



# Department for Transport

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Our Ref: TWA/24/0201

13 September 2024

Dear [REDACTED],

## **Transport and Works Act 1992 (“the 1992 Act”)**

## **Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 (as amended) (“Applications Rules”).**

## **Proposed Transport and Works Act Order for The Network Rail (East Road Alternative Vehicle Access)**

1. Thank you for your letter received via email from Addleshaw Goddard LLP dated 5 August 2024 in which you requested a screening decision under rule 7(4) of the Applications Rules to determine whether an Environmental Impact Assessment (“EIA”) is required in respect of your proposed application for a Transport and Works Act (“TWA”) Order and associated deemed planning permission that would provide powers for the closure of the East Road Level Crossing to vehicular traffic and construction of a new road in Langford, Bedfordshire (the “Proposed Scheme”).
2. Based on the available information including the EIA Screening Decision Request report, the Preliminary Ecological Appraisal (“PEA”), the Archaeological Desk-Based Assessment (“ADBA”) and the responses from Consultees, the Secretary of State considers that the proposals described in your request are a project of a type mentioned in Annex II, 10 (e) to Directive 2011/92/EU of the European Parliament and of the Council as amended by Directive 2014/52/EU.
3. Having regard to the characteristics and location of the project type and characteristics of the potential impact, the Secretary of State considers that this project will not have a likely significant effect on the environment. Therefore, in accordance with rule 7(13) of the Applications Rules, the Secretary of State’s screening decision is that an **EIA is not required** in association with the proposed works set out in the EIA Screening Report.
4. In reaching this screening decision, the Secretary of State, under rule 7(8), has consulted the bodies listed below and has considered their responses:

- Natural England
  - Environment Agency
  - Historic England
  - Central Bedfordshire Council
5. Responses were received from Natural England, Historic England and Central Bedfordshire Council. Copies of the consultation responses are included with this letter, the content of which should be noted. The Environment Agency responded to the Secretary of State to confirm that they would not be responding to the EIA screening request. The applicant may therefore wish to seek views directly from the Environment Agency separately.
6. In reaching her decision, the Secretary of State has had regard to the selection criteria referred to in rule 7(11) of the Applications Rules and has taken into consideration the information within the documentation supplied for the screening opinion request in accordance with this rule. Regard has also been given to such of the selection criteria set out in Annex III of the Directive as she has determined are relevant to the Proposed Scheme. The selection criteria to which the Secretary of State has had regard to are:
- 1 (a) to (g);
  - 2 (a) to (c); and,
  - 3 (a), (b), (d), (e), (f), (g) and (h).
7. In accordance with rule 7(14) of the Applications Rules, the Secretary of State notes the features of the proposed works and measures proposed to be taken in order to avoid or prevent what might otherwise have been significant adverse effects on the environment as set out in the PEA and the ADBA. The Secretary of State's decision is based on the assumption that the mitigation measures referred to will be part of the Transport and Works Act application at the point when it is submitted.

## **Distribution**

8. Copies of this letter are being sent to those organisations which were consulted on the request for a screening opinion, as listed at the beginning of this letter.
9. In accordance with rule 7(15) a copy of this decision will be placed on our website at [Transport and Works Act \(TWA\) applications and decisions - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Yours sincerely,

  
Transport Infrastructure Planning Unit