



Ministry of Housing,  
Communities &  
Local Government

**Thomas Hackett**

Principal EIA Co-ordinator  
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**Please ask  
for:**

Florence Hewett

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**Your ref:**

**Our ref:**

PCU/EIASCR/B3438/3349992

**Date:**

19 September 2024

Dear Thomas Hackett,

**Request for a Screening Direction**

**Town and Country Planning (Environmental Impact Assessment) Regulations 2017  
Proposal for development of a Flexible Energy Facility, associated works, landscaping  
and habitat creation at Land South of Cellarhead Substation and West of Rownall  
Road, Wetley Rocks, Staffordshire**

I refer to your client's request dated 8 August 2024, made under 6(10) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017(S.I. 2017/571) ("the 2017 Regulations") for the Secretary of State's screening direction on the matter of whether or not the above development is 'EIA development' within the meaning of the 2017 Regulations.

The above development falls within the description at paragraph 3 (a) (industrial installations for the production of electricity, steam and hot water) of Schedule 2 to the 2017 Regulations and is located near a sensitive area (Wetley Moor Site of Special Scientific Interest) as defined by Regulation 2. Therefore, the Secretary of State considers the proposal to be 'Schedule 2 development' within the meaning of the 2017 Regulations.

However, having taken into account the selection criteria in Schedule 3 to the 2017 Regulations the Secretary of State does not consider that the proposal is likely to have significant effects on the environment, see the attached written statement which gives the reasons for direction as required by 5(6) of the EIA Regulations.

Accordingly, in exercise of the powers conferred on her by regulation 7(5) of the 2017 Regulations the Secretary of State hereby directs that the proposed development described in your client's request and the documents submitted with it, **is not 'EIA development'** within the meaning of the 2017 Regulations.

Any permitted development rights which your client's proposal may enjoy under the Town and Country Planning (General Permitted Development) Order 2015 (SI 596) as amended are therefore unaffected.

You will bear in mind that the Secretary of State's opinion on the likelihood of the development having significant environmental effects is reached only for the purposes of this direction.

I am sending a copy of this letter and the written statement to Staffordshire Moorlands District Council.

Yours sincerely,

*M Hale*

**Decision Officer**

Head of Environmental Casework

*This decision was made by officials on behalf of the Secretary of State, and signed on her behalf*