

The Secretary of State for Transport
c/o Transport Infrastructure Planning Unit
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Your Ref:
Our Ref: SXC.BAR006.11065
Doc No: 32087935v1
Date: 07 July 2021

By email: transportinfrastructure@dft.gov.uk

Dear Sirs

**Transport and Works Act 1992
The Transport and Works (Applications and Objections Procedure) (England and Wales)
Rules 2006 – Rule 15(1)
The Northumberland Line Order
Notice of Objection re Parcel 145 (part only)**

We act for BDW Trading Limited ("BDW") and refer to the Notice of Application dated 27 May 2021 sent to their registered office.

On behalf of BDW we hereby object to the Northumberland Line Order.

The Notice includes reference to parcel 145 (referred to in the Book of Reference as "all interests in 2507 square metres of trees and shrubland adjacent to railway line situated to the west of Seaton Red House Farm, Northumberland") which is identified in Schedule 8 of the draft Northumberland Line Order ("the Draft Order") as an area of land of which temporary possession may be taken for the purposes of a worksite for railway works pursuant to the powers set out in article 20 of the Draft Order.

Parcel 145 forms part of title number ND26264, which is BDW's Church Fields residential development at New Hartley. The site has planning permission for 285 dwellings and development is underway. A plan showing the extent of BDW's ownership with an overlay of the relevant extracts of the Land and Works Plan is attached (plan reference 6443-NLOO-1001)

BDW is supportive of the Northumberland Line and of the opportunities it will create through economic growth, regeneration and community development in Northumberland. The Draft Order would, however, in its current form adversely affect the Church Fields development for the following reasons:

1. Condition 20 of BDW's planning permission for the development (20/03342/VARYCO) contains a pre-occupation requirement for BDW to reconstruct an existing public right of way that runs around the eastern boundary of the site, including the area shown edged red on the plan. The proposal to use the area edged red on the attached plan as a worksite would prevent BDW from carrying out the works required under planning condition 20 and therefore restrict occupations on the site;

2. The area shown edged red on the attached plan includes a proposed swale feature on the Church Fields development, which is used for storage/water treatment and disposal of surface water for the development. The temporary possession order would affect the operation of the swale feature and BDW's ability to maintain it. Condition 16 of BDW's planning permission requires construction of the approved surface water drainage infrastructure to be implemented in respect of each phase prior to the first occupation of any dwellings within that phase, therefore depending upon the timing of any temporary possession such possession could restrict occupations on the site
3. The area shown edged red on the attached plan directly adjoins one of the estate roads within Church Fields. BDW is concerned that the works to be carried out on the worksite will interfere with and create health and safety issues in relation to the construction and use of the estate road and have an adverse structural impact on the road

BDW therefore objects to the inclusion of that part of parcel 145 as is shown edged red on the attached plan within the Northumberland Line Order and asks that the Secretary of State confirms receipt of this objection. It does not object to the inclusion of the remainder of parcel 145 or to parcel 146.

Please could you address any correspondence in relation to this matter to Ward Hadaway LLP at the address and using the reference stated at the top of this letter.

Yours faithfully

Ward Hadaway

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