



# Department for Transport

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Via email

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Our Ref: TWA/2/2/187  
Your Ref: 151666-TRA-E234-TRU-REP-  
W-EN-000143  
22 February 2022

Dear Sir,

**Transport and Works Act 1992**  
**Transport and Works (Applications and Objections Procedure) (England and Wales)**  
**Rules 2006 (“the Rules”)**  
**Proposed Transport and Works Act Order for the Rose Lane Level Crossing**  
**Closure Mitigation Scheme**

1. Thank you for your letter of 11 January 2022 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 respect of the proposed works to mitigate the closure of three level crossings located within 1km length of line commencing circa 300m south-west of Church Fenton station.

2. The Secretary of State considers that the proposals described in your request are 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. Having regard to the characteristics and location of the project and the type and characteristics of potential impact, on the basis of the available information, 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 above Rules, the Secretary of State’s screening decision is that an **EIA is not required** in relation to the Rose Lane Level Crossing Closure Mitigation Scheme which is to be the subject of the above proposed Order.

3. To come to this screening decision, the Secretary of State has consulted the bodies listed below and has considered their responses:

- Natural England
- Environment Agency
- Historic England
- Selby District Council
- North Yorkshire County Council

4. Responses were received from all consultees. Copies of the consultation responses are included with this letter, the contents of which should be noted.

5. 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.

6. The Secretary of State draws the applicant's attention to the comments made regarding flood risk by the Environment Agency, Selby District Council, and North Yorkshire County Council in their response to the consultation. As acknowledged by Network Rail, a flood risk assessment and drainage strategy should be submitted with any subsequent application for a Transport and Works Act Order, along with details of appropriate pollution prevention measures.

7. The Secretary of State draws the applicant's attention to the comments made regarding protected species by Natural England, Selby District Council, and North Yorkshire County Council in their responses to the consultation. Sufficient information on the potential impacts of the proposals on protected species, including an ecological impact assessment should be provided with any subsequent application for a Transport and Works Act Order.

8. The Secretary of State draws the applicant's attention to the comments made regarding landscape and visual impacts by Selby District Council. The Secretary of State recommends that an appropriate level of detail on the scheme's visual effects and/or impacts on the landscape is submitted with any subsequent application for a Transport and Works Act Order.

### **Distribution**

8. Copies of this letter are being sent to those organisations which were consulted on the request for a screening decision, as listed at the beginning of this letter.

9. In accordance with rule 7(15) of the above Rules, a copy of this decision will be placed on our website at: <https://www.gov.uk/government/collections/twa-inspector-reports-and-decision-letters>.

Yours sincerely,

**Natasha Kopala**