

Screening Opinion Request: Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Location: Part of the TransPennine Route Upgrade from the east of Stalybridge train station to the north of Heron Lane, Tameside.

Proposal: Routine track renewals and improvements, works to existing structures, other built development and associated temporary works, relevant to the section of the project to undertaken using permitted development rights, by virtue of the Town and Country Planning (General Permitted Development (England) Order 2015.

Application reference number: 25/00629/ENV

The EIA Regulations establish that certain projects should be screened to determine whether a statutory EIA should be carried out or not. Under the EIA Regulations, it is mandatory for Schedule 1 developments to be subject to EIA, whilst Schedule 2 schemes are subject to EIA if they are likely to have significant effects on the environment by virtue of factors such as their nature, size or location. The relevant screening criteria and guidance thresholds for Schedule 2 projects are included within Schedule 2 of the EIA Regulations, while the selection criteria for the screening of Schedule 2 projects are provided in Schedule 3.

Section 7(1) of the EIA regulations related to '*construction of lines for long distance railway traffic*'. The proposed works do not fall under this description as it relates to changes and improvements to an existing railway, and therefore does not require an EIA.

Schedule 2 of the Regulations details those types of development where EIA may be required. Category 10) Infrastructure projects makes reference to d) construction of railways) (unless it is included in Schedule 1 which it is not). The proposed works do not fall under category 10 d) as it does not consist of the construction of a railway, as it is an upgrade and improvement work to an existing railway, and does not require an EIA.

Category 13 of Schedule 2 relates to Changes and Extensions of development with a description listed in paragraphs 1 12 of column 1 of Schedule 2 where that development is already authorised or executed. For the purposes of this exercise the railway upgrade can be considered as a change or extension of a project which is already consented and executed. The relevant thresholds provided for such projects is whether it exceeds 1 hectare, or '*the development as changed or extended may have significant effects on the environment*'.

The area of the proposed works subject of this screening exercise is approximately 33 hectares and therefore the size threshold for a 'change or extension' has been exceeded. As such, a screening opinion is appropriate, to determine whether an EIA is required for the proposed works. It should be noted that the screening opinion relates only to the permitted development works, under the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO):

- a) Part 4 temporary buildings and uses (Class A temporary buildings and structures).
- b) Part 8 Transport related development (Class A railway or light railway undertakings).
- c) Part 18 Miscellaneous development (Class A development under local or private Acts or Order) including those where a prior approval is required.

The Permitted Development works include:

- Track realignment and capacity enhancements. Realignment of operational lines, including associated embankments /earthworks to support increased line speeds and enhance operational flexibility.
- Track renewal. Replacement of track materials and components, including ballast and formation treatments plus track drainage work necessary to accommodate higher line speeds.
- Signalling and switching improvements. Upgrades to track points, switches and signalling systems to improve operational efficiency and enable increased line speeds.
- Structural repairs and minor works. Localised repairs and improvements to bridges, culverts, and other structures along the route, including relining, partial reconstruction, and installation of new track drainage infrastructure.
- Geotechnical work. Remedial works to retaining walls and other geotechnical structures to address embankment, earthworks and tunnel stability issues.
- Workforce safety measures. Provision of a Continuous Positions of Safety (CPoS) along the lineside for railway personnel, except where site-specific constraints render this impractical.
- Overhead line equipment (OLE) upgrades. Installation of OLE components, along with new electrification works and associated lineside infrastructure.
- There are three assessment criteria set out within schedule 3 of the regulations, each of which includes a number of sub-criteria. The proposed works are assessed against each of the criteria and sub-criteria within this report.
- Access and safety infrastructure. Installation of road-rail access points (RRAPs) in accordance with Network Rail safety guidance, including measures to prevent unauthorised vehicle access.
- Electrification works. Renewal of lineside signalling and telecommunications equipment to ensure compatibility with new electrification systems.
- Installation of new fencing to prevent unauthorised lineside access.
- Other works including establishment of temporary compounds, site welfare and laydown areas at various locations to support specific construction activities.
- Associated works including site clearance, tree felling, traffic management, site restoration and reinstatement post construction.

There are three assessment criteria set out within schedule 3 of the regulations, each of which includes a number of sub-criteria. The proposed development is assessed against each of the criteria and sub-criteria within this report.

1. Characteristics of the development

(a) The size and design of the whole development

The site comprises an operating railway line and land adjoining (in certain areas), which is the subject of this screening opinion. The part of the railway line that the works relate to is that from the east of Stalybridge train station to the north of Heron Lane, and covers a site area 33 hectares. The proposed works relate only to the permitted development works of the route upgrade, set out in the above bullet points, which are consistent with routine railway maintenance and infrastructure upgrades, typically associated with electrification scheme. Such works are undertaken regularly across the UK railway network and are supported by robust industry standards and best practices designed to minimise disruption and environmental impact. The interventions do not represent novel or unusual activities and are not anticipated to give rise to

significant environmental effects when delivered in accordance with established procedures and mitigation measures, and thereby the scheme does not constitute EIA development in this regard.

(b) Cumulation with other existing development and/or approved development

The majority of the works would be viewed within the context of the existing railway line, and thereby is relatively contained when viewed within the context of the wider landscape. Network Rail have identified 28 proposed developments within a 250m radius of the proposed works, none of which exceed the EIA screening thresholds and thereby are not anticipated to contribute to significant cumulative effects.

Further, the proposed permitted development works form part of the wider TransPennine Route Upgrade Project, subject to an application for a TWAO which is due to be submitted later in 2025, including a separate screening opinion that will be sought from the Secretary of State. Whilst the wider scheme may be EIA development, this screening opinion considers only the permitted development works, whereby any environmental impacts would be at a local scale, and so following the above assessment, the scheme does not constitute EIA development.

(c) The use of natural resources, in particular land, soil, water and biodiversity

Whilst the proposed scheme would be large in scale, the proposal would constitute works broadly confined by the existing railway line. The works would replace existing infrastructure and introduce new infrastructure, that are permitted under part 4, part 8 and part 18 of the General Permitted Development Order. Given the above, the proposal would not result in the loss of agricultural land or land designated for being rich in other natural resources.

In relation to soil quality, given the existing use of the site and industrial history of the area, there is potential for ground contamination. Network Rail note initial ground investigations have been undertaken, and other are proposed prior to construction commencing to inform geotechnical design and assess contamination risks. Such investigations will help to determine the extent of any contamination and inform appropriate mitigation measures, which are included within the submitted Environmental and Social Minimum Requirements ESMR document. The Council's Environmental Protection Unit (contaminated land) have reviewed the EIA screening submission and raise no objections from a contaminated land perspective.

In relation to water, the proposed works intersect, or runs adjacent to, several watercourses, which within Tameside include the River Tame and the Huddersfield Narrow Canal, some areas of which lie within flood zones 2 and 3, which are designated flood risk zones. Mitigation and design measures will be informed by the and aligned with section 6.11 of the SMR. Given the proximity of construction activities to surface water features, there is a potential risk of accidental spills or contamination from materials such as soil, cement, fuels, or chemicals. To manage this, all works will follow best practice protocols for the storage and handling of such materials, including the use of bunded storage areas, hard standing, silt fencing, and protective coverings. Given the temporary nature of the works, and the application of standard mitigation measures as well as the adoption of good practice, no significant effects on surface water quality, hydrology or flood risk are anticipated as a result of the proposed works.

Part of the site lies within very close proximity to the Huddersfield Narrow Canal, which is a Site of Special Scientific Interest (SSSI). The proposal would not result in any direct loss of habitat within the SSSI, though may be impacted through pollution, such as dust and surface water discharge. The covering letter from Network Rail does state the works are within close proximity

to 2 other SSSIs (Dark Peak and Ladcastle and Den Quarries), though these sites are located sufficient distance from the railway line within the Tameside Borough, notwithstanding the fact Ladcastle and Den Quarried sits within the Oldham Borough. A range of ecological surveys have been undertaken, including a phase 1 habitat survey and targeted species surveys including assessment for badger, bats, great crested newts etc, of which several priority habitats were found within the zone of interest. However, no direct impacts on designated sites or protected species are anticipated that would result in significant ecological effects, providing the appropriate mitigation measures are adopted, as set out within the ESMR, and the appropriate licences, protection orders and watching briefs. GMEU have reviewed the EIA screening submission and note they have no reason to disagree with the information provided, that significant effect is unlikely regarding ecological receptors. Natural England have also come to the same conclusion. The Council's Arboricultural Officer notes any tree removal would be within the boundaries of the existing railway line and would have minimal impact on the wider environment and that any tree loss can be mitigated by new tree planting.

Following the above assessment, it is considered that the scheme does not constitute EIA development in this regard.

(d) The production of waste

The precise volume of waste to be generated during the construction phase is currently unknown. Though waste generated during the construction of the permitted development works will be appropriately segregated to maximise opportunities for recycling and reuse Network Rail's supply chain operations (recycling centres) will have a major role in re-using and recycling the vast majority of the waste materials generated delivering the work. Any residual waste that cannot be repurposed will be removed from site via compound collection points and recycled as far as possible.

As set out within the ESMR, all construction activities will be undertaken in compliance with a Site Waste Management Plan. This will ensure that all contractors operate in line with applicable waste legislation and best practice. Upon completion, the development will produce some waste streams typical of similar end uses, none of which are likely to result in significant environmental impacts.

In conclusion, no significant environmental effects related to waste generation are anticipated arising from the proposed works through established best practice and the adoption of suitable control measures where any residual risks will be effectively managed.

(e) Pollution and nuisance

During the construction phase of the permitted development works, it is considered that they would result in very limited release of pollutants, such as dust or fumes arising. Although the construction phase is likely to generate some impacts related to traffic, air quality and noise, these are anticipated to be of a minor nature and limited to the local area, without broader environmental significance. During the operational phase, significant environmental benefits are expected, as diesel passenger trains will be replaced by electric services.

Any noise impacts arising from the proposed construction activities are expected to be highly localised and temporary. The scale of works at each site is limited in terms of footprint, duration, intensity, and workforce presence. Noise and vibration levels will vary depending on the nature of the works at each location. These potential effects will be assessed by a qualified noise

professional in accordance with BS5228 Code of Practice for noise and vibration control on construction and open sites.

(f) The risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge

There may be sources of contamination and the construction process could result in a risk of accidents, which could lead to the pollution of the adjacent river/canal, in certain areas. However, the impact would be local, the risk of which would be mitigated through best practice, as set out within ESMR.

(g) The risks to human health (for example, due to water contamination or air pollution)

There are no air quality management zones area within the site, though the site does lie within proximity to residential properties within Stalybridge and Mossley.

Any air quality impacts arising from the permitted development construction activities are expected to be highly localised and temporary in nature. The scale of works is relatively limited in terms of physical footprint, duration, intensity and workforce presence. The nature and extent of air quality impacts will vary by location, depending on the specific construction activities undertaken. These potential effects will be assessed, and where necessary, appropriate mitigation measures will be implemented under the guidance of a qualified air quality professional, as outlined in the ESMR.

It is noted that operational rail emissions will reduce as the delivery of electrification upgrades under the scheme will lead to the removal of diesel passenger trains, significantly improving air quality and this human health.

The proposed development intersects or runs adjacent to several watercourses such as the River Tame and Huddersfield Narrow Canal. The site partially lies within flood zones 2 and 3. Any necessary mitigation measures are detailed within the ESMR, which must be undertaken during the permitted development works.

In conclusion, with residual risks managed through best practice and established control measures, no significant air quality or water contamination effects are anticipated from the permitted development works.

2. Location and environmental sensitivity

(a) The existing and approved land use

The existing and approved land uses are the same, in that they relate to an operating railway line. Parts of the site to be used to occupy work compounds are generally open land, though this is on a temporary basis, during construction works only.

(b) The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground

The impact of the development in this regard would be local in scale, and can be fully mitigated through best practice set out within the ESMR.

(c) The absorption capacity of the natural environment, paying particular attention to the following areas—

- i. wetlands, riparian areas, river mouths – no impact**

- ii. **coastal zones and the marine environment** – no impact
- iii. **mountain and forest areas** – no impact
- iv. **nature reserves and parks** – no impact
- v. **European sites and other areas classified or protected under national legislation** – no significant impact. The proposed works (in some specific areas) are located within close proximity to the Huddersfield Narrow Canal (SSSI). Although the works would not result in any direct loss of habitat within the SSSI, the impact of the works (dust, surface water) would be mitigated through best practice, set out within ESMR.
- vi. **areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure** – not applicable
- vii. **densely populated areas** – the site runs through populated areas, though considering the proposal involves work on an existing railway line, any harm would be local and not significant
- viii. **landscapes and sites of historical, cultural or archaeological significance** – no significant impact. The route of the Stalybridge to Diggle railway takes a course across Stalybridge Town centre Conservation Area and through the setting of numerous designated heritage assets, primarily grade II listed overbridges and underbridges. The works that involve alterations to the existing listed structures will be subject to separate listed building consents, either submitted in parallel with the TWAO or advanced consents submitted to TMBC prior to the submission of the TWAO. Any of the permitted developments works taking place in proximity to other listed buildings outside of the development site are not expected to be harmful to their setting considering they relate to an existing railway line.

In terms of below ground remains of archaeological interest, the proposed works are focused on the operational railway with little or no archaeological interest. The only exceptions are a small number of proposed offline areas that will be used for temporary compounds during construction works. The detail of the development works within these compounds has yet to be finalised and whilst some earthmoving works with a potential to damage or remove archaeological remains of interest may be required, it is anticipated that any such remains that do survive will likely be of local or, at best, regional significance rather than national importance. As such, GMAAS is satisfied the proposed development will not give rise to any significant environmental effects in terms of the sub-surface archaeological resource.

3. Type and characteristics of the potential impact

(a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected)

The proposal would represent a large scale form of development, the nature of the associated impacts would be localised in scale and of no more significance than what can be appropriately addressed by best practice and adoption of the ESMR. The extent of the impact on the environment and associated infrastructure can be proportionally assessed through technical reports which would accompany the TWAO.

The proposed works would not have a significant visual impact, given they are in association with the existing of the site as an operating railway. The compound sites will be for the duration of the upgrade works and thereby temporary. Once the works are complete, the compound sites will be returned to their original state.

(b) the nature of the impact;

Whilst the works would impact on matters relating to soil, water, heritage, pollution, noise and nuisance, waste etc, the significance of any impact would be mitigated by the following of best practice and the ESMR.

(c) the transboundary nature of the impact;

The works extend from Stalybridge through to Diggle, and so the development sits within the Oldham Borough, as well as Tameside. Wider implications in relation to the highways network may have transboundary implications, and the associated construction noise and pollution may affect the closest areas to the site within Oldham. That said, Oldham are also subject to the same railway line improvements, and thereby would experience the same impacts as Tameside. It is noted that Oldham Council have completed their EIA screening response, concluding the permitted development works are not EIA development.

(d) the intensity and complexity of the impact;

No impacts have been identified of a particular significance. The works do not represent anything that is of a particular complex nature, or anything where significant impacts cannot be controlled by the following of best practice and submitted ESMR. As a result, the likely impacts of the proposed development are not likely to be of an intensity or complexity that would require an environmental statement.

(e) the probability of the impact;

The majority of the works would be sited on land associated with the railway line for a definite but long term period and in that regard, the probability of the impact is certain. The siting of the work compounds would be sited on a temporary basis, during the construction phase, and so whilst the probability of the impact is certain for this period of time, this would be on a short term basis.

(f) the expected onset, duration, frequency and reversibility of the impact;

The duration of the works would have a definite timeframe but would be temporary. The impacts associated with the permitted development works, although technically reversible, would be assessed on the basis of being permanent, following the TWAO.

(g) the cumulation of the impact with the impact of other existing and/or approved development;

As discussed previously in this report, the cumulative impact of the development together with other nearby development would not have a significant environmental effect. The wider TRU project will be subject to a separate screening opinion reviewed by the Secretary of State.

(h) the possibility of effectively reducing the impact.

Relevant mitigation of any identified impacts has been addressed through the ESMR which will be embedded and integrated as part of the proposed works, as well as other route-wide environmental strategies.

Conclusion

The area of the proposed works subject of this screening exercise is approximately 33 hectares and therefore the size threshold for a 'change or extension' has been exceeded. As such, a screening opinion is appropriate, to determine whether an EIA is required for the proposed works. Following an assessment of the likely impacts of the works against the criteria and sub-criteria listed in schedule 3 of the regulations, it is considered that the significance of these impacts would not be of greater than local importance and therefore the scheme would not constitute EIA development, and thereby no planning application, that would include an environmental statement, would be required.