









Land on the Southwest Side of Levedale Road

Penkridge

Biodiversity Net Gain (BNG) Report

Prepared For: Anglo ES Levedale Ltd

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1.0 Introduction

Background

- 1.1 The Environment Partnership (TEP) were commissioned by Anglo ES Levedale Limited to undertake a Biodiversity Net Gain (BNG) design stage assessment of Land on the Southwest Side of Levedale Road located in Levedale, Penkridge, Staffordshire; hereafter referred to as the "Site".
- 1.2 The purpose of this design stage report is to provide detailed assessment on the BNG delivered for the proposed development in support of the full planning application.

Site Description

- 1.3 The central grid reference of the Site is SJ 9005 1582. The Site covers an approximate area of 3.82 ha and is located on the south-east outskirts of the village of Levedale and approximately 2.5 km to the north-west of Penkridge.
- 1.4 The Site is bound to the north by Levedale Road, beyond which are farm buildings and arable land. To the east are fields comprising arable crop and hedgerows. To the south is an access track and pond with associated trees and scrub, beyond which are additional arable fields. To the west the existing site access track with associated hedgerows and trees, beyond which is cattle shed and associated cow pasture. A pond and further arable land lie to the south. The habitats within the Site are entirely comprised of arable fields with hedgerows along the field boundaries.

Objectives

- 1.5 This report details the ecological surveys undertaken to establish a baseline position, and what the anticipated impacts are. The Statutory Biodiversity Metric has been used to inform the biodiversity net gain assessment.
- 1.6 The aims of this report are to:
 - Set out the methods used to assess the habitat baseline of the Scheme.
 - Set out the methods and assumptions used to assess the post development habitat scoring of the Site.
 - Assess the BNG that is delivered as a result of the site design and offsetting required; and
 - Demonstrate how the BNG good practice principals for development have been addressed.



1.7 A Landscape Management Plan may also be required to support the planning application, unless the Local Planning Authority has indicated that this document can be conditioned.

Proposed Development

1.8 The proposals are for a battery storage facility, comprising 42 battery cabinets, alongside 36 inverter/transformers. Associated landscaping is to include grassland including meadow seeding and additional hedgerow and tree planting. A sustainable drainage strategy comprising swales and an attenuation basin are also proposed which will be seeded with a wet meadow mix. The updated general arrangement plan produced by enplan (drawing number 05-1095-301, Rev. P17, Issue S3) has been used to calculate the metric output.

Relevant Policy and Legislation

National Policies

- 1.9 Paragraph 180(d) of the NPPF (2023) states that "Planning policies and decisions should contribute to and enhance the natural and local environment by [...] minimising impacts on and providing net gains for biodiversity [...]" The Government 25-year Environment Plan states that government will "[...] embed environmental net gain principle for development".
- 1.10 In July 2019, the government issued revised planning practice guidance (NPPG) with details on how planners can implement "net environmental gain" requirements when assessing development proposals, including new advice on protecting wildlife.
- 1.11 Revised guidance recently published by the government says that net gain in planning describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand. Net gain is an umbrella term for both biodiversity net gain and wider environmental net gain. It states: "Planning conditions or obligations can, in appropriate circumstances, be used to require that a planning permission provides for works that will measurably increase biodiversity".
- 1.12 In terms of measuring net gain, the guidance states that using a metric is a pragmatic way to calculate the impact of a development and the net gain that can be achieved. It goes on to state that "[...] tools such as the Defra biodiversity metric can be used to assess whether a biodiversity net gain outcome is expected to be achieved".



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1.13 BNG became mandatory in England from 12th February 2024¹ which requires all Town and Country Planning Act 1990 developments (except those that are exempt²) to meet 10% net gain.

Local Policies

1.14 The South Staffordshire Local Plan comprises the Adopted Core Strategy dated December 2012 and the Site Allocations Document dated September 2018, neither reference biodiversity net gain at the time of writing. A new Local Plan Review – Publication is currently being drafted, for which a consultation exercise concluded on 23 December 2022. Although this document has not yet been adopted specific provision for biodiversity net gain is referenced. Under Policy NB2: Biodiversity which states:

"All new development will provide a minimum of 10% biodiversity net gain as part of the development. Proposals must meet all of the following criteria:

- a. Delivery of the biodiversity net gain on-site wherever possible, in a manner consistent with national requirements, ensuring that existing habitats on site are maintained and enhanced as a priority. Where it is demonstrated that this cannot be achieved on site, the required level of off-site biodiversity net gain must be provided. As a last resort, statutory biodiversity credits may be acceptable.
- b. Measurement against the latest Natural England Biodiversity Metric.
- c. Securing of the habitat in perpetuity. Where it is demonstrated that this is not possible, the habitat must be secured for at least 30 years. This will be achieved via a \$106 agreement or planning conditions."

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¹ The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024

² The Biodiversity Gain Requirements (Exemptions) Regulations 2024



2.0 Methods

Ecological and Survey Reference Documents

- 2.1 To support this assessment the following reports were reviewed:
 - Ecological Desk Study TEP 2022 9562.002;
 - Ecological Impact Assessment (EcIA) TEP 2022 9562.007; and
 - Tree Protection Plan MWA Arboriculture Ltd MWA TPP 02 South.

Survey Methods

Desk Study

2.2 Information regarding planning policies, historic species records and protected sites was collated from a variety of sources. Statutorily protected sites within the National Site Network (NSN) were searched for within 10km of the Scheme. Other statutorily protected sites were searched for within 5km of the site and non-statutory designations were searched for within 2km of the Scheme.

Phase 1 Habitat Survey

2.3 The updated Phase 1 Habitat survey was undertaken by a suitably qualified and experienced TEP Ecologist (FISC Level 4) in July 2022 using the standard JNCC Phase 1 habitat assessment method (2010)³. This method records the habitat types present in and immediately surrounding the Scheme, based on the JNCC descriptions. Plant species are identified in accordance with Stace (2010)⁴ and recorded as target notes using the DAFOR scale⁵.

UK Habitat Classification Conversion

2.4 Phase 1 habitat results were converted to UK Habitat classification code with reference to the UK Habitat Classification - Habitat Definitions⁶.

³ JNCC (2010) Handbook for Phase 1 Habitat Survey: A technique for environmental audit. Joint Nature Conservation Committee, Peterborough.

⁴ Stace, C. (2010) New Flora of the British Isles. 3rd Ed. Cambridge University Press

⁵ DAFOR = Dominant, Abundant, Frequent, Occasional & Rare

⁶ UKHab Ltd (2023). UK Habitat Classification Version 2.0 (at https://www.ukhab.org)



Condition Assessment

2.5 Condition assessment surveys of the area-based habitats present pre-development were undertaken by a suitably experienced ecologist (FISC Level 4) in May 2023. The condition assessments were undertaken using guidance presented in the Statutory Biodiversity Metric Condition Assessment Sheets and Methodology⁷.

Arboriculture Survey

2.6 An arboricultural survey for the Site was carried out by MWA Arboriculture Ltd. The Tree Protection Plan (MWA TPP 02 South) has been used to inform the BNG assessment.

BNG Assessment

- 2.7 The Site was originally assessed in January 2023 using Biodiversity Metric 3.1. This has been subsequently updated using the Statutory Biodiversity Metric following updates to the masterplan. The assessment has been undertaken in line with the user guide⁸ and technical supplement provided.
- 2.8 Although the condition assessments were undertaken using a previous version of the Technical Supplement it is considered that due to the limited complexity of habitats present on site that they can be transferred for use the Statutory Biodiversity Metric without affecting the robustness of this assessment.
- 2.9 The Statutory Biodiversity Metric is a tool designed to enable developers to measure the change in biodiversity across their site. It determines if there will be net gain, net loss or no net loss of biodiversity following completion of their development and any subsequent management regime.
- 2.10 To calculate the change in biodiversity across the Site, a site survey is undertaken by a suitably qualified ecologist to determine the habitats present on site, their location, size, and condition. This information is then digitised, and the resulting information fed into the Statutory Biodiversity Metric.
- 2.11 The principles of biodiversity net gain as set out in the Biodiversity Net Gain Good Practice Guidelines⁹ have been considered throughout this process.

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⁷ The Statutory Metric – Technical Annex 1: Condition Assessment Sheets and Methodology, February 2024, Natural England.

⁸ The Statutory Biodiversity Metric User Guide. February 2024. Natural England.

⁹ CIEEM, IEMA & CIRIA (2019). Biodiversity Net Gain. Good Practice Principles for Development. A Practical Guide



Determining Strategic Significance

- 2.12 Strategic significance was determined through a thorough desktop review of local planning policy and other relevant documentation. The desk-based assessment (TEP Ref. 9562.002) provides full details of local policy and legislation covering the Site. This includes the South Staffordshire Local Plan (adopted 2012).
- 2.13 Local Nature Recovery Networks (LNRN) are included within the Environment Act 2021 and are strategies to be developed by Local Authorities to develop strategically significant areas for habitats within each Local Authority. At the time of writing an LNRN for South Staffordshire District Council has not yet been produced.
- 2.14 The habitats within the Site are not within a Local Wildlife Site and there is no LNRN which cover the Site. However, the hedgerows on site are identified within the Staffordshire Biodiversity Action Plan (SBAP), within which the Central Farmland Ecosystem Action Plan (EAP) 2015 2026 includes hedgerows as a priority habitat. Due to the SBAP being referenced within the Local Plan, native hedgerows present on site as part of the baseline or proposed habitats have been assigned 'High' strategic significance. All other habitats on site have been assigned as 'Low' strategic significance.

Post-Development Calculations

- 2.15 Post development calculations have been based on the general arrangement plan produced by Enplan (drawing number 05-1095-301, revision P17, issue S3). This includes details of planting and proposed habitats.
- 2.16 Target conditions of habitats have been allocated using a precautionary approach, ensuring these are realistically achievable within the 30-year BNG timeframe. This considers the inclusion of an adequate management plan and considers the current and proposed site usage, conditions, and any limitations this presents. Further justification for each habitat is provided within the assessor comments column within the completed metric (Annex A).
- 2.17 The most appropriate UK Habitat Classification type for each habitat parcel was assigned based on the landscape design, and a target condition was assigned for each parcel based upon the condition assessment criteria for habitats within the Statutory Biodiversity Metric Technical Supplement. The target condition for habitat types varied depending upon their location, likely levels of use and management measures required.



Limitations

2.18 All areas of the Site were accessible for survey. Habitat surveys were undertaken within the optimal survey window. There are therefore no limitations to the baseline assessment.



3.0 Baseline conditions

Important Ecological Features

- 3.1 Neither the Site nor land immediately adjacent is allocated for biodiversity purposes. There are two statutory designated sites of international importance within 10km of the Site, no sites of national importance within 5km of the Site and no sites of regional or local importance within 2km of the Site. The nearest statutory site of international importance is Motley Meadows Special Area of Conservation (SAC), situated approximately 6km southwest of the Site. There are five non-statutory wildlife sites identified within 2km of the Site. The nearest sites are Whittamoors Local Wildlife Site (LWS) 0.8km to the east (designated for its large woodland); and Levedale Marshes LWS 1km to the northwest (designated for its species-rich purple moor grass and rush pastures).
- 3.2 No priority habitats were returned from within or immediately adjacent to the Site from the Desk Study. However, survey work undertaken at the Site identified that hedgerows meet the criteria as a S41 Habitat of Principal Importance. There are not considered to be any irreplaceable habitats present within the Site.
- 3.3 The Site falls under the Central Farmland Ecosystem Action Plan (EAP) under the Staffordshire Biodiversity Action Plan (SBAP). This includes the native hedgerows which are present on site. This has been reflected in the metric by assigning them high strategic significance.

On-Site Baseline

- 3.4 The Site comprises Cropland Cereal crops and five field boundary hedgerows comprising Native species-rich hedgerow, Native species-rich hedgerows with trees, Native hedgerow with trees, and Native hedgerow.
- 3.5 Full details of the conversion from Phase 1 habitat to the UK Habitat Classification along with the results of the condition assessment are provided in the Assessor Comments column within the completed the Statutory Biodiversity Metric (provided separately, Ref. 2024-05-30_x9562.003). The following drawings are provided:
 - Phase 1 Habitat Survey Results (G9562.007);
 - UK Habitat Classification Baseline (G9562.008A); and
 - Baseline Habitat Condition and Strategic Significance (G9562.009B).



Post Development Habitats

- 3.6 Details regarding post-development habitats are provided in the following document and drawing:
 - UK Habitat Classification Proposed (G9562.010C);
 - Proposed Habitat Condition and Strategic Significance (G9562.011C); and
 - General Arrangement Plan by enplan (drawing 05-1095-301, Rev P17, Issue S3).
- 3.7 Habitats to be provided within the post development proposals include:
 - 1.6 ha of developed land;
 - 1.94 ha of modified grassland (EG10 Tussock Grass Mix);
 - 0.28 ha of other neutral grassland (EM2 and EM8 Meadow Mixes);
 - 0.342 ha of individual trees (not associated with hedgerows); and
 - 0.54 km of species-rich native hedgerow with trees.
- 3.8 All existing trees within the hedgerows are to be retained. A small section of two hedgerows will be lost to facilitate the access road totalling 30 m, however, these will not impact upon any trees and are compensated for onsite by the proposed hedgerow planting.
- 3.9 Full details of the conversion from the masterplan to the UK Habitat classification along with the target condition are provided in the Assessor Comments within the completed Statutory Biodiversity Metric.



4.0 Change in Ecological Value

4.1 A biodiversity assessment has been undertaken, using the Statutory Biodiversity Metric, to quantify the change in biodiversity units for the planning application area between the pre-development baseline and post-development retained, enhanced, and created habitats. Detailed results of the assessment are provided in the Statutory Biodiversity Metric in Annex A.

Summary of Biodiversity Impact

- 4.2 The Site area totals 3.82 ha of cropland which will be lost. This will be replaced by the developed surfaces and soft landscaping proposals, including habitats of higher distinctiveness that that present within the baseline. Small sections of hedgerow will also be lost (totalling approximately 30 m). These will be compensated for by on-site planting of native species-rich hedgerows with trees.
- 4.3 Figure 1 presents the headline results, prior to off-site assessment, taken from the metric and based on the above figures and impacts.

Figure 1: Headline results for the application area.

	Habitat wnits	7.64	
On-site baseline	Hedgerow units	12.90	
	Watercourse units	0.00	
0 2 22	Habitat wnits	10.32	
On-site post-intervention	Hedgerow units	17.95	
(Including habitat retention, creation & enhancement)	Watercourse units	0.00	
On site and shower	Habitat wnits	2.68	35.11%
On-site net change	Hedgerow units	5.05	39.13%
(units & percentage)	Watercourse units	0.00	0.00%

FINAL RESULTS			
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	Habitat writs Hedgerow writs Watercowse writs	2.68 5.05 0.00	
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	Habitat units Hedgerow units Watercourse units	35.11% 39.13% 0.00%	
Trading rules satisfied?	Yes √		

4.4 The headline results indicate a net gain of +35.11% (2.68 Habitat Units) for area-based habitats and a net gain of +39.13% (5.05 Hedgerow Units) for hedgerows. There are no watercourses on site or adjacent to the site so there is no requirement to provide a net gain in watercourse units. All trading rules are satisfied.

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5.0 Implementation, Management and Monitoring

- 5.1 This BNG assessment has been undertaken for a full planning application and details of the landscape design have been provided by Enplan. A habitat management plan (TEP ref: 9562.01.001) and landscape maintenance schedule (TEP ref: x9562.01.002) have been produced to ensure the proposed habitats and target conditions are deliverable for the required 30-year BNG timeframe.
- The habitat management plan should be read in conjunction with this report as it includes a summary of the factors influencing management and site analysis, management intentions and operations for each habitat to achieve target conditions, the long-term management aims and objectives and monitoring requirements.
- 5.3 Roles and responsibilities, including financial and legal requirements have not yet been determined. However, Anglo Renewables Ltd, are responsible for employing a managing organisation and the responsibilities and requirements of that management organisation are fully set out within the habitat management plan.
- Due to the areas proposed for medium distinctiveness grassland habitat creation currently being arable crop, there may be increased levels of nutrients within the soil. Therefore, it is recommended that soil testing is undertaken to determine the baseline nutrient levels and what additional measures may be required to meet the proposed condition level within the 30-year timeframe imposed by the Statutory Biodiversity Metric. If required, these measures should be included within an updated version of the habitat management plan. Depending on soil nutrient levels, measures may include soil inversion, removal of topsoil, long term mowing of low-yielding grassland, or overseeding with yellow rattle *Rhinanthus minor* to reduce grass species coverage within the wet meadow areas (other neutral grassland). If required, details of proposed soil retention and topsoil importation would be required to amend the management plan.



6.0 BNG Good Practice Principles

6.1 An appraisal of the scheme against the ten good practice principles for development is set out in Table 1.

Table 1: Appraisal against Ten Good Practice Principles

Good Practice Principle:		Commentary:
1.	Apply the mitigation hierarchy.	The proposals have ensured retention of S41 hedgerows and trees, excluding a total length of 30 m to be lost. Additional hedgerow planting will be included to replace the smaller sections of hedgerows to be lost.
		Development will be situated within the low distinctiveness habitat present, and all habitat creation will take place on site, avoiding the need for offsite compensation.
2.	Avoid losing biodiversity that cannot be offset by gains elsewhere.	No irreplaceable habitats or designated sites are present on site and the proposed development will not impact on such habitats or sites that are present in the wider area.
3.	Be inclusive and equitable.	A pre-application enquiry was made by the client to South Staffordshire Council in 2022. The consultation response received comments from the Local Planning Authority have been considered and implemented within the design. This includes aiming for a minimum net gain of 10% and inclusion of a long-term management plan.
4.	Address risks.	The red line boundary for the Site exceeds the proposed works area, to allow for retention of existing habitats and allow space for habitat creation.
		A precautionary approach has been taken when assigning proposed habitats and target conditions, based on the existing site conditions and proposed development.
		The proposed habitat creation and enhancement, and target conditions are all achievable within the 30-year timeframe with correct implementation of the management plan.
5.	Make a measurable Net Gain contribution.	The headline results show that there will still be a net gain of 2.68 Habitat Units (+35.11%) and a net gain of 5.05 Hedgerow Units (+39.13%).
6.	Achieve the best outcomes for biodiversity.	The arable land will in part be replaced by grassland with a greater botanical and structural diversity than what currently exists on site to benefit a range of species. Additional mixed native tree planting will also be included.
		Mitigation and compensation for impacts will take place within the Site without the need for offsetting, ensuring benefits are provided locally.
		The proposed hedgerow planting will enhance connectivity through the Site and to surrounding habitats for a variety of species. The retention of hedgerows and additional hedgerow planting will contribute towards the Central Farmland EAP within the SBAP.



Good Practice Principle:		Commentary:		
		The proposed grassland areas and tree planting will ensure biodiversity benefits are delivered to a range of species.		
7.	Be additional.	There are no existing nature conservation outcomes on the site. Therefore, the enhancement of retained habitats and creation of new habitats and their management for biodiversity for the next 30 years add value to this strategic wildlife corridor.		
8.	Create a Net Gain legacy.	Discussions have been held between TEP and other parties involved with the development, ensuring BNG was a key consideration when developing the landscaping plan. The 30-year landscape management plan will ensue the legacy of the habitat creation measures set out within the metric.		
9.	Optimise sustainability.	BNG has fed into the design proposals at an early stage, ensuring habitat creation and enhancement are included at a viable scale from the beginning. Landscape design includes sustainable drainage features which will alleviate flood risks.		
10.	Be transparent.	All methods used for site assessment have been detailed in the methodology, ensuring surveys are repeatable. The completed metric which has informed this assessment has been submitted to ensure transparency in line with good practice guidelines.		



Annex A: Statutory Biodiversity Metric

(sent under separate cover)



Drawings

Drawing 1: G9562.007: Phase 1 Habitat Survey

Drawing 2: G9562.008A: Baseline UK Habitat Classification

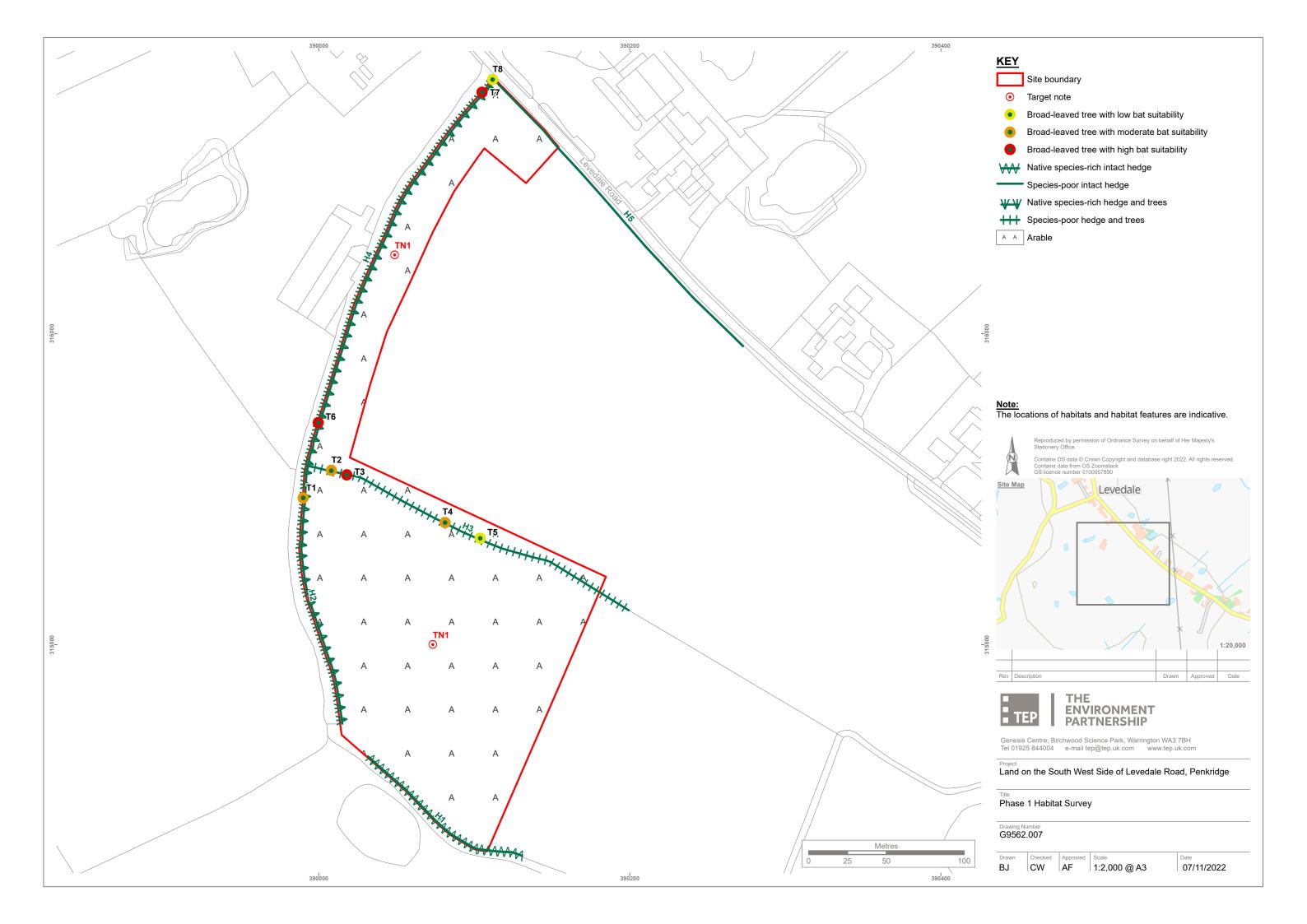
Drawing 3: G9562.009B: Baseline Habitats Condition and Strategic Significance

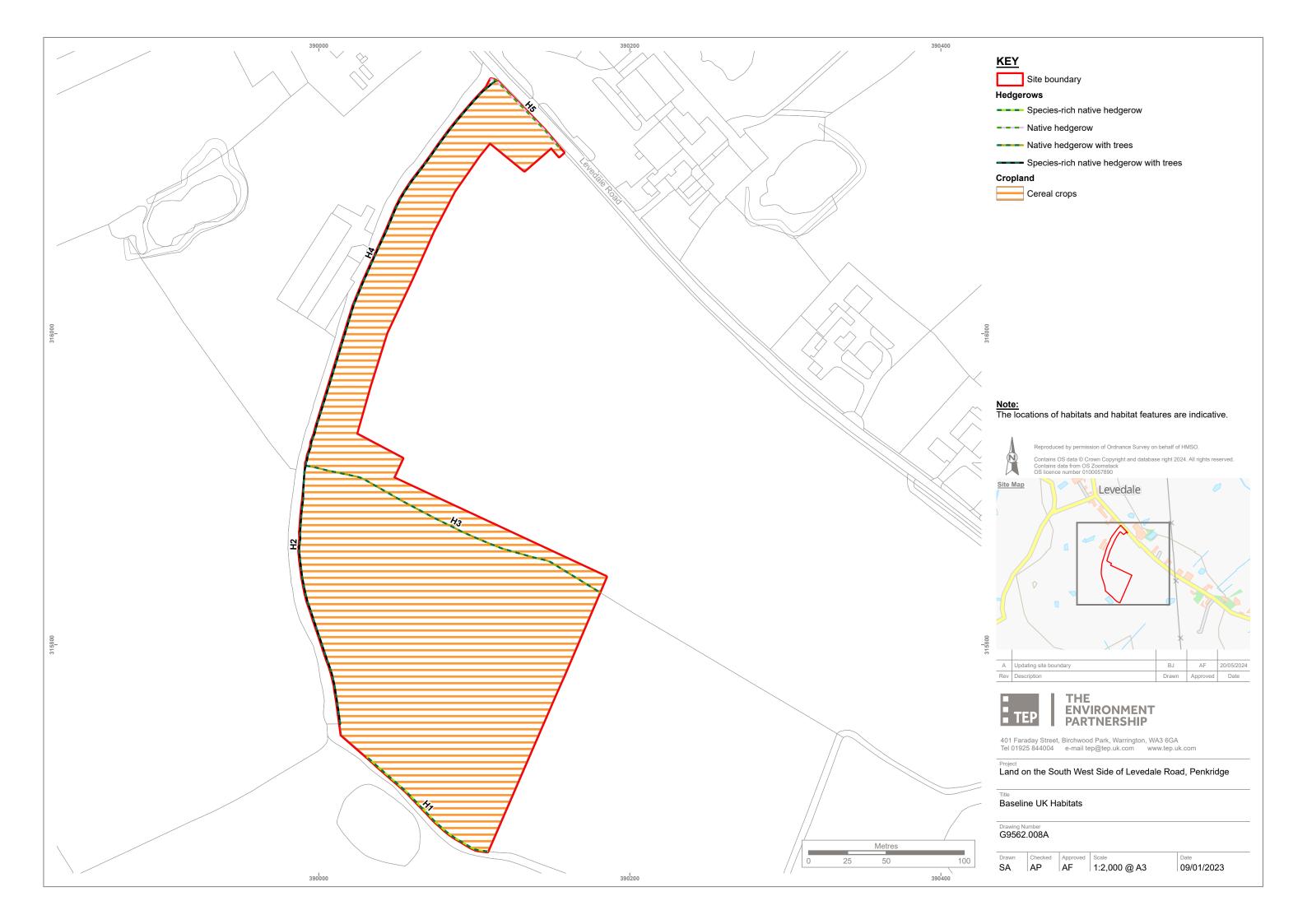
Drawing 4: G9562.010C: Proposed UK Habitat Classification

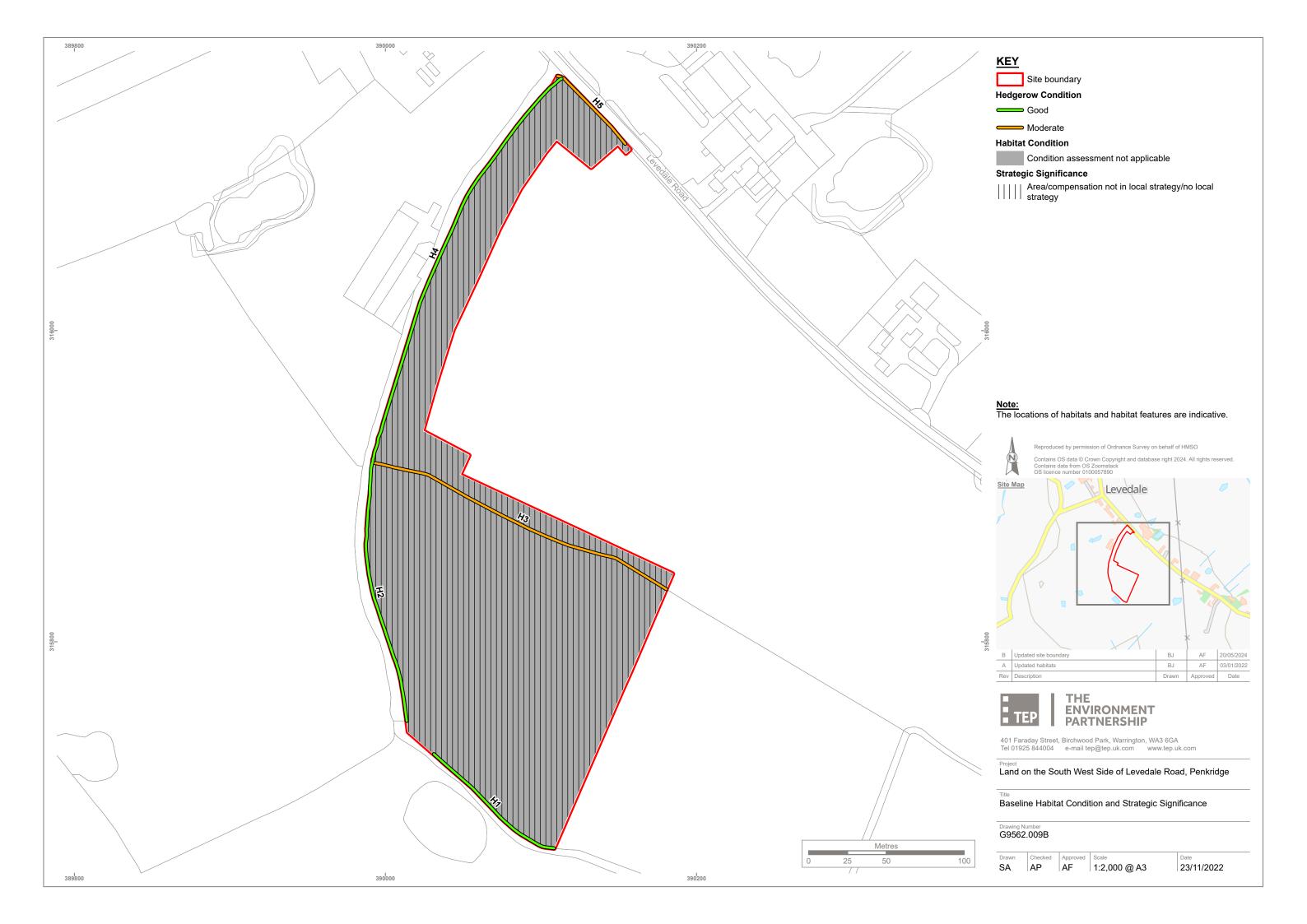
Drawing 5:G9562.011C: Proposed Habitats Condition and Strategic Significance

Drawing 6:G9562.012B: Habitat Impact

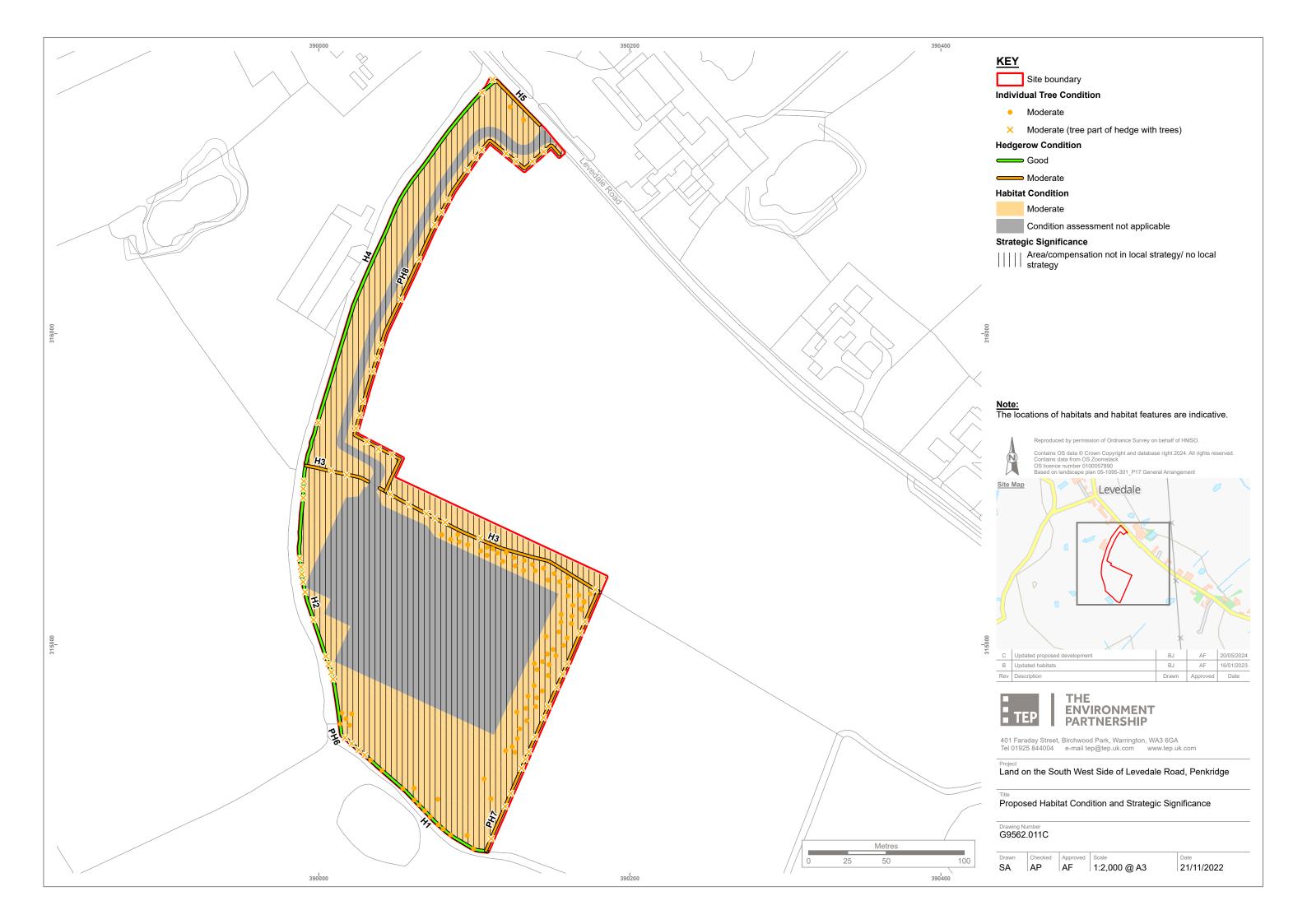
Drawing 7: 05-1095-301, P17, S3 - General Arrangement Plan by Enplan



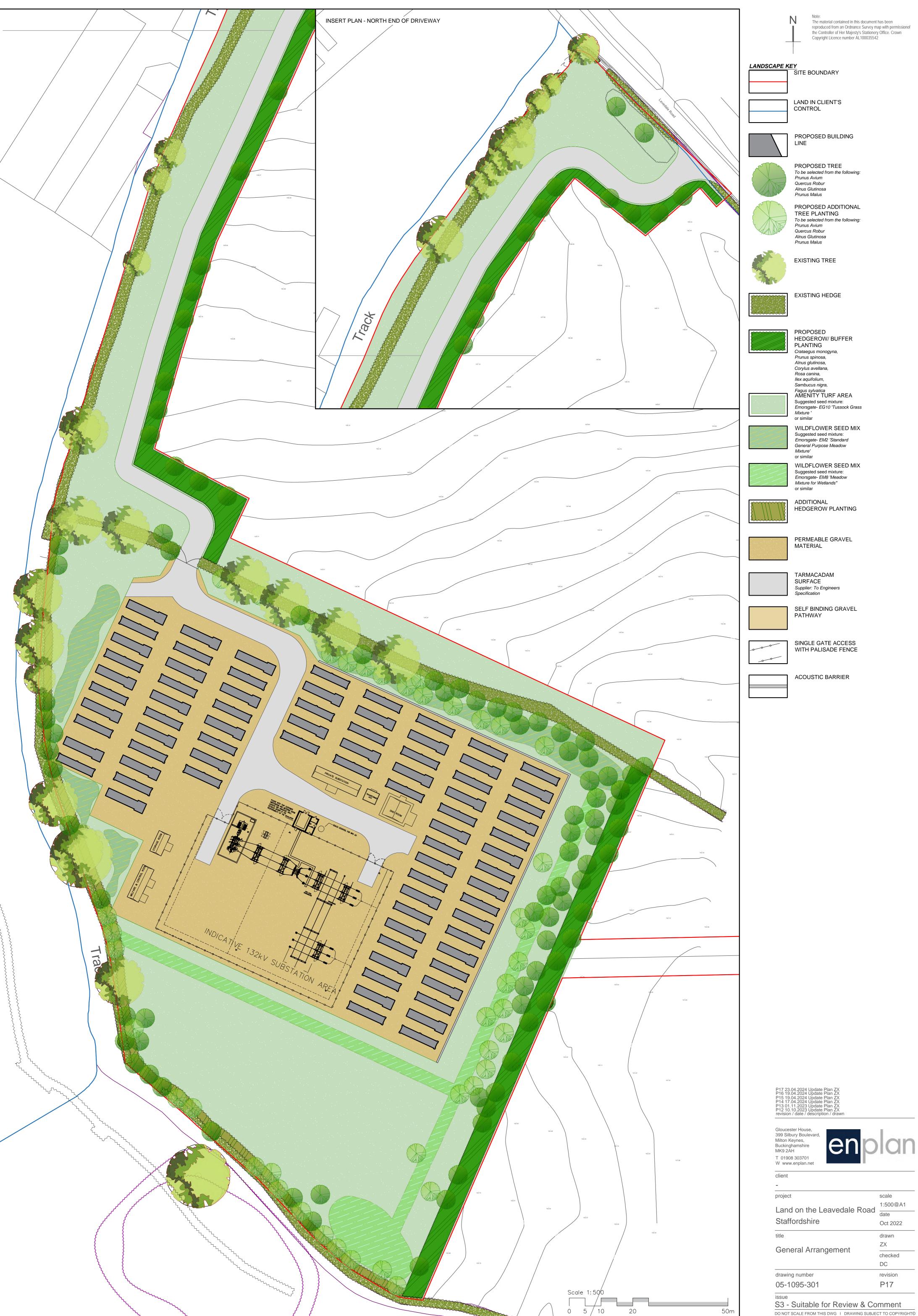












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Land on the Leavedale Road Oct 2022 ZX checked DC revision P17



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