



Department for Transport

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BY EMAIL ONLY

Dear Duncan,

TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS PROCEDURE) (ENGLAND AND WALES) RULES 2006: REQUEST FOR SCREENING DECISION

PROPOSED NORTHUMBERLAND LINE ORDER

Thank you for your email of 20 January 2021 and attached documents in which you requested a screening decision under rule 7 of the above Rules as to whether an Environmental Impact Assessment ("EIA") is required in relation to the proposed project to re-introduce passenger rail services to the existing railway line between Ashington in the County of Northumberland and Newcastle ("the Northumberland Line Project").

The Secretary of State has consulted Northumberland County Council, North Tyneside Council, Natural England, Historic England and the Environment Agency and has considered their responses. In reaching his decision, the Secretary of State has had regard to the selection criteria referred to in rule 7(11) of the above Rules, and has taken into consideration the information within the supplied screening opinion request documentation and the following factors:

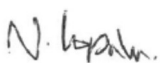
- the majority of the works required for the Northumberland Line Project are to be authorised by planning permissions sought under the Town and Country Planning Act 1990 or through the utilisation of permitted development rights under the Town and Country Planning (General Permitted Development) (England) Order 2015;
- the proposed Transport and Works Act ("TWA") Order would be limited to a range of ancillary works covering the closure of level crossings, the extinguishment and diversion of rights of way, the extinguishment of private rights, the compulsory acquisition of land and rights; and the temporary possession and/or use of land during construction of the Northumberland Line Project;

- all the matters to be authorised by the TWA Order fall within the scope of the Northumberland Line Project as described in the Request for a Screening Opinion (“RfSO”) which was submitted to Northumberland County Council and North Tyneside Council (“the relevant planning authorities”) in July 2020 with a request for a screening opinion for the Northumberland Line Project, and the consequent negative screening opinion of the relevant planning authorities. The Secretary of State notes that the works sought under the TWA Order are described in the RfSO as compulsory purchase powers to temporarily and permanently purchase land, and powers to allow the closure and diversion of public rights of way and adopted footpaths and highways;
- the changes made to the Northumberland Line Project following the screening opinion of the relevant planning authorities, and the works described in the document titled ‘EIA Screening Request - Proposed Northumberland Line Order - 20.1.21’; and
- while the Northumberland Line Project will not be located within, or partly within, sensitive area” as defined in paragraph 4 of Schedule 2 of the EIA Regulations, the Secretary of State notes that there are a number of nationally, internationally and locally designated sites within 2km of the Northumberland Line Project, and that a section of the scheme passes through the impact risk zone of a Sight of Special Scientific Interest.

The Secretary of State is of the view that the Northumberland Line Project as described in your request is a project of a type mentioned in Annex II to Directive 2011/92/EC as amended by Directive 2014/52/EU of the European Parliament and of the Council. Taking into consideration the information supplied with the screening request and the factors outlined above, including the consultation responses, the Secretary of State’s screening decision under rule 7(13) of the above Rules is that an EIA is not required in relation to the Northumberland Line Project which is to be subject of the above proposed order.

The Secretary of State draws the attention of the applicant to the comments made by the Environment Agency in its response to his consultation. In particular, the Environment Agency advises that a Flood Risk Assessment is required for any proposed waterbody crossing, and that development within a Flood Zone 2 or 3 area will require a Flood Risk Assessment providing evidence to demonstrate that flood risk will not increase elsewhere as a result of the Northumberland Line Project. The Secretary of State also draws the applicant’s attention to the response from Natural England and in particular to its comments regarding the assessment of impacts on protected species and locally significant sites and species.

Yours sincerely,



Natasha Kopala