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Our reference: PREAPP/22/00055

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BY E-MAIL ONLY

13th April 2022

Dear Andrew,

**Transpennine Route Upgrade – Environmental
Impact Assessment (EIA) Screening Opinion of the Local Planning Authority pursuant
to the Town and Country Planning (EIA) Regulations 2017 (SI No. 571) (as amended)**

I write with reference to your letter dated 8th February 2022 (Your ref – 151666-TRA-E234-000-REP-W-EN-000140). As I understand, you are seeking a Screening Opinion from the Local Authority in accordance with Regulation 6(6) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, in relation to the above proposal. In the first instance, please accept my sincere apologies for the delay in this response.

Your letter confirms that the Screening Opinion relates to the proposed upgrades to the TransPennine Railway Route, between the areas from Leeds City Centre (east of Leeds Station) (known as project E2) through to land to the east of Micklefield Station (known as project E4) up to the boundary with Selby District Council. In summary, your letter concludes that there are unlikely to be any significant environmental effects arising from the proposals, including the most relevant types and characteristics of potential impacts outlined in Schedule 3 of the regulations.

The 2017 EIA Regulations set out the types of development that must always be subject to an EIA (Schedule 1 development) and those that may require an EIA, if they are likely to give rise to significant effects on the environment by virtue of factors such as their nature, size and location (Schedule 2). Where the LPA have to decide whether Schedule 2 development is EIA development, the authority must take account of the selection criteria set out at Schedule 3 of the EIA regulations with regard to the (i) characteristics of the development, (ii) the location of the development and (iii) characteristics of the potential impact.

In this case, the proposed works across the railway lines within the areas you have identified, are not a Schedule 1 development. With regard to Schedule 2 development, of relevance is Section 10(d) of Schedule 2, which relates to infrastructure projects and includes the construction of railways not included in schedule 1. The EIA exclusion threshold in this regard, is where (as relevant to this site) the works exceed more than 1 hectare of development.

Guidance within the National Planning Practice Guidance published in March 2014 advises that if a proposed project is listed in the first column in Schedule 2 and exceeds the relevant thresholds or criteria set out in the second column (exclusion thresholds and criteria') the proposal needs to be screened by the local planning authority to determine whether significant effects are likely and hence whether an assessment is required with regard to Schedule 3. The NPPG also provides further indicative criteria and thresholds and notes that an EIA is unlikely to be required for the redevelopment of land unless the new development is of a significantly greater scale than the previous use or the types of impact are of a markedly different nature or there is a high level of contamination.

In terms of the location of the development, I would concur with your assessment that the site does not lie within a sensitive area as defined in Regulation 2(1), which are SSSI and European sites, National Parks and Areas of Outstanding Natural Beauty and World Heritage sites.

Under Schedule 3, within the characteristics of development, the scale of the proposed scheme is described as being works set within the context and character of the existing railway corridor. The scale of the individual works is modest in scale and, although the accumulation of the individual works spans across a long length of railway line it is concluded, similar to previous similar schemes, that the proposal is not of more than local importance in terms of its effect on the environment. Whilst the proposed alterations to Peckfield Level Crossing will individually have an impact upon the character of the original site and wider area, the scale and siting of the resultant works are not considered to be excessive, or of a nature that would have a substantial environmental impact that will need to be further assessed. Furthermore, clarification has been received on 4 specific areas of work, namely:

- HUL4/30 - Works to A63 Halton Dial underbridge (HUL4/30) comprising construction of in-situ concrete arch saddle (which may be reinforced) and raising of track level on approaches.
- HUL4/21A - Works to Austhorpe Lane Footbridge (HUL4/21A) involving either track lower and slew or replacement within a reconstructed HUL4/21, to address soffit and parapet height restrictions.
- HUL4/21 - Works to Austhorpe Lane overbridge (HUL4/21) comprising either a) track lower and slew, reconstruction of arch deck and modifications to arches, parapet extensions to comply with minimum height requirements (1,800 mm) and anti-trespass measures, or b) full reconstruction.
- HUL4/20 - Works to Crawshaw Woods overbridge (HUL4/20) comprising either a) partial reconstruction (track lower and slew in combination with retention/ raising of cast iron arches, replacement of timber deck, extension of parapets to comply with 1,800 mm minimum height requirements and installation of anti-trespass measures), or b) full reconstruction.

With regard to works at HUL4/30, it has been confirmed that this is no longer proposed with only minor pointing work required meaning this can be removed from the EIA screening opinion. Confirmation has also been received in respect of HUL4/21A, HUL4/21 & HUL4/20 which has confirmed that you consider that works to lower the track and slew would be permissible under Part 18 of the GPDO with no prior approval required. Therefore, these works can also be removed from the consideration of this EIA screening opinion.

Taking the above into account, I do not consider that *significant* effects would be caused from the site's development due to the size of the development or its accumulation with other development; the impact being in terms of use on natural resources, the production of waste, pollution or noise created or the risk of accidents.

With regard to the location of development and the characteristics of the potential impact, there would not, in my view, be undue significant effects with regards to any environmentally sensitive areas. Furthermore, I consider that the characteristics of the potential impact are on the local environment rather than being of a more wide reaching nature and these matters, including potential issues relating to visual amenity, heritage, traffic, noise/ vibrations, air quality, flood risk, public health, land contamination and biodiversity addressed within the accompanying statement provided.

I am therefore of the opinion that an Environmental Impact Assessment for the development would not be necessary under the above-mentioned regulation. I would be obliged if you would accept this as the formal screening opinion from the Local Planning Authority.

I must point out the screening opinion in no way infers acceptance of the proposed development or prejudices the outcome of any future planning application

Yours sincerely

David Newbury
Group Leader
Planning Services
Leeds City Council

Encs. 1. Written Statement of Environmental Impact Assessment Screening

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS
2017 SCREENING MATRIX**

1. CASE DETAILS			
Case Reference	PREAPP/22/00055	Brief description of the project / development	<ul style="list-style-type: none"> • Strengthening/repair works to various bridges and viaducts • Parapet extensions to footbridges to comply with requirements • Construction of track sectioning cabins • Installation of anti-trespass measures to footbridges • Potential track lower & slew • Closure of existing level crossing and a new footbride/PROW diversion • Works compound storage • Upgrade works to road to widen highway for refuse vehicles
Developer	Network Rail		
LPA	Leeds City Council		
2. EIA DETAILS			
Is the project Schedule 1 development according to Schedule 1 of the EIA Regulations?			No
If YES, which description of development (THEN GO TO Q4)			N/A
Is the project Schedule 2 development under the EIA Regulations?			Yes
If YES, under which description of development in Column 1 and Column 2?			10(b) Urban Development Project
Is the development within, partly within, or near a 'sensitive area' as defined by Regulation 2 of the EIA Regulations?			No
If YES, which area?			N/A
Are the applicable thresholds/criteria in Column 2 exceeded/met?			No
If yes, which applicable threshold/criteria?			No
3. LPA/SOS SCREENING			
Has the LPA or SoS issued a Screening Opinion (SO) or Screening Direction (SD)? (In the case of Enforcement appeals, has a Regulation 37 notice been issued)			Yes – this document is the screening opinion of the LPA.
If yes, is a copy of the SO/SD on the file?			N/A
If yes, is the SO/SD positive?			No – an EIA is not required.
4. ENVIRONMENTAL STATEMENT			
Has the developer supplied an ES for the current or previous (if reserved matters or conditions) application?			No

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS
2017 SCREENING MATRIX**

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A) Briefly explain answer to Part 2a and, if applicable and/or known, include name of feature and proximity to site (If answer in Part 2a / 2b is 'No', the answer to Part 3a / 3b is 'N/A')	(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A) Is a significant effect likely, having regard particularly to the magnitude and spatial extent (including population size affected), nature, intensity and complexity, probability, expected onset, duration, frequency and reversibility of the impact and the possibility to effectively reduce the impact? If the finding of no significant effect is reliant on specific features or measures of the project envisaged to avoid, or prevent what might otherwise have been, significant adverse effects on the environment these should be identified in bold .
5. NATURAL RESOURCES		
5.1 Will construction, operation or decommissioning of the project involve actions which will cause physical changes in the topography of the area?	Yes	No
5.2 Will construction or operation of the project use natural resources above or below ground such as land, soil, water, materials/minerals or energy which are non-renewable or in short supply?	Yes	Yes
5.3 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project,	Yes	No

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)	(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
e.g. forestry, agriculture, water/coastal, fisheries, minerals?	sand and gravel however it is not anticipated that the proposed uses would lead to significant impact upon these resources.	
6. WASTE		
6.1 Will the project produce solid wastes during construction or operation or decommissioning?	<p>Yes</p> <p>The exact amount of waste to be produced during construction is not known at this stage, however it is not anticipated to be so significant as to require an ES.</p> <p>The completed development would generate various waste streams associated with the end uses, like those already experienced. None of which are hazardous or give rise to significant effects. The development will provide the necessary waste requirements in line with the Council's waste and recycling storage requirements and a bin storage and collection strategy would be provided.</p>	<p>No</p> <p>A Site Waste Management Plan would be produced for the construction phase and this would be secured by planning condition.</p> <p>Details of waste and recycling storage and collection would be secured in Bin Strategy to be secured by planning condition.</p> <p>Sustainability Statements for all uses and BREEAM assessments to meet the Excellent criteria would be produced for the office building. Implementation and accreditation would be secured by planning condition.</p>
7. POLLUTION AND NUISANCES		
7.1 Will the project release pollutants or any hazardous, toxic or noxious substances to air?	<p>Yes</p> <p>It is not considered that the proposed development would lead to pollution or other nuisance during construction or the lifetime of the development that would lead to significant environmental effects and require an ES. Whilst the development would result in some impacts relating to traffic, air quality and noise, it is not considered these would be of more than local significance. Whilst it is possible that</p>	<p>No</p> <p>Local mitigation measures would be assessed through a Land Contamination Remediation Strategy, Construction Management Plan, Transport Assessment and Servicing/Delivery Management Plan which would be provided during the planning application stage or where appropriate, secured by planning conditions</p>

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)	(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
	<p>there may be some land contamination present given the use of the site, there is no evidence that this is significant and likely to have a more than site-specific impact. Construction traffic routes, movements and associated effects such as driver disruption, dust and dirt nuisances would be dealt with through standards and widely used management measures and managed through adherence to a Construction Management Plan.</p> <p>It is not considered that the development would result in significant transport effects once it is complete and operational.</p> <p>Consideration will need to be given to planned alterations to the surrounding highway network including the City Square Proposals. Liaison with Network Management regarding temporary traffic management measures, relating with coordination with construction traffic management for other construction sites in the area would be required.</p>	
7.2 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	No Mitigation measures need to be assessed through the Transport Assessment, Construction Management Plan, Noise Report, Sustainability Statement and details of any proposed external lighting scheme . Implementation would be secured by planning condition.
7.3 Will the project lead to risks of contamination of land or water from	No	N/A A Phase 1 desk top study would be required at the planning application stage. Depending on

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)	(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?		the outcome a Phase 2 Site Investigation Report and Land Contamination Remediation Strategy may also be required this would ensure that pollution to land or controlled waters does not occur. Any site specific mitigation measures required would be secured by planning condition.
7.4 Are there any areas on or around the location which are already subject to pollution or environmental damage, e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	No	N/A A Phase 1 desk top study and depending on the outcome a Phase 2 Site Investigation Report and Land Contamination Remediation Strategy would ensure that pollution to land or controlled waters does not occur. Any site specific mitigation measures required would be secured by planning condition.
8. POPULATION AND HUMAN HEALTH		
8.1 Will there be any risk of major accidents (including those caused by climate change, in accordance with scientific knowledge) during construction, operation or decommissioning?	No	N/A
8.2 Will the project present a risk to the population (having regard to population density) and their human health during construction, operation or decommissioning? (for example due to water contamination or air pollution)	No	Mitigation measures would be assessed through the Construction Management Plan and Transport Assessment which would be required during the planning application stage or where appropriate would be secured by planning condition.

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)	(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
	('HGVs') and light vehicular traffic flows on the local road network during construction of the development is not expected to be significant in the context of existing traffic flows on the surrounding highways.	
9. WATER RESOURCES		
9.1 Are there any water resources including surface waters, e.g. rivers, lakes/ponds, coastal or underground waters on or around the location which could be affected by the project, particularly in terms of their volume and flood risk?	Yes	No Flood Mitigation Measures will be agreed with the EA prior to submission of this application. Any necessary mitigation measures would be detailed within A Flood Risk Assessment, Drainage Strategy , compliance with Leeds CC Minimum Development Control Standards for Flood Risk and also confirmation from Yorkshire Water regarding any connection points and diversions to the existing systems.
10. BIODIVERSITY (SPECIES AND HABITATS)		
10.1 Are there any protected areas which are designated or classified for their terrestrial, avian and marine ecological value, or any non-designated / non-classified areas which are important or sensitive for reasons of their terrestrial, avian and marine ecological value, located on or around the location and which could be affected by the project? (e.g. wetlands, watercourses or other water-bodies, the coastal zone, mountains, forests or woodlands, undesignated nature	Yes	No Impacts would be fully assessed through the submission of any required landscaped plans (if necessary) and an Ecological Report and any necessary mitigation secured by planning condition.

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)	(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
reserves or parks. (Where designated indicate level of designation (international, national, regional or local)).		
10.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, e.g. for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	Yes The site falls within the Bat Alert Layer.	N/A Impacts would be fully assessed through the submission of an Ecological Report and any necessary mitigation secured by planning condition.
11. LANDSCAPE AND VISUAL		
11.1 Are there any areas or features on or around the location which are protected for their landscape and scenic value, and/or any non-designated / non-classified areas or features of high landscape or scenic value on or around the location which could be affected by the project? ¹ Where designated indicate level of designation (international, national, regional or local).	No	N/A
11.2 Is the project in a location where it is likely to be highly visible to many people? (If so, from where, what direction, and what distance?)	Yes The site lies within the setting of a number of Listed Buildings and within the boundary of a Conservation Area and adjacent to two other Conservation Areas. It is not considered that the proposal would impact significantly upon the special historic and architectural character	No Any impact will be assessed through the scaled plans, Design and Access Statement and details of the impact upon the Dark Arches by the works to the main concourse should be described . Mitigation would be through the demonstration of high quality architectural

¹ See question 8.1 for consideration of impacts on heritage designations and receptors, including on views to, within and from designated areas.

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)	(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
	of nearby heritage assets. However, The Dark Arches are considered a non-designated heritage asset, which would be affected by the development	detailing and materiality of the detailed building design. Building material samples and 1:20 architectural detailing drawings would be secured by planning condition to ensure that the proposal would preserve or enhance the special character and appearance of nearby heritage assets.
12. CULTURAL HERITAGE/ARCHAEOLOGY		
12.1 Are there any areas or features which are protected for their cultural heritage or archaeological value, or any non-designated / classified areas and/or features of cultural heritage or archaeological importance on or around the location which could be affected by the project (including potential impacts on setting, and views to, from and within)? Where designated indicate level of designation (international, national, regional or local).	Yes The site lies within the setting of a number of Listed Buildings and within the boundary of a Conservation Area and adjacent to two other Conservation Areas. It is not considered that the proposal would impact significantly upon the special historic and architectural character of nearby heritage assets.	No Any impact will be assessed through the scaled plans, Design and Access Statement . Mitigation would be through the demonstration of high quality architectural detailing and materiality of the detailed building design. Building material samples and 1:20 architectural detailing drawings would be secured by planning condition to ensure that the proposal would preserve or enhance the special character and appearance of nearby heritage assets.
13. TRANSPORT AND ACCESS		
13.1 Are there any routes on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?	Yes It is considered unlikely that the proposed development would result in significant impact on surrounding road, cycle and pedestrian infrastructure.	No A Transport Assessment, Construction Management Plan would detail any necessary impacts and mitigation, which would be provided during the planning application stage or secured by planning condition.
13.2 Are there any transport routes on or around the location which are susceptible to congestion or which cause	Yes The site is located adjacent to a number of key routes toward the east of the district. The impact of the proposals in terms of road	No Mitigation measures would be assessed through the Construction Management Plan and Transport Assessment which would be

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)	(Part 3a) / (Part 3b) (only if Yes in part 2a) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
environmental problems, which could be affected by the project?		provided during the planning application stage or secured by planning condition.
14. LAND USE		
14.1 Are there existing land uses or community facilities on or around the location which could be affected by the project? E.g. housing, densely populated areas, industry / commerce, farm/agricultural holdings, forestry, tourism, mining, quarrying, facilities relating to health, education, places of worship, leisure /sports / recreation.	Yes	The scaled plans, Ventilation and natural light plans/report, Wind Report (depending on heights proposed), Noise Report, Air Quality Report, Transport Assessment and a Construction Management Plan would detail any necessary impacts and mitigation, and this would be secured by planning condition.
14.2 Are there any plans for future land uses on or around the location which could be affected by the project?	No	No
15. LAND STABILITY AND CLIMATE		
15.1 Is the location susceptible to earthquakes, subsidence, landslides, erosion, or extreme /adverse climatic conditions, e.g. temperature inversions, fogs, severe winds, which could cause the project to present environmental problems?	No	N/A A quantitative wind report maybe required, depending on the heights of the structures. This would be submitted with the planning application and any necessary mitigation measures would be secured by planning condition.
16. CUMULATIVE EFFECTS		
16.1 Could this project together with existing and/or approved development result in cumulation of impacts together during the construction/operation phase?	No	No

Question	(Part 2a) / (Part 2b) – Answer to the question and explanation of reasons (Yes/No or Not Known (?) or N/A)	(Part 3a) / (Part 3b) (<u>only if Yes in part 2a</u>) – Is a Significant Effect Likely? (Yes/No or Not Known (?) or N/A)
17. TRANSBOUNDARY EFFECTS		
17.1 Is the project likely to lead to transboundary effects? ²	No	N/A

² The Regulations require consideration of the transboundary nature of the impact. Due to the England's geographical location the vast majority of TCPA cases are unlikely to result in transboundary impacts.

18. CONCLUSIONS – ACCORDING TO EIA REGULATIONS SCHEDULE 3

The location of the development is not considered environmentally sensitive area as defined in Part 1 of the EIA Regulations (i.e. a Site of Special Scientific Interest, National Park, Area of Outstanding Natural Beauty, World Heritage Site, Scheduled Monument or European Site), in terms of the likely impacts from the proposed use. It is considered that the scale and nature of the proposed development would be compatible with the existing and emerging urbanised character of the area, and therefore it is not considered that this scheme would have a significant environmental effect in this context. In conclusion, based on the information submitted to the Local Planning Authority to date, and subject to the formally submitted documents above, it is not considered that the potential magnitude of the environmental impacts of this proposal are so significant as to warrant an EIA submission.

An Environmental Impact Assessment for the development is not considered necessary under the above mentioned regulation.

19. SCREENING DECISION

If a SO/SD has been provided do you agree with it?	This document forms part of the LPA's screening opinion.	
Is it necessary to issue a SD?	No	
Is an ES required?	No	
20. ASSESSMENT (EIA REGS SCHEDULE 2 DEVELOPMENT)	OUTCOME	
Is likely to have significant effects on the environment	ES required	No
<u>Not</u> likely to have significant effects on the environment	ES not required	Yes
More information is required to inform direction	Request further info	No

NAME	David Newbury Group Manager Development Management Leeds City Council
DATE	14/Apr/22