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Dear Sirs,

PLANNING ACT 2008

APPLICATION FOR THE NORTHUMBERLAND COUNTY COUNCIL (A1 - SOUTH EAST NORTHUMBERLAND LINK ROAD (MORPETH NORTHERN BYPASS)) DEVELOPMENT CONSENT ORDER

1. I am directed by the Secretary of State for Transport ("the Secretary of State") to say that consideration has been given to the report of the Examining Authority, John Watson, who conducted an examination into the application made by Northumberland County Council ("the applicant") on 15 July 2013 for the Northumberland County Council (A1 - South East Northumberland Link Road (Morpeth Northern Bypass)) Development Consent Order ("the Order") under sections 37, 114, 115, 117(4), 120 and 122 of the Planning Act 2008 ("the 2008 Act").

2. The examination of the application began on 15 January 2014 and was completed on 15 July 2014. The examination was conducted on the basis of written evidence submitted to the Examining Authority and by a series of hearings held at Morpeth between 8 April 2014 and 8 July 2014.

3. The Order would grant development consent for the construction of a 3.8 kilometre single carriageway road between a new grade-separated junction with the A1 trunk road to the north-west of Morpeth and a junction with the A197 at Whorral Bank roundabout to the north-east of Morpeth (referred to in this letter as "the project"). The Order would also authorise the compulsory acquisition and use of land for the purposes of the project. The objectives of the project are to improve highway connectivity in south east Northumberland, to improve access to allocated development sites and other strategic locations, and to reduce traffic congestion in and around Morpeth by improving highway capacity.

4. Enclosed with this letter is a copy of the Examining Authority's report. The proposed development is described in section 2 of the report. The Examining Authority's findings are set out in sections 4 to 7 of the report, and his overall conclusions and recommendation are at section 8 of the report.

Summary of the Examining authority's recommendations

5. The Examining Authority recommended that the Order be made, in the form set out in Appendix D to his report, subject to the receipt by the applicant of the necessary European Protected Species ("EPS") licences in respect of bats.

Summary of Secretary of State's decision

6. **The Secretary of State has decided under section 114 of the 2008 Act to make with modifications an Order granting development consent for the project.** This letter is the statement of reasons for the Secretary of State's decision for the purposes of section 116 of the 2008 Act and regulation 23(2)(d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

Secretary of State's consideration

7. The Secretary of State's consideration of the Examining Authority's report is set out in the following paragraphs. Where not stated in this letter, the Secretary of State can be taken to agree with the Examining Authority's conclusions as set out in his report. All paragraph references, unless otherwise stated, are to the Examining Authority's report ("ER") and references to requirements are to those in Schedule 2 to the Order, as set out in Appendix D to the ER.

Preliminary matters

8. The Secretary of State agrees with the Examining Authority that at the time when this application was made, the project met the criteria for highway-related development set out in section 22 of the 2008 Act, as then in force¹, and that it is therefore a nationally significant infrastructure project for the purposes of section 14(1)(h) of the 2008 Act (ER 1.4). He agrees also that the Environmental Statement ("ES") submitted with the application meets the definition of "environmental statement" in regulation 2(1) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (ER 1.6).

9. The Secretary of State has considered the changes made to the application referred to by the Examining Authority at ER 2.24-27. He agrees with the Examining Authority that these changes do not represent a substantial change to the original application and that it is appropriate for him to take into account the amended documents listed in Annex B to Examining Authority's letter of 11 July 2014 in deciding this application.

Legal and policy context

10. On 17 December 2014 the Secretary of State laid in Parliament in accordance with section 9(8) of the 2008 Act the finalised National Networks National Policy Statement ("NNNPS") following consultation on the draft NNNPS published in December 2013, to which the Examining Authority referred in the ER. However, at the date of this letter the NNNPS has not yet been designated under section 5(4) of the 2008 Act. The position therefore remains the same as at the time when the Examining Authority submitted his report (see ER 3.1).

¹ Section 22 of the 2008 Act was amended by SI 2013/1883, which came into effect on 25 July 2013.

11. The Secretary of State has nevertheless taken the finalised NNNPS into account as it is the most up to date statement of the Government's policy on the development of the national networks. In this context, he has considered whether the applicant and other parties should be consulted on the implications of the changes made to the December 2013 draft NNNPS for the cases which they presented to the examination. He has concluded that none of those changes are significant to his decision on this application to the extent that warrants further consultation. He is satisfied that the policies in the draft NNNPS on the need for development of the national road network, assessment principles and generic impacts have been sufficiently carried forward into the finalised NNNPS and were adequately addressed in the examination, such that none of the changes to the draft NNNPS lead him to differ from the Examining Authority on the extent of the project's conformity with the emerging NNNPS. However, in relation to those aspects of the finalised NNNPS which differ materially from the December 2013 draft, the Secretary of State's consideration of the Examining Authority's conclusions in the light of those changes is explained below (see paragraphs 16, 17, 23 and 33).

12. In all other respects, the Secretary of State agrees with the Examining Authority's assessment of the legislation and policy that are relevant and important matters to be taken into account in deciding this application and the weight to be given to relevant policies (ER 3.3-37). He confirms that he has had regard to the legislation and policy referred to by the Examining Authority in deciding this application.

The transport assessment

13. The Secretary of State has considered the Examining Authority's review of the applicant's transport assessment at ER 4.7-30. He agrees that the traffic model used by the applicant provides a suitable basis for estimating the effects that the project would have on traffic conditions on the A1 and in Morpeth, and is satisfied that the predicted reductions in travel times and increase in vehicle speeds are reliable (ER4.14-15).

14. With regard to the concerns expressed by Mitford Parish Council about the proposed link between the A1 and St Leonard's Lane, the Secretary of State agrees with the Examining Authority that while the project would increase traffic flows on the latter they would remain light and the character of the traffic conditions would not be markedly different. He notes that under requirement 29 the applicant would be required to carry out post-scheme evaluation of traffic conditions on St Leonard's Lane and Spital Hill (ER4.19-26). The Secretary of State agrees further with the Examining Authority, for the reasons given, that St George's roundabout should be provided as part of the project (ER 4.28-30).

Issues arising in Local Impact Reports

15. The Secretary of State confirms that in reaching a decision on this application he has had regard, as required by section 105 of the 2008 Act, to the Local Impact Reports ("LIR") submitted by Northumberland County Council as planning authority ("NCC"), as summarised at ER 4.33-39.

Environmental issues:

Air quality

16. The Secretary of State has noted the summary of the air quality impacts of constructing and operating the project and the proposed mitigation measures at ER 4.42-

51. He agrees with the Examining Authority that, providing the air quality mitigation measures in the Construction Environmental Management Plan are properly applied, the scheme's effect on local air quality would be acceptable and that the project would be unlikely to lead to a breach of the air quality thresholds (ER4.52-53). With regard to paragraph 5.9 of the finalised NNNPS, the applicant did not provide in its ES a judgement on the risk of the project affecting the UK's ability to comply with the Ambient Air Quality Directive (2008/50/EU) since this was not a requirement at the time of the application. The Secretary of State considers, however, that the project is unlikely to affect the UK's ability to comply with that Directive given the Examining Authority's conclusions on air quality referred to above. Similarly, with reference to paragraph 5.14 of the finalised NNNPS, he does not consider that the project is likely to delay the point at which the North East air quality zone will meet compliance timescales. He accordingly agrees with the Examining Authority that there is no reason to refuse the Order on air quality grounds.

Greenhouse gas emissions

17. The Secretary of State has noted the conclusion of the applicant's transport assessment that the project would be likely to result in an increase of 23,896 tonnes of carbon dioxide emissions over a 60-year appraisal period; and that this would be only a small proportion of the road transport-related emissions throughout the modelled network (ER 4.54-56). With regard to paragraphs 5.16-19 of the finalised NNNPS, the applicant did not provide in its ES an assessment of the project against the Government's carbon budgets as this was not a requirement at the time of the application. The Secretary of State considers, however, that the carbon impacts of the project were sufficiently assessed both before the project was granted Programme Entry by the Department for Transport in 2011 and in the applicant's ES. In both contexts, the carbon impacts were considered to be negligible and consequently the applicant proposed no mitigation measures. The Secretary of State is, for these reasons, satisfied that the carbon emissions resulting from the project are unlikely to be so significant as to affect the Government's ability to meet its carbon reduction plan targets. He accordingly agrees with the Examining Authority that the matter of carbon emissions does not give grounds for refusing the Order (ER 4.56).

Archaeology and cultural heritage

18. The Secretary of State has considered the Examining Authority's findings at ER 4.57-78 about the effects of the project on archaeology and cultural heritage. He agrees with the Examining Authority that the effect of the project on three Grade II listed buildings in the vicinity and their setting would be neutral (ER 4.70, 71, 80). He agrees also with the Examining Authority that, subject to the mitigation secured by requirements 3 and 16, the residual construction effects of the project on archaeology would be of slight adverse significance (ER 4.74, 79). The Secretary of State accordingly agrees with the Examining Authority's overall conclusion that there is no reason to refuse the Order on grounds arising from its effect on archaeology and cultural heritage (ER 4.81).

Ecological implications

19. The Secretary of State has considered the Examining Authority's findings at ER 4.82-113 about the likely impacts of the project on various habitats and protected species and about the applicant's mitigation proposals. He notes in particular the advice of Natural England ("NE") that there was no fundamental reason of principle why the project should not be permitted, subject to the applicant providing additional information about its

mitigation proposals in respect of bats; and that an ecological management plan (“EMP”) should be drawn up (ER 4.90, 113).

20. As regards the effect of the project on bats, the applicant submitted additional survey information and revised EPS licence applications to NE on 10 November 2014. In response NE issued two “letters of no impediment” in respect of the required EPS licences on 9 January 2015. The Secretary of State is therefore satisfied that there is unlikely to be an impediment to implementation of the project in this regard and that he can appropriately make the Order. (For the avoidance of doubt, he does not consider it necessary to await the granting of the EPS licences as implied at ER 8.4.) The Secretary of State notes also that the provision of a Construction EMP and an Operational EMP would be secured by requirements 24 and 25.

21. The Secretary of State accordingly agrees with the Examining Authority’s overall conclusion that only the loss of 0.1 hectares of the How Burn Wood Site of Nature Conservation Importance - assessed by the ES as being of moderate adverse significance - should weigh against the project (ER4.105, 116).

Landscape and visual impacts

22. The Secretary of State has considered the Examining Authority’s assessment at ER 4.117-137 of the landscape changes and visual impacts associated with the project. He notes that a range of landscape mitigation measures would be secured through requirement 7, but accepts that a significant adverse effect on the How Burn and Cottingwood Area of High Landscape Value would remain after mitigation (ER 4.129). The Secretary of State agrees with the Examining Authority that in other respects residual effects of the project on the overall landscape would not weigh significantly against the project (ER 4.132). He agrees also that moderate weight should be attributed to the visual harm of the project that would be experienced by some residents and users of public footpaths (ER 4.133-135).

23. With regard to the visual appearance of the project, the Secretary of State has noted the Examining Authority’s conclusion at ER 4.269-270 that in most respects the project conforms with the requirements of the National Planning Policy Framework (“NPPF”) as to good design. He considers that, in the light of this, the criteria for good design for national network infrastructure set out in paragraphs 4.28-35 of the finalised NNNPS have been sufficiently complied with.

Land use

24. The Secretary of State has considered the Examining Authority’s assessment at ER 4.139-149 of the effect of the project on land use. He agrees with the Examining Authority that there is no reason to refuse the Order on grounds arising from its use of land (ER 4.150). In particular, he agrees that little weight should be given to the proposal in the Draft Core Strategy to extend the Northumberland Green Belt to the north of Morpeth, and that in any event the project would not be inappropriate development in the Green Belt for the reasons given by the applicant (ER 4.145).

Noise and vibration

25. The Secretary of State agrees with the Examining Authority that the project would generally be beneficial in terms of operational noise, because in the short term more

dwellings would experience a noise reduction than an increase, and in the long term more dwellings would be exposed to lower noise levels if the project were built than if it were not. He is satisfied that the effects at properties where the noise levels are predicted to increase by at least 3dB would be acceptable (ER 4.153-162). The Secretary of State agrees also that the effects of operational vibration would be acceptable; and that the Construction Environmental Management Plan (“CEMP”) and the noise management scheme required under requirements 3 and 19 would adequately control construction noise and vibration (ER 4.163-164).

26. The Secretary of State is accordingly satisfied, like the Examining Authority, that there is no reason to refuse the Order on noise or vibration grounds (ER 4.168-171). He considers further that, in relation to paragraph 5.195 of the finalised NNNPS, the project meets the aims of avoiding significant adverse impacts on health and quality of life, and of mitigating and minimising other adverse impacts on health and quality of life.

Non-motorised users

27. The Secretary of State has noted the concerns raised during the examination about the uncontrolled at-grade crossing of the bypass by Public Footpath PF9, but agrees with the Examining Authority that there is no reason to reject the proposed crossing (ER 4.183-184). The Secretary of State has similarly noted the concerns raised about the uncontrolled at-grade crossing of the bypass by a permissive path at Pegswood Moor, but accepts that it is not possible for him to require a pedestrian subway to be substituted as part of his decision on this application. He accepts that there is no surety that the applicant will be able to revise the design so as to avoid the need to shorten the safety barrier by 45 metres and agrees with the Examining Authority that this factor weighs against the project, although he notes that a road safety audit and monitoring will be required under requirement 29 (ER 4.185-190).

28. The Secretary of State is satisfied that the alteration of other footpaths for the purposes of the project and that the proposed facilities for equestrians are acceptable. He agrees with the Examining Authority that requirement 29 should be amended to apply also to the equestrian path; and that the removal of the A697 cycle path proposal from the proposal does not weigh against the project (ER 4.192-197).

Water environment

29. The Secretary of State has considered the likely effects of the project on surface water, groundwater, spillage risk and flood risk as reported in the ES and notes that the applicant’s assessment has taken into account the objectives of the Water Framework Directive and the compatibility of the project with the Northumberland River Basin Management Plan. The Secretary of State has considered also the statement of common ground (“SOCG”) agreed between the applicant and the Environment Agency (“EA”) during the examination. He notes that the SOCG included further information requested by the EA to inform the Flood Risk Assessment (“FRA”) of the project and draft requirements specifying the design details required to meet the flood risk principles in the FRA and the mitigation measures required to protect the water environment (ER 4.199-208).

30. With regard to concerns that the project should not increase flood risk in Morpeth, the Secretary of State notes that the approach taken by the applicant does not follow closely that specified in paragraph 103 of the NPPF. He nevertheless agrees with the

Examining Authority that, since the EA is content with the approach taken by the applicant and has confirmed that in relation to flood risk and drainage the development is appropriate, the failure to follow the approach set out in the NPPF is not pivotal (ER 4.211-212). The Secretary of State is satisfied that overall the project is consistent with the aims of the finalised NNNPS as regards flood risk and water quality set out in paragraphs 5.90-115 and 5.219-231, and therefore agrees with the Examining Authority that subject to draft requirements 11,12 and 13 the residual effects of the project on the water environment would be acceptable (ER 4.216).

Socio-economic and population effects

31. The Secretary of State has considered the Examining Authority's evaluation at ER 4.222-259 of the applicant's ES and Economic Impact Report ("EIR"). He agrees with the Examining Authority that the EIR is likely to have overestimated the additional jobs that might result from the project and that only a small proportion of the traffic associated with employment sites in the Regeneration Area is likely to use the new junction on the A1. He is satisfied, however, that the project would be beneficial through the increased accessibility it would bring to travel to work trips (ER 4.239, 243). The Secretary of State agrees also that the socio-economic effect of the project on Morpeth town centre would be neutral during construction and slightly beneficial thereafter (ER4.244-248).

32. As regards population effects, the Secretary of State agrees with the Examining Authority that there is no reason to refuse the Order on the basis of effects on public health (ER 4.251-253). He is satisfied also that the arrangements for mitigating construction impacts, including disruption, through the CEMP are appropriate (ER 4.249-250, 4.257-260).

Alternatives

33. The Secretary of State agrees with the Examining Authority that none of the alternatives suggested by interested parties should be pursued (ER 4.254-255). With regard to paragraph 4.27 of the finalised NNNPS, he notes that the applicant's options appraisal did not consider whether there were viable modal alternatives, as this was not required at the time when the project was being developed. He does not, however, consider that alternative modes would realistically be likely to meet the objectives of the project (set out at ER 2.9) and he is satisfied that the consideration of alternatives prior to the funding decision referred to at paragraph 17 above was proportionate. In all the circumstances the Secretary of State considers that it would not be appropriate or serve a useful purpose to require the applicant retrospectively to provide an assessment of modal alternatives before he decides this application.

Conformity with key national and local policies

34. The Secretary of State agrees with the Examining Authority's assessment at ER 4.261-281 on the degree to which the project is consistent with key national and local transport and planning policies. While he notes that the project would not fully comply with the policy on carbon emissions as expressed in the 2011 Transport White Paper, for the reasons given at paragraph 17 above he does not consider that this would justify refusing development consent for the project. He is furthermore satisfied that the direct beneficial effects of the project on the national road network would be consistent with paragraph 2.23 of the finalised NNNPS in so far as the project would improve the performance and resilience of the A1 trunk road (ER 4.264-268). The Secretary of State agrees with the

Examining Authority's overall conclusion, for the reasons given, that the project is compliant with the development plan and partially compliant with national and local transport policy and the NPPF (ER 4.282).

Need for the project

35. The Secretary of State agrees with the Examining Authority's assessment of the need for the project in relation to the objectives described at ER 2.9-10. He agrees in particular with his conclusion that the project would meet a clear and pressing need for traffic reduction in Morpeth, and that it would have a limited beneficial effect towards the necessary goal of improving employment accessibility (ER 4.283-284). The Secretary of State considers also that by improving the performance of the A1 the project would serve to address the need for development of strategic road network identified in paragraphs 2.12-20 of the finalised NNNPS.

Overall conclusion on the case for the Development Consent Order

36. The Secretary of State notes the Examining Authority's considerations in ER 5.1-2 and agrees with the Examining Authority that balancing the adverse impacts of the proposed development against the need for the project and the benefits it would bring there is a clear justification in favour of granting development consent for the Morpeth Northern Bypass (ER 5.3).

Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

37. The Secretary of State confirms for the purposes of regulation 3(2) of the above Regulations that he has taken into consideration all the environmental information as defined in regulation 2(1) of those Regulations. For the purposes of regulation 23(2)(d)(iii), the Secretary of State considers that the main measures to avoid, reduce and, if possible, offset the major adverse environmental impacts of the project are those specified in the requirements, including the CEMP.

Compulsory acquisition matters

38. The Secretary of State has considered the compulsory acquisition powers sought by the applicant against the tests concerning compulsory acquisition in sections 122 and 123 of the 2008 Act, relevant guidance and the Human Rights Act 1998. In doing so, he has taken into account the case of the one affected party who made a representation on matters which have been satisfactorily resolved (ER 6.17-20).

39. The Secretary of State agrees with the Examining Authority that:

- the scale of the project is proportionate to its purpose and that the amount of land to be taken would be no more than would reasonably be required (ER 6.28);
- the public benefit of the project would outweigh the private loss (ER 6.30);
- the applicant has adequately explored alternatives to compulsory acquisition (ER 6.31-33);
- the aims of the project are legitimate (ER 6.34); and
- the compulsory acquisition proposals would not conflict with rights under the European Convention of Human Rights (ER 6.35-36).

With regard to possible impediments to implementation of the project, the Secretary of State is satisfied that sufficient funds are likely to be available for these purposes (ER 6.38). As noted at paragraph 20 above, “letters of no impediment” in relation to the issue of EPS licences in respect of bats have now been provided by NE.

40. For all the reasons given by the Examining Authority, the Secretary of State agrees the case for the compulsory acquisition powers sought by the applicant has been made out and that there is a compelling case in the public interest for including them in the Order (ER 6.40-42).

The Development Consent Order

41. The Secretary of State has considered the Examining Authority’s assessment of the Order and description of amendments made to it during the course of the examination at ER 7.1-30. Subject to the qualifications detailed in paragraphs 42 to 48 below, he is satisfied that the provisions in the Order set out in Appendix E to the ER are appropriate and necessary for the implementation of the project. He is, furthermore, satisfied that it is within the powers of section 114 of the 2008 Act for him to make the Order in the form which takes into account both the changes to the application referred to at paragraph 9 above and the further changes to the Order referred to below.

42. In article 8 (defence to proceedings in respect of statutory nuisance) the Secretary of State has deleted sub-paragraphs (b)(i) and (b)(iii). He considers that sub-paragraph (b)(i) is unnecessary because, in relation to noise emissions, there is nothing in the Order that specifies how the authorised development is to be used. As regards sub-paragraph (b)(iii), he considers it implausible that a compliance with a noise management scheme under requirement 19 could have the inevitable consequence of causing a statutory nuisance. He is satisfied that for the purposes of a road project sub-paragraph (b)(ii) provides an adequate defence.

43. Article 9(1) (street works) has been redrafted to make clear that the geographical extent of the power to carry out street works and the purposes for which street works may be carried out are as specified in columns (3) and (4) of Schedule 3. This is to remove the potential ambiguity between Schedule 3 and article 9(1) as drafted in Appendix D to the ER.

44. With regard to article 23 (compulsory acquisition of rights and imposition of restrictive covenants), the Secretary of State notes that the applicant has not made a case for including in the Order a general power to impose restrictive covenants over any of the Order land as defined in article 2(1). He considers, however, that it is appropriate in the circumstances of this case to authorise the applicant to impose restrictive covenants over the plots of land detailed in columns (1) and (2) of Schedule 10 to the Order, in relation to which he is satisfied that outright acquisition is not justified and that the nature of the development proposed on that land is such that restrictions might need to be imposed on the future use of the land, in order to protect that development or access to it. The Secretary of State has therefore decided to amend article 23 to limit the power to impose restrictive covenants to the plots of land detailed in columns (1) and (2) of Schedule 10 to the Order.

45. The Secretary of State has decided to insert into the Order provisions relating to the service of notices (article 37).

46. In paragraph 1 of Schedule 2 (requirements), the Secretary of State has deleted the definition of “commenced” because he considers that it is inappropriate to substitute this definition for the provisions in section 155 (when development begins) of the 2008 Act or to enable potentially significant works to be carried out before mitigation measures such as the CEMP have been approved by the relevant planning authority. In addition, he has deleted the definition of “construction period” as he considers that it is similarly inappropriate to prescribe or limit the period within which the requirements are to apply; and has deleted the definition of “construction works” which is superfluous, and the definition of “practical completion” as a consequence of deleting the definition of “construction works”.

47. In requirement 4 (detailed design) the Secretary of State has decided to delete the tailpiece which would have permitted the relevant planning authority to approve non-material amendments to the approved development plans. This is because the procedure for making such non-material amendments to orders granting development consent is prescribed under section 153 of the 2008 Act.

48. The Secretary of State has made a number of other minor textual amendments to the Order as recommended by the Examining Authority set out in Appendix E to the ER in the interests of clarity, consistency and precision, and in order to conform with the current practice for drafting Statutory Instruments. He considers that none of these changes, either individually or taken together, materially alter the effect of the Order.

Representations since examination

49. The Secretary of State has received representations from five interested parties since the examination closed. He does not consider that anything in the correspondence constitutes new evidence, or raises a new issue, which needs to be referred to other interested parties before he proceeds to a decision. It does not cause him to take a different view on the matters before him than he would otherwise have taken based on the Examination Authority’s report.

50. In addition, the Highways Agency confirmed on 20 November 2014 that it was giving consent under section 135(2) of the 2008 Act on behalf of the Secretary of State for the inclusion in the Order of provisions that would apply in relation to Crown land comprised in the A1 trunk road.

Secretary of State’s conclusions and decision

51. For the reasons given in this letter, the Secretary of State considers that there is a compelling case for authorising the construction of the project. He has therefore decided to accept the Examining Authority’s recommendation at ER 8.4 and is today making the Order granting development consent and imposing the requirements as proposed by the Examining Authority, but subject to the modifications referred to in paragraphs 42 to 48 above. He confirms that, in reaching this decision, he has had regard to all the matters specified in section 105 of the 2008 Act.

Challenge to decision

52. The circumstances in which the Secretary of State's decision may be challenged are set out in the note attached at the Annex to this letter.

Publicity for decision

53. The Secretary of State's decision on this application is being publicised as required by section 116 of the 2008 Act and regulation 23 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

Yours faithfully,

Martin Woods

ANNEX

LEGAL CHALLENGES RELATING TO APPLICATIONS FOR DEVELOPMENT CONSENT ORDERS

Under section 118 of the Planning Act 2008, an Order granting development consent, or anything done, or omitted to be done, by the Secretary of State in relation to an application for such an Order, can be challenged only by means of a claim for judicial review. A claim for judicial review must be made to the High Court during the period of 6 weeks beginning with the date when the Order is published. Please also copy any claim that is made to the High Court to the address at the top of this letter.

The Northumberland County Council (A1 - South East Northumberland Link Road: Morpeth Northern Bypass) Development Consent Order (as made) is today being published on the Planning Inspectorate website at the following address:

<http://infrastructure.planningportal.gov.uk/projects/north-east/morpeth-northern-bypass/>.

These notes are provided for guidance only. A person who thinks they may have grounds for challenging the decision to make the Order referred to in this letter is advised to seek legal advice before taking any action. If you require advice on the process for making any challenge you should contact the Administrative Court Office at the Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6655).