



Department for Transport

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To: National Highways, Natural
England, All Interested
Parties

Date: 28 September 2023

Dear Sir/Madam

PLANNING ACT 2008 AND THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

Application by National Highways (“the Applicant”) for an Order granting Development Consent for the proposed A66 Northern Trans-Pennine Project.

REQUEST FOR COMMENTS FROM THE APPLICANT, NATURAL ENGLAND AND ALL INTERESTED PARTIES

NORTH PENNINE MOORS SPECIAL AREA OF CONSERVATION (‘SAC’).

1. The Secretary of State notes [the Applicant’s response of 22 September 2023](#) and the request for an extension of the deadline for the submission of information to support a Habitats Regulations Assessment derogation case from 22 September 2023 to 27 October 2023. The Secretary of State is mindful that this is close to the statutory decision date of 7 November 2023 and therefore requests that this information is sent as soon as possible before the statutory decision deadline.
2. The Secretary of State also notes reference to potential mitigation measures in the form of speed restriction that are mentioned in paragraph [4.5 of Natural England’s response dated 8 September 2023](#). Noting that information to inform a derogation assessment may not be available until 27 October 2023, **the Secretary of State requests details from National Highways and Natural England on what speed restrictions would be necessary to mitigate the impacts of the scheme on the North Pennine Moors SAC to enable a**

conclusion of no adverse impact on integrity. Should there be any other suitable mitigation measures, the Secretary of State would also welcome details of these.

3. In the event that the Secretary of State was minded to consider such measures as being appropriate and necessary, **the Applicant is also requested to provide details and evidence of any consequential impacts that such measures could have on the underlying assessments and conclusions on the impacts of the scheme.**

RESPONSE TO FRIENDS OF LAKE DISTRICT

4. The Secretary of State notes the comments by Interested Parties including [Friends of the Lake District](#) in their email dated 21 September, [Dr Andrew Boswell](#) in his response of 22 September 2023 and [Tim and Emma Nicholson's](#) response of 22 September 2023 regarding the Prime Minister's announcement on 20 September postponing the ban on the sales of petrol and diesel cars to 2035. **The Secretary of State invites the Applicant to respond to this and to confirm if any update is needed to the carbon assessment or any other assessment that supports this application, and to provide this information as appropriate and an explanation to support their response.**

PARTICULATE MATTER

5. The Secretary of State notes the [Applicant's response of 22 September 2023](#) regarding 'Particulate Matter' and invites all interested parties to provide any comments on this submission.

SIDE AGREEMENTS

6. The Secretary of State notes from the [Applicant's response of 22 September 2023](#) regarding side agreements and that a number are to be in place by 29 September 2023 and therefore requests a further update on these.

DEADLINE FOR RESPONSES

7. Response to the requested information from the Applicant at paragraph 1 has an agreed extension to 27 October 2023 but the Secretary of State would ask that the requested information is provided before that date where possible.
8. Responses to the requested information from the Applicant at paragraphs 2, 3, 4 and 6 and Natural England at paragraph 2 should be submitted by email only to A66Dualling@planninginspectorate.gov.uk by 23.59 on 5 October 2023.
9. Responses to the requested information at paragraph 5 should be submitted by email only to A66Dualling@planninginspectorate.gov.uk by 23.59 on 12 October 2023
10. Responses will be published on the A66 Northern Trans-Pennine project page of the National Infrastructure Planning website as soon as possible after 5 October 2023, with respect to paragraph 8, and 12 October 2023 with respect to paragraph 9:

- [A66 Northern Trans-Pennine Project | National Infrastructure Planning \(planninginspectorate.gov.uk\)](https://planninginspectorate.gov.uk)

11. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the proposed A66 Northern Trans-Pennine Project. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully,

Transport Infrastructure Planning Unit