



27 September 2022

Agenda Item: 8

REPORT OF SERVICE DIRECTOR – PLACE AND COMMUNITIES

NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/22/00588/CMA

**PROPOSAL: GEOMETRIC IMPROVEMENTS AND ALTERATIONS TO THE
GYRATORY JUNCTION**

**LOCATION: INTERSECTION OF A614/A6097 (WARREN HILL), FARNSFIELD,
NOTTINGHAMSHIRE, NG22 8EW**

APPLICANT: NOTTINGHAMSHIRE COUNTY COUNCIL- (PLACE DEPT)

Purpose of Report

1. To consider a planning application for improvements/alterations at Warren Hill junction. The key issue is highway functionality and safety. 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 for the wider project 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 24,281m² of employment space to be built out stimulating economic growth.

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

The Site and Existing Situation

8. The Warren Hill (A614/ A6097) gyratory junction is situated on a locally elevated position in the open countryside 2km south of White Post roundabout. This is an unusual junction which marks the northern end of the A6097 where it links into the A614 by means of a 3-arm gyratory junction whereby traffic from the A6097 gives way firstly to southbound A614 traffic and thereafter northbound A614 traffic – the latter on the near side, rather than on the off/drivers side. On the A614 approach from the north drivers can continue straight on to the A6097 (towards Oxton) or take a second lane to continue on the A614 south (to Nottingham). The junction currently allows all movements including A614 northbound to A6097 southbound by means of a small link/turn at the top of the junction (see Plan 1).
9. At the north-eastern edge of the junction is a caravan sales business accessed off a side lane - Rob Lane which has byway status. Opposite to the west is a track leading to a farm.
10. There are no immediate environmental constraints. There are a number of trees and shrubs within the centre of the gyratory junction along with amenity grass verges. This junction lies just within the Nottingham Green Belt. There are no flooding constraints to note, but the ground waters form part of the Principal Aquifer.

Planning history

11. The only relevant planning history to note is this Council's Scoping Opinion issued in 2021. This junction was largely screened out from needing detailed environmental impact assessments, but any impacts needed to be assessed with the five other junction proposals.

Proposed Development

12. There is a perception of road safety issues at this junction due to its current non-standard design whereby A6097 northbound traffic joins the A614 by entering on the passenger side rather than the normal driver's side. The junction is also predicted to be a capacity constraint in future years.
13. It is proposed to reconfigure the A614 northbound lanes so that the arriving A6097 traffic, after giving way to A614 southbound traffic as present, merges into the A614 rather than giving way. Minor widening and kerb works would take place along with carriageway resurfacing. All works would be within the confines of the existing highway land (see Plan 2). Revised plans tabled during consideration of the application have removed a previously proposed area of

road markings - the 'tiger tail' - following a road safety audit. The small turning at the north of the junction which currently permits A614 northbound traffic turning south onto the A6097 (or a U-turn back on the A614) would be closed off. The revised plan now shows this turning would be kerbed and landscaped over, whereas the initial plans show removable bollards. The proposals would not add any measurable further junction capacity but would address the perceived safety issue at this junction.

Consultations

14. **Newark and Sherwood District Council** - *No objections.*
15. **NCC (Highways)** – *No objection.*
16. *The gyratory is included in improvement works along the A6097-A614 route between East Bridgford and Ollerton.*
17. *It is now understood that this junction requires planning permission due to being included in the EIA for the wider project.*
18. *The proposed works would ordinarily be permitted development, having negligible impact on existing traffic routing and as such, the Highway Authority has no development control related comments in respect of the proposals.*
19. **NCC (Archaeology)**– *No objection.*
20. **NCC (Built Heritage)** - *No objection. There are no known heritage assets to be impacted.*
21. **NCC (Flood Risk)** - *No objection.*
22. **NCC (Nature Conservation)** - *Raises no comments.*
23. **Natural England** - *No objection/standing advice.*
24. **Via Safer Highways** - *This proposal has the potential to make a positive contribution to road safety by reducing conflicts, overtaking, and speeds in the northbound direction through the junction.*
25. **Via (Landscape)** – *Raises no comment on landscape and visual impact issues.*
26. **Via (Noise Engineer)** - *No objection subject to general construction good practice. The nature of these works is considered minor/typical. The nearest noise sensitive property, at 500m distance, should not experience any construction noise and vibration issues. Thereafter there are no anticipated changes in noise and vibration levels at any nearby receptors.*
27. **Via (Reclamation)** - *no objections subject to conditions.*

28. *Warren Hill and White Post were scoped out of the Environmental Statements as there are unlikely to be any significant effects with these two schemes.*
29. *The design has been amended to include grass surfacing over existing carriageway in the north between the A614 and the A6097 and by constructing a new kerb line. As these changes are likely to require removal of existing areas of hardstanding, it is recommended that the planning conditions include a requirement to provide details on the management of waste materials as part of a construction management plan. A watching brief (and validation report) for any contamination is also recommended.*
30. **Planning Casework Unit** - (*statutory notifications- does not wish to comment*).
31. **Oxton Parish Council, Farnsfield Parish Council, Rufford Parish Council, Bilsthorpe Parish Council, Via (Countryside Access), Environment Agency, British Horse Society, Cadent Gas Limited, Western Power Distribution, and Severn Trent Water Limited** have not responded. Any response received will be orally reported.

Publicity

32. The application has been publicised by means of a site notice, press notices (jointly with the five other junction proposals) and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement. The revised plans have been subject to an additional round of consultation.
33. One objection was initially received, but is now resolved, regarding the proposed closure of the right turn area due to this currently forming part of a time trial course used by several local cycling clubs. The representation states that the Oxton, Warren Hill, Longdale Lane time trial course is reliant on this area of tarmac to enable competitors to turn from the A614 to the A6097 and complete the last three miles of the ten mile time trial course. The removal of this section of tarmac would result in the direct closure of the course and loss of a competitive sports facility, contrary to planning policy promoting cycling and for the protection of sports facilities and is inconsistent with NCC's longstanding support for the sport, including the Tour of Britain. The representative has subsequently advised that a proposed design amendment has been welcomed and which would enable the course to stay open.
34. 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>.
35. 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.

36. Councillors Bruce Laughton and Roger Jackson have been notified of the application.
37. The issues raised are considered in the Observations Section of this report.

Observations

The requirement for planning permission

38. 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. These proposals involve routine and minor reconfiguration works wholly within the existing highway boundaries. The Town and Country Planning Act 1990 (s55) usually excludes such works from the planning system entirely. However the applicant has elected to undertake and include an EIA for the wider project of which Warren Hill forms part. Section 55 does *not* exclude from the planning system such highways proposals (those which are not exclusively just maintenance), where they may have *significant adverse effects on the environment*. Whilst these proposals are unlikely to reach this threshold of impact, the purpose of this restriction is to link with the separate Town and Country Planning Environmental Impact Assessment Regulations whereby once an ES has been provided the development proposal is deemed to be EIA development. This consequently has the effect of removing Permitted Development rights for highways authority works (Town and Country Planning - General Permitted Development Order -England- 2015 as amended- article 3 and Schedule 2, Part 9, Class A). Therefore the proposed works, whilst modest, are 'development' and are excluded from being 'permitted development' and as such require planning permission.

Planning policy assessment

39. This is one of six inter-related planning applications concerning junctions along the A614/A6097 corridor. The works proposed in this case comprise modest junction changes but the application needs to be considered and determined in the usual way, against the applicable Development Plans and having regard to material considerations.
40. The Development Plan in this instance is the Newark and Sherwood Local Plan comprising 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 Farnsfield Neighbourhood Plan also sits within this framework but is not considered relevant to the proposals. 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.

41. 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.
42. 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.
43. Junction improvements at the Warren Hill gyratory junction 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 clear statement as to what form the junction improvements at Warren Hill should take. However, the IDP suggests some widening to form 2-lane ahead movements north-south.
44. The submitted junction proposals involve reconfiguration of traffic lanes and the give way arrangements from the A6097 south to A614 north to create northbound merge lanes within the existing highway. The little-used right turn for A614 northbound traffic to turn onto the A6097 south would also be closed but alternative routes are available locally. The implications for the cycling clubs are considered separately below. These proposals would not create any measurable additional capacity but would address the perceived safety concerns. Nonetheless there remains policy support for these proposals.
45. Although there is no direct and obvious link between upgrading this junction and the delivery of new housing or regeneration locally, the improvements at this junction would also serve and benefit the wider MRN/A614 corridor, including local tourist/visitor traffic, and assist with the regeneration areas at Bilsthorpe and Ollerton. The proposals also therefore contribute to Plan objectives in CS policies SP1 and SP2.
46. In conclusion, the reconfiguration works at the A614/A6097 Warren Hill junction are fully supported in principle even though no measurable new capacity would be created. The plans accord with CS policies SP6, SP7 and support the wider plan and regeneration objectives in policies SP1 and SP2. Junction

improvements at this location are also identified in the Local Plan and LTP documents.

Highways safety

47. The road safety office in Via are generally supportive of the proposals, however the Road Safety Audit (RSA) which they previously completed and which accompanies the application recommended against the proposed 'tiger tail' road/lane markings, favouring instead a hard kerb line and/or carriageway reduction where the A614 northbound meets the proposed merge lane entering from the A6097 from the south. This would be to physically prevent any dangerous overtaking by A614 northbound traffic using/driving over the hatched tiger tail, also endangering traffic entering and wishing to merge in from the A6097. Subsequently a revised layout plan has been submitted following and in agreement to the recommendation of the RSA, removing the tiger tail in favour of a new kerb line. No highway objections have been raised to the revised plan.
48. The proposed closure of the A614 north- A6097 south turning area raises a number of issues. The RSA noted that drivers wishing to undertake this movement could instead attempt to undertake a dangerous U-turn- such as within the car park at the adjacent caravan sales business. It recommended that the demand for this movement be assessed and if closed, a suitable alternative route should be well-signed in advance. The applicant has chosen to proceed with the closure citing the traffic data has shown there to be very low demand for the right-hand turn manoeuvre. They advise that removing this turn has allowed for the proposed A614 north/A6097 merge movement which balances the risk of banning the tight turn with the benefits of improving the merge movements. Alternative routes would be signed in advance, but as demand for the turning is low, the vehicles impacted should be minimal.
49. The surveys that were undertaken for non-motorised users (NMUs) indicates the junction is relatively well used by cyclists. The counts were undertaken during the pandemic and in winter over three weekdays and Saturdays and Sundays over a 12hr period. The timing of these surveys may have resulted in an underestimate and underappreciation of the junction's use by cyclists. In particular it is understood that local cycling clubs run time trial events in the summer months- often in the evening. It is reasonable to assume that this has not been counted and the proposed closure of the right turn has therefore not been based on an accurate picture of its usage by these NMUs. Its proposed closure would therefore disproportionately affect these users and the local time trial routes. As a proportion of the overall traffic using this junction the cyclists using the right turn facility will be very small and it has to be recognised that the A614 and A6097 serve a semi-strategic purpose as part of the MRN and are not designed for competitive sporting use (and nor is it a sports facility).
50. Nevertheless consideration has been given to a compromise solution which maintains a small turning area for the affected time trial cyclists, whilst continuing with the closure to motor traffic. The applicant has tabled a draft solution and as noted above this has been shared with the representative of the

cycling club and has been welcomed as a way to ensure their sport can remain using the established course. There are no highway objections to this and the final details can be finalised through a planning condition.

Environmental impacts

51. Due to the minor nature of the works a site-specific Environmental Impact Assessment has not been required. From an assessment of the proposals and taking into account the responses above it can be comfortably concluded that, once the highway works have concluded, there would be no unacceptable impacts to the character of this countryside location, or to the environment generally.
52. This junction would remain within its current highway boundaries, with adjustments made internally to the gyratory system, along with upgrades to signage and lighting as required. There are no proposals to remove the central landscape planting and just small adjustments to extend kerbing and to provide additional areas of amenity grass are required, including where the A614N to A6097 S turning area would be closed to vehicular traffic.
53. There would be no changes to a farm access drive and no impacts to an adjacent caravan sales business. Rob Lane (Oxton Byway 11) would similarly be unaffected. The junction's isolated location does not appear to warrant any provisions for walkers or equestrians and Byway 11 has no obvious onward route once it reaches Warren Hill.
54. There are no known heritage assets affected and there are no archaeological implications. There would be no impacts to notable habitats or to protected species. Given the minor nature of the works it is not considered necessary for the application to demonstrate any net gains for biodiversity in this instance.
55. Given its isolated location, together with the straight-forward and short term nature of the works, there is a reduced potential for construction/highway works to lead to disruptive noise or disturbance. However some construction management measures should be required by planning condition to control impacts (A&DM Policy DM5 applies) -particularly dust/mud and to prevent pollution. A watching brief for any unexpected ground contamination should also be required. It is expected that the functioning of the highway during the works would be appropriately managed, and it is not considered a matter which requires planning approval. Subject to including construction management conditions, the proposed works are unlikely to lead to any unacceptable environmental impacts.
56. No cumulative planning impacts are expected with any of the other associated junction improvements on the A614/A6097.

Green Belt

57. The Warren Hill junction lies (just) within the Green Belt as confirmed by the Core Strategy and on the associated policies map. Spatial Policy 4B (Green Belt Development) sets out how development such as housing will generally be distributed in Green Belt areas, however it then advises that other proposals in the Green Belt are to be adjudged according to national planning policy.
58. Through chapter 13 of the NPPF, the Government attaches great importance to Green Belts and their fundamental aim is as a policy tool to prevent urban sprawl by keeping land 'permanently open' (para 137). The Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land (para 138). Paras 147 to 151 relate to proposals in the Green Belt and determine whether proposed development is appropriate or inappropriate development within Green Belt locations.
59. The proposals are considered to fall comfortably within the scope of para 150 – particularly para 150c): *“local transport infrastructure which can demonstrate a requirement for a Green Belt location”* -as a form of development which is specifically listed as capable of being 'not inappropriate' (and so appropriate) within the Green Belt provided that two tests are met. These two requirements are that the proposed development needs to preserve openness and result in no conflict with the Green Belt purposes (as listed above).
60. The need to demonstrate a requirement for a Green Belt location is self-evidently met, as the affected junction already exists in its current location and is a vital junction between the A614 and A6097. The proposed alterations are proportionate and it would be disproportionate to relocate this junction slightly north to place it outside of the Green Belt.
61. The reconfiguration works, being minor in nature and entirely within the existing highway boundary, at ground level, are considered to result in neutral impacts to openness and is therefore considered to preserve Green Belt openness as it currently exists. Any renewal of signage that might be necessary as such details are worked up, is unlikely to change this finding. It is further considered that there would be neutral outcomes for the purposes of the Green Belt (as listed above). The proposals are therefore considered to be clearly appropriate development in the Green Belt and would therefore comply with national and local planning policy on this matter.

Other Options Considered

62. As part of developing options at this junction the applicant and their consultants considered redeveloping the junction into a conventional roundabout with two lanes entering, around and off before merging back. This was not favoured for cost reasons over the proposed geometric improvements. The County Council

is under a duty to consider the planning application as submitted and as amended.

Statutory and Policy Implications

63. 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.

Data Protection and Information Governance

64. Any member of the public who has made representations on this application has been informed that a copy of their representation, including their name and address, is publicly available and is retained for the period of the application and for a relevant period thereafter.

Financial Implications

65. There are no direct financial implications arising from a decision on this planning application.

Human Rights Implications

66. 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 (Right to a Fair Trial) are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

Implications for Service Users /Public Sector Equality Duty Implications

67. Users of the junction would benefit from an improved and understandable layout which should address safety concerns.

Implications for Sustainability and the Environment

68. There are no notable impacts to report given the minor nature of the proposed works, but this has been considered in the Observations section above, having regard to the information contained within the Environmental Statement that

considers this scheme cumulatively with five other junction proposals, as well as the advice received from consultees.

69. There are no Crime and Disorder, Human Resources, Children/adults at risk safeguarding implications.

Conclusion

70. The proposal in this case amounts to minor reconfiguration works to the existing junction, including changes to its lanes/operation, road markings, kerbing and signage. Unusually planning permission is required as the junction forms part of the wider A614/A6097 project which is subject to an overarching Environmental Impact Assessment. The effect of this is to remove the Highway Authority's usual permitted development rights.
71. Although of limited scale/effect, the proposals can gain support from the Newark and Sherwood Core Strategy (Spatial Policy 6 and the Infrastructure Delivery Plan) as this junction is identified as a necessary strategic infrastructure project needed to ensure the delivery of the Local Plan as a whole. The objection to the loss of the right turn facility for the A614 northbound to A6097 south has been responded to and a revision can be accommodated in the final design through a planning condition, and there are no objections from any consultees. There are no unacceptable planning or environmental impacts subject to conditioning measures to address highway/construction work impacts. The proposals are also considered to be appropriate development in this Green Belt location in accordance with national planning policy. Consequently permission is recommended in line with the Development Plan.

Statement of Positive and Proactive Engagement

72. In determining this application the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussion; assessing the proposals against relevant Development Plan policies; all material considerations; consultation responses and any valid representations that may have been received. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

73. 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/4411

Electoral Divisions and Members Affected

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