

# SP MANWEB



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

Submitted as Late Response at Deadline 7

Application Reference: EN020021

**Response to Comments Submitted by Mr J Dickin at  
Deadline 6**

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**August 2019  
PINS Reference EN020021**

**QA Box**

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## 1. INTRODUCTION

- 1.1. This document provides SP Manweb's comments on the submission made by Mr Dickin to PINS at Deadline 6 (19<sup>th</sup> July) that SP Manweb was made aware of by PINS on 8<sup>th</sup> August.
- 1.2. SP Manweb has noted the submission and Section 2.0 below provides SP Manweb's response,

## 2. MR J DICKIN, STANWARDINE GRANGE

- 2.1. The following is SP Manweb's summary of the response from Mr Dickin.

<b>Subject Matter: John Dickin; Stanwardine Grange</b>
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<b>General Comments</b>
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Have fully engaged with SP Energy over the past three years to try for the best route for environmental needs, farming impact, local community.

Stanwardine Grange has many individual attributes not found on other land the line crosses as follows ,

- 1) The land is the only organic registered block on the route (Soil Association agreement licence no G5028)
- 2) The land is in environmental stewardship with Natural England (Entry level stewardship agreement, Organic level agreement, Higher level agreement, Agreement number AG00284783)
- 3) Applications for Countryside Stewardship in the process with Mid Tier (Applications ID number 751979)
- 4) Stanwardine Grange is situated adjacent to the largest Community on the length of the route except for Oswestry and Wem which are towns.
- 5) Stanwardine Grange is the highest point above sea level on the route

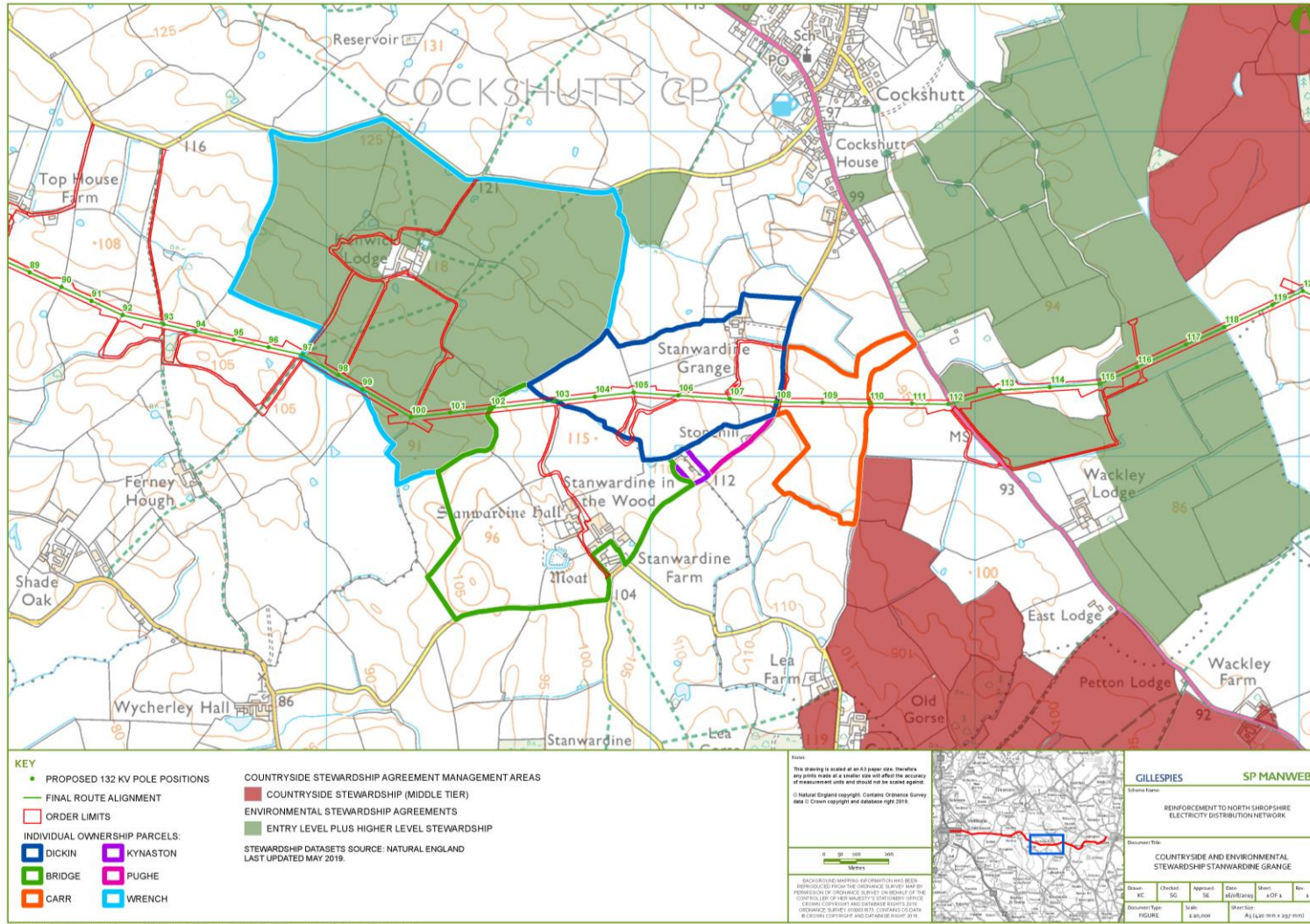
For these reasons we have tried to suggest a route across Stanwardine Grange but unfortunately found it difficult with manner of S P Energy logic to the above issues.

### SP Manweb Response

#### General Comments

- 2.2. SP Manweb has not previously been made aware, from comments submitted by Mr Dickin, that the land affected by the Proposed Development is registered organic land, although, as reported in the ES Chapter 11 'Land Use and Agriculture' (**DCO Document 6.11** (APP-04)), SP Manweb is aware of there being at least one farm that produces organic produce.
- 2.3. In relation to the comment regarding areas of stewardship, the ES in Chapter 11 refers to Agri-environment schemes in paras 11.5.12 to 11.5.14 and notes the countryside stewardship schemes which provide financial incentives for good environmental management. Figure 11.2 in the ES (**DCO Document 6.14** (APP-083)) identifies Countryside Stewardship areas administered by DEFRA. These areas were mapped as SP Manweb considered them to be more closely linked with longer term agricultural practices than the newer Environmental Stewardship schemes run by Natural England. Figure 11.2 is based on data obtained in 2016 and in response to Mr Dickin's comments, SP Manweb has reviewed the currently available data as shown in Figure 1 (Countryside and Environmental Stewardship: Stanwardine Grange) below. This data does not identify land at Stanwardine Grange, presumably, as Mr Dickin acknowledges, because it is in 'application'.
- 2.4. Noting the existence of the organic farmland and the mapped Countryside Stewardship areas in the project area shown in Figure 11.2, Chapter 11 of the ES assesses the effects of the Proposed Development on land use and agriculture (taking into account the organic and stewardship areas) and concludes there would be no significant effects.
- 2.5. As set out in Chapter 11 SP Manweb will arrange pre-entry meetings with owners and occupiers of land, or their agents, to ensure that disruption to farming activities and Agri environmental schemes are kept, where possible, to a minimum and there will be liaison with farmers and / or their agents throughout. In this regard, a programme of works in particular locations will be mutually agreed where possible with landowners and tenants.
- 2.6. Chapter 11 also refers to using the measures in the Construction and Environmental Management Plan (**DCO Document 6.3.2** (APP-036)) to further reduce any effects on agriculture during construction (see Section 1.6 which includes measures for biosecurity).

Figure 1



- 2.7. SP Manweb considers the measures set out in Chapter 11 of the ES and in the draft CEMP will sufficiently mitigate any adverse effects on the farmland at Stanwardine Grange.
- 2.8. In relation to the comment regarding the proximity to Cockshutt, the line route has already been moved further from the village following feedback taken into account by SP Manweb following the extended non-statutory consultation in 2016. The Updated Line Route Report (November 2016) (**DCO Document 7.10** (APP-093)) in paras 2.33 to 2.45 summarises the feedback on Section 3 of the line route, which includes the area around Cockshutt, noting the concerns of the proximity to the village (para 2.36). In considering this feedback, SP Manweb set out its assessment in paras 3.18 to 3.23 in the same report. Para 4.8 refers to the amended route being located further away from Cockshutt and this is shown in Figure 4.1 of that report. Reference to these documents shows that SP Manweb listened to stakeholders interested in the Cockshutt section and identified a line route which reflected their concerns.
- 2.9. The Consultation Report (**DCO Document 5.1** (APP-017)) on pages 52 to 53 noted the ongoing engagement with landowners following the publication of the changes made in November 2016.
- 2.10. Being aware of Mr Dickin's concerns following the non-statutory consultation in 2016, SP Manweb's ongoing engagement included further discussions with Mr Dickin. SP Manweb met with Mr John Dickin on a number of occasions between January and July 2017. Mr Dickin initially requested a re-alignment of the proposed overhead line further south due to the visual impact, as he may in future convert the barns to residential property. In July 2017, Mr Dickin and SP Manweb agreed to investigate a line route towards neighbouring properties at Stonehill and Highfields. SP Manweb considered this alternative route impacted adversely on the neighbouring properties, and to reduce these impacts, would have involved additional costs in undergrounding a section of lower voltage line. Given that the proposed line did not have a significant visual effect there was no justification for this change.
- 2.11. Whilst being in receipt of further feedback on other sections of the line route and the view to further consult on these sections in Project Update 3, as noted in the Consultation Report (page 54), SP Manweb did not see a need to further consult on the Cockshutt section. As page 55 of the Consultation Report explains, SP Manweb then received a number of responses following Project Update 3, however, none of these related to the Cockshutt section.



- 2.12. SP Manweb considered no further action necessary in the Cockshutt section.
- 2.13. Following this, Mr Dickin attended the statutory consultation event at Cockshutt Memorial Hall in December 2017 and expressed his disappointment at the SP Manweb proposed route and requested that his proposal be reconsidered.
- 2.14. Following the event, SP Manweb advised Mr Dickin they had not received any written consultation feedback for Stanwardine Grange and advised that any concerns be made in writing. Further exchanges continued through to the end of January 2018, close to the consultation closing, regarding SP Manweb's non-receipt of Mr Dickin's comments. SP Manweb then contacted Mr Dickin on 30<sup>th</sup> January 2018 to arrange a meeting at their Oswestry Depot and this took place on 1<sup>st</sup> February 2018 when Mr Dickin was encouraged to forward a copy of his comments to the project email address shown on the newsletters and consultation documentation.
- 2.15. Mr Dickin at the meeting expressed his disappointment with SP Manweb and suggested that his preferred route had a lesser environmental impact and that the proposed route would potentially restrict further development of his farm buildings. SP Manweb was also advised that he was planning to use the field next to his farm as a holiday caravan site. SP Manweb advised that the results of its assessment were that the impact of the suggested route alternative would be greater than the proposed route and could not therefore be recommended.
- 2.16. Following further enquiries from Mr Dickin in March and April 2018 when SP Manweb was advised that he was disappointed that the alternative route had not been accepted and that he considered he was not being listened to, SP Manweb arranged to meet Mr Dickin in April 2018. Following further engagement, representatives from SP Manweb team (design, land and planning) met Mr Dickin on site in June 2018. Following the meeting, Mr Dickin indicated that he did not agree with SP Manweb's response (to not amend the proposed route) requesting more information and suggesting a further alternative. Engagement via telephone calls and emails continued with Mr Dickin, including on a land agreement, through to April 2019.
- 2.17. SP Manweb considers that the above summary shows that it has taken into account the comments raised by Mr Dickin regarding the farming practices at Stanwardine Grange and proximity to Cockshutt. SP Manweb has listened to and considered in some detail other route options across Stanwardine and none of these considerations alter SP Manweb's view that the proposed route remains the preferred scheme.

- 2.18. SP Manweb met again with Mr Dickin in early May 2019 when Mr Dickin expressed further concerns about the proposed route and made further suggestions on an alternative route and this engagement is addressed below.

**Subject Matter: John Dickin; Stanwardine Grange****Comments on Poles 103 to 108**

Reasons for objecting to route pole by pole:

- Pole 103 needs falling two trees T109 and T110 and no need to cut down as open hedgerow 40 meters north (Trees in environmental scheme with Natural England)
- Pole 104 falls in area of field that retains water and was original a pond (Concern over poaching of ground and impact of erosion of soil with pole attracting cow to area to rub against)
- Pole 105 highest point on route because route changes direction needs two stays affecting farming activity if line more direct no need for stays
- Pole 106 and 107 these poles are 16 meters high and 160 meter span to cross 11kv line so are high in sky line against the village. Have suggested the 11kv line going underground to reduce impact
- Pole 108 again two stays because change direction resulting impact on activities when there is no need with suggested route

Have had numerous meetings and correspondence but unable to come to agreement on route – consider to be 90% there but no movement from S P Energy at present so find ourselves in this position.

- 2.19. Following the meeting in early May 2019, SP Manweb sent Mr Dickin a meeting note asking him to confirm that they had understood the more recent suggested changes. SP Manweb pressed Mr Dickin for a response through May on several occasions

- 2.20. SP Manweb then advised Mr Dickin that SP Manweb understood that the suggested changes included:
- moving pole 103 further north (into neighbouring field) to avoid felling trees T109 and T110;
  - moving pole 104 to west from a wet area;
  - removing a stay from pole 105;
  - lowering height of poles 106 and 107 by placing the 11kV line underground; and,
  - moving pole 108 to the other side of the hedge.
- 2.21. Whilst continuing to ascertain from Mr Dickin that it had correctly understood his suggested changes, SP Manweb commenced a desk top assessment of the changes that were technically feasible. SP Manweb again requested Mr Dickin's confirmation. By the end of May 2019, based on the assessment, an alternative design had been developed as shown in the illustration below. In designing a route to avoid the trees and wet area, two additional poles are needed such that pole 105 becomes 107 and 106 and 107 are 107A and 107C to the last pole on Mr Dickin's land interest at pole 108. There is a new pole 107B which could be installed to reduce the height of poles 106 and 107 and thereby avoids undergrounding the lower voltage line.
- 2.22. SP Manweb continued its assessment of the changes as it understood them and the table below is a summary of the outcome of that assessment. The assessment is based on those key considerations used at earlier stages of the project's development to assess changes raised in feedback following the statutory consultation



	Summary of Environmental Considerations	Summary of Review of Land Interests / Additional Requirements	Outcome
<p>Stanwardine Grange Poles 103 to 108</p>	<p>This alternative is outside the Order Limits and has not been assessed in the EIA and introduces additional poles. The assessment at this stage indicates field boundary trees would still be affected and overall it does not appear to indicate any reduction of environmental effects when compared to the Proposed Development. This alternative does not improve on the proposed scheme. Following review, at Pole 103, T110, which is noted as being ‘hazardous / severe decline’ in the Arboricultural Survey (<b>DCO Document 6.7.4</b> (APP-053) page 16) would not be affected by the alternative however effects on trees are unavoidable within the Order Limits. At Pole 104 the wet area is already avoided by the submitted design. Reducing the height of poles 106 and 107 by installing an additional pole, or undergrounding the lower voltage line, would not reduce the predicted visual effects of the Proposed Development (i.e. minor). It is not possible to move pole 108 as this would be on the roadside.</p>	<p>Following further enquiries, Mr J Dickin is not the landowner of land where poles 103 to 108 are proposed and the changes would need to be notified to and agreed by the landowner Mrs E Dickin. This would add time to the Examination and agreement cannot be guaranteed. Mr Dickin has informed SP Manweb he will dispute the Proposed Development at the CA hearing and shows no progress in agreeing any alternative. The option moves three poles, one of which would replace a single pole with an angle pole as well as introduce 2no.new poles in fields on an adjoining landowner who has already agreed and signed a land agreement. In addition to adding time to the Examination, the option would present a significant new risk in seeking a new agreement with a signed grantor.</p>	<p>Reject</p>

- 2.23. Following the assessment, given there was no environmental benefit and that the proposed changes impacted on adjoining landowners more than the proposed scheme, SP Manweb's view in early June was to reject the suggestion.
- 2.24. In summary, noting relevant guidance and advice to seek CA rights as a last resort and to engage with affected parties to see if agreement can be reached, SP Manweb considered it had discussed Mr J Dickin's concerns with him at length, seeking to properly understand what changes he was suggesting and whether these could be accommodated. Discussions took place over 3 weeks in May 2019 with Mr Dickin not confirming the changes representing his suggestions and at the end of May Mr J Dickin was suggesting a further alternative design change.
- 2.25. At the same time, SP Manweb's further land referencing enquiries indicated that Mr Dickin is the tenant, and not as recorded following previous information provided by him, the landowner.
- 2.26. Notwithstanding the lack of confirmation from Mr Dickin regarding the suggested changes, SP Manweb's assessment was that the option was as described above and it was therefore concluded that the option would not result in a reduction in environmental effects when compared to the Proposed Development, and due to involving additional third parties, would have the potential to attract further objections, introduce new parties requiring compulsory acquisition and extend the Examination
- 2.27. Engagement with Mr Dickin, took place on a number of occasions throughout June 2019, with, in SP Manweb's view, no prospect of there being any agreement.
- 2.28. The engagement to date with Mr J Dickin did not sufficiently demonstrate that the changes would be accepted by him, or the landowner, Mrs E Dickin, and that a land agreement would be forthcoming, noting that Mr Dickin had also stated that he intended to dispute the Proposed Development at the CA Hearing and had registered to do so.
- 2.29. SP Manweb considered that it had taken matters as far as it reasonably could with Mr Dickin and that it was preferable to advise him of this position and withdraw, for the remainder of the Examination, from any discussions regarding suggested options. Mr Dickin was advised of this in June 2019.

- 2.30. In terms of changes within the Order Limits and the Limits of Deviation, SP Manweb considers it would be possible within the Order Limits to move pole 105 a further 5m from the water logged area. It would also be possible for the two stays at pole 106 to anchor in parallel to avoid the splay. These are shown on the plan below.
- 2.31. SP Manweb considers the above history of engagement illustrates the extensive efforts on SP Manweb's part to engage with Mr J Dickin and fully understand the nature of the concerns and nature of his land interest. However, to date, SP Manweb has not received satisfactory responses that allow it to move forward with Mr Dickin although SP Manweb will continue to work with him to seek a voluntary land agreement.

