

TRANSPORT AND WORKS ACT 1992: PROPOSED NORTHUMBERLAND LINE ORDER

TOWN AND COUNTRY PLANNING ACT 1980: REQUEST FOR DEEMED PLANNING PERMISSION

ACQUISITION OF LAND ACT 1981: APPLICATION FOR A CERTIFICATE IN RELATION TO ACQUISITION OF RIGHTS OVER OPEN SPACE

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

STATEMENT OF MATTERS

This statement relates to the public inquiry to be held into the application by Northumberland County Council ("NCC") for the above Order under the Transport and Works Act 1992 and for:

- (i) a direction as to deemed planning permission for the development for which provision is included in the TWA Order;
- (ii) a certificate under section 19(1)(b) of the acquisition of Land Act 1981 in relation to the acquisition of rights over open space.

The TWA Order application and the application for a direction as to deemed planning permission will be determined by the Secretary of State for Transport. The application for the open space certificate will be determined by the Secretary of State for the Ministry of Housing, Communities and Local Government.

This statement sets out under rule 7(6) of the Transport and Works (Inquiries Procedure) Rules 2004 the matters about which the Secretary of State for Transport and the Secretary of State for the Ministry of Housing, Communities and Local Government particularly wish to be informed about in their consideration of these applications. These matters are as follows:

In relation to the applications for the TWA Order and deeming planning permission at (i) above:

- 1. The aims and objectives of, and the need for, the proposed Northumberland Line ("the scheme").**
- 2. The main alternative options considered by NCC and the reasons for choosing the preferred option set out in the Order.**
- 3. The likely impact of the scheme on local businesses, residents and visitors**
Consideration under this heading should include:

(a) the impacts on access to and from the Asda store in Blyth for customers and deliveries and the operation of the drive thru coffee shop.

(b) impacts of the scheme and its construction on the local road networks, parking, and communal gardens.

(c) location of the proposed underpass at Ashington and its impact on any anti-social behaviour.

(d) impact of the scheme on sheltered accommodation for the elderly.

(e) impact of the scheme on development proposals in the area including housing and care homes.

4. The effects of the scheme on statutory undertakers, statutory utilities and other utility providers, and their ability to carry out their undertakings effectively, safely and in compliance with any statutory or contractual obligations and the protective provisions afforded to them.

5. The adequacy of the Environmental Statement submitted with the application for the TWA Order, having regard to the requirements of the Transport and Works (Application and Objections Procedure) (England and Wales) Rules 2006. This should include consideration of:

- the impacts of noise and vibration during operation and construction.**
- the removal of trees and shrubbery and its impact on local wildlife and birds**

6. Having regard to the criteria for justifying compulsory purchase powers in paragraphs 12 to 15 of the MHCLG Guidance on the “Compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion” published on 29 October 2015 (as amended on 28 February 2018):-

(a) whether there is a compelling case in the public interest to justify conferring on NR powers to compulsorily acquire and use land for the purposes of the scheme.

(b) whether the purposes for which the compulsory purchase powers are sought are sufficient to justify interfering with the human rights of those with an interest in the land affected (having regard to Human Rights Act).

(c) whether there are likely to be any impediments to NCC exercising the powers contained within the Order, including the availability of funding.

(d) whether all the land and rights over land which NCC has applied for is necessary to implement the scheme.

7. The conditions proposed to be attached to the deemed planning permission for the scheme.

8. Whether all statutory procedural requirements have been complied with.

9. Any other matters which may be raised at the inquiry which may be important and relevant to the Secretary of State's decision.

In relation to the application for an open space certificate at paragraph 2 (ii) above

10. That it is appropriate for the Secretary of State for the Ministry of Housing, Communities and Local Government to grant a certificate for the compulsory purchase of Open Space Land under Section 19 of the Acquisition of Land Act 1981.

Notes

It should be noted that whilst the above matters appear to the Secretaries of State, from the evidence so far available, to be the principal ones that need to be addressed, this statement does not preclude the inquiry Inspector from hearing evidence on any other matters that he/she may consider relevant to the consideration of the application. In addition, this statement does not pre-determine the order in which issues are to be addressed at the inquiry, nor does the numbering imply any order of importance.

More detail on the Public Inquiry process can be found here:
<https://www.gov.uk/government/publications/transport-and-works-act-orders-a-brief-guide-2006/transport-and-works-act-orders-a-brief-guide>

TWA Orders Unit
Department for Transport

Planning Casework Unit
Ministry of Housing, Communities
and Local Government

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