

SCOPING OPINION
Proposed
North Doncaster Chord
(Shaftholme Flyover),
South Yorkshire

September 2010



independent impartial inclusive

CONTENTS

EXECUTIVE SUMMARY	4
1.0 INTRODUCTION.....	6
Background.....	6
Commission’s Consultation	7
Structure of the Document	8
2.0 THE PROPOSED DEVELOPMENT	10
Applicant’s Information	10
Commission’s Comment	13
3.0 EIA APPROACH AND TOPIC AREAS.....	16
General Comments on the Scoping Report.....	16
Topic Areas	17
4.0 OTHER INFORMATION	24
Health Impact Assessment.....	24
Applicant’s Consultation	24
APPENDIX 1.....	2
APPENDIX 2.....	8
APPENDIX 3.....	12

Executive Summary

This is the Infrastructure Planning Commission's (the Commission's) Scoping Opinion (the Opinion) in respect of the content of the environmental statement for a proposed North Doncaster Rail Chord (Shaftholme Flyover) by Network Rail (the Applicant), in South Yorkshire (the Proposal). The Proposal is for a flyover grade separation and associated twin track railway at the Shaftholme and Joan Croft Junctions just north of Doncaster. This would provide a direct link between two rail lines and reduce volumes of traffic on the East Coast Mainline.

This report sets out the Commission's Opinion on the basis of the information provided in Mott MacDonald's report on behalf of Network Rail entitled 'Shaftholme Flyover EIA Scoping Report' (July 2010) (the Scoping Report). The Opinion can only reflect the proposals as currently described by the Applicant.

The Commission has consulted on the scoping report and the responses received have been taken into account in adopting this Opinion. The Commission is satisfied that the topics identified in the Scoping Report encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

The Commission draws attention both to the general points and those made in respect of each of the specialist topics in this Opinion. The main potential issues identified are:

- construction impacts including noise and vibration, dust and transportation impacts;
- community impacts including severance, temporary road closures and reduced accessibility issues;
- noise impacts arising from the operation of the scheme including rolling noise, bridge noise and impact noise over new points;
- visual impacts on nearby sensitive receptors;
- enhance risk of pollution of water due to construction activities; and
- the impacts of the proposal on any adjacent nationally and locally designated sites.

Matters are not scoped out unless specifically addressed and justified by the applicant and confirmed as being scoped out by the Commission.

1.0 INTRODUCTION

Background

- 1.1 On 27 July 2010, the Commission received a scoping report submitted by Mott Macdonald on behalf of Network Rail under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (the EIA Regs) in order to request a scoping opinion for the proposed North Doncaster Rail Chord (Shaftholme Flyover), in South Yorkshire. This scoping opinion is made in response to this request and should be read in conjunction with the Scoping Report.
- 1.2 The EIA Regs enable an applicant, before making an application for an order granting development consent, to ask the Commission to state in writing its formal opinion (a 'scoping opinion') on the information to be provided in an environmental statement (ES).
- 1.3 In submitting the information included in their request for a scoping opinion, the Applicant is deemed to have notified the Commission under Regulation 6(1)(b) of the EIA Regulations that it proposes to provide an ES in respect of the proposed railway flyover at Shaftholme Junction, north of Doncaster. Therefore, the proposed development is determined to be EIA development in accordance with Regulation 4 of the EIA Regs.
- 1.4 Before adopting a scoping opinion the Commission (or the relevant authority) must take into account:
 - 'the specific characteristics of the particular development;
 - the specific characteristics of the development of the type concerned;
 - the environmental features likely to be affected by the development'.

(EIA Regs 8 (9))
- 1.5 This Opinion sets out what information the Commission considers should be included in the ES for the Proposal. This Opinion has taken account of:
 - i the EIA Regs;
 - ii the nature and scale of the proposed development;
 - iii the nature of the receiving environment; and
 - iv current best practice in the preparation of environmental statements.

- 1.6 The Commission has also taken account of the responses received from the statutory and other consultees. It has carefully considered the matters addressed by the Applicant and has used professional judgement and experience in order to come to this Opinion. It should be noted that when it comes to consider the ES, the Commission will take account of relevant legislation and guidelines. The Commission will not be precluded from requiring additional information if it considers it necessary in connection with the ES submitted with that application when considering any application for a development consent order.
- 1.7 This opinion should not be construed as implying that the Commission agrees with the information or comments provided by the Applicant in their request for an opinion from the Commission. In particular comments from the Commission in this Opinion are without prejudice to any decision taken by the Commission on submission of the application that any development identified by the applicant is necessarily to be treated as part of a nationally significant infrastructure project or associated development, or development that does not require development consent.
- 1.8 Regulation 8(3) of the EIA Regs states that a request for a scoping opinion must include:
- i. a plan sufficient to identify the land;
 - ii. a brief description of the nature and purpose of the development and of its possible effects on the environment;
 - iii. such other information or representations as the person making the request may wish to provide or make.
- 1.9 The Commission considers that this has been provided in Network Rail's scoping report.

Commission's Consultation

- 1.10 The Commission has a duty under Regulation 8(6) of the EIA Regs to consult widely before adopting a scoping opinion. A full list of the consultation bodies is given at Appendix 1. The list of respondents, with copies of those comments is given at Appendix 2, to which reference should be made.
- 1.11 The ES submitted by Network Rail must also demonstrate consideration of points raised by the statutory and any other consultees. It is recommended that a table is provided in the ES summarising the scoping responses from the statutory and any other consultees and how they are considered in the ES.
- 1.12 Any subsequent consultation responses, received after the statutory deadline for receipt of comments, will be forwarded to the Applicant

and should be given due consideration by the Applicant in carrying out the EIA.

Structure of the Document

1.13 This document is structured as follows:

Section 2 The Proposed Development;

Section 3 EIA Approach and Topic Areas;

Section 4 Other Information;

Appendix 1 Consultation Bodies;

Appendix 2 Respondents to Consultation and Copies of Replies;

Appendix 3 Presentation of the Environmental Statement.

2.0 THE PROPOSED DEVELOPMENT

Applicant's Information

- 2.1 The following is a summary of the information solely taken from the Applicant's scoping report. The Commission has not verified the accuracy of this information.

The Need for the Proposals

- 2.2 At present, slow moving coal traffic from Immingham interacts with the East Coast Mainline (ECML) at Shaftholme and Joan Croft Junctions just to the north of Doncaster. These existing junctions are not currently aligned and as a result the rail freight uses 15 miles of the ECML, a high speed passenger line, before reaching the Aire Valley power stations. This causes a bottleneck at Shaftholme Junction and is a restriction to the growth of freight and passenger services (see paragraph 2.1 of the scoping report).

Description of the Development

- 2.3 The Proposal is for a flyover grade separation and associated twin track railway at the Shaftholme and Joan Croft Junctions. This would be provided by a new railway line over the ECML consisting of 3 km of new twin track railway, embankment and associated signalling infrastructure and a new multi-span viaduct (paragraph 2.5.1 of the scoping request). Network Rail is also considering options, as part of the proposed scheme, to provide a grade separated highway crossing over the ECML to the north of the Joan Croft level crossing. Once operational this would enable the closure of this level crossing. The proposed development is shown in Figure B2 in Appendix B of the scoping request.
- 2.4 The new railway and associated embankment would join the Askern line, approximately 150m south of the Haywood level crossing, to the Skellow line, approximately 500m after the Applehurst Chord, close to Applehurst Lane level crossing (paragraph 2.5.1). A multi-span steel viaduct structure is proposed to be used for the twin track railway to cross Joan Croft Lane and the ECML.
- 2.5 The completion of the proposed railway works would provide a direct link between the Skellow and Askern lines, north of Doncaster station with the intention of removing the Humber ports coal freight traffic to the West Yorkshire power stations from the ECML. This will enable greater capacity and efficiency for high speed passenger trains (paragraph 1.1). If a highway bridge is provided over the ECML the intention is to close the Joan Croft level crossing.

The Existing Site

- 2.6 The proposed development site is located in a predominately rural area approximately 5kms north of Doncaster. The location of the site is shown in Figure B1 in Appendix B of the scoping report.
- 2.7 The existing site consists of the intersection between the ECML which runs north to south and the Skellow line which runs east to west. The Askern Line forks north-west, just north of where the ECML and Skellow lines cross. The Applehurst Chord links the ECML east to the Skellow Line. These all form the Shaftholme and Joan Croft Junctions as shown in Figure B.2 of Appendix B.
- 2.8 There are no listed buildings, scheduled ancient monuments or conservation areas within the site boundary.
- 2.9 The scoping report states that there are no statutory ecological designations at the international and national level within the proposed site boundary (Table 4.14 of the scoping report).

The Surrounding Area

- 2.10 The site is bounded to the west by the A19 and to the east by the River Don as shown in Figure B1 Appendix B. Doncaster Town Centre lies 5km to the south of the site boundary. The surrounding land is used mostly for agricultural purposes.
- 2.11 The Thorpe in Balne and Tilts moated scheduled monuments lie within 2km of the site. Listed Buildings are located within Thorpe in Balne village approximately 1.5km to the north-east of the site which include Grade II* listed Manor House Farm and Grade II barn; and Grade II listed Poplar Farmhouse on Thorpe Lane. Listed buildings are also located 2km to the south at Shaftholme; at Owston village to the west and Barnby Dun village to the east. Sutton, Owston and Adwick-le-Street to the west of the site are Conservation Areas.
- 2.12 There are four local designations within 2km of the development; Randall Croft Wood, Sixteen Acre Plantation, Brick Kiln Plantation and Thorpe Marsh Reservation local wildlife sites.
- 2.13 Undesignated sites of regional and local archaeological importance near the site include three late-Iron Age / Romano-British enclosures and fields systems to the north and east. Medieval sites include deserted medieval village sites at Tilts and Shirley Pool and a number of areas of medieval ridge and furrow.

Proposed Construction Access Routes

- 2.14 Two construction access routes are proposed to serve the construction site to enable the proposed development to be constructed east and west of the ECML.

East of the ECML

- 2.15 Access is proposed to be gained via a combination of rail and road. The bulk fill material is proposed to be delivered by rail into a new siding located at Thorpe Marsh power station and stockpiled south of, and adjacent to, the Skellow line until required for use as shown in Figure B3 Drawing Number MMD-261980-Z-DR-00-XX-0006.
- 2.16 The fill material would be transported to the working areas on wagons routed on the existing Field Station Road (located close to Thorpe Marsh nature reserve) and then via the Applehurst Lane level crossing to the north of the Skellow line. On the northern side of the railway, a new haul route would be constructed running west, through the disused railway embankment, to the proposed site.
- 2.17 Other materials (beams, concrete etc), construction plant and small tools are expected to be brought to site using the existing road network from the M18 via the A18 through Barnby Dun then Thrope Bank Road into the power station. These would then be transported to site along the construction route described above.

West of the ECML

- 2.18 Access is expected to be gained to site via the A19 from the motorway network to the north of Doncaster and then along Rockley Lane, which would operate as a one-way system for construction traffic as it is too narrow for two-way traffic. For the same reason, it may be necessary to provide passing places for normal traffic on Rockley Lane. The one way system would operate on Rockley Lane and Holme Lane as indicated in Figure B3 Drawing Number MMD-261980-Z-DR-00-XX-0001.

Proposed Highway crossing cover the ECML

- 2.19 Network Rail is considering options to provide a grade separated highway crossing over the ECML to the north of the Joan Croft level crossing. A pre-cast concrete integral bridge is proposed to be used to cross the ECML with a new highway alignment required to enable the appropriate gradient to be reached. The design details for the highway crossing have not yet been finalised with the Highways Authority (Doncaster Metropolitan Borough Council). The indicative layout of the highway crossing is shown in Figure B2, Appendix B of the scoping report.

Proposed Construction

- 2.20 Construction is expected to take 18 months. The proposed commencement of the construction is unclear as is the start date of the operation of services. Paragraph 2.6 (of the scoping report) states that construction is due to commence in January 2013 whilst at paragraph 3.2, it states commencement in 2012. Operation of services is stated to start in late 2013 (paragraph 3.2), however, final commissioning before operational service is not expected until June 2014 (paragraph 2.6).
- 2.21 No details have been provided on the construction methods, workforce number, quantity and source of materials, frequency and number of deliveries or working hours.

Commission's Comment

- 2.22 The Applicant should ensure that the description of the proposed development that is being applied for is sufficiently clear and accurate, as this will form the basis for the environmental assessment. The dimensions of the proposed development should be clearly described in the ES, with appropriate justification and sufficient explanation. It will also be important to consider choice of materials, colour and the form of any buildings and structures. Lighting proposals should also be described.
- 2.23 In line with best practice and case law, the proposed development will need to be defined in sufficient detail in the ES to enable a robust assessment of the adverse and positive impacts to be undertaken.
- 2.24 Whilst the Commission acknowledges that it may be necessary for design parameters to be sufficient to allow for minor variations in the scheme design, such parameters should not be so great that any variations would effectively constitute a material departure from the scheme design assessed in the EIA or result in a different assessment outcome. The ES should be able to confirm that any changes to the development within the proposed parameters would not result in significant effects not previously identified. The EIA should be carried out on the basis of the most likely design(s) and should identify the worst case in terms of environmental impacts.
- 2.25 The Commission recognises that the process of EIA is iterative and therefore the proposals may change and evolve. There may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. Once submitted, the application should not change in any substantive manner as the Commission is not able to entertain material changes to the project after acceptance.

- 2.26 The Rochdale envelope approach is an accepted way of dealing with uncertainty but any range should be sufficiently defined to enable the EIA to be carried out on as precisely defined scheme as possible. The uncertainty in the proposed development is currently too wide-ranging as it is unclear from the scoping report whether or not the grade separated highway crossing of the ECML will be included in the final scheme design. The applicant should, therefore, ensure that the definitive status of this crossing is known prior to the ES so that the environmental impacts of the overall scheme can be properly assessed.
- 2.27 It should be noted that if the development changes substantially during the EIA process the Applicant may wish to consider the need to request a new scoping opinion.
- 2.28 The Commission recommends that the ES should include a clear description of timescales for the development at the construction, operation and decommissioning stages, and include:
- Land use requirements;
 - Site preparation;
 - Operational requirements including the main characteristics of the production process and the nature and quantity of materials used, as well as waste arisings and their disposal, and maintenance activities; and
 - Emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc).
- 2.29 In terms of decommissioning, the Commission acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption, materials can be re-used and the site can be restored or put to a suitable new use. The Commission encourages consideration of such matters in the ES.
- 2.30 The Applicant proposes to assess the impacts of the proposal during construction and subsequently during operation, which has been specified as the year of opening and the year of maximum growth / decline. Various reasons are provided for selecting this timescale including the expectation that traffic growth will have reached a stable peak and that mitigation planting will have sufficiently matured (paragraph 3.2). The wording in the scoping report at paragraph 3.2 identifies that operational effects assessment will be on the basis of the year of maximum growth/decline within the first 15 years, but that for certain topics there will be a need to look longer term. The timescale selected by the Applicant should be justified in the ES. The

Commission agrees with this general approach which seeks to identify the worst case and makes further comment on the timescales in the detailed comments in the next section of this opinion (see sections 3.5 and 3.6 below).

- 2.31 The Commission considers that the ES should contain information on how the materials will be transported to site including; abnormal loads and the frequency of deliveries, and the proposed construction methods.
- 2.32 The Commission notes that no international or national ecology designations have been identified within 2km of the proposed railway chord or within 300m of the construction route (Table 4.14 of the scoping report). However, Owston Hay Meadows and Shirley Pool Sites of Special Scientific Interest (SSSIs) appear to be located within 300m of the proposed chord and construction route options. The Applicant should clarify this in the ES and ensure that any potential effects on designated sites are fully dealt within the ES together with any proposed mitigation measures.
- 2.33 In the event that any works or infrastructure are required off-site, as associated development or as an ancillary matter, then such works/infrastructure should be considered as part of an integrated approach to environmental assessment.
- 2.34 The ES must contain and set out an outline of the main alternatives studied by the Applicant and provide an indication of the main reason for the Applicant's choice, taking account of the environmental effects (Schedule 4, Part 1, paragraph 18). The reasons for the preferred choice should be made clear and the comparative environmental effects of each option identified in the ES.

3.0 EIA APPROACH AND TOPIC AREAS

General Comments on the Scoping Report

- 3.1 The Commission notes that the ES should be a stand alone document and should include sufficient information. Where specific assessments are intended to be produced, such as the flood risk assessment, if the Applicant intends to refer to such reports in the ES, sufficient information should be included in the ES as the Applicant will not be able to cross-refer to any stand alone documents outside of the ES.
- 3.2 On the basis that such information will be made available and included in the ES, the Commission is satisfied with the approach proposed for the format.
- 3.3 The Commission recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.
- 3.4 The Commission recommends that the baseline data is comprehensive, relevant and up-to-date. Not all of the surveys needed to inform the EIA are fully defined within the scoping report and these omissions will need to be addressed. The timing and scope of all surveys should be agreed with the relevant statutory bodies.
- 3.5 The Commission considers that the assessment should consider all phases of the use – construction, operation and decommissioning. Within the specialist topic sections there is no specific mention of the decommissioning phase and the Commission recommends that this should be addressed in the EIA. The methodology should use up to date regulations and guidance to undertake the assessment and the methodology should be agreed with the relevant consultees. Where this is not possible, a reasoned justification should be given in the ES.
- 3.6 The Commission would welcome a common format for each topic in which the breadth and the physical and temporal scope of the assessment should be fully described and justified.
- 3.7 The inter-relationship between specialist topics should not be overlooked, indeed this is a requirement of the Regulations. The ES should not be a series of separate reports collated into one document,

but rather a comprehensive assessment drawing together the environmental impacts of the proposed development as a whole.

3.8 The Commission recommends that other major developments in the area should be taken into account through consultation with the local planning authorities on the basis of major developments that are :

- built and operational;
- under construction;
- permitted application(s), but not yet implemented;
- submitted application(s) not yet determined, and if permitted would affect the development proposed in the scoping report; and
- identified in the Development Plan (and emerging Development Plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited.

3.9 Matters are not scoped out unless specifically addressed and justified by the applicant and confirmed as being scoped out by the Commission.

3.10 Reference should be made to Appendix 3 regarding the presentation of the environmental statement.

Topic Areas

General Comments

3.11 The EIA Regulations Schedule 4, Parts 1 and 2, set out the information for inclusion in an ES.

3.12 Schedule 4 Part 1 of the EIA Regulations sets out the aspects of the environment likely to be significantly affected by the development which should include '*in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors*' (paragraph 19).

3.13 Part 2 sets out the minimum requirements and is included below for reference:

Schedule 4 Part 2

- a description of the development comprising information on the site, design and size of the development;
- a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects;

- the data required to identify and assess the main effects which the development is likely to have on the environment;
 - an outline of the main alternatives studies by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects;
 - a non-technical summary of the information provided [*under the four paragraphs above*].
- 3.14 The scoping report has considered the environment under the following topics:
- Air quality;
 - Archaeology and cultural heritage;
 - Community;
 - Ecology
 - Geology and soils (including contaminated land);
 - Landscape and visual assessment;
 - Noise and vibration;
 - Traffic and transport;
 - Waste management; and
 - Water resources.
- 3.15 The Commission notes at paragraph 3.1 of the Scoping Report that the Applicant proposes to scope out of the assessment: socio-economic effects; electromagnetic effects (EMC) and carbon effects and climatic factors. However, the wording used to describe the reasons for scoping all three matters out of the assessment is ambiguous.
- 3.16 The reference to socio-economic effects as being of 'lesser relevance' due to the rural nature of the development is unclear. It is noted that effects on the community will be assessed in the 'Community' topic. The Commission concurs with the view that a separate topic dealing with socio-economic is not relevant on the basis that these effects will be covered in the community topic and therefore that this matter may be 'scoped out'. The Community assessment should address any effects associated with agricultural severance, which is identified as a potential effect at paragraph 3.1, together with the effects (positive and negative) of road closures on local villages and shops.
- 3.17 With regard to EMC, overhead lines will be included in the scheme and an assessment of electromagnetic effects should therefore be undertaken. The effects of the scheme on telecommunications systems in the area should also be assessed.
- 3.18 The term 'carbon effects' is not defined. The need to consider emissions from the proposed development means that this effect should be included in the ES. Climatic factors are also not defined and may include effects such as flood risk, for which a separate flood risk

assessment is proposed (paragraph 4.11.1). The applicant has also stated their intention to provide a carbon footprint assessment (paragraph 3.1). Based on the information presented in the scoping report carbon effects/climate factors should not be scoped out of the ES

- 3.19 Effects may be scoped out in the ES if sufficient information has been provided to justify the decision to exclude any effects from assessment. On this basis, the Commission is satisfied that the topics identified in the scoping report encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the EIA Regs.
- 3.20 The Commission does not agree that the impact on air quality of diesel freight traffic operating on the new flyover and chord can be scoped out of the ES. Given that the new section of railway is at a junction, where diesel locomotives are likely to be stationary, and that there is at least one house within 15 metres of the track, the Commission will require an air quality assessment to cover both the construction and operational phases of the development within the ES.
- 3.21 It is noted that the technical disciplines of 'Waste Management' and 'Water Resources' do not appear in Table 1 of the scoping report. However, it is presumed that there are no areas which will be 'scoped-out' in relation to these disciplines.
- 3.22 Each of the specialist topics are considered in turn below. It should be noted that the general points made above and elsewhere in this opinion are not repeated under each of the specialist topics. However the applicant should ensure that such issues are addressed fully before the ES is submitted to the Commission. Consideration should also be given to the scoping responses, copies of which are provided in Appendix 2.

Air quality (section 4.2 of the scoping report)

- 3.23 The air quality assessment should consider likely operational emissions from the proposed development and demonstrate that health-based air quality standards will not be exceeded.
- 3.24 The assessment should take account of the emissions from the proposed development itself as well as the traffic assessment and also provide information to inform the ecological assessments.
- 3.25 Air quality and dust levels should be considered not only on site but also off site, including along access roads and local footpaths.
- 3.26 Consideration should be given to appropriate mitigation measures and to monitoring dust complaints.

Archaeology and cultural heritage (section 4.3)

3.27 The Commission welcomes the inclusion of the archaeology and cultural heritage assessment within the ES. It will be important to agree the terms of reference of this study with the relevant consultees and , in this regard, particular attention is drawn to the views of English Heritage in Appendix 2. Cross reference should be made to the 'Landscape and Visual Amenity' section of the ES.

Community (section 4.4)

3.28 The Commission recommends that the resources and receptors and temporal and spatial scope of the assessment is agreed with the relevant consultees.

3.29 The Commission recommends that the assessment criteria should be locationally specific and consider the potential significance of the impacts of the proposal within the local and regional context.

Ecology (section 4.5)

3.30 The Commission recommends that surveys should be thorough, up to date and take account of other development proposed in the vicinity. The Environment Agency's comments (see Appendix 2) are useful in this regard.

3.31 The Commission recommends that the proposals should address fully the needs of protecting and enhancing biodiversity. The assessment should cover habitats, species and processes within the site and surroundings. The Commission draws attention in particular, but not exclusively, to the need to include a water vole survey in the ecological studies which will be undertaken.

3.32 The potential impacts on nationally designated sites should be addressed as well as county level habitats. As noted above, it appears that Owston Hay Meadows and Shirley Pool Sites of Special Scientific Interest (SSSIs) are located within 300m of Rockley Lane which is part of the proposed construction route for the Shaftholme flyover. These sites should be included in the ecological assessment, therefore.

3.33 The assessment should also take account of the Dun Drainage Commissioner's Biodiversity Action Plan available on the internet at: <http://www.shiregroup-idbs.gov.uk/Admin/Environmental/Dun%20Drainage%20Commissioners%20BAP%20final.pdf>. The applicant may wish to consult with the Dunn Drainage Commissioners on its approach to the proposed development and any mitigation measures proposed.

3.34 With regard to mitigation, measures should also be included to address ecological connectivity and include schemes to allow the movement of

animals. Additionally, measures referred to in the scoping report as 'incorporated mitigation' and 'supplementary mitigation' should both be included.

- 3.35 The ecological assessment should include a commitment to undertaking ecological enhancements, including habitat creation proportional to the scale and type of habitats which will be lost. The applicant should consult and agree its approach to investigation with the relevant statutory authorities.
- 3.36 The operational and decommissioning phases of the works should be addressed. The Commission recommends the need to consider cumulative and combined impacts and advises this is particularly relevant in terms of assessing the impacts on ecology.

Geology and soils (section 4.6)

- 3.37 The baseline for the ES should explain in detail the extent of the study area and justify the reasons for this.
- 3.38 It is noted that a separate report, addressing geotechnical and geo-environmental issues, will be produced. In order to ensure that the ES is a complete and stand-alone document it is important that sufficient information on these subjects is also included in the ES.

Landscape and Visual Amenity (section 4.7)

- 3.39 The Applicant's attention is drawn to the requirements of Natural England regarding the methods to be used for the landscape and visual impact assessment as detailed in Appendix 2.
- 3.40 The Commission draws the attention of the applicant of the need to take account of any changes the updates to relevant legislation and guidance, in particular the need to reference PPS 5 (rather than PPGs 15 and 16).
- 3.41 The landscape and visual assessment in the scoping report refers to the Zone of Theoretical Visual Influence (ZTVI). The Commission advises that the ES should describe the model used, provide information on the area covered and the timing of any survey work and the methodology used. The Commission recommends that the location of any viewpoints identified should be agreed with the relevant local authorities.
- 3.42 On the basis of the information provided by the applicant in their Scoping Report, the proposals will include large structures. The Commission requests that careful consideration should be given to the form, siting and use of materials and colours in terms of minimising the

adverse visual impact of these structures. Night time views should also be included.

Noise and Vibration (section 4.8)

- 3.43 The Commission recommends that the methodology and choice of noise receptors should be agreed with the relevant Environmental Health Department(s) of the relevant Local Authority(s) and with the EA.
- 3.44 Information should be provided on the types of vehicles and also on the type of plant to be used during the construction phase. Once operational, noise sources should be identified and measures identified to mitigate noise nuisance.
- 3.45 Noise impacts on people should be specifically addressed, and particularly any potential noise disturbance at night and other unsocial hours such as weekends and public holidays.
- 3.46 The assessment should take account of the traffic assessment and consider noise and vibration impacts along access routes, especially during the construction phase. The noise and vibration assessment should also provide information to inform the ecological assessments.
- 3.47 Consideration should be given to monitoring noise complaints.

Traffic and Transport (section 4.9)

- 3.48 The Commission welcomes the development of the assessment of transport impacts in association with the local highways authority(s) and the Highways Agency (HA). The Commission would expect on-going discussions and agreement, where possible, with such bodies.
- 3.49 The traffic and transport study should address the possible disruptive effects of any proposed road closures or diversions during construction. In particular, implications for traffic using the A19 and effects on emergency services access should be addressed.
- 3.50 Transport of the waste stored temporarily on site should be addressed in terms of the form of transport and the possible routing.
- 3.51 Mitigation measures should be considered such as a travel plan and sourcing materials so as to minimise transport.
- 3.52 The Commission recommends that the ES should take account of the location of public rights of way (PROW), including footpaths, bridleways and byways and should clearly set out impacts on them, including within the wider area. It is important to minimise hindrance to them where possible.

Waste Management (section 4.10)

- 3.53 The Commission considers it essential to also take account of materials to be removed from the site and to identify where potential traffic movements would be routed.
- 3.54 The Commission advises that the ES should clarify the types of all wastes to be processed and that the effect of the proposal, in terms of waste, should be included in the ES.

Water Resources (section 4.11)

- 3.55 The Commission recommends that the potential impacts on the contamination of land and groundwater arising from the import of the material used to create the proposed railway embankments should be included in the geology and soils assessment. Similarly, impacts which may result from temporarily stockpiling bulk fill material should also be addressed.
- 3.56 The Commission welcomes the provision of a flood risk assessment for the proposed flyover. As noted above, if the flood risk assessment is a separate document, sufficient information regarding this issue should be included in the environmental assessment so that the ES remains a stand-alone document. Alternatively, the flood risk assessment could form a suitably referenced appendix to the ES.
- 3.57 Any assessment of flood risk should take into account the fact that no loss in flood storage, obstructions to flow or changes to flood routes should be caused within a Flood Zone 3b area.
- 3.58 The Commission recommends that the flood risk assessment should take into account the latest climate change projections for the UK as detailed in UKCP09 at <http://ukclimateprojections-ui.defra.gov.uk>.
- 3.59 The Commission recommends that the sections considering the water environment should be cross referenced.

4.0 OTHER INFORMATION

Health Impact Assessment

- 4.1 The Commission agrees with the Health Protection Agency that the proposal could have potential health impacts and that the ES should therefore provide an analysis of these impacts.
- 4.2 The Commission considers that it would be a matter for the applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA) and that an applicant should have particular regard to the responses received from the relevant consultees regarding health. The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.

Applicant's Consultation

- 4.3 It is recommended that the applicant provides preliminary environmental information¹ to the local authority when presenting it with the draft Statement of Community Consultation (SoCC) for comment under s47 of the Planning Act 2008.
- 4.4 Consultation with the local community should be carried out in accordance with the SoCC which will state how the applicant intends to consult on the preliminary environmental information. Where consultation responses have resulted in important changes affecting the EIA, such comments could usefully be reported and considered. This reporting could also assist the applicant in the preparation of its consultation report required to be submitted with the application for development consent.

¹ For an explanation see under 'Interpretation' in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 SI2263

APPENDIX 1

LIST OF CONSULTATION BODIES FORMALLY CONSULTED DURING THE SCOPING EXERCISE

APPENDIX 1

LIST OF CONSULTATION BODIES FORMALLY CONSULTED DURING THE SCOPING EXERCISE

Consultee	Organisation
Schedule 1 List of Consultees	
The relevant Regional Planning Authority	Local Government Yorkshire and Humber
The Health and Safety Executive	Health and Safety Executive
The relevant Strategic Health Authority	CEO NHS Yorkshire and the Humber
Natural England	Natural England Natural England, Yorkshire and the Humber
The Historic Buildings and Monuments Commission for England	English Heritage Yorkshire and Humber
The relevant fire and rescue authority	South Yorkshire Fire & Rescue
The relevant police authority	South Yorkshire Police Headquarters Doncaster Headquarters (Davies House)
The relevant Parish Council	Owston Parish Council Thrope in Balne Parish Council Barnby Dun with Kirk Sandall Parish Council Burghwallis Parish Council Norton Parish Council Hatfield Parish Council Stainforth Parish Council Askern Parish Council Edenthorpe Parish Council Moss Parish Council Kirk Bramwith Parish Council
The Environment Agency	The Environment Agency The Environment Agency (Yorkshire)
The Commission for Architecture and the Built Environment	CABE Design Review
The relevant Regional Development	Yorkshire Forward

Agency	
The Equality and Human Rights Commission	Equality and Human Rights Commission
The Commission for Sustainable Development	Sustainable Development Commission
The Homes and Communities Agency	The Homes and Communities Agency
The Commission for Rural Communities	The Commission for Rural Communities
The Civil Aviation Authority	Directorate or Airspace Policy
The Highways Agency	The Highways Agency
Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs)	Director General South Yorkshire Passenger Transport Executive
The Relevant Highways Authority	Head of Highways Doncaster Council
The Rail Passengers Council	Rail Passenger Council
The Disabled Persons Transport Advisory Committee	DPTAC
The Coal Authority	The Coal Authority
The Office Of Rail Regulation	Office of Rail Regulation
Approved Operator	Network Rail Infrastructure Ltd
Approved Operator	Network Rail (CTRL) Ltd
The Gas and Electricity Markets Authority	OFGEM
The Water Services Regulation Authority	OFWAT
The Relevant Waste Regulation Authority	Doncaster Council Waste management
The Relevant Internal Drainage Board	Shire Group IDBs
The British Waterways Board	The British Waterways Board
The Health Protection Agency	The Health Protection Agency
The Relevant Local Resilience forum	South Yorkshire LRF Administrator
The Crown Estate Commissioners	Planning and Consents Manager
The Forestry Commission	Forestry Commission
Relevant Statutory Undertakers	

Health Bodies under s.16 of the Acquisition of Land Act 1981	Doncaster & Bassetlaws NHS Foundation Trust Yorkshire Ambulance Trust NHS Doncaster NHS Wakefiled District PCT NHS East Riding of Yorkshire PCT North Yorkshire and York PCT
Railways	BRB Residuary Limited
Universal Service Provider	Royal Mail Group
Water and Sewage Undertakers	Severn Trent
Public Gas Transporter	British Gas Pipelines Limited Energetics Electricity Limited Energetics Gas Limited ES Pipelines Ltd ESP Connections Ltd ESP Networks Ltd ESP Pipelines Ltd Fulcrum Pipelines Limited Fulcrum GTC Pipelines Limited Energy House Independent Pipelines Limited Intoto Utilities Limited National Grid Gas Plc (NTS) National Grid Gas Plc (RDN) Northern Gas Networks Limited Quadrant Pipelines Limited Scotland Gas Networks Plc Southern Gas Networks Plc SP Gas Limited SSE Pipelines Ltd The Gas Transportation Company Limited Energy House Wales and West Utilities Limited Utility Grid Installations Limited
Electricity Distributors With CPO Powers	ECG (Distribution) Limited EDF Energy (IDNO) Limited Central Networks East Plc Energetics Electricity Limited ESP Electricity Limited Independent Power Networks Limited The Electricity Network Company Limited
Electricity Transmitters With CPO Powers	National Grid
Local Authorities (s.43)	

	Planning Dept Doncaster Council Rotherham Metropolitan Borough Council Barnsley Metropolitan Borough Council Wakefield Council Bassetlaw District Council Selby District Council East Riding of Yorkshire Council North Lincolnshire Council Nottinghamshire County Council North Yorkshire Council
Consultation With Applicant	Network Rail

APPENDIX 2

LIST OF BODIES WHO REPLIED BY 24 AUGUST 2010 AND COPIES OF REPLIES

APPENDIX 2

LIST OF BODIES WHO REPLIED BY 24 AUGUST 2010

Health and Safety Executive
E S Pipeleines Ltd, ESP Networks Ltd, ESP Electricity Ltd, ESP Pipelines Ltd and ESP Connections Ltd
Environment Agency
Fulcrum Pipelines Limited
Civil Aviation Authority
Energetics
English Heritage
North Yorkshire and York NHS
The Crown Estate
Yorkshire Forward
South Yorkshire Fire and Rescue
Commission for Architecture and the Built Environment
The Coal Authority
North Yorkshire County Council
Homes and Communities Agency
NHS Wakefield District
South Yorkshire Passenger Transport Executive
Health and Protection Agency
Network Rail
Highways Agency
NHS Doncaster
Bassetlaw District Council
Burghwallis Parish Council
Dun Drainage Commissioners
Natural England

Chief Scientific Adviser's Group
Building 3.3
Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS

Your ref:
100727-TRO40001-170511

HSE: email:
NSIP.applications@hse.gsi.gov.uk

Mr Simon Butler
EIA & Land Rights Advisor
Infrastructure Planning Commission (IPC)
Temple Quay House
Temple Quay
Bristol
BS1 6PN

17th August 2010

Dear Mr Butler

**PROPOSED NORTH DONCASTER RAIL CHORD (SHAFTHOLME FLYOVER) (“the project”)
PROPOSAL BY NETWORK RAIL (“the applicant”)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2010 SI 2263 (“the EIA Regulations”)**

Thank you for your letter of 27th July 2010 regarding the information to be provided in an environmental statement relating to the above project.

There is little for HSE to comment on at this stage however there are some observations that it would seem sensible to pass on to Network Rail

Major hazards sites and explosives sites within the vicinity of the proposed development

Explosives sites

A check has been made on the locations of licensed explosives sites in relation to the proposed Rail Chord at Doncaster. On the basis of the information provided, there are no HSE-licensed explosives sites which might impact on this development.

Major Hazard Sites

HSE has taken the opportunity to check its records to establish whether the proposed development would fall within HSE's consultation distance (CD) for a major hazard installation or pipeline. The proposed Doncaster Chord (Shaftholme flyover) enhancement does not fall within any HSE land use planning (LUP) consultation distances.

Hazardous Substances Consent

Any site needing to store or use hazardous substances at or above specific quantities must Hazardous Substances Consent (HSC) from the Hazardous Substances Authority (HSA), in accordance with the Planning (Hazardous Substances) (Amendment) (England) Regulations 2009. In this particular case, the HSA would be Doncaster Borough Council.

There is insufficient information on the report provided to advise whether HSC would be required for this site, therefore the promoter will need to check if any of the named substances in Part A of the Schedule to the Regulations will be present at or above the specified controlled quantities. If so, the promoter will need to apply for HSC. In many cases, the substances present may not be included in Part A; but they may fall within one or more of the categories of substances & preparations specified in Part B of the Regulations. If that is the case and they are present at or above the controlled quantity, then again the promoter would need to obtain HSC.

HSC might also be required for the presence of hazardous substances even though the amount present is below the controlled quantity. This may happen because substances within the same generic category that have similar hazard characteristics would be added together to determine whether consent is required for some or all of them.

Electrical Safety

The projects may involve connections to the electrical power distribution systems or have an impact on existing generation, transmission and distribution assets. In the light of that HSE offers the following comments. As well as satisfying general UK health and safety legislation (i.e. Health and Safety at Work etc Act 1974 and supporting regulations), the proposed design and future operations must comply with the Electrical Safety, Quality and Continuity Regulations 2002, as amended. Generators, distributors, their contractors and others have defined duties in order to protect members of the public from the dangers posed by the electrical equipment used. HSE enforces the safety aspects of these regulations. If you have any doubts about the particular application of these regulations in terms of either the operation or construction of substations, overhead lines or underground cables, please contact Mr J C Steed, Principal Specialist Inspector (Electrical Networks), either at john.steed@hse.gsi.gov.uk or Rose Court GSW, 2 Southwark Bridge Road, London SE1 9HS.

I hope this is useful. HSE looks forward to receiving the formal s42 consultation from the promoter in due course when the plans are sufficiently developed.

Please note any further electronic communication on this project can be sent direct to the HSE designated e-mail account for NSIP applications the details of which can be found at the top of this letter. Alternatively hard copy correspondence should be sent to Miss Vilja Gatrell at:

4S3 Redgrave Court,
Merton Road,
Bootle
Merseyside
L20 7HS
Tel: 0151 951 4607

Yours sincerely

Penny Taylor
Risk Communications Policy Unit

From: [IPC Enquiries](#)
To: [IPC Scoping Opinion](#);
Subject: FW: Environmental Impact Assessment, Proposed North Doncaster Rail Chord (Shaftholme Flyover)
Date: 29 July 2010 10:09:22

From: Alan Slee [mailto:alans@espipelines.com]
Sent: Thursday, July 29, 2010 10:02 AM
To: IPC Enquiries
Subject: Environmental Impact Assessment, Proposed North Doncaster Rail Chord (Shaftholme Flyover)

Dear Laura,

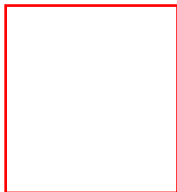
100727_TR040001_170511
Environmental Impact Assessment, Proposed North Doncaster Rail Chord (Shaftholme Flyover) (DN5).

Further to your communication to E S Pipelines Ltd, ESP Networks Ltd, ESP Electricity Ltd, ESP Pipelines Ltd and ESP Connections Ltd dated 27 July 2010 I can confirm that our businesses have no comments at this stage.

Regards,

Alan Slee
Operations Manager

DD 01372 227567
Mobile 07766 802070
Fax 01372 386203



Hazeldean,
Station Road,
Leatherhead
KT22 7AA
(01372 227560 2 01372 377996

[MAP](#)

<http://www.espipelines.com>

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Ms Laura Allen - EIA and Land Rights
Advisor
Infrastructure Planning Commission
(IPC)
EIA and Land Rights
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Our ref: RA/2010/115729/01-L01
Your ref: 10/02055
Date: 05 August 2010

Dear Ms Allen

EIA SCOPING OPINION - PROPOSED CONSTRUCTION OF 3KM CHORD LINKING ASKERN AND SKELLOW LINES OVER THE EAST COAST MAIN LINE AND EMBANKMENT WORKS ALONG BOUNDARIES; MODIFICATION TO THE EXISTING RAIL INFRASTRUCTURE; CONSIDERATION OF THE CLOSURE OF THE EXISTING JOAN CROFT LEVEL CROSSING. SHAFTHOLME JUNCTION, JOAN CROFT LANE, HOLME, DONCASTER

Thank you for consulting the Environment Agency on the Environmental Scoping Report (July 2010) for the North Doncaster Chord (Shaftholme Flyover) which was received on the 27th July 2010. Our comments are set out below.

Flood Risk

The Scoping Report identifies an appropriate range of flood risk impacts and the Environment Agency would not wish to add to this information at this stage.

It is noted that the potential impacts will be addressed in a separate Flood Risk Assessment and that this and any significant impacts revealed will feed into the Environmental Impact Assessment in informing the design and mitigation measures associated with the scheme.

For information, the proposed works must not cause any loss in flood storage, obstruct flow or create changes to existing flood routes within Flood Zone 3b i.e. Functional Floodplain.

Groundwater/Contaminated Land

It is considered that EIA Scoping report assessment of land contamination and groundwater pollution risk are based on appropriate criteria.

Environment Agency
Phoenix House Global Avenue, Leeds, West Yorkshire, LS11 8PG.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
Cont/d..

The potential impacts of material imported to create embankments should be included in the consideration.

Waste

It is considered that the scoping study adequately covers the potential environmental impacts in respect of waste management

Water Resources

It is considered that the scoping study adequately covers the potential environmental impacts in respect of water resources.

Biodiversity

Due to the nature of the scheme, we consider that commitment should be made to undertaking ecological enhancements including that of habitat creation that is proportional to the scale and type of habitats lost.

Mitigation measures should also address the requirements for ecological connectivity, and include measures to allow the movement of animals.

The scheme should include both types of mitigations measures referred to in the document as 'incorporated mitigation' and as 'supplementary mitigation'.

Other comments

Network Rail consulted the EA on the March 2010 version of the EIA Scoping Report. We have noted the amendments included in the July 2010 version which in the main relate to the option for closing the Joan Croft level crossing.

We have also have the following comments to make in respect of the July 2010 report:

- a) Table 1 – Summary of technical disciplines to be considered as part of the EIA. The technical disciplines of Waste Management and Water Resources, whilst considered in the main document, appear to have fallen off the end of the table. We assume that this has occurred as Townscape has been included in the table, pushing these two discipline onto a following page which is not included in the consultation document.
- b) 2.5.2.1 – The March 2010 report indicated that bulk fill material would be stockpiled on an area of existing hardstanding to the north of the cooling towers. This reference is removed in the July 2010 version. We seek clarification as to whether a new hardstanding area will be required for the stock piled material if an existing surface is no longer being used.
- c) 3.2 – the time frames highlighted in this paragraph do not match those set out in 2.6 Programme Outline, but relate back to those in the March 2010 version of the report.

Should you require any further information or clarification, please contact me on the details below.

Yours sincerely

~~Cont/d..Cont/d..Cont/d..EndEndEndEndCont/d..Cont/d..Cont/d..Cont/d..~~

Deleted: End

Ms Rachel Jones
Planning Liaison Technical Specialist

Direct dial 01132134909
Direct fax 01132134609
Direct e-mail rachele.jones@environment-agency.gov.uk

EndEndEndCont/d..Cont/d..Cont/d..EndEr3!EndEndCont/d..Cont/d..Cont/d..Cont/d..

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Carr House
Greasbrough Road
Rotherham
South Yorkshire S61 4QQ

T 0845 641 3060
F 0845 641 1894
E enquiries@fulcrum.co.uk
I www.fulcrum.co.uk

IPC

30 JUL 2010

REF:



Your Reference: 100727_TR040001_170511
Our Ref: n/a

29th July 2010

Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Dear Sir/Madam

RE: Proposed North Doncaster Rail Chord
Grid Ref: 458200/410500

Thank you for your request for information about Fulcrum Pipelines Limited's pipes and equipment.

We can confirm that Fulcrum Pipelines Limited do not currently have any existing pipes or equipment on or around the above site address.

Please note that other Gas Transporters may have plant in this locality which could be affected by your proposed works.

If you have any future requests for information about our plant, please email these to us at FPLplantprotection@fulcrum.co.uk.

If you have any queries regarding this letter, please contact your Fulcrum Advisor, Rebecca Smith on 01709 845535, who will be happy to help.

Yours faithfully

A handwritten signature in black ink, appearing to read "Ian Foster", with a long horizontal stroke extending to the left.

Ian Foster
Head of Asset

Directorate of Airspace Policy

Ms Laura Allen (via e-mail)
Infrastructure Planning Commission

2 August 2010

Ref ERM/DAP/Planning/ShaftholmeFlyover
Your Ref 100727_TR040001_170511 dated 27 June 2010

Dear Ms Allan

Proposed North Doncaster Rail Chord (Shaftholme Flyover) – Scoping Opinion Comment

Thank you for your recent correspondence relating to the subject development. You sought related Civil Aviation Authority (CAA) scoping comment.

Whilst I can find no indication of the height of any element of the proposed development, it is assumed that it would not exceed 50 feet above ground level. On that basis, whilst I must concede that, given the development appears to be a 3km stretch of raised railway line I am surprised that the IPC felt that civil aviation regulatory input was necessary, I trust the following brief comment is useful.

Notwithstanding the future need for the relevant planning authority to consult in line with ODPM / Department for Transport Circular 1/2003 to identify any aerodrome safeguarding issues, I would suggest that any associated environmental assessment should consider whether the height of any part of the proposed development would impact upon operations associated with any local aerodrome or emergency services air support units. Whilst I note the relatively close proximity of Robin Hood Airport, I think it unlikely that there would significant civil aerodrome related issues.

Yours sincerely

{original signed}

Mark Smailes
Off Route Airspace 5

Civil Aviation Authority

CAA House 45-59 Kingsway London WC2B 6TE www.caa.co.uk
Telephone 020 7453 6545 Fax 020 453 6565 marks.smailes@caa.co.uk

From: [IPC Enquiries](#)
To: [IPC Scoping Opinion;](#)
Subject: FW: 100729_TR050001_1704988
Date: 02 August 2010 11:52:53

Re. Doncaster.....

From: Russell Fleck [mailto:russell.fleck@energetics-uk.com]
Sent: Monday, August 02, 2010 10:15 AM
To: IPC Enquiries
Subject: 100729_TR050001_1704988

Dear Sir/Madam

Please note the Energetics **does not** have any plant within this area

Regards

Russell Fleck

CAD Operator

Energetics Design & Build
International House
Stanley Boulevard
Hamilton International Technology Park
Glasgow
G72 0BN

t: 01698 404970

f: 01698 404940

e: russell.fleck@energetics-uk.com

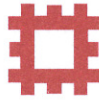
w: www.energetics-uk.com

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IPC

ENGLISH HERITAGE

02 AUG 2010

YORKSHIRE AND THE HUMBER REGION

REF:

Infrastructure Planning Commission,
Temple Quay House,
Temple Quay,
BRISTOL
BS1 6PN

Our Ref: NSIP/0001/00
Your Ref: 100727_TR040001_
170511
Date: 29 July 2010

For the attention of Laura Allen

Dear Sirs,

**Proposed North Doncaster Rail Chord (Shaftholme Flyover)
Proposal by Network Rail
Infrastructure Planning (Environmental Impact Assessment) Scoping Report**

Thank you for your letter of 27th June, 2010 consulting English Heritage about the above Environmental Scoping Report.

From the information provided, we consider that the scope and extent of the proposed assessment to be acceptable insofar as it relates to archaeology and the historic environment.

The only comments we have at this stage are as follows:-

- Paragraph 4.3.1.1 – From our records, there are the following designated heritage assets within 2km of the proposed chord and flyover:-

Scheduled Monuments

- Sutton Common Bowl Barrow
- Tilts Moated Site
- Thorpe in Balme Moated Site

Grade II* Listed Buildings

- Remains of Chapel at Manor Hopuse Farm, Thorpe Lane

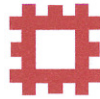
Grade II Listed Buildings

- Church of All Saints, Bar Croft Lane
- Low Farmhouse, Common Lane
- Chapel House Farmhouse, Rushy Moor Road
- Dovecote immediately to east of Chapel House Farmhouse, Rushy Moor Road
- Poplar Farmhouse, Thorpe Lane



37 TANNER ROW YORK YO1 6WP
Telephone 01904 601901 Facsimile 01904 601999
www.english-heritage.org.uk

The National Monuments Record is the public archive of English Heritage



ENGLISH HERITAGE

- Barn immediately to north east of Chapel House Farm, Rushy Moor Road

- The assessment will need to take account of the recent revisions to national policy guidance affecting the historic environment which is set out in PPS5. In particular, this will necessitate:-
 - A review of Paragraph 4.3.8.1 and, in Table 4.6, the increased levels of protection now given to certain assets (such as Historic Parks and Gardens and Registered Battlefields).
 - A consideration of the likely effects which the proposals might have upon the significance of any historic assets in the area.
 - Any assessment of the likely impact upon the setting of a heritage asset should have regard to the slightly broader definition which is given in the PPS (Policy HE10 and Paragraph 113 to 117 of the accompanying *Historic Environment Planning Practice Guide*).
 - The assessment should be cognisant of the advice in PPS5 that the more significant the asset, the greater the presumption in favour of its conservation.

- Table 4.7 – Listed Buildings whatever Grade are of national importance (as are Grade II Historic Parks and Gardens, and Registered Battlefields).

If you have any queries about any of the matters raised above or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

Ian Smith
Regional Planner
English Heritage, Yorkshire and the Humber Region
Telephone: 01904 601977
e-mail: ian.smith@english-heritage.org.uk

Jayne.brown@nyypct.nhs.uk
Direct Tel: 01423 859619

IPC**02 AUG 2010****REF:**

The Hamlet
Hornbeam Park
Harrogate
North Yorkshire
HG2 8RE

Ref: JB/ED/0413-10

EIA and Land Rights Manager on
behalf of the IPC
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Tel: 01423 815150
Fax: 01423 859600

RNID typetalk: (18001) 01423 815150
Website: www.northyorkshireandyork.nhs.uk

29 July 2010

Dear Sir

**PROPOSED NORTH DONCASTER RAIL CHORD (SHAFTHOLME FLYOVER)
("the project").**

Thank you for your letter of 27 June 2010, which arrived at the Chief Executive's office on 28 July 2010. I will make arrangements to look into the points raised and will write to you again in the near future.

Please note that I aim to respond to you by the deadline date of Tuesday 24 August.

Yours sincerely



 **Jayne Brown OBE**
Chief Executive



Infrastructure Planning Commission
Attention: Laura Allen
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Dr Tim Norman
Senior Planning Manager
Tel: 020 7851 5045
Fax: 020 7851 5125
E-mail: tim.norman@thecrownestate.co.uk

02 August 2010

Dear Ms Allen

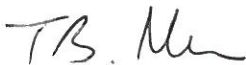
PROPOSED NORTH DONCASTER RAIL CHORD (SHAFTHOLME FLYOVER)
NETWORK RAIL

Reference is made to your letter dated 27 June 2010 inviting The Crown Estate to comment on the scoping report submitted for the above proposal.

I can advise that, in this instance, The Crown Estate has no comments on the scoping report for this proposal.

Should you have any queries or require any additional information with regard to this matter, please do not hesitate to contact me on 0207 851 5045.

Yours sincerely,



Dr Tim Norman
Senior Planning Manager



The Region's
Development Agency

Laura Allen
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Yorkshire Forward
Victoria House
2 Victoria Place
Leeds LS11 5AE
Tel: 0113 3949600
Fax: 0113 2431088

2 August 2010

Our Ref: YF/10/
Your Ref:

Dear Laura

**Re: NORTH DONCASTER CHORD – CONSULTATION UNDER SECTION 42 (a)
OF THE PLANNING ACT 2008**

Thank you for seeking Yorkshire Forward's comments on the above application. We appreciate the opportunity to comment on planning applications within the region as part of our statutory consultee role.

We welcome the proposals set out for the Shaftholme Flyover scheme, which will clearly bring significant improvements to rail freight, particularly from the Humber ports, and also passengers through releasing capacity on the East Coast Mainline. This proposal offers the opportunity to help boost regional competitiveness by allowing more frequent and better services long distance passenger services on the key East Coast Route.

Finally, I hope the above comments are helpful in your assessment of the application. Please do not hesitate to contact John Pilgrim on 0113 3945793 or via email at John.Pilgrim@yorkshire-forward.com if you have any comments or questions regarding this response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Pilgrim'.

John Pilgrim
Senior Planning Executive

From: [Naylor Keith](#)
To: [IPC Scoping Opinion;](#)
cc: [Chandler Richard;](#)
Subject: Re: Shaftholme Flyover - Ref 100727_TR040001-_-170511
Date: 03 August 2010 17:36:36

FAO Laura Allen,

With reference to sec 4.9.2.2 , it is noted that the operational effects on traffic and transportation have been scoped out of the EIA, therefore South Yorkshire Fire & Rescue do not have any comments to make with regard to the EIA Scoping Report for proposed North Doncaster Rail Chord (Shaftholme Flyover). However, we would like to request further information if/when it is available, regarding the potential road closures/diversions that may be implemented as a result of the construction work, as they may have an impact on our service delivery.

Regards,

Keith Naylor
Station Manager
Operational Support Team
Operational Standards & Safety

Office - 01142532381
Mobile - 07798628754
Email - knaylor@syfire.gov.uk

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03 August 2010

Laura Allen
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

IPC
04 AUG 2010
REF: _____



Our ref: CSE-20027

Dear Laura Allen

**INFRASTRUCTURE PLANNING COMMISSION: PROPOSED RAILWAY SCHEME,
NORTH DONCASTER CHORD
PLANNING APPLICATION REFERENCE: 100727_TR040001_170511**

Thank you for consulting the Commission for Architecture and the Built Environment (CABE) about this proposal.

We do not wish to comment on the proposed North Doncaster Chord (Shaftholme Flyover).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Clare Rutherwood', written in a cursive style.

Clare Rutherwood
Design Review assistant
DRsubmissions@cabe.org.uk

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.coal.gov.uk/services/planning

For the Attention of Laura Allen
Infrastructure Planning Commission

[By email: ipcscopingopinion@infrastructure.gsi.gov.uk]

05 August 2010

Dear Laura

**Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 –
Proposed North Doncaster Rail Chord**

Thank you for your consultation letter of 27 July 2010 seeking the views of The Coal Authority on the EIA Scoping Opinion for the above proposal.

Coal Authority Response

The proposed EIA development is located within the defined coalfield area. However, The Coal Authority's records do not indicate that the site is affected by any specific coal mining issues that would need to be addressed as part of the proposed development.

At this stage, The Coal Authority does not therefore wish to make any specific comment on the scope of issues to be considered within the Environmental Statement for the proposed development.

In accordance with our consultation requirements, we look forward to receiving the application and Environmental Statement for comment in due course.

I trust this is acceptable, but please do not hesitate to contact me if you require any additional information or would like to discuss this matter further.

Yours sincerely



David Berry *B.Sc.(Hons), MA, MRTPI*
Planning Liaison Officer

From: [Carl Bunnage](#)
To: [IPC Scoping Opinion;](#)
cc: [Vicky Perkin;](#)
Subject: Proposed North Doncaster Rail Chord (Shaftholme Flyover)
Date: 06 August 2010 10:52:10

Dear Sir/Madam,

Thank you for consulting North Yorkshire County Council for a scoping opinion in relation to the proposed North Doncaster Rail Chord (Shaftholme Flyover) development proposal in your letter to my colleague, Vicky Perkin, referenced 100727_TR040001 and dated 27 June 2010.

The approach being proposed, and the issues identified to be considered, in undertaking the Environmental Impact Assessment in relation to this development proposal would seem to be both sound and appropriate. I therefore do not wish to make any more detailed comments, or to raise any objections, in relation to it at this time.

I trust that you will find this consultation response helpful, and thank you once again for consulting North Yorkshire County Council on this matter.

Yours faithfully

Carl Bunnage
Team Leader Regional and Strategic Policy,
Economic and Rural Services,
North Yorkshire County Council.

E: Carl.Bunnage@northyorks.gov.uk
Tel: 01609 532523

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North Yorkshire County Council.

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By Email: FAO Laura Allen
ipcscopingopinion@infrastructure.gsi.gov.uk

9th August 2010

Dear Ms Allen

**Proposed North Doncaster Rail Chord (Shaftholme Flyover) (“the Project”)
Proposal by Network Rail (“the Applicant”)
Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 SI 22Sir
BobKerlake63 (“the EIA Regulations”)**

Further to your letter of 27th June which we received on 28th July, this correspondence is the response from the Homes & Communities Agency with respect to the Scoping Request for the Shaftholme Flyover project.

We confirm that the Agency has no significant comments to make other than to ensure that the implications for access along the A19 during the construction phase are included within the Environmental Statement. We would also be grateful to be notified when the application is submitted.

Please could you direct future correspondence with respect to this project for my attention at:

Homes & Communities Agency
Lateral
8 City Walk
Leeds, LS11 9AT

Thank you for contacting us.

Yours sincerely



Laura Richardson
Investment & Regeneration Manager
Tel: 0113 394 9350

Cc David Simmons, Network Rail
Sir Bob Kerlake, Homes & Communities Agency

11 AUG 2010

From: [Leary Andy](#)
To: [IPC Scoping Opinion;](#)
Subject: Proposed North Doncaster Rail Chord (Shaftholme Flyover) ("the Project")
Date: 11 August 2010 12:07:01

REF:

FAO: Laura Allen

**Proposed North Doncaster Rail Chord (Shaftholme Flyover)
("the Project")
Proposal By Network Rail ("the Applicant")
Infrastructure Planning (Environment Impact Assessment)
Regulations 2009 SI 224AlanWittrick63 ("the EIA Regulations")**

I am emailing with reference to the letter sent to Alan Wittrick, Chief Executive of NHS Wakefield District, dated 27 June 2010, your ref: 100727_TR040001_170511.

Both myself and our Director of Public Health have considered the documentation that was enclosed with your aforementioned letter and have no comments to make.

Kind regards,

Andy Leary
Director of Finance

(sent on Andy's behalf)

**Louise Callaghan
Personal Assistant to the Director of Finance
NHS Wakefield District**

Telephone Number: 01924 317503
Facsimile Number: 01924 317505
Email Address: louise.callaghan@wdpct.nhs.uk
Postal Address: White Rose House, West Parade, Wakefield
, WF1 1LT

Website Address: www.wakefielddistrict.nhs.uk

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11 AUG 2010

REF:

From: Stephen Skeet
To: IPC Scoping Opinion
Subject: Your Ref 100727_tr040001_170511
Date: 11 August 2010 11:33:43

Dear Sir/Madam,

Shaftholme Flyover

With reference to your letter to David Brown re Environmental impact of this project.

We are fully supportive of this project, its long term benefits are substantial, we require no further information.

Thank you

Stephen Skeet
Tram&Train Manager

South Yorkshire Passenger Transport Executive
11 Broad Street West
Sheffield S1 2BQ

T: 0114 2211 315
M: 0776 7384 584
Stephen.skeet@sypte.co.uk

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**Centre for Radiation, Chemical and
Environmental Hazards**



IPC

13 AUG 2010

REF:

FAO Laura Allen
Infrastructure Planning Commission
ipcscopingopinion@infrastructure.gsi.gov.uk

**Health Protection Agency
Centre for Radiation,
Chemical and
Environmental Hazards**

Chilton, Didcot
Oxfordshire OX11 0RQ

Tel: +44 (0) 1235 822849
Fax: +44 (0) 1235 833891
www.hpa.org.uk/IPC

13th August 2010

Your Ref: 100727_TR040001_170511
Our Ref: TR_RA_100728_0051

Dear Laura,

Proposed north Doncaster rail chord (Shaftholme Flyover)

Background

Network Rail has asked the Infrastructure Planning Commission (IPC) for its opinion ("scoping opinion") on the information to be provided in an environmental statement relating to a proposal for a new flyover railway line over the East Coast Mainline (ECML) and 3km of associated new twin track railway, to the north of Doncaster. The request for a scoping opinion is a precursor to an intensive and detailed independent assessment of the environmental impact of the proposed development.

The HPA is a statutory consultee at the pre-application and application stages for nationally significant infrastructure projects (NSIP) "which are likely to involve chemicals, poisons or radiation which could potentially cause harm to people."¹ For those NSIP applications subject to Environmental Impact Assessment (EIA) the HPA is a consultation body under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

The IPC must therefore consult the HPA on the information that the HPA considers should be provided in the environmental statement (or confirm that the HPA has no comments) before the IPC adopts its scoping opinion.

The HPA's enclosed response focuses on health protection issues relating to chemicals and radiation. The scope of the HPA's response does not extend to wider health; these fall under the remit of other stakeholders. The following document outlines the information that the HPA considers should be provided in the environmental statement. The advice offered by the HPA is impartial and independent.

¹ Cited in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

HPA recommendations regarding the scoping document

General approach

The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA². It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the new development. Assessment should consider the development, operational, and decommissioning phases.

The applicant should ensure that the EIA contains sufficient information for relevant authorities to be able to fully assess the potential impact of the development on public health. The HPA strongly recommends that a separate section be included in the environmental statement summarising the impact of the proposed development on public health: summarising risk assessments, proposed mitigation measures, and residual impacts. This section should include any information relating to health contained in other sections of the application (e.g. air quality, emissions to water, etc). Compliance with National Policy Statements' requirements and with relevant guidance and standards should be highlighted. The document should be reviewed by the IPC to ensure that the application is of sufficient quality to be submitted for consultation. The HPA considers that the onus should be on the applicant to gather and clearly present the information required and requested by statutory consultees and that it should not be the role of statutory consultees to undertake these assessments on the applicant's behalf. An expectation that statutory consultees will undertake these assessments is unrealistic; this would pose significant resource implications and would conflict with the consultee's position as an impartial and independent body.

Within the EIA the HPA would expect to see information about how the applicant would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The following comments cover a range of issues that the HPA would expect to be addressed by the applicant. However this list is not exhaustive and the onus is on the applicant to ensure that the relevant public health issues have been identified and addressed.

Impacts arising from construction

It is recommended that any assessment of impacts arising from emissions due to construction considers potential impacts on all receptors and describes monitoring and mitigation during the construction phase. Construction will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the applicant to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The applicant should ensure that there are robust mechanisms in place to respond to any complaints of traffic related pollution, during both construction and operation of the facility.

² Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from:

<http://www.communities.gov.uk/archived/publications/planningandbuilding/environmentalimpactassessment>

Emissions to air

There are unlikely to be significant air quality impacts arising from development which employs Best Available Techniques (BAT) and which meets regulatory requirements concerning emission limits and design parameters. However, the EIA should provide a comprehensive assessment of potential impacts.

The EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that health-based air quality standards will not be exceeded due to emissions arising as a result of construction activities or rail traffic, once the development is complete.

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

Emissions to water

The EIA should include assessment of potential impacts on human health arising from any emissions to surface or ground-water i.e. any emissions that may occur as a result of construction activities or rail traffic, once the development is complete.

Emissions to ground

Existing and future contaminated land issues

We would expect the applicant to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with contaminated land and/or the migration of material off-site should be assessed and the potential impact on nearby receptors and control and mitigation measures should be outlined.

Relevant areas outlined in the Government's Good Practice Guide for EIA include:

- effects associated with land contamination that may already exist
- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

Waste

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).

For wastes arising from the development, likely to be primarily during the construction phase, the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated.

Liaison with other stakeholders, comments should be sought from:

- the local authority for matters relating to noise, odour, vermin and dust nuisance
- the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act
- the Food Standards Agency for matters relating to the impact on human health of pollutants deposited on land used for growing food/ crops
- the Environment Agency for matters relating to flood risk and releases with the potential to impact on controlled waters

Yours sincerely



Mary Morrey
Deputy Director, CRCE

CRCE.IPCCconsultations@HPA.org.uk

Network Rail



FAO Simon Butler
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

IPC

16 AUG 2010

REF:

Date: 12 August 2010

Dear Mr Butler

Re: Proposed North Doncaster Chord Development for Network Rail – application for Environmental Scoping Opinion.

I refer to your letter of the 27 June 2010 concerning the above matter. I can confirm that as the promoter of this proposal Network Rail has worked closely with its consultants, Mott MacDonald, in preparing the environmental scoping report. Network Rail is satisfied that all the aspects of the environment likely to be significantly affected by the development have been identified in the scoping report along with suitable methodologies for assessing the significance of that impact.

Yours sincerely

David Moss
Senior Town Planner - Major Projects

1 Eversholt Street
Euston Square
London NW1 2EE
From: David Moss
Tel: 0207 904 7301
Tel m: 07733 127 037
Email: david.j.moss@networkrail.co.uk

Your ref: 100727_TR040001_170511
My ref. ES/ESO/Shaftholme

From: [Gaunt, Daniel](#)
To: [IPC Scoping Opinion;](#)
Subject: Proposed North Doncaster Rail Chord
Date: 20 August 2010 15:31:26

Attn: Laura Allen

Laura,

Thank you for consulting with the Highways agency in respect of the above proposal. I have reviewed the details and I am content that the Highways Agency has no reason to comment in respect of the proposal. The development is not located close to any part of the strategic road network, and I am not aware that the Highways Agency has an interest in any land in the area of the development. However, detailed confirmation of the ownership of land affected by the development should be sought from the Land Registry.

Regards

Daniel Gaunt, Network Planning Manager (Y&NE)

Highways Agency | Lateral | 8 City Walk | Leeds | LS11 9AT

Tel: +44 (0) 113 2836686 | **Fax:** + 44 (0) 113 2835367 | **Mobile:** + 44 (0) 7770 700364

Web: <http://www.highways.gov.uk>

GTN: 5173 6686

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Our Ref: TB/CH/RailChord

13th August 2010

Laura Allen
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

IPC

23 AUG 2010

REF:

Address for correspondence

White Rose House
Ten Pound Walk
Doncaster
DN4 5DJ

Tel: 01302 565656
Fax: 01302 768336
Safe Haven Fax: 01302 365208
www.doncasterpct.nhs.uk

Dear Laura

**Re: Proposed North Doncaster Rail Chord (Shaftholme Flyover) ("the Project")
Proposal by Network Rail ("the Applicant")
Infrastructure planning (Environmental Impact Assessment)
Regulations 2009 SI 22AnnetteLaban63 ("the EIA Regulations")**

Thank you for the opportunity to comment on the proposed project.

Please find enclosed a copy of the HPA assessment and recommendations sent to you already by the HPA, which NHS Doncaster fully supports. We have no further comments to add.

Yours sincerely



Annette Laban
Chief Executive

Enc

IPC

23 AUG 2010



BASSETLAW
DISTRICT COUNCIL
NORTH NOTTINGHAMSHIRE

REF:

IPC

23 AUG 2010

REF:

Queen's Buildings, Potter Street, Worksop, Nottinghamshire S80 2AH.
Tel: Worksop (01909) 533533 Fax: Worksop (01909) 533400 DX 723180 Worksop 3
E Mail: planning@bassetlaw.gov.uk or building.control@bassetlaw.gov.uk
Minicom: Retford (01777) 713820 Worksop (01909) 533214
www.bassetlaw.gov.uk

Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN.

Your Ref: 100727-TR040001-170511
Our Ref: DC14/A0009/127
Please ask for: Mr D Rowen
Direct Dialling: (01909) 533228

17 August 2010

Dear Sirs,

Re: Proposed North Doncaster Rail Chord (Shaftholme Flyover).

I refer to your letter dated 27 June 2010 concerning a Scoping Opinion in relation to the above development.

I can confirm that this Authority has no comments to make on this proposal.

Should you wish to discuss the matter further please contact me on 01909 533228.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'D. Rowen'.

Mr D Rowen
Development Control Manager



INVESTOR IN PEOPLE

Bassetlaw-Serving North Nottinghamshire

Director of Community Services



LHEAD-4new 2/08

From: [Les & Brian](#)
To: [Andrea Kellegher;](#)
Subject: Proposed North Doncaster Rail Chord
Date: 23 August 2010 14:06:04

Ref Yr letter 27 June 100727-TR040001-170511 to Burghwallis Parish Council.

The Parish of Burghwallis Council has no objection to the proposal outline in the above letter. It is the opinion of the council that it will be positive improvement to the areas transport infrastructure.

L M Coupland OBE
Chairman
Burghwallis Parish Council

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From: [Rachael Brady](#)
To: [IPC Scoping Opinion](#);
Subject: Proposed North Doncaster Rail Chord (Shaftholme Flyover)
Date: 23 August 2010 13:59:50

FAO Laura Allen

Laura,

I have been asked to provide comments on the EIA Scoping Report for the above project on behalf of the Dun Drainage Commissioners. As Environmental Advisor to the Board my comments are with regards to the scope of the Ecological Assessment.

My first point is concerning designated nature conservation sites. Table 4.14 lists sites within 2km of the proposed chord and 300m of the haulage routes. I believe that Shirley Pool SSSI and Owston Hay Meadows SSSI should be included. Both are within 300m of Rockley Lane.

I am also concerned that Water Vole have been scoped out and recommend that surveys of all ditches to be affected (IDB and non-IDB) by the works are undertaken for Water Vole. There are records of Water Vole at Thorpe Marsh Nature Reserve and also in nearby IDB watercourses.

I would also refer you to the Dun Drainage Commissioner's Biodiversity Action Plan <http://www.shiregroup-idbs.gov.uk/Admin/Environmental/Dun%20Drainage%20Commissioners%20BAP%20final.pdf>. We would expect that any loss of open IDB watercourse to filling in/culverting is compensated for.

Kind regards

Rachael Brady
Senior Ecologist



JBA Consulting
Denison House
1 Hexthorpe Road
Doncaster
South Yorkshire
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Date: 24 August 2010
Our ref: 709/1890
Your ref: 100727_TR040001_170511



Laura Allen
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Local Government Team
Government Buildings
Otley Road
Lawnswood
LEEDS
LS16 5QT

T 0300 060 4170

Dear Ms Allen

Proposed North Doncaster rail chord incorporating Shaftholme Flyover

Thank you for consulting Natural England on the above proposal.

We have read the submitted scoping document and are generally satisfied with the sections relevant to us.

Extended Phase 1

We note at section 4.5.6.1 that some pieces of land were not accessible during the Extended Phase 1 survey; in particular the land at Thorpe Marsh Power station. It may be useful for you to know that an EIA has been undertaken for a new power station at this site, which has been lodged with DECC, and ecological information held within it may prove useful to this development. Should the applicant wish to obtain further information the planning case officer for the Thorpe Marsh proposal is Gary Mohammed.

Landscape and Visual Impact Assessment

We note at section 4.7.1.1 that 'due to the rural nature of the proposed site area, it is considered that a townscape assessment will not be required as part of the EIA'. However at 4.7.5.1 it states the assessment methodology will be developed from guidance, amongst others, set out in 'Townscape Character Assessment' produced by the Countryside Agency in April 2002. Is this a mistake?

We advise that a Landscape and Visual Impact Assessment should be carried out in line with the guidance provided in Landscape Character Assessment: Guidance for England and Scotland, published by Countryside Agency and Scottish Natural Heritage (2002). This guidance document can be downloaded from the following link:

<http://www.naturalengland.org.uk/ourwork/landscape/englands/character/assessment/default.aspx>

Please also refer to Countryside Character Volume 3: Yorkshire & The Humber (CCP 537), with particular reference to National Character Area 39 - Humberhead Levels. The description of these areas can be found at:

<http://www.naturalengland.org.uk/ourwork/landscape/englands/character/areas/default.aspx>

More information on landscape character is available from our website from the following link:

<http://www.naturalengland.org.uk/ourwork/landscape/englands/character/default.aspx>
X

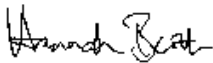
In addition, a cumulative impact assessment should be undertaken to ascertain the cumulative effect of the proposed development when combined with other existing / planned / proposed major industrial developments, within the zone of visual influence (up to 15km away).

Doncaster Council's local landscape character assessment should also be used to assist in this appraisal. The appraisal should include a detailed assessment that evaluates the existing landscape in terms of its sensitivity, capacity and ability to accommodate change; and the Council's assessment does provide guidance on this. More can be found out about landscape sensitivity and capacity in Topic Papers which can be found at:

<http://www.naturalengland.org.uk/ourwork/landscape/englands/character/assessment/default.aspx>

All aspects of the proposed development should be taken into account in the assessment. The assessment should consider the location, scale, massing, proportions and colours of the built structures from a selection of representative viewpoints, and in particular the possible impacts of any night-time lighting. Wherever possible, natural and manmade features such as copses and ditches should be retained or reinstated so that there is no overall loss of these landscape features. Mitigation measures in keeping with the character of the landscape should also be considered.

Yours sincerely



Hannah Booth
Advisor, Government & Planning
Local Government Team
<mailto:hannah.booth@naturalengland.org.uk>

APPENDIX 3

PRESENTATION OF ENVIRONMENTAL STATEMENT

APPENDIX 3

PRESENTATION OF THE ENVIRONMENTAL STATEMENT

An environmental statement is described under the EIA Regs as a statement:

- ‘(a) that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but
- (b) that includes at least the information required in Part 2 of Schedule 4’.

(EIA Regs regulation 2)

The EIA Regs Schedule 4, Parts 1 and 2, set out the information for inclusion in an ES. Part 2 sets out the minimum requirements and is included below for reference:

Schedule 4 Part 2

- a description of the development comprising information on the site, design and size of the development;
- a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects;
- the data required to identify and assess the main effects which the development is likely to have on the environment;
- an outline of the main alternatives studies by the applicant and an indication of the main reasons for the applicant’s choice, taking into account the environmental effects;
- a non-technical summary of the information provided [*under the four paragraphs above*].

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 SI 2264 set out the requirements for information which must be provided as part of the DCO application. Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information (this is defined in Regulation 2 of the EIA Regs) need not be replicated or included in the ES.

The Commission advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the proposed development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike.

The Commission recommends that the ES be concise with technical information placed in appendices.

ES Indicative Contents

The Commission emphasises that the ES should be a 'stand alone' document in line with best practice and case law.

Schedule 4 Part 1 of the EIA Regs sets out the aspects of the environment likely to be significantly affected by the development which should include '*in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors*' (paragraph 19).

The content of the ES should include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regs. This includes the consideration of any 'Alternatives' considered which the Commission recommends could be addressed as a separate chapter in the ES.

Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the Commission considers it is an important consideration *per se*, as well as being the source of further impacts in terms of air quality and noise and vibration.

Balance

The Commission recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.

The Commission considers that the ES should not be a series of disparate reports and stresses the importance of considering combined and cumulative impacts.

Physical Scope

In general the Commission recommends that the physical scope for the EIA should be determined in the light of:

- the nature of the proposal being considered;
- the relevance in terms of the specialist topic;
- the breadth of the topic;
- the physical extent of any surveys or the study area; and
- the potential significant impacts.

Therefore, the Commission recommends that the study area for the EIA should include at least the whole of the application site embracing all offsite development and for certain topics, such as landscape and transport, the study area will need to be wider. The study area for each specialist topic should be clearly defined and determined by establishing the physical extent of the likely impacts in accordance with good practice.

The Commission considers that the study areas should be agreed, wherever possible, with the relevant statutory consultees and local authorities.

Temporal Scope

The assessment should consider:

- environmental impact during construction works;
- environmental impacts on completion/operation of the development;
- environmental impacts a suitable number of years after completion of the development in order to allow for traffic growth or maturing of any landscape proposals; and
- decommissioning.

In terms of decommissioning, the Commission acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption, materials can be re-used and the site can be restored or put to a suitable new use. The Commission encourages consideration of such matters in the ES.

The Commission recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.

The Commission considers that the duration of effects should use a standard terminology, which should be defined.

Baseline

The Commission recommends that the baseline should describe the position from which the impacts of the proposed development are measured. The baseline should be chosen carefully and, where possible, be consistent between topics.

The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although the Commission considers that care should be taken to ensure that all the baseline data remains relevant and up to date. The Commission recommends that the baseline environment should

be clearly explained in the ES, including any dates of surveys. Wherever possible the baseline should be agreed with the appropriate consultees.

For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates.

Identification of Impacts and Method Statement

Legislation and Guidelines

In terms of the EIA methodology, the Commission recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the assessment. This should include guidelines prepared by relevant professional bodies.

In terms of other regulatory regimes, the Commission recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 SI No. 2264.

In terms of assessing the impacts, the ES should approach all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.

Assessment of Effects and Impact Significance

The EIA Regs require the identification of the '*likely significant effects of the development on the environment*' (Schedule 4 Part 1 paragraph 20). Therefore, the Commission considers it is imperative for the ES to define the meaning of 'significant' in the context of each of the specialist topics` and for significant impacts to be clearly identified.

The Commission recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of 'significant' in terms of each of the EIA topics. Quantitative criteria should be used where available. The Commission considers that this should also apply to the consideration of cumulative impacts and impact interactions.

Potential Environmental Impacts

The Commission considers these under Section 3: the EIA Topic Areas of this opinion.

Impact Inter-actions/Combined Impacts

Multiple impacts on the same receptor should be taken into account. These occur where a number of separate impacts, eg. noise and air quality, affect a single receptor such as fauna.

The Commission considers that the combined effects of the development should be assessed and that details should be provided as to how interactions will be assessed in order to address the environmental impacts of the proposal as a whole.

Cumulative Impacts

The ES should describe the baseline situation and the proposed development within the context of the site and any other proposals in the vicinity.

Other major development in the area should be identified beyond the proposal itself including any associated development. The Commission recommends that this should be identified through consultation with the local planning authorities on the basis of major developments that are:

- built and operational;
- under construction;
- permitted application(s), but not yet implemented;
- submitted application(s) not yet determined, and if permitted would affect the proposed development in the scoping report; and
- identified in the Development Plan (and emerging Development Plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited.

Details should be provided in the ES, including the types of development, location and key aspects that may affect the EIA and have been taken into account as part of the assessment.

Associated development

The ES should give equal prominence to any development which is associated with the proposed development site to ensure that all the impacts of the proposals are assessed.

The Commission recommends that the applicant should distinguish between development for which development consent will be sought (whether integral

to this proposed NSIP or as associated development), any works which are ancillary to the proposed development and any other development. This distinction should be made clear in the ES.

Alternatives

The ES must set out an outline of the main alternatives studied by the applicant and provide an indication of the main reasons for the applicant's choice, taking account of the environmental effect (Schedule 4 part 1 paragraph 18).

Such matters should, where relevant, include, *inter alia*, any alternative design options and any alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.

The Commission advises that the ES should give sufficient attention to any alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the development proposed and the sites chosen.

Mitigation Measures

Mitigation measures may fall into certain categories: namely avoid; reduce; compensate or enhance; and should be identified as such in the specialist sections (Schedule 4 part 1 paragraph 21). Mitigation measures should not be developed in isolation as they may be relevant to more than one topic area.

The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment should be taken into account as part of the assessment.

The application itself will need to demonstrate how the mitigation would be delivered, and only mitigation which can be shown to be deliverable should be taken into account as part of the EIA.

It would be helpful if the mitigation measures proposed could be cross referred to specific provisions proposed within the development consent order. This could be achieved by means of describing the mitigation measures proposed either in each of the specialist reports or collating these within a summary section on mitigation.

Trans-boundary Effects

The Commission recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the Commission recommends consideration should be given to any discharges to the air and sea and to potential impacts on migratory species.

Presentation

The Commission recommends that all paragraphs in the ES should be numbered. This is for ease of reference. Appendices must be clearly referenced, again with all paragraphs numbered. All figures and drawings should be clearly referenced.

Cross References and Interactions

The Commission recommends that all the specialist topics in the ES should include cross-references in the text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.

As set out in EIA Regs Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

Terminology and Glossary of Technical Terms

The Commission recommends that a common terminology should be adopted. This will help to ensure consistency and ease of understanding for the decision making process. For example, 'the site' should be defined and used only in terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site.

A glossary of technical terms should be included in the ES.

Summary Tables

The Commission recommends that in order to assist the decision making process, the applicant may wish to consider the use of tables to identify and collate the residual impacts after mitigation. This would include the EIA topics, combined and cumulative impacts.

A table setting out the mitigation measures proposed would assist the reader and the Commission recommends that this would also enable the applicant to

cross refer mitigation to specific provisions proposed to be included within the draft Order.

The ES should also demonstrate how the assessment has taken account of this Opinion and other responses to consultation. The Commission recommends that this may be most simply expressed in a table.

Bibliography

A bibliography should be included in the ES. The author, date and publication title should be included for all references.

Non Technical Summary

The EIA Regs require a Non Technical Summary (EIA Regs Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.

Consultation

The Commission recommends that any changes to the scheme design in response to consultation should be addressed in the ES.

It is recommended that the applicant provides preliminary environmental information to the relevant local authority(s) when consulting it/them in relation to the draft Statement of Community Consultation (SoCC).

Consultation with the local community should be carried out in accordance with the SoCC which will state how the applicant intends to consult on the preliminary environmental information (this term is defined in the EIA Regs under regulation 2 'Interpretation'). This preliminary information could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in accordance with s47 of the Planning Act, this could usefully assist the applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the preliminary environmental information. Attention is drawn to the duty upon applicants under s50 of the Planning Act to have regard to the guidance on pre-application consultation.

Environmental Management

The Commission advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan (EMMP) and safety procedures which will be adopted during construction and operation.