



27 September 2022

Agenda Item: 6

## **REPORT OF SERVICE DIRECTOR – PLACE AND COMMUNITIES**

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/22/00587/CMA**

**PROPOSAL: CONSTRUCTION OF TWO ROUNDABOUT JUNCTIONS AND A NEW LINK ROAD CONNECTING THE NEW ROUNDABOUT ON THE A614 (OLD RUFFORD ROAD) TO MICKLEDALE LANE**

**LOCATION: INTERSECTION OF A614 AND MICKLEDALE LANE, BILSTHORPE, NOTTINGHAMSHIRE**

**APPLICANT: NOTTINGHAMSHIRE COUNTY COUNCIL- (PLACE DEPT)**

### **Purpose of Report**

1. To consider a planning application for a replacement junction and link road at Mickledale Lane and the A614 at Bilsthorpe. The key issues relate to the functioning of the highway for motorised and non-motorised users and site-specific factors including landscape/visual impacts, impacts to agricultural land/soils, residential amenity, and ecology. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.
2. The applicant has elected to undertake an Environmental Impact Assessment and an Environmental Statement has been provided. Consequently the works require planning permission and do not benefit from Permitted Development rights that are usually available to the County Highways Authority.

### **Background to the A614/A6097 project**

3. Nottinghamshire County Council along with its partner local authorities and agencies has identified a need to improve the capacity and performance of a number of junctions along the A614 and A6097 corridor which forms part of the Major Road Network (MRN) within the County.
4. The A614 is an important north-south route from Nottingham to Retford and beyond, with the A6097 providing a spur to the A46 trunk road linking Leicester with Newark and Lincoln. Both roads are largely two-way single carriageway, with dual carriageway sections through Lowdham. Running centrally through the County the roads serve as vital commuter and tourist routes linking villages and towns together and with the City of Nottingham, and also providing access

to attractions including Rufford Abbey, Sherwood Forest, White Post Farm, and Wheelgate Park. The roads also serve as diversionary routes for the M1 and A1 to the West and East respectively.

5. In recent years the County Highways Authority has undertaken improvements to several junctions along both roads and has also introduced a lower 50mph speed limit (enforced by average speed cameras). The following six junctions have now been identified as requiring intervention to ensure the effective functioning of the road corridor and are shown on the appended 'A614 and A6097 Junction Improvement – Overall Project Location Plan':
  - Ollerton Roundabout (A614/ A616/ A6075)
  - A614/Mickledale Lane/Inkersall Lane
  - White Post Roundabout (A614/ Mansfield Road) Farnsfield
  - Warren Hill (A614/ A6097) gyratory junction
  - Lowdham roundabout (A6097/ A612/ Southwell Road)
  - Kirk Hill (A6097/ Kirk Hill / East Bridgford Road) East Bridgford
6. A further junction (A614/Deerdale Lane/Eakring Road, Bilsthorpe) has been removed from the wider project due to costs and complexities. Each has been submitted for planning permission and are considered in separate reports.
7. The MRN is a middle tier of the country's busiest and most economically important local authority A roads sitting between the Strategic Road Network (SRN) and the rest of the local road network. The A614 and A6097 routes were designated as such in October 2018. The stated objectives of the MRN and of the A614/A6097 project are closely aligned and include:
  - (a) **Improved Journey Times and Reliability-** There are regular delays and queueing at Ollerton, Lowdham and Kirk Hill junctions which are predicted to worsen with traffic and local housing/economic growth. It can also be difficult to access the A614 from Bilsthorpe village.
  - (b) **Network Resilience-** Capacity improvements will support the Strategic Road Network by adding resilience to the highway network which will boost productivity and reduce costs to businesses. Both roads serve as alternative and diversionary routes during incidents or major roadworks.
  - (c) **Economic Growth-** Additional capacity will drive economic growth by facilitating housing and creating jobs. In particular a number of development sites have planning conditions and obligations limiting build out until improvements are made to Ollerton and Lowdham roundabouts. This includes the development at the former Thoresby colliery. Improvements at the junctions would enable 1,330 dwellings and 24,281m<sup>2</sup> of employment space to be built out stimulating economic growth.

- (d) **Connectivity** - Improving journey times and reliability will improve connectivity to Nottingham and improving access to supply chains and labour markets.

### **The Site and Existing Situation**

8. The A614/Mickledale Lane/Inkersall Lane junction is currently a priority controlled 4-arm crossroad on the west side of Bilsthorpe village (see Plan 1). Traffic gives way to the main A614 flows. Mickledale Lane provides one of the main routes into/out of the village from the A614, but an Environmental Weight Limit prohibits HGVs (vehicles over 7.5t) from travelling along Mickledale Lane except for local access and to Strawson's Ltd which is a nearby large farming complex. Local bus services use Mickledale Lane (including Sherwood Arrow) into/out of the village and a pair of bus stops with flags and poles are sited just back from the A614.
9. Arable fields with hedgerows and trees generally surround the junction, however at the north-west corner of the junction is 'The Limes' café and an adjacent residential property, both accessed from Inkersall Lane and from the A614. There are also four residential properties situated directly on the south-eastern corner of the junction (Labour in Vain cottages) which have driveway access either directly onto the A614 or onto Mickledale Lane.
10. Inkersall Lane to the west has bridleway status which leads into the Sherwood Pines area, but it also serves a number of rural properties and a water pumping station. The presence of the latter places the junction within a Source Protection Zone to protect the drinking water resource. National Cycle Route 645 crosses over the A614 circa 200m to the north utilising the former mineral railway line.
11. The A614 runs at a slightly elevated position with land falling to the east and south. Mickledale Lane therefore falls away to the east towards a local watercourse (Rainworth Water), beside (to the east) of Strawsons, before later rising again into the village.
12. A Local Wildlife Site (Alder Carr LWS) lies approx 600m to the south-west of the current junction (and 25m from the edge of the application site), alongside Rainworth Water which crosses under the A614, before turning north towards Mickledale Lane. The flood risk areas associated with this do not enter the application site and which remains at low risk of flooding.
13. The application red line area incorporates the existing junction and approaches, but also includes parts of the adjacent arable fields and in particular a corridor across the adjacent field to the east, connecting back to Mickledale Lane adjacent to Strawsons (for a new roundabout and link road).

### **Planning history**

14. The only relevant planning history to note is this Council's Scoping Opinion issued in 2021 advising on the scope of the Environmental Statement now

submitted with the current application. Comments from technical consultees informed this process and it is to be noted that the ES appears to be substantially based on that scoping advice.

## **Proposed Development**

15. The application explains that there is a local perception that it can be very difficult to enter the A614 from Mickledale Lane owing to having to wait for suitable gaps in the high speed A614 traffic. This leads to waiting times and poor journey time reliability, but not congestion or large queueing. With new housing being built in the village, this issue is likely to be exacerbated.
16. It is proposed to replace the existing Mickledale Lane junction by constructing a new three-arm roundabout on the A614 approximately 250m south of the existing crossroads with a link road connecting back to Mickledale Lane through a field to the south-east of the existing junction. The new link road would tie into Mickledale Lane via a three-arm mini-roundabout. A new access would also be provided off the new link road into Strawson's Ltd (see Plan 2).
17. The proposed new A614 roundabout would have a diameter of 70m and the approaches and exits would be widened so to provide two entry lanes onto and around the roundabout, followed by two lanes merging back into the single carriageway.
18. New footways would be provided along the spur road and around to the A614 generally 3m wide. The new roundabouts and spur road would be lit with LED lighting. The speed limit along the A614 would remain at 50mph and the link road would have a 30mph limit. Existing weight limits further into the village would remain unchanged. Landscaping would include new hedgerows, trees, meadow and acid grassland verges as well as wet ditches and swales for managing surface water (see Plan 3).
19. The existing part of Mickledale Lane west of the new mini roundabout would be largely closed off and accessed only by utility service vehicles from the east (i.e. not the A614) via a gate. The road surface would be lifted and grassed over, but partly reinforced for these vehicles. The pedestrian footway up to the cottages and the A614, where there is an uncontrolled crossing over to Inkersall Lane, would however be retained in full. Driveway access for Labour in Vain Cottages, directly off the A614, would also be maintained as existing, but otherwise the bell mouth would be closed off to motor traffic including the removal of the ghost right turn lane from the A614 south.
20. A temporary construction and storage compound would be sited within the field next to the proposed new A614 roundabout as shown on plan 4.

## **Consultations**

21. **Newark and Sherwood District Council - *No objection.***

22. **Bilthorpe Parish Council** – *No response.*
23. **Rufford Parish Council**- *Supports.*
24. **NCC (Highways)** – *Supports the objectives of the proposed works (as part of a series of improvement works along the A6097-A614 route).*
25. *Capacity and Congestion*- *By their nature, introducing roundabouts will impact negatively on capacity. However, the capacity assessments show that the roundabout on the A614 will operate under the Ratio of Flow to Capacity (RFC) threshold, meaning it will not create a capacity or congestion issue. The secondary roundabout will also not create a capacity issue and is likely to be in this form to overcome geometry issues.*
26. *Highway Safety*- *Up to date accident history information has now been provided.*
27. *Access for non-motorised users at end of Mickledale Lane* – *This section would be kept open for use by all non-motorised users. The proposed surfacing may not be suitable for cyclists and as such details of the surfacing should be requested to be provided by condition. Details of the gate should also be addressed by condition to ensure it is not obstructive to NMUs. A farm gateway would provide a turning area for any vehicles having entered the restricted section of highway in error.*
28. *Whilst the existing refuge/crossing over the A614 and linking to rights of way is not wide enough for horses, this is an existing situation which is actually improved by not only traffic being platooned to an extent by the proposed roundabout to the south but also no longer being in conflict with traffic turning in and out of Mickledale Lane.*
29. *Changes to local traffic patterns*- *The Transport Assessment assumes redistribution of traffic would be unlikely due to lack of route choice (tested using the Midlands Connect Highway Model). However, this is in relation to the major and/or strategic road networks and more local roads are likely to see reassignment.*
30. *The applicant has advised that monitoring of the major road network will be required by the DfT but that this work will look further afield so that villages close the A614/A6097 corridor are captured. The methodology and locations of this is not defined, so it is suggested that this element is controlled by planning in order to identify and address any potential unacceptable or severe impacts on the adjacent local road network.*
31. **NCC Transport and Travel Services** – *comments.*
32. *Bus Stop Infrastructure: A pair of bus stops are situated at the end of Mickledale Lane close to the A614 junction. These stops will not be served as part of the highway proposals. Transport and Travel Services have approved the removal of these stops due to low usage and no suitable location within the scheme limits to re-locate them.*

33. *Bus services affected: Stagecoach Sherwood Arrow. Any service diversions required as part of the works will impact upon the bus network. Highway works requiring closures or diversions should be limited during the day with overnight closures recommended where the works require closures and/ or diversions.*
34. **NCC (Built Heritage)** - *No objection. The proposed new junction is in the vicinity of two non-designated built heritage assets, Featherstone House Farm and to a lesser extent, Labour in Vain Cottage. No designated built heritage assets are within the influence of the scheme. NCC (Built Heritage) is satisfied that these have been properly identified and impacts assessed.*
35. *The 'slight adverse' impact identified, equivalent to a less than substantial level of harm, is a fair assessment in both cases and it is necessary to weigh these impacts against the benefits of the proposed junction improvements (NPPF para 203).*
36. **NCC (Archaeology)**- *No objection and requests conditions requiring a written scheme of archaeological investigation to be submitted for approval.*
37. **NCC (Nature Conservation)** - *No objections provided recommended construction management measures, landscaping/biodiversity net gain and other mitigation measures are secured.*
38. *The application is supported by a range of ecological survey work, which can be considered to be up to date. This scheme does not directly affect any designated sites.*
39. *0.8ha of neutral grassland and 830m of hedgerows would be lost. A minor loss of habitat for foraging/commuting bats would occur, but these are already subject to disturbance from the existing junction (including lighting). Mitigation would be provided through landscaping.*
40. *The indirect impact of artificial lighting on bats is predicted to be negligible, with an avoidance of the direct illumination of habitats. Street lighting is already present at this location, albeit that the extent of lighting will be greater along the new link road.*
41. *Construction works are predicted to have a negligible impact on Common Lizard (with the implementation of a method statement), whilst additional mitigation measures are proposed, including the construction of a lizard tunnel. Further details of this tunnel should be secured through a condition, although the need for this is queried.*
42. *The identified ecological mitigation measures should be included within a Construction Environment Management Plan (CEMP), required by a pre-commencement condition. In addition, construction areas must be clearly demarcated with temporary protective fencing to ensure that accidental ingress into designated sites is prevented.*
43. *A shadow Habitats Regulations Assessment has been carried out, looking at Likely Significant Effects on the "possible potential" Sherwood Special*

*Protection Area (ppSPA) (the site is within the 5km buffer zone). After considering a range of potential impact pathways, likely Significant Effects (alone and in combination) are screened out for all pathways for the ppSPA. Comments should be sought from Natural England.*

44. *Biodiversity gain - The updated Biodiversity Net Gain Assessment now concludes that a net change of 39.96% for habitats, and 99.38% for hedgerows, will be delivered for this scheme, exceeding the 10% minimum figure which will be required when BNG becomes mandatory. An issue with 'trading rules' is however identified.*
45. *To ensure that the anticipated net gain is achieved in practice, a Biodiversity Gain Plan should be required prior to commencement of development, implemented with habitat management and monitoring (and which also ensures that Trading Rules are satisfied) for a 30 year period. A detailed landscaping scheme should also be required by condition and which must be fully consistent with the Biodiversity Gain Plan (and vice versa).*
46. **NCC (Flood Risk) - No objection.**
47. **Environment Agency – No response.**
48. **Natural England - No objection/standing advice.**
49. **Via (Countryside Access) - Comments raised regarding lack of crossing provision for equestrians and on the choice of surfacing at the end of Mickledale Lane.**
50. *There are a number of routes used by the public in the area and latent and growing equestrian use. The applicant needs to consider how are equestrians to safely cross the A614 and how are they to use Mickledale Lane in terms of structures, gaps, and surfacing. Both the surface and the crossing provision should be re-considered.*
51. *The application refers to the lack of use of Bridleway no 5 along Inkersall Lane and therefore no need to provide a safe crossing at this point. It is very likely that the low use is because of the danger of crossing the A614. The reduced speed as a result of the roundabout on the A614 will assist, however more could be considered. Given the latent use, this is an opportunity to improve the crossing and linkages to the non-motorised user network. The installation of a Pegasus crossing is one option.*
52. *On Mickledale Lane, while pedestrians have been accommodated on the existing footway, cyclists and equestrians have not been accommodated appropriately. There is no indication that the footway is to be shared and therefore cyclists would have to use the grass verge (assumed that this wild grass flower verge will be managed for biodiversity) or the reinforced grass surface which may not be suitable for cyclists or equestrians. A 1.5m access gap is also needed around the proposed gate.*

53. **Via (Landscape)** – Supports, with a number of comments and recommendations.
54. Sufficient information has been provided with the application, (landscape and visual assessment information, existing viewpoint images, year 1 visualisations and detailed landscape design proposals and other additional drawings), to be able to come to a reasoned conclusion that the proposed scheme is acceptable in terms of Landscape and Visual Impact. However a number of omissions, required corrections and textual changes to the assessment have been noted (a full list is available online as part of the background papers).

Methodology and baseline -The methodology for determining construction and operational effects is accepted. The relatively small scale of the Scheme, combined with screening provided by existing landform, mature woodland and built form, are considered to negate the potential for significant landscape and visual effects beyond 0.75km.

55. Physical Landscape impact- This has not been quantified within the scheme specific assessment and has not been described in a range from minor to major adverse, however Ch 8 (Biodiversity) calculates the vegetation to be removed as: Neutral grassland 0.8 ha; Broad leaved woodland 0.02ha; Species poor hedgerow 540m; Species poor hedgerow with trees 290m and Dry ditch 320m. This should be added to Chapter 7 because this contributes to the degree of landscape impact described.
56. Landscape character impact - Landscape character impacts are agreed as follows: SH09 Old Clipstone Estate Farmlands – Slight adverse Landscape effects at the Construction stage and year 1, and neutral effects in Year 15.
57. Visual Effects - The Zone of Theoretical Visibility plan was produced at the scoping stage and used to derive viewpoints. These were provided in the scoping report for comment. The conclusions of the assessment of visual effects are set out in table 7.11, 7.12, and 7.13. Via (Landscape) agrees with the assessment and that the methodology is transparent. However, the viewpoint descriptions should also make reference to the changes in the lighting footprint as the extent of lighting now extends along the proposed link road. This area was previously unlit.
58. No year 15 visualisations were submitted, which would be best practice, to illustrate how the maturing landscape treatment will help to mitigate the proposals. However sufficient information has been provided to show that the landscape proposals have been thoroughly considered at this stage. It would be beneficial to provide Year 15 visualisations to support detailed landscape proposals under planning condition.
59. Design, mitigation, and enhancements- The landscape design concept gives a clear indication of the landscape philosophy for the Scheme. Some additional text would be helpful to describe how the scheme meets landscape character and ecological objectives, as well as how the landscape treatment mitigates the visual effects.

60. *The total amount of vegetation to be replaced is: Neutral grassland 1.34 ha; Broad leaved woodland 0.05ha; Species rich hedgerow 926m; Species rich hedgerow with trees 263m and Dry ditch 394m. In addition, 2.1 ha of arable land will be converted to Amenity grassland 0.05ha; Mixed scrub 0.084 ha; sustainable drainage feature (SUDs) feature 0.113ha and Acid grassland 0.095ha.*
61. *A detailed landscape drawing should be requested by planning condition and this should refer to the species list for the Sherwood Landscape Character Area.*
62. *A habitat management plan should be included as a condition of the application for the proposed SUDs feature to ensure the continued survival of the landscape mitigation.*
63. **Via (Noise Engineer) – No objection subject to conditions requiring a construction management plan and prior to commencement baseline noise survey.**
64. *The assessment of operational impact indicates a classification of the effects as being not significant at all receptors, with the magnitude of the impacts varying from negligible adverse to negligible beneficial for the operational phase.*
65. *For construction phase impacts, a total of 6 receptors have the possibility to experience temporary significant adverse effects as a result of the construction works (noise and vibration). In order to mitigate these effects, a list of Best Practicable Means (BPM) has been provided, and it is recommended that those measures should be detailed in a Construction Environmental Management Plan (CEMP).*
66. *The assessment of the effects at the ecological receptors shows a negligible change within the Mickledale Lane junction area.*
67. **Via (Reclamation)- no objections subject to conditions.**
68. *A Phase 1 Geo-Environmental desk study and site-specific environmental statements have been prepared and which are considered acceptable for the purposes of the planning applications.*
69. *Via (Reclamation) raises no objection subject to planning conditions requiring a site investigation/risk assessment to be submitted (prior to commencement) and a method statement detailing how any contamination would be remediated. A validation stage should then evidence this or confirm an absence of contamination. A watching brief is also requested.*
70. *An Environmental Management Plan to control construction effects including noise, vibration, dust, mud, and pollution/spillages and waste disposal is also recommended.*
71. **Via Safer Highways- Comments and recommendations.**

72. *General- Via Safer Highways undertook Stage 1 Safety Audits where recommendations to improve the designs were made. It is strongly recommended that further Road Safety Audits are carried out at Stage 2 (Completion of Detailed Design) and Stage 3 (Completion of Construction).*
73. *The proposed large roundabout is reasonably “neutral” to road safety. A similar number of accidents would be expected than at the current junction which has a good record. More traffic is likely through Bilsthorpe village, because access will become easier, with consequent detrimental effect to Road Safety.*
74. *It would be beneficial to provide an improved crossing at the existing junction for pedestrians, cyclists and horses over to the west of the A614. It is recommended that central refuges are used on the new link road to control speeds/overtaking.*
75. **Planning Casework Unit** - (*statutory notifications- does not wish to comment*).
76. **Nottinghamshire Wildlife Trust, The Ramblers, British Horse Society, Trent Valley Internal Drainage Board, Western Power Distribution, Cadent Gas Limited and Severn Trent Water Limited** have not responded. Any response received will be orally reported.

## **Publicity**

77. The application has been publicised by means of site notices, a press notice (jointly with the five other schemes) and neighbour notification letters have been sent to the nearest residential and commercial occupiers in accordance with the County Council’s adopted Statement of Community Involvement. Further publicity and consultation with consultees has been undertaken upon receipt of further information under Regulation 25. There have been no public representations.
78. In addition, the applicant department have undertaken separate and complementary publicity via the ‘Email me’ bulletin, the Council’s twitter feed and have added links to the individual planning applications from the dedicated A614/A6097 project website: <https://www.nottinghamshire.gov.uk/transport/roads/a614>.
79. Prior to the submission of the planning applications, the applicant department has undertaken extensive local engagement and consultations to inform the final junction designs. Scoping Opinions have also been previously obtained from the County Planning Authority to inform the Environmental Impact Assessment process.
80. Councillor Scott Carlton supports the proposals as amended.
81. Councillors Bruce Laughton has also been notified of the application.

## **Observations**

### The requirement for planning permission

82. The County Council, with its responsibilities as the local Highway Authority, has extensive rights to undertake work to maintain and also improve the highway network. The Town and Country Planning Act 1990 (s55) excludes such works from the planning system where they would be within the boundaries of a road. Where such highway authority works go beyond the road boundaries, utilising adjacent land, such works are capable of being deemed Permitted Development by virtue of the Town and Country Planning (General Permitted Development Order) (England) 2015 as amended. However the development of new roads, such as the link road proposed, usually require planning permission. Furthermore the applicant has elected to undertake an EIA and in this situation the Permitted Development rights are removed under article 3 of the Order and an application for planning permission is therefore required.

### Planning policy assessment

83. This is one of six inter-related planning applications concerning junctions along the A614/A6097 corridor. Each has to be independently considered and determined however, in the usual way, against the applicable Development Plans and having regard to material considerations.
84. The Development Plan in this instance is the Newark and Sherwood Local Plan comprising of the Amended Core Strategy (CS) (Part 1) (2019) and the Allocations and Development Management Policies document (A&DM) (Part 2) (2013) together with the associated policy map. The National Planning Policy Framework (NPPF) is a material consideration. Other material considerations may include the Nottinghamshire Local Transport Plan and the D2N2 Strategic Economic Plan. It is also relevant to note that certain design standards apply including the Design Manual for Roads and Bridges and the NCC Highways Design Guide.
85. The importance of public infrastructure for local communities and to support planned/future development is set out through the Local Plan. CS Spatial Policy 6 (Infrastructure for Growth) seeks to ensure that the infrastructure to support local growth and to deliver the outcomes of the Strategy as a whole are provided. An Infrastructure Delivery Plan (IDP) informs this approach. Strategic Infrastructure in this context is defined as including improvements to the strategic highway network and other highway infrastructure as identified within the IDP. Together with A&DM Policy DM3 there is a framework for securing developer contributions and funds including via the Community Infrastructure Levy.
86. Improvements to the highway network therefore form an important aspect of the approach to infrastructure, notwithstanding the wider objectives of CS Spatial Policy 7 (and national policy) in reducing car travel and promoting sustainable patterns of development and travel. Under Spatial Policy 7 (Sustainable Transport) and its supporting text, new highway infrastructure will only be required (for the purposes of the Plan) where other measures are insufficient to

cope with the impacts of planned developments and that this is informed by the IDP process.

87. Junction improvements at A614/Mickledale Lane form part of the wider A614/A6097 corridor scheme which is included in the Nottinghamshire LTP and is also an investment priority in the D2N2 Strategic Economic Plan. This junction is specifically identified in the IDP and is listed in Appendix D of the Core Strategy as being highway infrastructure works required for the delivery of the Local Plan/Core Strategy itself. Four other junctions – the subject of separate reports- are also listed. There is no statement as to what form the junction improvements at Mickledale Lane should take, but it does appear to confirm that alternatives such as sustainable transport focussed solutions (for example cycle or bus improvements) would not have sufficient effect to the problems at this junction.
88. Whilst Spatial Policy 7 does ultimately favour sustainable travel, non-car modes of travel (including public transport, walking, cycling) and minimising the need for travel, which aligns with national planning policy (NPPF paras 110 and 112), it also states that development proposals should contribute to the LTP and does not preclude road based schemes. The policy does however seek to reduce the impact of roads and traffic, increase rural accessibility and enhance the pedestrian environment. A number of further considerations are also listed as follows:
- *minimise the need for travel, through measures such as travel plans for all development which generate significant amounts of movement, and the provision or enhancement of local services and facilities;*
  - *provide safe, convenient and attractive accesses for all, including the elderly and disabled, and others with restricted mobility, and provide links to the existing network of footways, bridleways and cycleways, so as to maximise opportunities for their use;*
  - *be appropriate for the highway network in terms of the volume and nature of traffic generated, and ensure that the safety, convenience and free flow of traffic using the highway are not adversely affected;*
  - *avoid highway improvements which harm the environment and character of the area;*
  - *provide appropriate and effective parking provision, both on and off-site, and vehicular servicing arrangements in line with Highways Authority best practice; and*
  - *ensure that vehicular traffic generated does not create new, or exacerbate existing on street parking problems, nor materially increase other traffic problems, taking account of any contributions that have been secured for the provision of off-site works.*

89. There are matters above which require further assessment below, however at this stage it can be considered that the proposed new junction and link road are compatible and in accordance with Spatial Policy 7 and is 'strategic infrastructure' necessary and supported by Spatial Policy 6 and the Plan as a whole. The proposals also help deliver the Nottinghamshire LTP.
90. Although the site lies outside of the defined village envelope where development is restricted to a narrow list of types of development under A&DM Policy DM8 (Development in the open countryside) whereby transport infrastructure is not one of the listed types, it is clear that these highway improvement works would not be contrary to the purposes of this policy in terms of the Local Plan directing development to where it is sustainable. CS Spatial Policy 3 (Rural Areas) similarly does not have transport infrastructure in mind, but it is evident that the proposals would help support the rural community/economy by improving access and without unacceptable detriment to local character, amenity or other pertinent impacts such as drainage.
91. The Local Plan identifies Bilsthorpe, as well as nearby Ollerton and Boughton, as a focus for regeneration, with the former designated a Principal Village and the latter a Service Centre (CS Spatial Policies 1 and 2). These settlements are expected to provide new housing and supporting infrastructure commensurate with their status.
92. At Bilsthorpe, the issue is ensuring there is safe and convenient access serving the village, as it grows with new housing and businesses stemming from its identified focus for regeneration in the Local Plan. A new housing development on Eakring Road is now underway and that has followed recent completions at Oldbridge Way. Mickledale Lane is one of the roads that serves much of the village and it can be expected to take some traffic arising from the new Eakring Road development.
93. The proposals are for a new roundabout to the south of the current junction (which it would replace) and link road back to Mickledale Lane. Upgrades at the existing priority junction were considered, but ultimately have not been proposed and instead a more ambitious project has emerged. The new roundabout and link road would improve local access to/from the A614 corridor as it will break up the often constant flow of high speed traffic on the main road which currently makes it difficult and lengthy to pull out onto the A614.
94. NCC Highways Development Control are content with this solution. They recommended that as part of the pre and post development traffic monitoring that will be required under Department for Transport requirements, that the details of this should be agreed under planning conditions. The purpose of this is to check that the highway network performs as predicted, and this appears to be an acceptable safeguard against any unforeseen consequential traffic issues in neighbouring areas.
95. It is however unfortunate that this new/replacement junction and link would not improve access for HGVs accessing businesses in the village, with the exception of any HGVs accessing the adjacent Strawson's complex with the

plans including a dedicated new access off the link road for this business. Due to local weight restrictions in the village, HGVs (those over 7.5t gross) such as those accessing Bilsthorpe Business Park and businesses at Brailswood Road (including a waste oil recycling facility, a scaffolding business, and the Council's Household Waste Recycling Centre) are barred from using Mickledale Lane beyond Strawson's and up to Eakring Road. This weight limit will remain in place. Therefore these HGVs will still need to route up to the Eakring Road junction with the A614 which faces the same, if not greater issues than at Mickledale Lane. Planned improvements to this junction have been deleted from the wider A614 project due to costs and complexities.

96. The end of Mickledale Lane up to the A614 would be closed off with new kerbs and landscaping. The road would have its surface partly lifted and landscaped. Importantly however this would retain access for non-motorised users up to the Limes Café where there is an uncontrolled crossing point, and from there Inkersall Lane offers opportunities for walkers, cyclists and horse riding within the Sherwood Pines area. The details of the surfacing of this section (and a gate) need to be reviewed as advised by NCC Highways and as such these details should be covered by planning conditions.
97. The concerns regarding a lack of crossing provision for equestrians as raised by Via Countryside Access are noted. However the applicant's surveys found there to be minimal use of the junction by these riders and as such a Pegasus crossing has not been proposed. It is also understood the provision of such a crossing, along with the necessary corrals would require additional third party land from the Limes Café and which may lead to impacts to the access and parking arrangements for this business. The provision for horses would therefore appear disproportionate and it would instead seem more appropriate to separately enhance the nearby National Cycle Route (the former mineral railway line which bridges the A614 to the north) as a means for equestrians to cross safely and access the trail networks to the west. This is however outside the scope of this project.
98. The current crossing point outside the Limes Café is however well used by pedestrians and cyclists as evidenced by the applicant's surveys. It would also have been beneficial to install an enhanced crossing for these users, however they would still be able to use the existing crossing and access would be provided up the end of Mickledale Lane. There should therefore be a generally neutral or slightly beneficial impact for walkers and cyclists, including from the reduced speeds of A614 traffic and its 'platooning' due to the insertion of the new roundabout (and the closure of that end of Mickledale Lane to vehicles) as noted by NCC Highways.
99. The proposals have been subject to an initial Road Safety Audit and found acceptable subject to consideration of a number of detailed recommendations. Certain minor updates to the plans may therefore emerge after any planning permission has been granted and these will need further approvals. Further Road Safety Audits would be conducted at the final/detailed design stage and then after opening to check how the new junction is operating. It is also noted that the Highway Authority would monitor post development traffic flows to

check the network is operating as planned. The arrangements for that survey work are covered by a condition as recommended by NCC Highways.

100. It is clear that when considering the above transport and infrastructure plan objectives that the proposals are required and are fully supported in principle to improve access to and from Bilsthorpe village. The plans accord with policies SP6, SP7 and support the regeneration objectives in policies SP1 and SP2. Given the identification and support for this proposal throughout the Local Plan and LTP documents, and the dependence placed upon it to deliver the Plan as a whole, Officers consider that there is moderate to strong weight in favour of the proposals in principle, somewhat weakened by these proposals not improving access for established HGV users/businesses, except Strawson's. The lack of a Pegasus crossing (for equestrians) is not considered to weaken the overall benefits of the proposal.

#### Landscape and Visual Impact

101. Under CS Core Policy 13 and as informed by the Landscape Character Assessment Supplementary Planning Document (SPD), proposals for development should positively address the implications of relevant landscape policy zones that is consistent with the landscape conservation and enhancement aims for the area(s) ensuring that landscapes, including valued landscapes, are protected and enhanced. A&DM Policy DM5 (Design) states all proposals should be considered against the SPD. Local distinctiveness (landscape and built form) should be reflected in the scale, form, mass, layout, design, materials and detailing of development proposals.
102. A landscape and visual impact assessment (LVIA) has been completed and included within the ES. In general terms this considers the existing/baseline situation and then the effects of the new junction at year 1 of completion and then after 15 years when new or replacement landscaping would have had time to become fully established. Particular focus is given to localised visual changes because wide area impacts to landscape character are not anticipated.
103. In terms of landscape character, reference is given to the applicable policy zone within the Newark and Sherwood Landscape Character Assessment as well as the national equivalent. The site area falls within the Sherwood Regional Landscape Character Areas (RLCA) and at the local level the Old Clipstone Estate Farmlands Policy Zone (SH09). The local landscape condition is described as 'moderate', sensitivity is described as 'moderate' and the overall landscape strategy is 'conserve and create', including field/road hedgerows where they have become degraded or lost. The area is gently undulating with some coniferous forestry alongside intensive arable and pig farming. The A614 is noted as a detracting feature, along with large modern agricultural buildings. Field boundaries are poor, but stronger along roadsides where a heathland character can be apparent. The LVIA considers the policy zone area to be of medium landscape value.
104. The immediate site context comprises the busy and fast flowing A614 and its existing junction next to the Limes café and the cottages, with Mickledale Lane

descending into Bilsthorpe Village to the east, and the tree-lined Inkersall Lane leading off to the west and which has bridleway status. Around this are largely medium to large arable fields, including either side of Mickledale Lane. This road has continuous managed hedges and verges on each side and a footway along its southern length. Hedgerows lining the A614 are generally good but to the south are very poor and discontinuous with occasional ash trees. Together with the slightly elevated nature of the road this affords open views east, across the field and towards the large Strawson's complex (partly screened by trees) and the village beyond.

105. The proposed development involves creating a new roundabout to the south and a link road using mostly arable farmland to the east. The roundabout would be on-line with the existing A614 therefore requiring clearance of a stretch of hedgerows and verge alongside the west of the A614. To the east however the hedgerow at this point is extremely poor and partly non-existent. What little there is would be removed along with four or five medium ash trees. Stretches of hedgerows either side of Mickledale Lane would also be removed to create a new mini-roundabout at the terminus of the new link road. A small part of the tree screen to Strawson's would also be removed to provide a new access (revised plans show one access, down from two). The effect of the new link road would be to split up the arable field, leaving a smaller parcel between the A614, the new link road to the east and the closed off part of Mickledale Lane to the north. The new link road would gradually rise in a partial cutting up to the A614 new roundabout. Overall the location and positioning of the roundabout and other works, on the land to the south and east, has been shown to minimise the necessary level of vegetation clearance.
106. This new highway infrastructure would be tied back into the landscape with a comprehensive planting scheme. The plans for this show new species-rich hedgerows and trees, including tree planting on the new roundabout, creation of heathland and acid grassland areas to provide biodiversity value, wildflower verges, shallow flood storage areas and swales. The lifting of the redundant carriageway at the end of Mickledale Lane which is to be closed off, whilst retaining pedestrian connectivity, is welcomed and would partly offset the impact to the adjacent cottages from the new road in the field to their rear/east. Some form of surfacing would however be needed to maintain cycle access and this detail is covered by a recommended condition.
107. The applicant's assessment finds that as a result of the proposed development there would be a slight adverse effect on the Old Clipstone Estate Farmlands Policy Zone during construction (including through the siting of compounds), and year 1, and a neutral effect by year 15 once planting is established.
108. In terms of the visual effects, seven viewpoints have been assessed by the applicant in the ES and again impacts are considered for the construction stage, at year 1 of operation and year 15. Three visualisations were also produced. Slight adverse impacts are expected at: five of the viewpoints during construction, again also taking into account construction works and compounds, at four viewpoints at year 1, and at 3 points at year 15, the remainder being neutral. The lasting slight adverse impacts include the residents at Labour in

Vain Cottages (A614) and at the first properties on Mickledale Lane largely due to the new link road and new street lighting.

109. The lighting proposals show that the lit area along the A614 would remain broadly similar, but with additional lighting around the new roundabout. The new link road would be lit along its full length and this lighting would also continue along Mickledale Lane into the village- currently this section is unlit. The use of LED lights and rear shielding would limit the area of light spill to focus on the highway and its verge area, however the first three residential properties on the north side of Mickledale Lane may see some light spill into their front gardens and generally there would be an increased perception of night time lighting in the area. The scheme is stated to be designed in accordance with the relevant British Standard.
110. The LVIA has been subject to critical assessment from Via and the landscape and visual conclusions are all agreed with and the proposals adjudged as acceptable and are supported. Whilst a number of minor errors are noted and a series of recommendations are made, there is sufficient information to inform an assessment of landscape and visual impacts. The identified errors/omissions are on the record and there would be no benefit in seeking amends. Instead the recommendations can be taken forwards as part of necessary planning conditions. Final details of landscape planting, its maintenance and other details such as fencing and a reduced form of surfacing for the closed section of Mickledale Lane should therefore be agreed through planning conditions.
111. To conclude on this issue, whilst there would inevitably be some slight adverse landscape and visual impacts at construction and year 1 of operation, the landscape effects would be neutralised by year 15, leaving some lasting slight adverse visual effects due to the presence of the new/intensified highway infrastructure and new street lighting. On balance Officers consider that the landscape and site specific character has been properly taken into account as required by Core Policy 13 and Policy DM5, including proposals for landscaping, and that the impacts, being neutral, would conserve local landscape character. There is therefore compliance with the policies, however the slight adverse visual impacts, including to nearby residents, should be noted and carried forward into the overall planning balance.

#### Agricultural land impacts/conservation of soil resources

112. A&DM Policy DM8 (Development in the open countryside) amongst other matters states that proposals resulting in the loss of the best and most versatile areas of agricultural land, will be required to demonstrate a sequential approach to site selection and demonstrate environmental or community benefits to outweigh the loss.
113. National Planning Policy seeks to protect and enhance the natural environment including valued landscapes, sites of biodiversity or geological value and soils in a manner commensurate with their statutory status or identified quality. The wider natural capital and ecosystem service benefits including the economic and other benefits of best and most versatile agricultural land should be recognised

(NPPF para 174). Best and most versatile agricultural land is defined as grades 1, 2 and 3a of the Agricultural Land Classification.

114. The proposals would result in the permanent loss of approximately 2.69ha of mainly Grade 3a BMV agricultural land (areas of Grade 2 and small areas of Grade 3b are also present) and would require the temporary removal of a further 1.82ha for construction purposes including for a compound. The land required is predominantly the arable field to the south-east of the existing junction through which the new link road would be constructed. Smaller areas would also be taken from land to the immediate west of the A614 to enable the construction of the new roundabout, and from land to the immediate north of Mickledale Lane for the new mini-roundabout.
115. As well as the direct and permanent loss of BMV land, it should also be noted that the alignment of the link road would divide the current field in two and leave a remnant area within the bounds of the A614, the link road and Mickledale Lane. Although land access would be created from the end of Mickledale Lane, the small size of this field may reduce or end its commercial viability for arable farming. The area of field left behind to the south, although larger, may also have a reduced value/usefulness. There is no available mitigation as such for the removal/loss of the BMV land although the Environmental Statement states that a soils resource plan would identify any re-use options for the surplus soil material, where possible. The ES concludes that the permanent loss of BMV land would be of moderate adverse significance.
116. The construction works also have potential to create damage to agricultural soils at the construction stage, including from the requirement for a temporary compound in the field to the south east. The ES highlights this possibility as a slight adverse residual effect. Additional mitigation would be in the form of a soil resources plan/a materials management plan and an earthworks strategy. The works will be carried out in accordance with the Defra "Code of Practice for the Sustainable Use of Soils on Construction Sites" and other standards. Measures would include soil handling and stockpiling techniques and dedicated construction traffic/plant routes. Topsoil and subsoil would first be stripped and stockpiled separately either for use in restoring temporary areas such as the compound, upon completion of the project, or to enable beneficial reuse elsewhere. A range of pollution prevention measures would also be applied to protect soils and nearby surface and ground waters. A condition governing the works for the temporary compound and requiring its restoration thereafter should be applied.
117. Overall the permanent loss of 2.69ha BMV agricultural land and the likely reduced usefulness of the two fields that would be left behind, along with a residual risk of reduced land quality following restoration of temporary work areas, carries negative weight into the planning balance. However in terms of compliance with policy, the location of the new junction is appropriate and upgrades at the existing junction were not found to be possible or effective. There would be similar impacts on agricultural land if the proposals were to be sited to the north of Mickledale Lane and therefore this is locationally/sequentially acceptable. It is also clear that the new junction would

deliver biodiversity gains from the associated landscape works and benefits in terms of improved access for the Bilsthorpe community. It is therefore considered that Policy DM8 is complied with on this matter, but in accordance with national policy the loss of BMV land needs to be recognised.

Residential amenity (including construction effects)

118. CS Core Policy 9 and A&DM Policy DM5 seek to ensure high standards of design. Policy DM5 amongst other matters lays out provisions in relation to local amenity. Development proposals should have regard to their impact on the amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact. The layout of development and separation distances from neighbouring development should be sufficient to ensure against unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. Proposals resulting in the loss of amenity space will require justification. CS Policy SP3 in relation to rural areas also states that new development should not have a detrimental impact on the amenity of local people, nor have an undue impact on local infrastructure.
119. In terms of construction effects, although details will not be fully known until a contractor is appointed, the Environmental Statement has been able to assess the likely worst-case level of effect based on typical road construction activities. At this stage the construction programme is anticipated to last for approximately 14 months. According to the ES there is potential for significant, *major adverse*, albeit temporary/transient, construction and road demolition noise effects at Labour in Vain Cottages (Nos 1-4), and the first two properties on Mickledale Lane (The Limes and Fairfield Bungalow). There could also be some moderate adverse vibration effects which could result in annoyance. Lesser effects could be felt further along Mickledale Lane. However for all receptors, most of the time the effects would be minor adverse or negligible as the major effects would only be for when and where works are taking place within 10m of the receptor and for the most part the proposed development – including the new roundabout and link road are well in excess of that distance, circa 100m. Furthermore a Construction Management Plan would be developed and the contractor would be expected to use Best Practical Means to control noise and vibration. Typical examples of such mitigation have been identified and could include, for example, the use of temporary acoustic screens. Measures to control dust (considered further below under air quality) and mud would also be covered.
120. Upon completion the ES finds that there would be negligible changes to the noise environment at the residential receptors, with the magnitude of the impacts varying from negligible adverse to negligible beneficial. However if background traffic levels increase over time there may be a negligible adverse impact. The positioning of the new roundabout clearly avoids what would otherwise be significant works and interventions at the current junction with its immediate residential and commercial properties. Access to/from the Limes Café would remain unchanged thereby ensuring impacts to this roadside business are minimised. The closure to motor traffic of the end of Mickledale Lane should have some benefit to the adjacent residents in terms of removing

turning traffic, including HGVs and farm traffic accessing Strawson's. This though is offset by the introduction of the new link road across the field to the east. This road would be in a slight incline/cutting up to the new A614 roundabout. As set out in the preceding section there would be no resulting unacceptable visual impacts to residential receptors, although new night time street lighting along the full length of the new link road would be noticeable. A gap in the current street lighting on Mickledale Lane would also be completed and this may result in some lighting outside of the 'The Limes' and 'Fairfield Bungalow'.

121. The inclusion of a new access to Strawson's directly off the link road could potentially allow the associated commercial traffic to cease the use of Mickledale Lane up to the current main entrance which is at the start of the residential area. Although it is not certain how the site/company would operate at this stage, and whether a new internal route for HGVs and farm traffic would be possible, if a switch to the new access can be achieved this would be supported as it would lessen impacts to the first three properties opposite on Mickledale Lane from turning HGVs and tractors. Restricting the current legitimate access through the planning system however would seem unreasonable and a condition to this effect is not advised. However this matter should still be highlighted by an informative note on any decision notice.
122. The 7.5t weight limit would remain in place on Mickledale Lane to preserve residential amenity. Given that Planning Officers have concerns that the scale and geometry of the new link road could be perceived to offer unrestricted through access for HGVs, it will be critical to ensure there is clear advance signage for the new A614 junction to prevent HGVs mistakenly turning off the main road. The applicant is alert to this and will draw up detailed signs for the project. It does not appear necessary to control this under planning condition in this instance.
123. Overall the positioning of the new junction avoids unacceptable adverse impacts to properties beside the existing junction or leading into the village and no noise or vibration objections have been raised. There would be an intensification of highway infrastructure in this area, particularly from the link road and continuous street lighting, however the A614 and the large commercial site at Strawson's Ltd provide context. The new route would be for local traffic and the weight limit would continue to prevent HGVs along Mickledale Lane except for legitimate local access- potentially still including Strawson's. Whilst the designs are necessarily functional for highway purposes, they do meet the objectives under the planning policy to protect local amenity. Landscape and visual effects are considered above and the significant new and enhanced landscaping would also help to tie the new scheme into the local area, again benefiting local character and amenity. Construction impacts are capable of being managed and mitigated subject to a construction management plan under planning condition.

Air Quality/Dust

124. The Environmental Statement considers that construction works have potential to generate adverse but temporary dust effects. There is higher risk of dust with this scheme owing to the scale of earthworks and new road construction proposed. Around 16 properties lie within 100m of the works boundary- those beside the A614 and along Mickledale Lane. An ecological receptor, Alder Carr Local Wildlife Site, is also within 100m but would be over 100m from dust generating works. The assessment recommends that best practice mitigation measures are employed as part of a CEMP and as a result no significant dust impacts are expected to any sensitive receptor.
125. At the completed operational stage, the air quality modelling that has been undertaken predicts a small decrease in NO<sub>2</sub> concentrations at Labour in Vain Cottages due to the closure of that end of Mickledale Lane to motor traffic. No receptors are predicted to experience an exceedance of the Air Quality Objectives and overall there would be no significant air quality effects at both construction and operational stages. Subject to securing construction management controls the proposals would not adversely impact on air quality and CS Policy DM10 is therefore satisfied.

### Ecological Impact

126. CS Core Policy 12 sets out to conserve and enhance biodiversity and geodiversity. Development proposals need to give particular regard to sites of international, national and local significance, ancient woodlands, and species and habitats of principle importance. The policy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity and geological diversity and to increase provision of, and access to, green infrastructure.
127. Following on, A&DM Policy DM5 (Design) amongst other matters states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Wherever possible, this should be through integration and connectivity of the Green Infrastructure to deliver multi-functional benefits. Where it is apparent that a site may provide a habitat for protected species, development proposals should be supported by an up-to date ecological assessment. Significantly harmful ecological impacts should be avoided through the design, layout and detailing of the development, with mitigation, and as a last resort, compensation (including off-site measures), provided where significant impacts cannot be avoided.
128. Policy DM7 (Biodiversity and Green Infrastructure), whilst repeating much of the above, sets out further detail of how impacts are to be assessed against international, national and locally designated sites. Development proposals on sites of regional or local importance, or sites supporting priority habitats or contributing to ecological networks, or sites supporting priority species, will only be granted where it can be demonstrated that the need for the development outweighs the need to safeguard the nature conservation value of the site.
129. National planning policy states that transport issues should be considered from the earliest stages so that the environmental impacts of traffic and transport

infrastructure can be identified, assessed and taken into account, including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains (NPPF para 104d). Para 174 also states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks.

130. The application is informed by various surveys including an extended phase 1 habitat survey with species specific surveys as required. No issue is raised as to their adequacy or completeness.
131. One Local Wildlife Site (LWS) is in close proximity – Alder Carr LWS – an open wet woodland area through which Rainworth Water passes and which is approximately 25m to the south-west of the application boundary. There would be no direct or physical impact on this site. The applicant similarly considers that there would be no adverse indirect impacts, subject to applying best construction practice in terms of dust control and pollution prevention. Clipstone Forest LWS together with Rainworth Water LWS lie approximately 800m to the west which also marks the start of a possible, potential future Special Protection Area for the Sherwood Forest Area. This is considered further in this section.
132. The creation of the new roundabout and link road would require the removal of 830m of hedgerows (species poor and of local value) as well as 0.8ha of neutral grassland (verges). A small loss of the plantation woodland screen to Strawson's would also be felled to provide a new access. These are of local or county importance for biodiversity. Hedgerows provide commuting routes for bats, but these are not optimal at the roadside, particular where lit, and no suitable roosting sites were found within the vicinity of the site. The verges also provide suitable habitat for common lizard and several were encountered when a specific survey for this species was undertaken.
133. The landscaping plans seek to replace and better the above losses of habitats with the creation of 1.39ha of neutral grassland including wet wildflower and meadow grassland, 1,189m of new species rich hedgerow (and occasional trees) (a gain of 359m), the replacement of trees, replacement of a wet ditch, and creation of new shallow swales. It will take some years for the different plantings and seeded areas to mature and reach good condition and therefore some temporary/short term slight adverse impacts are acknowledged.
134. Using the Biodiversity Net Gain Calculator the applicant states that there would be an overall net gain on site of some 39.96% for habitats, 99.38% for hedgerows and 61.80% for river, which is clearly welcomed, aligns with the thrust of national planning policy and should be afforded moderate positive weight in the overall planning balance.
135. Whilst there would be extensive new street lighting to the new link road and roundabouts, the lighting design has been designed to minimise impacts to bats with LED lanterns fitted with rear shielding. The indirect impact of this artificial lighting on bats is predicted to be negligible.

136. The use of a partly sunken gabion stone basket structure along the western side of the new link road will provide a south-north corridor suitable for the common lizard which were recorded on site. A lizard tunnel is also proposed under the closed off section of Mickledale Lane to continue this connectivity.
137. No objection is raised by NCC Nature Conservation subject to the developer following various recommendations to avoid and mitigate harmful impacts to protected species and the water environment as part of a Construction Environmental Management Plan (CEMP) which should be a planning condition requirement. This will need to include a method statement for common lizard to ensure their survival during the construction stage as well as details of the lizard tunnel, although this tunnel may not be necessary.
138. It is noted that a Shadow Habitats Regulations Assessment has been completed to consider any impacts to the ppSPA. This screens out any Likely Significant Effects (alone and in combination) for this potential future designated area, a finding which is noted by NCC Nature Conservation. This is accepted and is not disputed, including by Natural England.
139. In order to secure the anticipated biodiversity enhancements a biodiversity net gain plan should be required alongside the final landscaping proposals. NCC Nature Conservation requests that this is managed for 30 years. The new landscaping would have to be routinely maintained in any event, but this would ensure that biodiversity informs the approach.
140. Overall the location and design of the new junction and link road demonstrates minimisation of adverse impacts to notable habitats or protected species and avoidance of effects to designated wildlife sites. The temporary loss of hedgerows, some in very poor condition, along with verge areas would be outweighed by the extensive new landscaping around the new roundabout and along the link road, resulting in an overall net gain/enhancement for biodiversity. The proposals are therefore considered to be beneficial for the natural environment and this should be recognised in the planning balance. Subject to the CEMP and landscaping conditions the proposals comply with Core Policy 12, Policy DM5 and Policy DM7.

#### Contamination/ground pollution

141. CS Policy DM10 governs the potential for pollution from developments to affect public health, the environment and general amenity. Where a site is known, or highly likely to have been contaminated, investigation of this is required, starting with a conceptual site model. A site investigation to confirm the model should then be undertaken and dependent upon the findings, a remediation/mitigation plan with subsequent validation should then be agreed. Any impact should be balanced against the economic and wider social need for the development. Harmful development which cannot be made acceptable through mitigation will be resisted including those which present an unacceptable risk to a Groundwater Source Protection Zone. A&DM Policy DM5 (Design) includes a criterion to take into account ground conditions resulting from historic mining, which includes the application site/area.

142. Para 183 of the NPPF states that planning decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Adequate site investigation information, prepared by a competent person, should be provided to inform these assessments.
143. The application contains an appropriate level of background assessment work to inform the design and to quantify the risk of contamination or unstable ground conditions. A Phase 1 geo-environmental desk study gathered information from historical mapping and environmental data searches and a site walkover survey was also undertaken. There is also a thorough review of the water environment as in particular the groundwater is considered very sensitive to pollution at this location.
144. This background work has been reviewed on behalf of the County Planning Authority by Via East Midlands -see Via Reclamation comments above- and confirmed as acceptable at this stage. Intrusive surveys can follow prior to construction and it is recommended that these be required under planning condition along with proposals for any decontamination that may be required, followed finally by a validation report upon completion of the project.
145. There are additional pollution pathway risks to the Principal Aquifer and associated Source Protection Zones. A SPZ 1 associated with public water abstraction is in close proximity to the west of the site on Inkersall Lane. Its outer protection Zone SPZ2 extends into the application site. Construction works risk polluting the aquifer if mitigation measures are not taken. This could include fuel spillages or mobilisation of contaminated materials. Additional supplementary ground investigations are proposed and with risk assessments and mitigation (such as aquifer protection measures) put in place, the residual effect would not be significant. The construction management plan would also contain measures to prevent accidental pollution, run off or spillages into the environment. This will also ensure that waste is managed appropriately, for example by ensuring soils that are reused are validated as being suitable and clean. The plan would also ensure other emissions of dust, mud and noise are controlled as far as possible during the construction works. The CEMP is also to be required by planning condition.
146. Therefore whilst there are risks that need to be managed, the issues present are not unusual for a highways scheme of this nature and there is confidence that these matters can be addressed at the next stages of the design and development and with the oversight of the CPA through the imposition of conditions. Consequently it can be stated that the proposals are compliant with the above local and national planning policies.

#### Flood Risk and Surface Water Drainage

147. CS Core Policies 9 (Sustainable Design), 10 (Climate Change) and A&DM policy DM5 (Design) together expect development to be located following the sequential approach to flood risk in line with national planning policy and for development to proactively manage surface water, including where feasible, the

use of sustainable drainage solutions in order to address run off and flood risk to neighbouring areas or to the existing drainage regime. Development should also be resilient to the future effects of climate change.

148. The proposals in this case are all entirely within Flood Zone 1, at low risk of fluvial flooding and at low risk of other forms of flooding. A detailed Flood Risk Assessment has been included.
149. Drainage proposals submitted with the application take account of the increased area of impermeable surfacing from the new A614 roundabout and link road. The scheme has been designed to ensure there would be no increase in runoff from the site, including from the effects of climate change and therefore no increased risk of flooding by all means. Natural infiltration of surface waters is generally considered the most sustainable drainage option, but this has been discounted partly due to geology, despite this area generally having good soil/ground permeability. However the highway drainage scheme would connect partly back into the existing roadside drains, which provides a degree of sustainable infiltration, and partly connected back into the Severn Trent sewer network. Two underground attenuation tanks near to Mickledale Lane would be installed and would limit the discharge into the sewer network to 5 litres per second and provide a betterment to the existing situation as the highway surface at the western end of Mickledale Lane would be lifted as part of its closure to vehicular traffic. Surface water from the A614 would continue to be discharged into a realigned roadside ditch and from there to Rainworth water, circa 100m south but there would be no change in the flooding potential for Rainworth Water. NCC Flood Risk raises no objection and makes no further recommendations in this case.
150. In terms of pollution runoff, the ES has extensively considered risks to all aspects of the water environment. There is potential for fuel, or chemical spills and sediment discharge during the construction phases, with potential to reach local watercourses, such as Rainworth Water, or to groundwaters, noting here that these are sensitive, but standard mitigation measures have been identified and these can be developed further and secured through the CEMP under planning condition.
151. Routine runoff from the operational highway can include pollutants such as heavy metals, fuel/oil spillages, including from serious accidents, and from winter salt de-icing. The Highways England Water Risk Assessment Tool (HEWRAT) has been used to assess the impact/risk to receiving waters and their ecology and what treatment measures are required to mitigate this risk. The proposed drainage system passes this risk assessment, with the exception of ambient copper which is already at a high level in Rainworth Water and for which there could be a very small increase. There are not expected to be any significant effects on water quality, both surface and groundwaters, during operation. The roadside ditches provide a degree of 'treatment' trapping soluble metals and sediments before the water reaches Rainworth Water. A slight adverse categorisation is concluded in the Environmental Statement with respect to effects to water quality/run-off to Rainworth Water.

152. Overall the proposal is at low risk of flooding and has been designed such that the new highways areas would not increase such flood risks. The drainage system would manage surface water run-off neutrally and in part using sustainable means. Climate change has been taken into account. Therefore the requirements of Core Policies 9 (Sustainable Design), 10 (Climate Change) and DM5 (Design) have been met on this matter.

#### Heritage and Archaeology

153. CS Core Policy 14 and A&DM Policy DM9 seeks to ensure the continued conservation and enhancement of the character, appearance and setting of heritage assets and the historic environment, in line with their identified significance, following national policy. As there are no designated heritage assets (e.g. listed buildings) within the influence of the proposed development, the parts of policy in relation to this are not set out here. Where a non-designated heritage asset, including archaeology, is affected directly or indirectly, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
154. The two non-designated heritage assets affected are Featherstone House Farm, located within the wider Strawson's complex to the east, and Labour in Vain Cottage, located further to the east on Mickledale Lane (and not to be confused with Labour in Vain Cottages on the A614). Temporary construction impacts are possible, but the applicant states this would be slight. The new link road would affect part of the agricultural setting to the farmhouse, and bring traffic and associated noise closer. However, this is already compromised by the large modern barn complex which screen views of the proposed works and the farmhouse will continue to be dominated by that immediate setting within the Strawson's complex. At over 250m away, Labour in Vain cottage may also, just, experience a slight adverse effect from the new link road. No objection is raised by NCC Built Heritage on these findings.
155. There is no known archaeology likely to be affected but there is potential for previously unrecorded archaeological remains to survive, particularly in agricultural fields to the east and west of the A614. Features may include remains of the historic road from Bilsthorpe to Inkersall. The applicant's assessment is such remains are likely to be of low heritage value (although this cannot be determined until if and when such features are encountered) resulting in a slight adverse effect if these were to be removed as a result of construction works. NCC Archaeology is content that this matter can be dealt with through a written scheme of investigation, which should be required by a planning condition. This is reasonable and should be required prior to commencement of works.
156. Slight adverse effects have therefore been predicted to the above non-designated heritage assets and potential archaeology which when weighed against the benefits of the proposed new junction, to the wider local community, are considered to be easily justified. The proposals therefore fully accord with Core Policy 14 and Policy DM9, following national planning policy.

## Climate Change and Sustainability

157. CS Core Policy 10 sets out to tackle the causes of climate change and to reduce the district's carbon footprint. Part of the policy seeks to ensure that development proposals minimise their potential environmental impacts during their construction and eventual operation, including by minimising impacts to natural resources, encouraging renewable resources and efficiencies in the consumption of energy, water etc. This policy is also concerned with flooding and surface water drainage which is considered elsewhere in the report. Core Policy 9 (Sustainable Design) amongst other matters seeks to ensure development will be resilient in the long-term, taking into account the potential impacts of climate change. The production of waste should be minimised and re-use and recycling maximised.
158. Para 152 of the NPPF states that "the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk.... It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure." Mitigating and adapting to climate change also forms part of the environmental objective that needs to be pursued alongside economic and social objectives that together form the basis of sustainable development for the purposes of the NPPF.
159. NCC and NSDC have both formally declared a climate emergency. The UK as a whole is subject to the Climate Change Act 2008, as amended in 2019, to reduce carbon emissions to 'net-zero' by 2050. A system of 5-year carbon budgets provides a trajectory of reducing greenhouse gas emissions (GHG) towards that target. Under the terms of the Paris Climate Agreement, the UK has committed to at least a 68% reduction in GHG emissions by 2030, compared to 1990 levels. Strategies to achieve decarbonisation have been published by the UK Government including the Net Zero Strategy and the Transport Decarbonisation Plan. Starting with the ending of sales for new petrol and diesel cars and vans from 2030 this is expected to ultimately remove all road emissions at the 'tailpipe'.
160. The Environmental Statement accompanying the proposal has assessed lifecycle GHG emissions from construction works but does not assess operational stage emissions from any changes in traffic conditions. This is because the associated Transport Assessment concludes that the scheme would result in very limited traffic re-routing and would itself not lead to significant traffic growth. Routine maintenance is also not considered further because this is not expected to be dissimilar to the current baseline. The assessment recognises the high sensitivity of the climate to GHG emissions in the context of the Paris Agreement and more recent Intergovernmental Panel on Climate Change reports highlighting the importance of limiting global warming below 1.5°C.

161. GHG emissions have been estimated as totalling 2077 tCO<sup>2</sup> for the Bilsthorpe scheme with over half attributed to the transport of materials. This is easily the largest carbon emission contribution from across the wider A614/A6097 scheme, reflecting the amount of new highway to be created. The Bilsthorpe scheme would amount to a contribution of 0.0001% to the 4th UK Carbon Budget (2023-2027).
162. The assessment considers that a range of mitigation measures that would be implemented by the contractor. These include developing a plan to reduce energy consumption and carbon emissions, for example potentially using renewable and/or low or zero carbon energy sources; the use of sub-contractors with low emission fleet vehicles; where practicable the use of sustainably sourced materials (those with lower embodied GHG emissions and/or secondary or recycled aggregates); and waste management measures to reduce waste and reuse materials wherever feasible (e.g. soils) and recycle that which is left (e.g. concrete taken to be crushed off site). These would be delivered through the various construction management plans and materials/waste management plans. The use of LED street lighting is also expected to be installed.
163. It is considered that it has been demonstrated that the efficient use of natural resources and measures to manage waste would be enacted and it is recommended that the CEMP be required by planning condition.
164. Whilst all emissions are considered to be capable of being significant due to their combined environmental effect in the atmosphere, the estimated GHG emissions are categorised as being of low magnitude and unavoidable if the scheme is to progress. The ES concludes that this would be a minor adverse (not significant) effect. This is accepted, and there is no policy which appears to direct that these emissions (which have been mitigated to some degree) should be used to withhold planning permission.
165. Whilst the indirect emissions from operational traffic have not been counted, due to the findings that traffic growth would not be significant, even if this was to turn out differently with traffic growth and additional journeys prevailing along the road corridor or on local links, the UK motor vehicle 'fleet' of vehicles will progressively decarbonise- starting with hybrid and ELVs (cars and vans) and eventually with alternatives for commercial/heavy vehicles. With the current momentum in this area, there is a good prospect of decarbonising the 'tailpipe' emissions from the fleet, which will still however leave embedded emissions from manufacturing.
166. Whilst the need for the proposal stems from arguably unsustainable vehicular traffic, provision would be maintained for non-motorised users and local bus services would find it easier to join the A614 via the new junction. Planning policy and NCC initiatives promotes sustainable transport and travel, which is particularly viable for local journeys. The proposals at this junction however do not add capacity as such and are primarily designed to improve access and egress to the village from the A614/A6097 corridor which serves a broader role with long distance traffic, including freight, tourism and diverted traffic from the

Strategic Road Network. Therefore the need for a new junction goes hand in hand with other measures that might be brought forward to develop sustainable travel options more locally.

167. The applicant's Environmental Statement also considers how the scheme would face the climatic changes in the short and longer terms, including precipitation and temperature changes and increased severity and frequency of storm events and heatwaves. This could lead to flood damage (e.g. to surfaces or to electrical equipment), failure of landscape planting or danger to construction workers. The assessment however assumes the scheme would be designed and built to required standards (it has been designed to accommodate a 1 in 100-year flood event with a +40 % climate change allowance and landscaping proposals also include drought, and extreme weather-tolerant species) and concludes there would be no significant impacts and minor adverse at worst. It is accepted that measures have been designed in to ensure the enlarged junction would be resilient to the longer-term changes to the climate.
168. Overall Officers recognise there would be unavoidable carbon emissions if the proposed development was to progress through to construction, but any future growth in traffic generated emissions is less certain. The applicant's ES predicts no significant traffic growth, but removing congestion 'hot spots' and improving junctions can in practice induce additional trips as well as redistributing journeys to take advantage of the improved journey conditions. There is however no realistic alternative package of public transport and sustainable travel interventions that could completely replace the need for the new/replacement junction.
169. In conclusion, the scheme would not be entirely carbon neutral but the emissions contribution is expected to be minor and this should be considered in the wider planning balance. However for the purposes of planning policy, it is considered that the objectives and terms of CS Core Policies 9 and 10 and national planning policy are and can be met.

#### Cumulative and combined effects

170. The applicant's Environmental Statement includes a specific part in relation to possible combined effects (for example construction noise, vibration and dust) and cumulative effects between/across the six junction projects which make up the A614/A6097 major project and also with any other local development proposals which may interact.
171. There is acknowledgment that there could be significant impacts from construction noise combining with vibration and dust which is unsurprising, but very much taking a worst case assumption which can be avoided through best construction practice. During operation, no significant combined effects are anticipated, largely due to the geographic separation between the junctions or other proposals and the conclusions on their individual environmental effects being limited. The loss of 3.47ha of agricultural land (including BMV) from across the wider project is given/noted as a moderate adverse categorisation, with the majority of this being at the Bilsthorpe site. Whilst it has been

necessary to assesses such combined and cumulative effects, ultimately this/each application needs to be individually and separately determined and there does not appear to be cumulative or combined concerns of any significance.

### **Other Options Considered**

172. As part of developing options the applicant and their consultants first considered upgrading of the existing junction with additional lanes and traffic signals, or a roundabout. It has subsequently been decided to create a new junction and link road to the south where land is available and which avoids unacceptable impacts to the Limes Café and the cottages.
173. The County Council is under a duty to consider the planning application that has been submitted and as amended during the course of its consideration.

### **Statutory and Policy Implications**

174. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and sustainability and the environment, and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

#### Crime and Disorder Implications

175. The new junction and link road is not expected to create new opportunities for crime and disorder. The new link road and its footway would be lit throughout. A gap in the street lighting on Mickledale Lane would also be completed thus ensuring continuous lighting going into the village.

#### Data Protection and Information Governance

176. Given that no representations have been received from the public, it is considered that no data protection issues have been raised.

#### Financial Implications

177. There are no direct financial implications arising from the consideration of this planning application and the recommendation made. The implications for financing and proceeding with the development are for Cabinet to consider in due course. It can however be noted that the wider A614/A6097 junctions project has £24.4m of provisionally allocated funding from the Department for Transport towards total scheme costs of £28.635m.

### Human Rights Implications

178. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6.1 (Right to a Fair Trial) are those to be considered and may be affected due to proximity of several residential properties. The proposals have the potential to introduce impacts such as noise (largely at the construction stage) and increased street lighting to nearby residents. Construction impacts can be mitigated through a construction management plan and would be temporary. The residual impacts may be slightly adverse and which need to be balanced against the wider benefits the proposals would provide in terms of improved access for Bilsthorpe. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

### Public Sector Equality Duty Implications

179. The proposals relate to the existing and proposed new public highway which will generally be accessible to all (within the bounds of the Road Traffic Acts). The proposed works include maintaining pedestrian and non-motorised user access along Mickledale Lane to the cottages and to the crossing by the Limes Café, which then affords access down Inkersall Lane and the bridleway network. The new link road also includes new footways.

### Implications for Service Users

180. Users of the County Highways network would benefit from improved ease of access for Bilsthorpe village, particularly upon leaving to join the A614. This is balanced against the A614 traffic needing to negotiate a new roundabout and also that the new access would not serve HGVs needing to access the village industrial estates, apart from any accessing Strawson's Ltd, due to the retention of the current weight limit. There appears to be limited benefits for non-motorised users, notwithstanding new footways along the access road, however existing connectivity for these users up to the A614 and the uncontrolled island crossing by the Limes Café would be retained.

### Implications for Sustainability and the Environment

181. These have been considered in the Observations section above, including all the environmental information contained within the Environmental Statement submitted with the application and the advice of consultees.
182. The proposals in this case have been found to not significantly or notably affect the local environment, including water, air, landscape, and ecology, subject to following best construction practice and ensuring a successful landscaping scheme which will in time deliver a net gain for ecology. The contribution of climate change inducing emissions from construction activities has also been

taken into account. The proposals however do negatively affect Best and Most Versatile soils and whilst a plan can be developed to reuse these soils elsewhere, the permanent loss of the in situ soils as arable farmland cannot be fully mitigated.

183. There are no human resources or Children/Adults at risk implications.

### **Conclusion and planning balance**

184. The proposals seek to create improved access to/from the A614 for the village of Bilsthorpe, replacing the existing junction at Mickledale Lane with a new roundabout and link road to the south and east of the junction. It forms part of the wider proposals to improve the A614 as part of the Major Road Network.
185. Improvements to this junction are identified as a necessary strategic infrastructure project in the Newark and Sherwood Core Strategy (Spatial Policy 6 and the Infrastructure Delivery Plan), needed to ensure the delivery of the Local Plan, including its regeneration objectives in this area (Spatial Policies 1, 2 and 3) and to support new housebuilding currently taking place in the village.
186. The application is supported by a comprehensive Environmental Statement based upon a prior Scoping Opinion. Other than construction impacts and the loss of some BMV agricultural land, no significant permanent effects are anticipated to matters including to ecology, landscape and views, noise/vibration, air quality, flooding/drainage, geology and water resources, local heritage, or to the climate. No significant cumulative or combined effects have been found. There have been no objections from the community or from consultees, though some concern has been raised by Via Countryside Access. Pre-application community consultation has also been carried out.
187. Officers consider that the benefits of the proposal for the local community and rural economy, and its consistency with the Local Plan, should afford a high degree of supportive weight in the decision. In addition the proposal would provide an enhancement/net gain for biodiversity on site of some 39.96% for habitats, 99.38% for hedgerows and 61.80% for river which is a moderate additional benefit. Effects to the local landscape are considered neutral with some beneficial new hedgerow planting, but also an intensification of highway infrastructure, particularly through the new link road and from additional street lighting.
188. Temporary effects from construction including noise/vibration, dust, potential pollution, landscape and visual disruptions are all considered to be controllable to acceptable levels including through the use of a construction management plan secured by planning condition. Such disruption should afford a slight degree of adverse weight in the planning balance rather than the significant and moderate adverse effect findings in the context of the applicant's assessment. GHG emissions stemming from construction are also considered slight.
189. The permanent loss of BMV agricultural land from the construction of the new link road and roundabout, along with the splitting of the field into smaller,

potentially less useful agricultural fields, is considered to attract moderate negative weight in the planning balance. Other impacts including to local amenity are considered neutral or slight adverse in the case of increased night time street lighting. There would be limited benefits for non-motorised users from this scheme, but the existing route for these users would be maintained up to the crossing by the Limes Café, although surface detail needs to be finalised. There would also be no benefit to HGV operators/businesses except for Strawson's Ltd, as a weight limit on Mickledale Lane would remain in force, thereby requiring other HGVs to continue to use the Deerdale Lane/Eakring Road junction to the north. However, the proposal remains acceptable and would be beneficial to all other traffic. Post completion monitoring would be undertaken by the Highways Authority.

190. Overall Officers consider that the proposals are sustainable and can be clearly supported subject to planning conditions and that it complies with local and national planning policy and in particular CS Policies SP1, SP2, SP3, SP6, SP7, Core Policies 9, 10, 12, 13, 14 and A&DM policies DM5, DM7, DM8, DM9, and DM10 of the Newark and Sherwood Local Plan, comprising the Amended Core Strategy and the Allocations and Development Management Policies Document. In this situation the NPPF directs that planning permission should be granted without delay.

### **Statement of Positive and Proactive Engagement**

191. In determining this application the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions and the scoping of the application. The proposals and the content of the Environmental Statement have been assessed against relevant Development Plan policies, the National Planning Policy Framework, including the accompanying technical guidance and European Regulations. The County Planning Authority has identified all material considerations; forwarded consultation responses that may have been received in a timely manner; considered any valid representations received; liaised to resolve issues and progressed towards a timely determination of the application. The applicant has been given advance sight of the recommended planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

### **RECOMMENDATIONS**

192. It is RECOMMENDED that planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1. Members need to consider the issues set out in the report and resolve accordingly.

**DEREK HIGTON**

## **Service Director- Place and Communities**

### **Constitutional Comments [JL 15/09/22]**

Planning & Rights of Way Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

### **Financial Comments**

To be orally reported

### **Background Papers Available for Inspection**

The application file is available for public inspection by virtue of the Local Government (Access to Information) Act 1985 and you can view them at:  
[www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=ES/4409](http://www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=ES/4409)

### **Electoral Divisions and Members Affected**

|                      |                           |
|----------------------|---------------------------|
| Muskham & Farnsfield | Councillor Bruce Laughton |
| Sherwood Forest      | Councillor Scott Carlton  |

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