route. It is essential that the amenity value of the canal is protected, and that no development takes place that may adversely affect the experience of waterway users.</p>
<p>The Trust previously advised that in assessing the visual, ecological and heritage impacts of the overhead line the Environmental Statement should provide clear, detailed comparison of the impacts of an underground line to an overhead line.</p>
<p>The Trust do not consider that this issue was properly addressed as part of the pre-application consultation. The Applicant advised that concerns with regards to undergrounding the line in the vicinity of the Canal will be addressed in the documentation now submitted. The Trust will therefore require further opportunity to consider the details before any further representations are made but at this stage the Trust are not convinced that appropriate assessments have been undertaken to determine whether the undergrounding of the line in the vicinity of the Canal is a viable option.</p>



**SP Manweb Response**

- 11.1. The Environmental Statement (**DCO Documents 6.1 – 6.16** (APP-031 – APP-085)) provides an assessment of the Proposed Development and includes consideration of the main alternatives (Chapter 2).
- 11.2. Appendix 1 to the Planning Statement (**DCO Document 7.1** (APP-086)) sets out how an underground option should be assessed in accordance with the NPSs.
- 11.3. In response to feedback from the Canal and Rivers Trust a partially underground option in the vicinity of the Montgomery Canal has been appraised, although SP Manweb do not consider that this was required by policy (based on EN-5) and so this work was done purely in an attempt to address Canal and River Trust’s concerns.
- 11.4. The appraisal concluded that whilst undergrounding is technically feasible at this location, it is not preferred:

*Undergrounding would result in localised reduction in visual effects (which are already not significant). On balance it is considered that, although there would be a localised visual benefit when compared to the 132kV overhead line there is no basis to refuse the overhead line in favour of undergrounding here as the benefits of undergrounding (a modest improvement in landscape and visual effects in a non-designated area) will not clearly outweigh the extra economic impacts and the technical preference for an overhead line.*

<b>Subject Matter</b>
As identified within the submission a section of the Montgomery Canal is a designated Site of Special Scientific Interest (SSSI) Although the canal is designated primarily for aquatic wildlife, it is also important as a flight line for birds and bats.
Therefore, it must be ensured that any overhead cable crossings have measures in place that reduce the chance of cable strikes by birds. Additionally, any construction phase activities should be kept away from the canal corridor to minimise any disturbance to the corridor.
The height of the overhead lines over the canal must be sufficient to ensure that access along the towpath to carry out essential maintenance and repair

**Subject Matter**

of the canal infrastructure is not restricted. The height of any overhead lines must also be sufficient to ensure that boaters, towpath users, anglers and wildlife are not adversely affected. The power-line will require a localised “no fishing” safety restriction and anglers will need to be advised of the power lines via measures such as totem posts with no fishing signs on them installed on the towpath.

The Trust do not consider that these issues were properly addressed as part of the pre-application consultation. The Applicant advised that the concerns would be addressed in the documentation now submitted. The Trust will therefore require further opportunity to consider the details before any further representations are made. One fundamental point that the Trust do wish to reiterate at this stage, however, is that the Trust do not consider that it is appropriate or necessary for rights/interests to be compulsorily acquired from the Trust.

**SP Manweb Response**

- 11.5. The section of the Montgomery Canal where the Proposed Development would cross is not designated as a SSSI.
- 11.6. The Environmental Statement includes an assessment of the potential ecological effects of the Proposed Development (**DCO Document 6.7** (APP-049)). Following discussions with the Canal and River Trust SP Manweb has agreed to install bird diverters on this section of the overhead line.
- 11.7. The design proposed by SP Manweb is in accordance with all the required design specifications. The height above ground of both poles either side of the Canal (nos. 37 and 38) is 13m. The height of the conductors are 9.3m on the western side of the canal and 9.9m on the eastern side. These heights allow for sufficient clearance to not adversely affect users of the canal or towpath.
- 11.8. The Canal is crossed by an existing 11kV at Keepers Bridge, approximately 1.1km from the Proposed Development, at sufficient clearance to not adversely affect users of the canal or towpath. Clearances for the Proposed Development will be similar to 132kV overhead line crossings of the canal network in other locations.

- 11.9. SP Manweb agrees that signage will be installed to inform anglers of the ‘no fishing’ safety restriction due to the overhead line. This measure will be included in the CEMP (secured by Requirement 9 to the DCO) and will be maintained during operation.
  
- 11.10. The Proposed Development is a Nationally Significant Infrastructure Project (NSIP) for which SP Manweb are only seeking the necessary rights. SP Manweb therefore do not propose to make changes to the rights / interests they are seeking in the DCO.

<b>Subject Matter</b>
There are a number of provisions within the draft DCO which will impact on the Trust and the interests it seeks to protect and promote as owner and operator of the Montgomery Canal and associated infrastructure.
The draft DCO was not available as part of the pre-application consultation. The Trust are in the process of reviewing this document with the aim of providing initial comments to the Applicant. The Trust do however require further opportunity to consider the detail of these provisions in light of the documents now submitted before any further representations are made.

**SP Manweb Response**

- 11.11. SP Manweb is in ongoing discussion with the Canal and River Trust regarding the provisions in the draft DCO.

<b>Subject Matter</b>
The draft Protective Provisions were made available to the Trust just prior to the formal submission being made. However, in the absence of the draft DCO or other Application documentation it was difficult to make a full assessment of the draft Protective Provisions.
The Trust therefore require further opportunity to consider the detail of these provisions in light of the documents now submitted before any further representations are made.

SP Manweb Response

11.12. SP Manweb notes the response from the Canals and Rivers Trust and is ongoing discussion with the Trust regarding the draft Protective Provisions.

**12. NATIONAL FARMERS UNION (RR-012)**

<b>Subject Matter</b>
Our comments will be on behalf of our farming members affected by this proposed scheme.
The NFU’s priority is to ensure that major infrastructure projects do not damage agricultural land or negatively affect farming businesses
Ensure that farming businesses along the route are well informed throughout the process.
Developments in agriculture and the use of modern, larger machinery have significantly improved field work rates. Therefore time lost when navigating around these structures, loss of yield and various additional costs incurred, will have a much greater impact on farming businesses.
The easement payment being offered at the present time in the heads of terms is only for 20 years. This is not an acceptable payment for the interference and impact that this infrastructure will have on farming operations and the loss of production on agricultural land.
SP Energy Networks, contractors and associated bodies to follow best practice and to respect the wishes and needs of landowners and occupiers in terms of their business interests.
SP Energy Networks must identify how soil, field drainage and water supplies will be treated during and post construction
SP Energy Networks should liaise closely with farmers prior to site entry and during construction, to identify any opportunities to mitigate potential impacts on the agricultural ground and operations.
Land taken on a temporary basis must be returned and reinstated in no worse a condition than that which is suitable for agricultural production

Subject Matter
We would impress upon SP Energy Networks the benefits of regular dialogue with the NFU and their members

**SP Manweb Response**

- 12.1. SP Manweb has considered the effects on agriculture in Chapter 11 of the Environmental Statement (**DCO Document 6.11** (APP-74)). The assessment identified no significant effects during either construction or operation.
- 12.2. The easement payment of 20 years is calculated by multiplying the annual payment by twenty. This is an accepted valuation principle for the grant of permanent rights. The annual payments, used in the calculation, for all of the proposed 132kV apparatus, are based upon the higher level payment for arable land.
- 12.3. Construction works to be undertaken in accordance with the CEMP (**DCO Document 6.3.2** (APP-036)) which includes general, as well as project specific measures to protect soils, field drainage and water supplies. Works will be planned so as to avoid unnecessary disruption to the land management activities. SP Manweb will be responsible for making good physical damage to the land and/or settling any reasonable compensation claims for losses incurred arising from the construction operations.

**13. PUBLIC HEALTH ENGLAND (RR-013)**

Subject Matter
<p>We note that the developer has scoped out at the earlier stage all issues that could potentially have been a concern in terms of impacts on human health. With respect to Registration of Interest documentation, we are reassured that earlier comments raised by us on 2nd February 2018 have been addressed. In addition, we acknowledge that the Environmental Statement (ES) has not identified any issues which could significantly affect public health.</p> <p>We have no additional comments to make at this stage and can confirm that we have chosen not to register an interest with the Planning Inspectorate on this occasion. .</p>

## SP Manweb Response

- 13.1. SP Manweb notes the comments from Public Health England.

## 14. WOODLAND TRUST (RR-014)

Subject Matter
Concerned about there being 5 veteran trees among the 18b trees to be felled and that these should be avoided and a buffer zone included for their protection

## SP Manweb Response

- 14.1. The tree losses resulting from the Proposed Development are detailed in the following chapters within the Reinforcement to the North Shropshire Electricity Distribution Network Environmental Statement (ES):
- ES Chapter 7 – Ecology and Biodiversity (**DCO Document 6.7.4** (App-053)) Table 7.6 ‘Summary of Ecological Effects’ (page 38);
  - ES Chapter 6 - Landscape and Visual (**DCO Document 6.6.2** (APP-043)) para 1.5.4; and
  - Figure 6.9 ‘Locations of Anticipated Tree Works’, (**DCO Document 6.14** (APP-081)).
- 14.2. The assessment provided in the above chapters is based on the Proposed Development as applied for within the application for an order granting development consent. This includes the Order Limits for the overhead line (25m), as described in Chapter 3 of the ES ‘The Proposed Development’, (**DCO Document 6.3** (APP-034)) (paras 3.3.2 to 3.3.4), with an associated centre line and pole positions.
- 14.3. The Woodland Trust comment notes concern about ‘*the potential impact to 18 trees within the route of the electric line, recognised as veteran/notable within the arboricultural report.*’

- 14.4. The term 'notable tree' usually refers to a tree which is significant locally, because it is special or particularly large compared with the trees around it. Notable trees are usually mature, but not always. The Woodland Trust notes that *'Notable trees are usually magnificent mature trees which stand out in their local environment because they are large by comparison with other trees around them. They are often taller than ancient trees and they may be fatter than many veteran trees but do not have any obvious veteran characteristics. In parts of the UK where trees are less common, a tree that is relatively small may be notable because it is significant in its local environment.'*
- 14.5. The ES, including the Arboricultural Survey' (**DCO Document 6.7.4** (APP-053)), does not identify 'notable trees' and therefore it is unclear which notable trees the Woodland Trust are referring to.
- 14.6. It is important to clarify that whilst veteran trees have been identified for felling, no ancient trees has been identified. The Woodland Trust provides the following guidance with regard to veteran trees and ancient trees.
- 14.7. Ancient trees are defined as follows: *'An ancient tree is one that has been allowed to grow old and with great age comes great habitats for wildlife. It is in the third and final stage of its life and will have developed lots of niches that wildlife will settle into – such as cavities for bats and birds, and decaying wood for invertebrates. Ancient trees have passed maturity and are old in comparison with other trees of the same species. They will probably have a wide trunk, which will likely be hollow. And like humans trees shrink with age so they may have a small canopy. This isn't the end of the line for the ancient tree. Even though they are in the third and final stage of their life, and they are in the process of dieback and decay, it may go on for a long time.'*
- 14.8. Veteran trees are defines as *'Veteran is a term describing a tree with habitat features such as wounds or decay. The terms ancient and veteran have been used interchangeably in the past, however, it is important to know what the differences between them. A veteran tree is a survivor that has developed some of the features found on an ancient tree, not necessarily as a consequence of time, but of its life or environment. Ancient veterans are ancient trees, not all veterans are old enough to be ancient. A veteran may be a young tree with a relatively small girth in contrast to an ancient tree, but bearing the 'scars' of age such as decay in the trunk, branches or roots, fungal fruiting bodies, or dead wood. These veteran features will still provide wildlife habitat.'*
-

- 14.9. As noted above, no ancient trees have been identified and therefore none are affected.
- 14.10. The five veteran trees earmarked for potential felling are discussed below. Reference to the Landscape Character Area (LCA) within which each tree is located has been included
- 14.11. The assessment identifies that 2 No mature veteran trees are to be felled, with 3 No further veteran trees with the potential to be felled (2 of these 3 veteran trees are mature veterans), i.e.:
- 2 mature veteran trees to be felled;
    - T32 (Woodhouse Estate, LCA4); and
    - T131 (Malt Kiln Farm, LCA7);
  - 1 mature veteran and 1 veteran tree subject to FALARP (Felling As Low As Reasonably Practicable);
    - T63c mature veteran near pole 77 and Lower House/Dandyford Farm;
    - T70 veteran near pole 80 and Reynold's Cottage (both LCA7); and,
  - 1 mature veteran tree with the potential to be felled due to its proximity to pole 29;
    - T28 mature veteran (Pole 29, Perrymoor Farm, LCA2).
- 14.12. Variations in pole positions (as allowed for by the Limits of Deviation) can alter the extent of any resultant losses and these works identified above to the five veteran trees represent the best judgement of likely tree works at this stage.
- 14.13. In summary, the ES notes that no significant effects on landscape character are anticipated as a result of the loss of the veteran trees, since the losses would be felt at a local scale rather than across the wider character areas.
- 14.14. Similarly, it is considered there would be no significant effects upon tree cover or the extent of woodland habitats along the Proposed Development during the construction or operational phases.



**Issue Raised**

*It is essential that no trees displaying veteran characteristics are lost to facilitate the following scheme, and are adequately protected in line with Natural England's Standing Advice which states: "A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter."*

**SP Manweb Response**

- 14.15. Sheet 1 of the Land Plans (**DCO Document 2.2.1**) shows Plots 9 and 11 correctly coloured yellow however Class 5 rights for Plots 9 and 11 has been removed from the Book of Reference entries for those plots, and replaced with the Class 6 temporary rights that cover off the same permanent rights in Class 5.
- 14.16. Government guidance states that Local Authorities should refuse planning permission that would result in the loss of ancient woodland or veteran trees except in exceptional circumstances. The Ministry of Housing, Communities and Local Government National Planning Policy Framework (July 2018), Habitats and Biodiversity, page 51, point 175 (c) notes that '*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>58</sup>...*' Footnote 58, notes '*For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.*' Since this is a Nationally Significant Infrastructure Project, the circumstances are considered exceptional.
- 14.17. Ancient woodland and veteran trees have biodiversity, cultural and heritage value, providing valuable habitats and contributing to the character of a landscape and placemaking, and SP Manweb's aim has been to avoid them wherever practicable.
- 14.18. The Proposed Development is 21.3km in length, and whilst SP Manweb have sought to avoid ancient and veteran trees, and areas of ancient woodland throughout the iterative design process, constraints relating to other aspects of the design, including technical feasibility and land use, have been taken into account when developing the scheme which is included in the application for a DCO.

**Issue Raised**

*Similarly, the Trust is concerned about the impact of the scheme on Long Wood, an area of potentially unmapped ancient woodland (at grid reference: SJ3114129984) which borders the works boundary. It is recommended that further discussions with Natural England occur, to determine the ancient woodland status of Long Wood, as ancient woodland is an irreplaceable habitat.*

**SP Manweb Response**

- 14.19. Long Wood borders the Order Limits close to pole 1 (in LCA2). No direct impacts are considered likely on this woodland. Implementation of the measures set out in the Draft CEMP (**DCO Document 6.3.2** (APP-036)) will ensure there are no indirect effects and that the root zone protection will be in line with standard practice.
- 14.20. Long Wood is not identified on Natural England mapping including MAGIC mapping (the MAGIC website provides authoritative geographic information about the natural environment from across government) and it is also omitted from any form of priority habitat mapping. The approach adopted in the assessment is based on reasonable information and is therefore robust.
- 14.21. SP Manweb has had ongoing consultation with relevant statutory bodies and stakeholders during all stages of the project. Natural England and Shropshire Council have not provided any specific feedback with regard to Long Wood.
- 14.22. SP Manweb has contacted Natural England to confirm whether the status of Long Wood has been amended since the assessment was undertaken.