



**27 September 2022**

**Agenda Item: 5**

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

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/22/00584/CMA**

**PROPOSAL: RECONFIGURATION AND ENLARGEMENT OF THE ROUNDABOUT WITH ASSOCIATED LANDSCAPING WORKS AND IMPROVEMENTS TO PEDESTRIAN CROSSING FACILITIES**

**LOCATION: OLLERTON ROUNDABOUT, INTERSECTION OF A614, A616, A6075 AND NEWARK ROAD, OLLERTON, NG22 9DY**

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

### **Purpose of Report**

1. To consider a planning application to enlarge Ollerton roundabout and associated works. The key issues relate to improving the functioning of the highway for motorised and non-motorised users, and site-specific environmental factors including direct loss of part of a Site of Special Scientific Interest (SSSI), impacts to the character/appearance of a Conservation Area and associated heritage assets, flooding/drainage, as well as residential amenity issues. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.
2. This application is subject to an Environmental Impact Assessment and an Environmental Statement has been provided, owing to likely significant environmental impacts. 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 the 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:
  - **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.
  - **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.
  - **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.

- **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. This is currently a 6-arm roundabout (one being bus only) connecting the A614 (Blyth Road) to the north, the A6161 (Ollerton Road) to the east, Newark Road (which is a bus-only outwards from Ollerton), the A614 (Old Rufford Road) to the south, the A6075 Mansfield Road to the south west and the A616 (Worksop Road) to the north west (see Plan 1). The junction sits on the western outskirts of the town and forms an eastern edge and 'gateway' to Sherwood Heath and the Sherwood Forest area. It handles a mix of local journeys, strategic trips and visitors/tourists to the area. In the most part the roundabout has single lane approaches and exits and is operating over capacity, resulting in regular queuing on the approaches, particularly on the northbound A614.
9. There are a number of roadside services present on three sides: two fuel stations and shops; a 'McDonalds' drive-through restaurant; 'Costa Coffee' (café and take-away); 'The Big Fish' (take-away); and a pub/restaurant (The Alders). These generally include car parks and landscaped boundaries, typically a mix of low-level shrubbery and grass verges, with some semi-mature trees. A larger group of semi-mature trees fronts the A6075 Mansfield Road approach including outside The Alders Public House.
10. There are three detached residential properties beside the A614 Blyth Road, directly to the north of the roundabout, (1-3 Forest Side – see Plan 1) one of which has a large garden and perimeter hedgerow on the corner of the roundabout. In addition a single detached residential property, The Coombs, is also located on the southern side of the A6075 Mansfield Road adjacent to the Costa Coffee and Big Fish car park.
11. Pedestrian provision is particularly poor around the junction with no proper crossing facilities despite local people visiting the various food and drink establishments. Access to the Sherwood Heath LNR is possible from the Alders PH car park (which has some dedicated spaces) and from Ollerton and Boughton Bridleway 26 which commences on the north-western side of the Mansfield Road beside the PH.
12. There are bus stops (with flags/poles) on the Mansfield Road beside BW 26 (flag/pole on north-west side but acting 'both ways') serving local bus services including the Sherwood Arrow and services to Mansfield and Ollerton. These services use the bus-only Newark Road when leaving Ollerton (and Ollerton Road inbound).

13. The junction is particularly constrained to the west by the Birkland West and Ollerton Corner SSSI (incorporating Sherwood Heath Local Nature Reserve and Local Wildlife Site) which fills in all of the land between the A614 north arm and the A616 western arm as well as land to the south and west of The Alders PH. This SSSI goes onto join with the Birklands and Bilhaugh SSSI further to the west. The separate Birklands and Bilhaugh Special Areas of Conservation (SACs), lie 1.7km to the north-west and 2.3km west. The SSSIs are also denoted as Important Bird Areas which could *potentially* form part of a future Special Protection Area (SPA) for its breeding bird (nightjar and woodlark) interest.
14. To the east, Ollerton Conservation Area (CA) extends towards and up to the roundabout at the corner of Ollerton Road and Newark Road. The latter road is within the CA along with the adjacent meadows and smallholdings. However following a recent formal review by Newark and Sherwood District Council, the CA boundary has been cut back to exclude the McDonalds restaurant and the Esso service station. Located within the CA and approximately 320m to the east of the roundabout is the Grade II\* listed Ollerton Hall which is pending conversion works. There are a further seven Grade II listed buildings and structures clustered around and including the Ollerton watermill (250m east), the Hop Pole Hotel, the War Memorial (and riverside gardens) and St Giles Church.
15. Ollerton roundabout is located within an area of high flood risk (Flood Zone 3, with parts in FZ2) from the River Maun which arrives from the south west and passes to the east. Newark Road bridges the river beside the war memorial and the old watermill – now a popular tearoom. The flood risk map is shown on Plan 2. Groundwaters are also sensitive owing to the principal sandstone aquifer.
16. The application red line area incorporates the existing roundabout and all approaches, but also adjacent strips of land that are required for widening purposes. Some of this land forms part of the designated SSSI at the corner of the A614 and A616. Land is also required from various landscaped areas around the food/drink/fuel services, from part of an adjacent arable field, from a pasture field, and from the garden to No.1 Forest Side. Part of the arable field to the south of the single residential property on the A6075 Mansfield Road is also required temporarily for a construction/contractor's compound. This can be seen on Plan 3. Some minor changes to the red line have been made during the course of the planning application and has formed part of a re-consultation on further information.

## **Planning history**

17. A previous scheme to enlarge the roundabout (2009) was the subject of a Screening Request from which it was determined that an Environmental Impact Assessment was required (and so planning permission required). However, no planning application was submitted and the project was not taken forward owing to lack of funding amid pressures from the global financial crisis. As an interim measure the Ollerton Road approach to the roundabout was widened in 2011 (works appearing not to have required planning permission).

18. The present proposals (which are similar to the previous draft designs) were preceded by the County Planning Authority (CPA) issuing a Scoping Opinion in September 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.
19. Various applications have been determined by the District Council in recent years relating to the surrounding roadside businesses, including the development of 'The Alders' PH on the former Tourist Information Centre site and the redevelopment of the 'Big Fish' restaurant to form a 'Costa coffee', with a retained Big Fish outlet.

### **Proposed Development**

20. This junction is operating well over capacity with regular peak hour journey time delays and queuing (queue length can be 45-50 cars on the A614 and A616 approaches in the AM peak and up to 100 cars on the A614 northbound approach in the PM peak). This is adversely affecting the reliability of local journeys, longer distance journeys including freight, and the experience of visitors and tourists to the area. Its current capacity is also restricting housing and economic growth. For example, the Thoresby Colliery development totalling some 800 new and planned houses as well as commercial space has a planning restriction limiting the build-out until capacity is improved at Ollerton.
21. The application proposes to create an enlarged 5-arm roundabout with the current bus-only arm (Newark Road) realigned onto Ollerton Road, therefore removing the current 6<sup>th</sup> arm (see Plan 4). The approaches to the roundabout would be widened to two lanes, and the enlarged roundabout would feature two lanes circulating around, with two lanes at the exits merging back again to one lane (except for A616 Worksop Road with single lane exit). A reduced speed limit of 40 mph is proposed at the junction and all approaches. New LED lighting and drainage are also included. Signage and markings would also be required.
22. To address the current lack of pedestrian/cyclist crossing facilities, two sets of new Toucan (traffic light controlled) pedestrian crossings are proposed across the A614 outside McDonalds and across the A6075 Mansfield Road between the Costa Coffee/Big Fish and The Alders PH (and Sherwood Heath LNR). Uncontrolled dropped kerb crossings are shown across all remaining arms using 'splitter islands'. Footways (shared use with cyclists) would be provided (3m wide where possible) to facilitate access to all of the food and drink establishments, Forest Side Cottages, and linking back to Ollerton via Newark Road (as a quiet bus only road) and also Ollerton Road (continuous footway both sides).
23. Third party land is required at multiple areas around the roundabout to provide for its enlargement and this is to be acquired in a separate process including, if necessary, via compulsory purchase. The plans show this would impact upon landscaped areas around the PH and fast food/drink restaurants, including

removal of some of the mature trees alongside the Mansfield Road and removal of sections of hedgerow at the corner of Newark Road and Ollerton Road. Notably the area of grass verge at the corner of the A614 and A616 which forms part of the SSSI would need to be removed (this is considered in further detail within the report). New and replacement landscaping is proposed including tree, shrub and hedgerow planting, including tree planting within in the centre of the roundabout, and on the SSSI corner and at the stopped-up end of Newark Road. The landscaping would also incorporate some heathland scrub and acid grassland (see Plan 5).

24. Land is also required from the garden to No. 1 Forest Side Cottage and a new access drive is proposed to serve this property from Ollerton Road. Changes to the access into/out of the Costa Coffee/Big Fish are also identified with this being moved to the south-western end of the car park and the existing access stopped up.
25. Some land would also be temporarily occupied for construction purposes and a large contractor's compound area is proposed on agricultural land to the south of the residential property on Mansfield Road (see Plan 3).

## **Consultations**

26. **Newark and Sherwood District Council - No objection.**
27. *NSDC Conservation advises that the proposals at Ollerton would have a minor-moderate harmful impact on the character and appearance of the Conservation Area and the Grade II\* listed Ollerton Hall. There are public benefits which could outweigh this less than substantial harm, and it is considered that further landscaping could help to minimise the level of harm.*
28. **Ollerton & Boughton Town Council - No objection.**
29. **Natural England – Objection - at time of writing and any further comments resulting from a re-consultation to follow.**
30. SSSI- *The proposed development would result in direct loss of an area of Birklands West and Ollerton Corner SSSI. The SSSI is designated as a large area of former pasture-woodland with a rich beetle fauna and associated areas of acid grassland and heath.*
31. *The submitted drawings indicate that an area of the SSSI will be permanently destroyed however the area lost to the development is not specified. The area of SSSI lost is crucial as it should be the primary factor in determining the level of compensation required to offset the impacts of the proposed development.*
32. *NE previously (2019) agreed compensation and mitigation measures, including new tree shelter belts on the south eastern corner of the SSSI (junction of A614 Blyth Road and A616) and on south eastern boundary of the SSSI (along Mansfield Road). This would reduce the impact of atmospheric nutrient deposition on the SSSI. This is included in the scheme however the species list*

*is not appropriate/compatible with the SSSI's designation. Any trees planted as part of the development should come from local sources where possible.*

33. *Proposals were also previously agreed to fund scrub clearance and other restoration work on the SSSI to compensate for the permanent destruction of the SSSI. This does not appear to be included as part of the compensation package proposed. NE require details of how this will be delivered.*
34. *NE notes that the applicant intends to create acid grassland on the SSSI around the tree shelter belt. NE welcome this mitigation however due to historic nutrient deposition the soil conditions are unlikely to be suitable and therefore some form of soil management is required to create very low nutrient soil conditions (as well as appropriate drainage) to protect the habitat created but also ensure that grasses are less likely to colonise the area and disperse to the rest of the SSSI.*
35. *Natural England advise that any amenity grassland planting in close proximity to the SSSI would introduce the risk of grass dispersing into the SSSI and damaging the interest features. Any grassland creation should be sympathetic to the interest features of the SSSI.*
36. *BNG- NE advise it would be beneficial to ensure there is Biodiversity Net Gain as part of the development. The government is intending to make this mandatory on new developments in England to deliver an overall increase in biodiversity. NE therefore suggests that the applicant takes the opportunity within this proposal to be an exemplar development which can demonstrate a net gain in biodiversity.*
37. *It appears that the applicant is using Biodiversity Net Gain as mitigation for the impacts on the SSSI. BNG cannot be used to offset impacts on irreplaceable habitats, therefore the calculation can only include areas which lie outside the SSSI to demonstrate delivery of BNG.*
38. *NE welcome the inclusion of tree planting on the new roundabout which would act as a welcome to visitors to the area. Planting a single oak tree would be a better option rather than three oak trees. A single tree with sufficient space would develop a more extensive canopy. The three proposed Silver Birch trees should be retained.*
39. *Shadow Habitats Regulation Assessment - A shadow Habitats Regulations Assessment has been provided, concluding that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. The County Planning Authority, as competent authority under the provisions of the Habitats Regulations, may accept the report*
40. *Paragraph 4.1.20 of the shadow HRA states that 'the overall loss of habitat within the possible ppSPA parcel is approximately 0.1ha, which is a tiny fraction of the overall area of the ppSPA and any impact will, therefore, be insignificant*

*and this pathway can be screened out for any likely significant effects on the Sherwood Forest Area ppSPA'.*

41. *NE advise that on the basis of the information supplied the application may have a likely significant effect on the site. These measures therefore need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment, in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to determine whether a plan or project will have an adverse effect on the integrity of the European site. Natural England advises however that it is a matter for the Authority to decide whether an appropriate assessment of this proposal is necessary in light of the People Over Wind ruling.*
42. *Advises that if the CPA is minded to grant planning permission contrary to the NE advice there is a legal requirement to notify NE of the terms of the permission and allow 21 days to elapse.*
43. **Historic England** - *Defers to the County's own Archaeological and Historic Built Environment specialists and signposts to standing advice.*
44. **NCC (Archaeology)** - *No objections. Conditions required.*
45. *This is possibly the most archaeologically sensitive part of the scheme with good potential for the remains of a tollhouse and other buried features. Adequate opportunity and time to investigate and record any archaeological remains will be required and can be covered by a condition requiring a written scheme of archaeological investigation.*
46. **NCC (Built Heritage)** - *Comments and requests conditions to agree signage and other details.*
47. *The submitted Environmental Statement contains an adequate cultural heritage chapter in accordance with the requirements of NPPF paragraph 194 and is suitably thorough for the most part. The conclusions are generally sound and there is no objection to the judgements concerning levels of harm that the impacts represent for the most part.*
48. *The boundary of Ollerton village Conservation Area has recently been altered by NSDC - this was anticipated. The main purpose was to remove the modern C20th development associated with the junction, however there is still some overlap between the planning application and the conservation area new boundary. Accordingly, the Planning (Listed Building and Conservation Area) Act 1990 apply.*
49. *The Newark Road approach into Ollerton is likely to be the route of a medieval causeway, later a becoming a C18th turnpike with a toll house (as noted in the ES). The necessity of re-configuring and stopping off the road is understood, but by closing off this end of road, the scheme will truncate the present views and this will erode the understanding of this as an ancient routeway and the ability to*

*appreciate the village in its medieval context and this does represent a negative impact on the conservation area, although not enormously harmful to character.*

50. *The scheme has been submitted without certain aspects of 'detailed design'. Signage and road markings - where these fall inside the conservation area or affect its setting (Newark Road and Ollerton Road) - have considerable potential to erode the character of the village. Every effort should be made to consider the number, size and positioning of signs to minimise the corrosive impact of the larger junction. NCC Built Heritage requests that all elements of detailed design be reserved or controlled through condition in order to preserve the character of the conservation area.*
51. *The landscape design provides a good level of detail and has considered direct impacts on the CA carefully. It is pleasing that the landscaping scheme has taken a positive approach to planting the roundabout but other parts of the scheme will replace planting with hard landscaping and the overall impact of the highway signage, lining, pedestrian barriers and other components cannot be judged until the details are made available. It is unlikely that the landscaping scheme will be able to substantially mitigate urbanising impacts and it is inevitable that further erosion of the rural, forest character will occur.*
52. *There has been a considerable erosion of the rural, forest character as the junction has developed a concentration of roadside services. Despite being famous and of international significance, there is little recognition in the planning realm of Sherwood, the royal forest, as a heritage landscape along with its folklore traditions. Despite the scheme being able to demonstrate a relatively low impact on designated and non-designated built heritage assets, there will be an impact on this sense of place of this part of Sherwood's heritage and it is imperative that the detailed design process pays attention to reducing that impact.*
53. **Environment Agency** - *No objection subject to a condition to secure drainage details, including pollution prevention measures. Also advises registration to the flood warning service and that Permits may be required for works within 8m of a river or flood defence.*
54. *The proposals at Ollerton involve drainage schemes which present a risk to groundwaters and which are particularly sensitive because the site is within source protection zone 3 and is located upon a principal aquifer (the Chester Sandstone Formation). The submitted Environmental Impact Assessment provides confidence that the risks to groundwater resources can be managed, but further details will be required by condition.*
55. **NCC (Flood Risk)** - *No objections subject to conditions requiring detailed surface water drainage schemes in line with the submitted and published Flood Risk Assessment and drainage strategy.*
56. **NCC (Highways)** – *Supports the objectives of the proposed works (as part of a series of improvement works along the A6097-A614 route).*

57. Capacity and Congestion - The assessments demonstrate that the roundabout is significantly over capacity in both AM and PM peaks and by 2037 will be at even greater levels over capacity if no changes are implemented.
58. The proposed roundabout has been tested and is demonstrated to be at the level of theoretical capacity (0.85 RFC) in the AM peak and just over in the PM peak at 0.90 Ratio of Flow to Capacity (RFC). If the improvement works are not implemented, the capacity of the roundabout will be at 1.74 RFC in the PM peak which will have significant detrimental effects on the major road network and impact further on surrounding local roads as drivers try to find alternative routes.
59. The proposals represent a significant improvement to the capacity of the roundabout, offsetting what would otherwise be severe congestion over and above that already seen, created by traffic growth and development.
60. Highway Safety- Confirms that all issues have been addressed in terms of accident information and pedestrian crossing provision.
61. Whilst in general, the introduction of formal crossing points and a more complex layout with additional lanes will potentially increase the risk of collision when compared to the existing single circulatory lane roundabout, such layouts as proposed are not uncommon and suitable geometric design and minor amendments / mitigation at detailed design stage will reduce this risk, so the highway safety element of the proposals are not considered unacceptable in principle.
62. 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.
63. 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.
64. **NCC Transport and Travel Services** - support subject to replacement bus stops being provided.
65. **Bus Stop Infrastructure**: Two bus stops are located within the scheme area: NS0533 and NS0857 (Mansfield Road). NS0533 is a marked stop with pole and bus stop flag only. The following improvements are required to achieve the standard set out in the Council's Highway Design Guide: NS0533 – hard standing area with a raised boarding kerb and bus shelter. NS0857 - bus stop pole, flag hard standing area with a raised boarding kerb and bus shelter. Bus Gate - the revised arrangements for the Bus Gate are noted.

66. *Bus services affected: Stagecoach 14/15/15A/Sherwood Arrow and school services. 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.*
67. **NCC (Nature Conservation)** – *No objections provided recommended construction management measures, landscaping/biodiversity net gain and other mitigation measures are secured.*
68. *The application is supported by a range of ecological survey work, which can be considered to be up-to-date.*
69. *The identified ecological mitigation measures should be included within a 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.*
70. *Direct habitat impact* – *The scheme is reported to result in the loss of 0.058ha of the 414ha Birklands West and Ollerton Corner Site of Special Scientific Interest (SSSI) (< 0.02% of the site), 0.158ha of the 965.5ha Birklands and Bilhaugh Local Wildlife Site (LWS) (<0.02%), 0.158ha of the 23.2ha Sherwood Heath Local Nature Reserve (LNR) (0.68%), and 0.1ha of the 7,157ha ‘possible potential’ Sherwood Special Protection Area (ppSPA). (<0.002%, area based on the Sherwood Key Biodiversity Area). As such, the direct loss of (partially overlapping) designated sites is fractional.*
71. *The losses of notable habitats are reported to amount to 0.07ha of woodland, 0.2ha of semi-improved neutral grassland and 290m of hedgerows (with and without trees). No heathland or acid grassland, or trees capable of supporting roosting bats, would be directly lost.*
72. *Loss of habitat for breeding birds and for foraging/commuting bats is minimal and areas of habitat are suboptimal (including for woodlark and nightjar), and already subject to disturbance from noise and artificial lighting. The scheme will have a negligible impact on the ppSPA and a negligible impact is predicted on bats.*
73. *Compensation* – *In light of the need to omit the SSSI area from the BNG calculation, a separate outline Mitigation Proposals document to account for the loss of 0.05ha of roadside SSSI habitat has now been put forward. An area of land under NCC ownership, managed by the Council’s Green Spaces service, has been identified for enhancement to mitigate for the loss of the SSSI habitat. Whilst satisfactory, it will be necessary to gain Natural England’s approval as well. Should the details be considered acceptable, it will be necessary to require (through an appropriate planning mechanism):*
  - *The production and implementation of a detailed programme of works based on the Mitigation Proposals document, to be carried out as part of the scheme in years 1-5;*

- The production of a management plan to cover ongoing maintenance of the mitigation areas for years 6-30;
  - The transfer of sufficient funds to the NCC Green Spaces service to cover these ongoing maintenance works for an agreed period. The total management period should be 30 years to match the BNG provision. The first 5 years of establishment works should be covered by the applicant, with funding provided to cover years 6-30.
74. Bats and lighting- Satisfied that the potential impact of the scheme on bats has now been properly considered, and that there will be no significant impact. A single Common Pipistrelle bat was recorded roosting in the southern gable end of the building, with pipistrelle and Noctule foraging activity also recorded. The survey report gives consideration to the impact of new street lighting on bats and concludes that (a) the increased street lighting will not have an adverse impact on bat roosts, and (b) bats should be able to quickly adapt to the lighting and that it will not form a significant barrier to current bat activity patterns. It is also noted that the lighting scheme has been amended through the removal of a lighting column with the effect that lighting will extend less north up the A614 adjacent to Forest Side, with the 1lux contour extending around 60m further north than under the existing lighting. The proposed lighting is generally considered to be more 'bat friendly', replacing high pressure sodium luminaires. Also agrees that additional illumination would have a negligible impact on nightjars, due to the already suboptimal habitat due to the proximity of the road.
75. Glow worm- Understands only small numbers were recorded in the road verge of the A6075 (2 females recorded here in 2021, for example). Whilst not protected, glow worms are a charismatic and declining species, so it is recommended that a condition is added requiring the production and implementation of a method statement for the local translocation of glow worms from the development area to elsewhere on Sherwood Heath.
76. Air quality impacts on sensitive SSSI habitats have been considered in the Environmental Assessment, but defers to Natural England's advice.
77. Operational noise levels are predicted to result in a negligible impact on birds and bats. Habitats within 20m of the site are suboptimal for woodlark / nightjar due to the high level of disturbance from car headlights, vehicle noise and disturbance. The small increase in noise levels and the suboptimal nature of the habitat in proximity to the road means there would be a negligible impact on foraging bats.
78. Biodiversity Net Gain - The BNG calculation has been re-run and updated. During the initial consultation it was flagged that SSSI habitat loss/gain should not be included in the BNG calculation as it qualifies as 'irreplaceable habitat', and this is now reflected in the BNG calculation. It is concluded that a net change of 16.7% for habitats, and 120.1% for hedgerows will be delivered for this scheme, exceeding the 10% minimum figure which will be required when BNG becomes mandatory.

79. *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).*
80. *A shadow Habitats Regulations Assessment has been carried out, looking at Likely Significant Effects on both the Birklands and Bilhaugh Special Area of Conservation (SAC) and the “possible potential” Sherwood Special Protection Area (ppSPA). After considering a range of potential impact pathways, likely significant effects (alone and in combination) are screened out for all pathways for both the SAC and the ppSPA. Comments should be sought from Natural England.*
81. **RSPB- Comments**
82. *Following the hierarchical approach to preventing loss of biodiversity, it is unclear if avoiding loss of 0.05 ha of the Birklands West and Ollerton Corner SSSI was considered before proposing mitigation.*
83. *There are records of glow worm on Sherwood Heath and beside the A6075. Whilst not having specific protection, it is a scarce and iconic Sherwood species and so it would be beneficial to include mitigation measures.*
84. *The comments from NCC Nature Conservation are supported.*
85. **Via Safer Highways - Comments and recommendations.**
86. *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).*
87. *This scheme will undoubtedly lead to an increase in collisions/injuries compared with the current layout due to the additional conflicts and extra lanes. Some of the exits will be twin lanes which will promote drivers to negotiate the roundabout in pairs and is also likely to increase speeds and overtaking. The new layout could also lead to additional problems with vulnerable 2-wheeled vehicles (powered and non-powered) which can often become “lost” amongst larger vehicles. The scheme is also likely to increase the number of vehicle journeys, increasing the risk of collisions in the immediate local area and wider region.*
88. *The signal-controlled crossings will be very valuable if joined-up with high-quality walking and cycling routes and this should be given detailed attention. It is noted however that three of the roads will have uncontrolled crossings using the splitter islands which is likely to be very difficult at certain times and will create new conflicts. It is questionable as to why these new footway links are being proposed.*

89. **Via (Countryside Access)** – comments and acknowledges that there is insufficient space to install Pegasus crossings.
90. Ollerton & Boughton Bridleway no. 26 exits on to Mansfield Road (A6075) 70m back from the junction. The southern end of BW 26 will be within the road widening and therefore a section will need to be stopped up. This should be included in the Side Roads Order process.
91. Bridleways are for the public on foot, cycle and horseback and consideration should be given to how the bridleway can be safely connected by improved crossings of the A6075 and A614 to reach Newark Road (and from there to a connecting bridleway (Ollerton & Boughton Bridleway no. 7) off Ollerton Road (reached via Newark Road and Main Street).
92. It is appreciated that the installation of Pegasus crossings, instead of Toucan crossings, has been considered but that there is insufficient land available, given the buildings and infrastructure around the junction. The current use is also minimal, although this may be because of the current difficulty.
93. **Via (Landscape)** – Supports, with a number of comments and recommendations.
94. 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).
95. 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. There are several other PRowS in the study area which should be added to the baseline text.
96. 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: 0.07 ha broadleaved woodland; 0.2 ha unimproved/semi improved neutral grassland; 190 m species poor hedgerows; and 100 m species poor hedgerows with trees. This should be added to Chapter 7 because this contributes to the degree of landscape impact described.
97. Landscape character impact - Landscape character impacts are agreed as follows:

- *Sherwood Policy Zone 15 River Maun Meadowlands with Plantations – Slight adverse Landscape effects at the Construction stage, Year 1 and Year 15*
  - *Sherwood PZ 26 Budby Estate Farmlands - Slight adverse Landscape effects at the Construction stage, Year 1 and Year 15*
98. *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. There were some concerns at this stage in comments by NCC Built Heritage that the setting of both the Ollerton Conservation Area and the listed building Ollerton Hall had not been considered, but these are represented by Viewpoint 4 and Viewpoint 5. A correction is needed to the location of Viewpoint 8. The text should explain the rationale for choosing these viewpoints.*
99. *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 lighting footprint as the proposed lighting would extend further along the A614 north and A616 northwest than at present.*
100. *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.*
101. *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. The total amount of vegetation to be replaced is: 0.07 ha broadleaved woodland; 0.13 ha unimproved/semi improved neutral grassland; 0.053 ha mixed scrub; 76 m species rich hedgerows; and 153 m species rich hedgerows with trees.*
102. *A detailed landscape drawing should be requested by planning condition and this should refer to the species list for the Sherwood Landscape Character Area and produced in collaboration with NCC Built Heritage following comments about the erosion of the sense of place and urbanisation.*
103. **Via (Noise Engineer)** - *No objection subject to conditions requiring a construction management plan and prior to commencement baseline noise survey.*
104. *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 minor beneficial for the operational phase.*

105. *For construction phase impacts, a total of 115 receptors are predicted to experience temporary non-significant effect. However, a total of 4 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).*
106. *The assessment of the effects on the cultural heritage and at the ecological receptors shows a negligible change within the Ollerton Conservation Area and at associated heritage assets.*
107. **Via (Reclamation)** - *no objections subject to conditions to further assess and remediate any contamination and to control construction stage emissions.*
108. *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.*
109. *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.*
110. *An Environmental Management Plan to control construction effects including noise, vibration, dust, mud, and pollution/spillages and waste disposal is also recommended.*
111. **Cadent Gas Limited** - *No objection, informative note requested.*
112. **Planning Casework Unit** - *(statutory notifications- does not wish to comment).*
113. **Edwinstowe Parish Council; Nottinghamshire Wildlife Trust; Ramblers, British Horse Society, Western Power Distribution, and Severn Trent Water Limited** have not responded. Any response received will be orally reported.

## **Publicity**

114. 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.
115. 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>.

116. 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.
117. Two representations with comments and questions have been received:
  - (a) A question is raised about details of the proposed relocated access to Costa Coffee/The Big Fish car park and possible safety concerns with pulling out into the road. Also a question is raised about changes to the internal layout of the car park to ensure customer traffic is able to clear the road.
  - (b) A question is raised about traffic management for Wellow during construction works. It is said that Wellow cannot cope anymore and the speeding, safety, and HGV issues on Eakring Road in particular are not being fully addressed and that this road is being used as a short cut between Ollerton and the surrounding villages and Bilsthorpe.
118. Councillors Mike Pringle and Scott Carlton have been notified of the application.
119. The issues raised are considered in the Observations Section of this report.

## **Observations**

### The requirement for planning permission

120. 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 ordinarily deemed Permitted Development by virtue of the Town and Country Planning (General Permitted Development Order) (England) 2015 as amended. However these rights are removed where the works are subject to EIA (article 3) as is case here at Ollerton. Therefore an application for planning permission, accompanied by an Environment Statement, is required.

### Planning policy assessment

121. 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.

122. 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 (LTP) 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.
123. 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.
124. Improvements to the highway network therefore form an important aspect of the approach to infrastructure, notwithstanding the wider objectives of reducing car travel and promoting sustainable patterns of development and travel. Under CS 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.
125. Improvements to the A614/A6075/A616 Ollerton Roundabout junction are stated as being required to accommodate additional growth in the area, a finding which stems from the IDP process and the Nottinghamshire LTP. 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. Furthermore, the land needed to enlarge this junction is formally safeguarded under Spatial Policy 7 and included on the policies map. Four other junctions within the District, forming part of the wider A614/A6097 corridor scheme (and which are the subject of separate reports) are also listed. This wider improvement scheme is included in the Nottinghamshire LTP and is also an investment priority in the D2N2 Strategic Economic Plan.
126. This appears to confirm that alternatives such as more sustainable transport-focussed solutions (for example an extension to the Robin Hood Line or bus improvements) would not have sufficient effect to the congestion problems. Comments from NCC Highways also note that congestion issues are expected to get significantly worse in future years if this junction is not expanded.
127. 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.*

128. There are matters which require further assessment, particularly relating to access for all and avoiding harmful environmental impacts. However, at this stage, it can be considered that the proposed works to enlarge and expand highway capacity at Ollerton roundabout 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.

129. Although the site lies outside of the defined settlement boundary 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 reducing congestion and without unacceptable detriment to local character, amenity or other pertinent impacts such as

drainage. There would however be a loss of part of the SSSI, as considered further below.

130. The Local Plan identifies Ollerton & Boughton, as well as nearby Bilsthorpe, as a focus for regeneration, with the former designated a Service Centre and the latter a Principal Village (CS Spatial Policies 1 and 2). These settlements are expected to provide new housing and supporting infrastructure commensurate with their status and it is pertinent that several of the allocated housing sites are now under construction. Policy ShAP2 seeks to promote and strengthen the role of Ollerton & Boughton as a sustainable settlement and service centre including by promoting new housing and economic development and promoting a healthy town centre. This policy also makes specific mention of the need to secure *“the resolution of traffic and transport issues in and around the town including those identified within the IDP such as: A614/A6075/A616 Ollerton Roundabout junction.”*
131. More broadly, the Local Plan/Core Strategy envisages a future Sherwood Forest Regional Park and Policy ShAP1 seeks to ensure that the area’s important ecology, landscape and heritage is maintained whilst promoting sustainable tourism, leisure/recreation and regeneration. Ollerton roundabout is already a key gateway to many of the area’s most popular visitor destinations and so serves a broader role in this respect, but the impact of enlarging it upon aspects of the natural and historic environment will need further, careful consideration.
132. A resolution to the longstanding issues at Ollerton roundabout is also now further heightened by the Core Strategy Review’s allocation of (and the subsequent grant of planning permission for) the former Thoresby colliery as a strategic new housing site for up to 800 dwellings and supporting community uses (Spatial Policy 5 and Policy ShAP 4). This fairly recent allocation simply adds to the longstanding, identified need to upgrade Ollerton roundabout which is only 1.5km to the east of the new community. Furthermore, this development is now substantially under way with the initial phases taking place on former farmland to the front of the ex-colliery site. The original planning permission for this was conditioned with a cap limiting the build out to no more than 150 dwellings and 8,094sqm of employment use until Ollerton roundabout is enlarged. The redevelopment of the former Colliery site has now commenced with well over 50 dwellings now completed. In 2020 a change to this cap was agreed to assist with projected development of the site through a variation to the S106 agreement. This lifted the development cap to 500 dwellings on the basis of the developer contribution towards the roundabout improvement being paid in advance. The funding has since been received. It remains however that the completion and successful regeneration of the former colliery (and in particular the ‘brownfield’ parts of the pit heads to follow) is dependent on additional capacity being created at Ollerton roundabout. This would then enable some further 300 dwellings and 24,281sqm of employment space to progress as per the Local Plan.
133. The proposals would provide this much needed additional vehicular capacity, through widening and additional lanes, which should increase throughput of

traffic and also help filter traffic depending on their destination. The resulting increased capacity of the junction should be widely beneficial, serving not just semi-strategic traffic, as a key junction on the MRN, but also benefiting the local community and businesses moving goods, as well as catering for public transport and non-motorised users. Improvements should also be beneficial for the 'visitor experience' enabling more reliable access to Sherwood Forest and the numerous estates and attractions in the area.

134. The proposals should alleviate the issue of A614 north drivers attempting to bypass congestion at the roundabout by cutting along Station Road (despite traffic calming deterrents) and through the Conservation Area, which is detrimental to maintaining its tight historic character and to the amenity of this area. A petition on this matter has recently been received by the County Council.
135. The current delays also impact upon the reliability of local bus services which negotiate the roundabout including Stagecoach services between Ollerton and Mansfield for example. The proposed new layout would remove the current bus-only entry onto the roundabout (Newark Road) and direct buses around onto the Ollerton Road. Together with the widening it is thought that this would reduce service delays.
136. Finally, of significant benefit to the local community would be the provision of fully designed and traffic light controlled pedestrian crossings, which for the first time will give pedestrians and other non-motorised users a safe and inclusive means of accessing the various local food and drink outlets, as well as Sherwood Heath LNR. These would be linked with improved shared use foot/cycleways around the roundabout and back into the town.
137. It is clear that when considering the above transport and infrastructure plan objectives, the enlargement of Ollerton roundabout is required and is fully supported in principle to resolve the persistent congestion and capacity problems, to enable planned local development to proceed, and to support the visitor economy. The proposals accord with Policies SP6, SP7, ShAP2 and support the regeneration objectives in Policies SP1, SP2 and SP5 and ShAP4 in relation to the former Thoresby colliery site in particular. Given the consistent identification, safeguarding, 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 significant and very strong weight in favour of the proposals in principle.

#### Ecological Impact

138. 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.

139. 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 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.
140. A&DM 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. For development proposals on, or affecting, Sites of Special Scientific Interest (SSSIs), it states that planning permission will *not* be granted unless the justification for the development clearly outweighs the nature conservation value of the site. 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. Significantly harmful ecological impacts to the above sites should be avoided through the design, layout and detailing of the development, with mitigation, and as a last resort, compensation (including off-site), provided where they cannot be avoided.
141. The above policy framework is in line with the requirements of national planning policy at paragraph 180 of the NPPF which again repeats that development on land within or outside a SSSI, and which is likely to have an adverse effect on it, should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national SSSI network.
142. The NPPF also 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.
143. The application is informed by various surveys including an extended phase 1 habitat survey with species specific surveys as required. Bat surveys have since been updated and so these are now considered to be adequate and complete. The site is notably constrained to its west by the Birkland West and Ollerton

Corner SSSI, LWS and LNR designations (which partly overlap). Part of the application site lies within the SSSI at the corner of the A614 Blyth Road and the A616 Worksop Road.

144. It is extremely unusual to be considering a development proposal that if granted, would directly result in the loss of part (0.05ha, or 500sqm) of a biological SSSI, a nationally important designated site afforded a high degree of protection in the planning system and where there is a presumption against granting permission. There are, however, a set of site specific circumstances which need to be worked through in order to decide the acceptability of the loss.
145. Firstly, the availability of undeveloped land around the existing roundabout is evidently limited by the various roadside services and dwellings. Landscaped areas and garden land are all proposed to be utilised to the maximum extent possible, whereas the layout and positioning of the roundabout has been done to limit incursion into the corner of the SSSI which already abuts the highway. The enlargement of the junction, and the benefits this would bring, appear to be only possible by using a small corner of the SSSI. It is also noted that the safeguarded area to enable the enlargement of Ollerton roundabout within the Local Plan includes this corner of the SSSI.
146. Next, in considering the area affected and its biodiversity value, the applicant has been able to demonstrate that area that in quantitative terms would be lost is a tiny fraction of the overall extent of the SSSI (and which is also a LWS), whilst in qualitative terms the land is in reality of very little ecological value and is largely an area of roadside species-poor grass verge, with some bracken (and site for various advertisements) that is exposed to the effects of regular passing (and queuing) traffic, in terms of noise, disruption, lighting and pollution.
147. Thirdly, as the applicant is unable to avoid directly using this area of land, a compensatory package of measures has now been tabled. This would put in place a programme of habitat enhancement and conservation work (including scrub clearance and removal of invasive species) for a nearby area of NCC Green Estate land (Cockglode and Rotary Woods LNR) totalling 4.55ha in area. The enhancement and conservation work would be implemented in such a way that over time its condition could be brought up to SSSI quality, allowing valued heathland habitats to be extended westwards as part of a larger, joined up landscape approach including with the ongoing habitat creation works at the former Thoresby colliery tip.
148. As the statutory consultee in relation to SSSIs, Natural England have been closely involved in the drawing up of the proposals, and has been reconsulted on the proposed off-site compensation plan, but at the time of writing an objection from them remains in place. Any further responses received will be orally reported to the Committee. NCC Nature Conservation are however now satisfied with the proposals subject to securing the compensation plan by condition.
149. Looking at the situation, the demarcation of this corner of land as a SSSI appears arbitrary, and whilst it cannot be dismissed lightly, its loss would not

appear to be harmful to the actual features for which the SSSI is designated nor the species it could support such as common lizard (which would be subject to a construction method statement) or nightjar or woodlark, which are unlikely to find this area suitable due to the level of disturbance. The SSSI citation states that:

*This site is a remnant of the historic Sherwood Forest which supports an outstanding invertebrate fauna associated with old trees characteristic of open oak-birch woodland in Nottinghamshire together with notable tracts of lowland acid grassland and heath.*

150. It is the natural features of the SSSI which matter here, as made clear in the wording of the above local and national planning policies. The proposed compensatory measures and funding therefore would actually be a significant enhancement for biodiversity in the Sherwood Heath area. Furthermore, and separate to this, there would also be an overall net gain for biodiversity within the development site as a result of new and replacement landscaping which will be compatible with and strengthen the edges of the SSSI. Therefore, whilst there would be a technical incursion into the SSSI, the works would not affect its designated features (or the wider network) and at that point the planning policies would be satisfied. However it remains appropriate to compensate for its loss and it can be adjudged that the benefits of improving the roundabout, and the off-site compensatory package at Cockglode and Rotary Woods, clearly outweigh and justify this loss of a small part of the SSSI.
151. A comprehensive landscaping scheme has been proposed which would create 0.07ha broadleaved woodland (including within the roundabout); 0.13ha of unimproved/semi improved neutral grassland; 0.053ha mixed scrub; 76m species rich hedgerows and 153m species rich hedgerows with trees. 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.
152. Using the Biodiversity Net Gain Calculator the applicant states that there would be an overall net gain on site of some 16.7% for habitats, and 120.1% for hedgerows, which is clearly welcomed, aligns with the thrust of national planning policy and should be afforded moderate positive weight in the overall planning balance. 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.
153. On other matters, close attention has been paid to the potential impact to bats from the proposed additional and replacement street lighting, including to a nearby single roost. NCC Nature Conservation is now happy that the lighting scheme has been appropriately designed to minimise impacts to bats including with the use of LED lanterns fitted with rear shielding.

154. Air quality modelling finds that there would be no significant air quality effects for the designated habitats. The applicant would undertake post development air quality monitoring to verify this finding and could undertake additional landscape screening/planting should this be required.
155. A Construction Environmental Management Plan (CEMP) should be required to ensure the developer follows various recommendations to avoid and mitigate harmful impacts to protected species and the water environment during the course of the works.
156. A Shadow Habitats Regulations Assessment has been completed to consider any impacts to breeding nightjar and woodlark in the possible potential SPA for the Sherwood area, parts of which are adjacent within Sherwood Heath. A precautionary approach to assessing development proposals remain in place as guided by Natural England. This submitted shadow assessment screens out any Likely Significant Effects (alone and in combination) for this potential future designated area, a finding which is supported by NCC Nature Conservation. Natural England however have advised they believe an Appropriate Assessment (AA) should be undertaken, but that it is a decision for the Planning Authority.
157. Planning Officers are of the clear view that no AA is necessary in light of the very clear and rational findings of the shadow assessment and that there would not be any likely significant effects, should this be formally designated in the future. A key finding is that the habitats immediately around and back from the junction and its approach roads is suboptimal for nightjar and woodlark birds due to the types of habitats and from the effects of traffic disruption. Planning Officers therefore accept the applicant's assessment and do not agree with Natural England on this matter.
158. Overall the applicant has worked hard to limit the proposal's impact on important habitats, species and the natural environment. There remains a technical loss of 0.05ha of a SSSI to consider, which is outweighed by the clear benefits of improving this roundabout and by the compensatory/enhancement package. The net result, both on and off-site, and given time and appropriate management, would be an enhancement for biodiversity and this should be recognised in the planning balance. Subject to conditioning the offsite compensation works, the onsite landscaping (and its management), and the CEMP, the proposals are considered compliant with the requirements of Core Policy 12, Policy DM5 and Policy DM7, following national planning policy.

#### Heritage issues and Archaeology

159. CS Core Policy 14 and A&DM Policy DM9 seek 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.

160. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Affording 'great weight' to the conservation of designated heritage assets reflects the statutory duties placed on LPAs to pay special regard to the desirability of preserving listed buildings and their setting and of preserving or enhancing the character or appearance of conservation areas (s66 and s72 Planning (Listed Buildings and Conservation Areas) Act 1990).
161. Where adverse impact is identified there should be a clear and convincing justification. However, national planning policy guides this further in the case of identified 'less than substantial harm' to the significance of a designated heritage asset. This harm should be weighed against any public benefits of the proposal.
162. 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.
163. The proposals are likely to result in direct and indirect impacts to designated heritage assets by way of impacts to the settings of nearby listed buildings or directly to the character and appearance of Ollerton Conservation Area (CA).
164. Starting with the CA, attention is first drawn to the revised CA boundary which has recently been confirmed by NSDC, following a formal review. This has resulted in the CA being cut back at the roundabout to exclude the clutter of modern forms of roadside development but retaining the open fields, smallholdings and riverside area alongside Newark Road which provide a buffer to the historic part of Ollerton and provide an outer setting to several listed buildings therein, including the Grade II\* listed Ollerton Hall.
165. Having regard to the conservation comments from NSDC and NCC's Built Heritage Officer, it is evident that the proposed enlargement of the roundabout would still result in some harm to the character/appearance and also the setting to the CA and permanently so, rather than just from the temporary impacts of construction as per the findings of the applicant's cultural heritage assessment.
166. Newark Road (bus and non-motorised users only) and the adjacent fields/smallholdings have been retained within the revised CA boundary and these low-lying fields of predominantly pasture alongside the River Maun make a positive contribution to the CA by providing a semblance of rurality on the western side of the historic part of Ollerton and also explain the medieval origins of the settlement. The proposals at Newark Road would involve taking a corner of the adjacent pasture field (and surrounding hedgerows) in order to realign the bus only link onto the Ollerton Road. This would be directly harmful to the CA, although replacement hedgerow would be planted. The western end of Newark Road would also be stopped up, and landscaped, affecting the ability to fully appreciate this as an ancient causeway and later a C18th Turnpike (London to Leeds) including the site of a Toll House (see archaeology below).

167. Beyond the CA boundaries, the enlargement of the roundabout, itself already detracting from the CA, would be expected to create a further, but minor degree of indirect harm to the CA. However, all of the proposed works are generally at/around surface level and would be focussed upon the existing junction, and so would be relatively enclosed by the various roadside services which would remain the more dominant urbanising and detracting development.
168. The request from NCC Built Heritage to agree details and locations of signage, markings or structures such as barriers is noted. Some of this would inevitably fall within the CA and could have an urbanising effect and as such it is reasonable to agree these subsequent details through a planning condition. A balance would be required between the needs of the operational highway and the conservation interests, but this is not an unusual situation.
169. NSDC comments that more could be done with the replacement landscaping proposals to mitigate the impacts to the CA. However a detailed landscaping plan shows replacement hedgerows and other planting being provided, including around Newark Road, and it is considered that with this planting the level of harm to the CA can be mitigated, but not entirely removed. NCC Built Heritage considers there to be a good level of detail and that the landscaping design has considered impacts to the CA carefully.
170. Of benefit to the CA is that the enlarged capacity of the roundabout should effectively end the current practice of some drivers cutting up Station Road, through the central spine of the CA, to avoid congestion at the roundabout. Such traffic is currently detrimental to the tight historic character and general amenity of this old part of Ollerton and removing this traffic would result in a positive enhancement to the very centre of the CA, including the listed buildings within the street scene. This is far more likely to be appreciable than any impacts on the periphery of the CA at/alongside the roundabout.
171. The applicant's assessment quantifies the predicted impact to the CA as slight adverse during construction only, and that no change from operational impacts are predicted, including from traffic noise modelling and from changes to street lighting. However in light of the above advice, Officers advise that there would still be some limited permanent harm after mitigation/replacement planting has taken effect, but for the purposes of planning policy this would still comfortably lie within the arena of 'less than substantial' harm to the character/appearance and direct setting to the CA.
172. Turning to impacts to the setting of nearby listed buildings, these have their own significance and individual settings which has been explored in the applicant's assessment. There are some clear views across the low lying areas to Ollerton Hall (Grade II\*) and also to aspects of the grouping around The Hop Pole, the Watermill, War Memorial and St Giles Church (Grade II listed), although not all of these are clearly visible. Any resulting impacts to the setting of these listed buildings has been assessed by the applicant as *slight adverse* during the construction period only (in terms of construction noise, sight of plant and equipment etc) and clearly within the arena of 'less than substantial' harm. The consultee advice appears to not disagree with the applicant's own assessment

of such harm and there is nothing to suggest that there would be any permanent impact to the setting and significance of these listed buildings. It is noted that they are situated at distance from the roundabout works and which is not part of their immediate setting, that views are partly screened by vegetation and other surrounding buildings forming part of the CA, and that the proposals involve a proportionate enlargement of the existing roundabout with some minor additional land take requirements.

173. Both the permanent and temporary impacts to the CA and the temporary impacts to the setting of the listed buildings, including one of elevated status, cannot be dismissed, as the law and NPPF requires considerable importance and weight to be afforded to the preservation of heritage assets, which are irreplaceable. However, once this has been acknowledged, any resulting or residual harm can and must be balanced against other considerations, including the finding that much of the harm would only be temporary during construction (and replacement landscaping would be provided) and against any public benefits which may flow from the proposed development.
174. This is clearly a case whereby there would be substantial and wide public benefits – indeed as a piece of public infrastructure its very purpose is to provide benefits to the traveling public at large, by increasing capacity and reducing queues and delays whether that be for freight, tourists, or local commuters. Furthermore, the proposals would enhance access and put in place proper crossing provision for a range of non-motorised users wishing to visit the restaurants/takeaways or Sherwood Heath LNR, many of whom will walk through and experience the character of the CA via Newark Road. The conclusion to be reached indicates, overwhelmingly, that the public benefits justify the limited, less than substantial harm to Ollerton CA, and to the setting of nearby listed buildings and that this is permissible by Core Policy 14 and Policy DM9, following national planning policy.
175. Briefly, regarding archaeology, the assessment work finds that there is potential for encountering buried archaeology and notably there is a good prospect of finding the remains of a Toll House once associated with the London to Leeds Turnpike (now Newark Road and the A616 Worksop Road) and which would be a rare and important county find. The County Archaeologist is content that this matter can be appropriately dealt with through conditions requiring the submission of an archaeological scheme of mitigation. In the circumstances this is considered necessary and reasonable in order to satisfy the requirements within Policy DM9, and the recording and investigation of any remains, or if possible, their preservation in-situ, could aid our understanding of the history and development of road transport.

#### Landscape and Visual Impact

176. 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.

177. 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 junction improvements at year 1 of completion and then after 15 years when new or replacement landscaping would have had time to become fully established. Worst case findings are provided for winter when foliage will be absent. Particular focus is given to localised visual changes because wide area impacts to both landscape character and wider views are not anticipated.
178. 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 Area (RLCA) and two Policy Zones (PZs) are affected: Policy Zone 15 River Maun Meadowlands with Plantations and Policy Zone 26 Budby Estate Farmlands.
179. The local landscape condition for PZ15 is described as 'good', sensitivity is described as 'moderate' and the overall landscape strategy is 'conserve and reinforce', including conserving/reinforcing the pastoral character of the river valley, restoring pasture and flood meadow, and conserving and enhancing ecological diversity and riverside vegetation. For built development this should be avoided within the flood plain area to conserve the sparsely settled character of the area. The sense of place can be reinforced by using materials reflective of local character.
180. The local landscape condition for PZ15 is classified as 'good' (but described in fact as very good), sensitivity is described as 'high' and the overall landscape strategy is to 'conserve'. Landscape actions include conserving the rural character of the landscape by concentrating development around the existing settlements at Budby and Perlethorpe, conserving field patterns and hedgerows and restoring/replacing poor quality hedgerows, conserving and creating permanent pasture, conserving ancient woodland, and conserving and respecting the character and setting of Sherwood Forest Country Park. The LVIA considers the policy zone areas to be of medium landscape value.
181. The immediate site context is of a cluster of modern built roadside service development and their associated car parks and service roads, centred upon Ollerton roundabout, which is situated on the edge of the River Maun floodplain to the west of the historic part of the town. Framing this to the west is Sherwood Heath LNR and the forested areas forming the Birklands and Bilhaugh SSSI. There are limited areas of grass verge (some forming part of the SSSI), managed field or residential hedgerow and amenity landscaping around the centre of the junction. There is a line of semi-mature trees alongside one

approach road (Mansfield Road). One area of grazing pasture is present between Newark Road and Ollerton Road enclosed by a managed hedgerow.

182. The proposed works would entail utilising various areas of landscaped space around the existing roundabout and its approaches, including verge areas, garden space, and corners of the adjacent grazing pasture and the corner of an arable field. Sections of hedgerows would be removed along with part of the semimature block of trees. Putting aside the SSSI land, these are marginal, low quality landscape features. It should also be noted that these areas are safeguarded in the Local Plan to enable the enlargement of this roundabout
183. A landscape and planting scheme seeks to create an attractive hub and gateway to the Sherwood area, notably with tree planting within the centre of the roundabout (Oak and Birch), a small block of heathland and woodland at the end of Newark Road, where it would be closed/diverted onto Ollerton Road, and acid grassland and shrub at the SSSI corner. The field hedgerows would also be replaced with species rich planting.
184. The applicant's assessment finds that as a result of the proposed development, there would be a slight adverse effect on both of the landscape policy zones at all stages of the development – i.e. construction, at year 1 and at year 15, although the landscaping would by that point be having some beneficial effect.
185. In terms of visual effects, eight viewpoints have been assessed by the applicant within the ES and again impacts are considered for the construction stage, at year 1 of operation and year 15. Three visualisations were also produced. During construction, moderate adverse visual impact is expected at one viewpoint (outside Forest Side Cottages looking south) and slight adverse impacts are expected at all but one of the remaining viewpoints (one being neutral). At year 1 after completion only slight adverse effects are expected at the viewpoints (one remaining neutral). The impact reduces further at year 15 where five of the viewpoints would experience a slight adverse visual impact.
186. The lighting proposals show that the lit area of highway would be extended further along the A6075 Mansfield Road, (beyond the residential property), the A616 Worksop Road, the A614 Blyth Road (beyond Forest Side Cottages) and along Ollerton Road as a result of additional lighting columns which may increase the perception of night time lighting in the area. The lit area around the A614 Old Rufford Road and on Newark Road would be similar or slightly reduced as a result of the upgrade to LED lighting. LED lighting together with rear shielding would also limit the area of light spill to focus on the highway and its verge area. This should reduce light spillage currently experienced at Forest Side Cottages and would limit impacts to wildlife such as bats in the vicinity of the SSSI.
187. 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 boundary treatment/fencing should therefore be agreed through planning conditions.

188. In conclusion, the enlargement of this roundabout would result in lasting slight adverse landscape and visual impacts as a result of the intensification of highway infrastructure and extended street lighting. Whilst replacement and new landscaping would be provided, the adverse impacts would not be fully removed and there are aspects that would be contrary to the Policy Zone landscape objectives within the Landscape Character Assessment SPD, including loss of part of the grazing pasture off Newark Road, which would not conserve and reinforce the pastoral character of the river valley. Consequently the objectives within the Landscape Character SPD to 'conserve' and to 'conserve and reinforce' the local landscape would not be fully met. Together with the slight adverse, localised, visual impacts the proposals do not fully accord with the requirements of Core Policy 13 and Policy DM5 and this has to be weighed in the overall planning balance.

#### Highway Design and safety issues

189. 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 may need further approvals. Areas requiring further design work include the proposal to relocate the current access into the Costa Coffee/Big Fish car park, along with necessary internal changes to the car park, and the creation of a new access for No.1 Forest Side Cottage from Ollerton Road. Details can be reserved under a condition.
190. 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 understood that the Highway Authority would monitor pre and post development traffic flows to check the network is operating as planned. NCC Highways Development Control recommend that the details of this should be agreed under planning conditions. This appears to be an acceptable safeguard against any unforeseen consequential traffic issues in neighbouring areas and it would pick up any further issues in Wellow for example, as raised by the local representation. However the concerns raised are largely unrelated to the current proposal.
191. The Via Road Safety response is noted above. With respect to the enlargement of roundabouts it is highlighted that there would likely be more collisions and injuries in the future, due to the introduction of multiple lanes, two side-by-side lanes around, and two lanes merging at exits. The current junction has a good safety record largely because it is compact, self-regulating and simple to navigate. Via Road Safety however have accepted in the safety audits that increased day-to-day junction capacity is required and that this has to be

balanced against the increased likelihood of accidents at the junction and more widely as a result of more journeys being induced on surrounding roads.

192. The provision for pedestrians, cyclists and horse riders has been a further area of focus. There are welcome improvements proposed however only two of the five arms of the enlarged roundabout would have Toucan signal controlled crossings installed, neither of which would cater for horse riders wishing to access the Bridleway leading into Sherwood Heath. Due to space constraints it would appear not possible to build Pegasus crossing provision for horse riders. The two signalised crossings would cater for the majority of pedestrian trips to/from the various food and drink businesses and Ollerton. There would be footway provision to Forest Side Cottages, but only an uncontrolled crossing over Ollerton Road using the splitter island. On balance the overall crossing provision appears reasonable for pedestrians and cyclists but less so for horse riders. However even at present, the junction is an intimidating environment for such riders and the proposals cannot reasonably address this. The position appears to have been accepted by Via Countryside Access.
193. The two bus stops on Mansfield Road are required to be re-provided as part of the scheme. Details, including their exact location, have not yet been decided and therefore a condition is required to cover these details and to maintain public transport accessibility for the immediate residents, the businesses and their employees.
194. In conclusion the proposals do provide safe provision for a range of highway users, including improvements for non-motorised users. The provision of Toucan crossings is an added benefit of this scheme. As junctions are made larger, with more throughput, there are likely to be more accidents. That reflects both the current situation where the roundabout has a good safety record, and also the more complex nature of the enlarged roundabout that would be created. This therefore is a balance in terms of the design which can be achieved and the overall objectives for improving the A614 and A6097 as part of the MRN.

#### Residential amenity (including construction effects)

195. 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. SP 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.

196. 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 21 months. According to the ES there is potential for significant, *major adverse*, albeit temporary/transient, construction noise effects at the four immediate residential properties (1-3 Forest Side, Blyth Road and The Coombs, Mansfield Road). There could also be some moderate adverse vibration effects which could result in annoyance. However, for all receptors, most of the time the effects would be minor adverse 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 works would take place beyond 10m with a typical average distance being greater than 50m.
197. Receptors located further away on the edge of Ollerton could experience negligible to minor adverse daytime noise effects and if night time working is required this could lead to a moderate to major adverse effect.
198. 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.
199. Upon completion of the works, when the enlarged junction is operational, the ES finds that for the majority of local noise receptors there would be a negligible beneficial impact. 12 receptors would however experience a negligible adverse impact from traffic noise. This is explained by the larger gyratory, the reduced 40mph speed limits on the approaches, and in the case of Forest Side Cottages whereby there could be a minor benefit/noise reduction due to the northbound A614 moving slightly further west. However, if background traffic levels increase over time, there may be a negligible adverse impact at most of the receptors. Generally, therefore, the local noise environment is not expected to significantly change as a result of the enlarged roundabout reflecting the fact that this is already a busy junction where road noise is dominant and it can be expected to remain so. The various roadside services and outlets would also remain operational.
200. As set out in the preceding section there would be no unacceptable visual impacts to residential receptors and there should be benefits from the use of LED type lighting. The setting and experience at nearby listed buildings would be maintained (e.g at the War Memorial) although some temporary construction noise cannot be fully discounted at this stage.
201. No.1 Forest Side Cottage would be directly impacted as land from the front garden is required to enlarge the roundabout. Alternative driveway access is also proposed from Ollerton Road, subject to final negotiation. An arc of garden land up to 15m in depth would be developed into the enlarged highway. The highway would not encroach any closer to its front elevation on Blyth Road (or to no.s 2-3) but the corner of the new roundabout would turn across much closer

to the southern end elevation of this property. Currently the roundabout corner turns in at around 30m to the south, whereas the new curve line would be within 5m of the end of this property. The outlook from several side windows would be therefore over a smaller garden area, with the arc of the enlarged roundabout encroaching closer. Clearly this would be a detrimental impact compared with the present area of garden which can be enjoyed. However the noise assessment has shown there to be no adverse impact and no noise mitigation or insulation is required. The development of this garden land does however avoid further land take and loss of the SSSI opposite and there is simply a shortage of developable land around this roundabout. Ultimately this land would be acquired through purchase or if necessary compulsory purchase, which is a separate legal process. Whilst the landscaping and new boundary treatment around the property has not been completely finalised, this can be agreed under a planning condition in consultation with the residents and a good sized garden would remain for this property.

202. Overall the proposals are considered acceptable and the general amenity at this junction would be largely unchanged on completion of works and no noise or vibration objections have been raised. The expected reduction in the regular congestion and queueing may be perceived to offer a benefit to local residents immediately affected. However in the case of No.1 Forest Side Cottage the roundabout would move closer to this property and would result in loss of part of the garden area and hedgerow.
203. There would be an intensification of highway infrastructure in terms of additional traffic lanes, new pedestrian crossings and associated lighting, signage, etc. However, the roundabout would continue to be framed by the collection of surrounding roadside businesses and areas of replacement and new landscaping, including new tree planting within the centre of the roundabout, would add some welcome character and help to soften the overall impact. Therefore, whilst the designs are necessarily functional for highway purposes, they do largely meet the objectives under the planning policy to protect local amenity albeit No.1 Forest Side would lose part of its garden area.
204. Construction impacts could be disruptive to the nearest properties (and to the wider travelling public) however this is a necessary means to deliver the improved junction and such impacts are capable of being managed and mitigated as far as possible subject to a construction management plan under planning condition. Traffic management would fall to the County Highways to oversee.

#### Air quality/dust

205. The applicant's Environmental Statement considers that there is potential for construction works to generate adverse but temporary dust effects. There are four residential properties immediately around the junction along with two food/drink receptors and therefore the potential for dust impact to these adjacent receptors is high. In addition there are four designated habitats close by (some of which overlap): Birklands West and Ollerton Corner SSSI (including part of

the Sherwood Forest Area ppSPA); Birklands and Bilhaugh LWS; and Sherwood Heath LNR.

206. The assessment recommends that best practice dust reduction/mitigation measures are employed as part of a CEMP and as a result no significant dust impacts are expected to any sensitive human or ecological receptor. A further safeguard is that construction dust would be routinely monitored at the SSSI, with means to rectify this should a problem arise. Again this would be built into the CEMP.
207. Operational air quality impacts to the sensitive habitats are considered above. At the completed operational stage, the air quality modelling that has been undertaken predicts a small increase in NO<sub>2</sub> concentrations at No.1 Forest Side owing to the roundabout moving closer to this property. Other receptors are expected to see very small or imperceptible reductions in NO<sub>2</sub> concentrations due to the expected reduction in queuing on the approach roads. No receptors are predicted to experience an exceedance of the Air Quality Objectives (for both NO<sub>2</sub> and particulates) and overall there would be no significant air quality effects for human health (or designated habitats) at both construction and operational stages. Subject to securing construction management controls, the proposals would not adversely impact on air quality and A&DM Policy DM10 is therefore satisfied.

#### Flood Risk and Surface Water Drainage

208. 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.
209. The application includes a detailed Flood Risk Assessment (FRA). The roundabout and its environs are located on the west side of the River Maun floodplain within Flood Zones 2 and 3 and is therefore considered to be at medium to high risk of fluvial flooding. The river flows to the north east passing under the A614, Newark Road and Ollerton Road. There are also a number of field drains in the area. Further assessment within the FRA finds that whilst parts of the roundabout and its approach roads are at low risk, others remain at high risk and that in the event of a major flood there would be some inundation over parts of, but not all of the existing roundabout, but depths would be low as the junction appears to be slightly elevated and positioned on the edge of the modelled flood extent. The existing risk of surface water flooding is considered low to medium and it is clear that the surrounding roads rise up such that surface water not captured by gullies, or overwhelming them, could collect at the low points around the roundabout. Indeed there is a record from 2012 of such a flood event which closed the A616 Worksop Road for several days. All other sources of flooding are found to be low to medium risk.

210. The enlargement of the roundabout is not expected to affect the current level of fluvial flood risk. This is mainly because although there would be some minor changes to levels around the scheme, overall there would be no wholesale raising or lowering of the junction. This therefore results in an unchanged outcome for fluvial flooding, although the applicant's ES still classifies this as a slight adverse impact. In practice, this is a neutral outcome.
211. Turning to the highway surface water drainage arrangements, in the main it is proposed to drain the new and expanded highway areas via a system of gullies and carrier pipes to discharge into the roadside ditches (as per existing and mostly using existing outfalls), either with a neutral or beneficial discharge rate. No works would be made to parts of the road network which cross the River Maun, or the local drainage ditch linked to the River Maun. Sustainable drainage/soakaways appear to have been found unviable leading to the next best option of discharging to the existing land drains and then the River Maun. The run-off from the expanded junction area would be captured within a buried attenuation tank proposed to be located within the centre of the roundabout (this may need to be reviewed to accommodate the tree planting). A flow control chamber would limit the discharge from this tank to 5 litres per second. The scheme has also been designed to take into account the future effects of climate change. This highway drainage design would better manage runoff generated on the road surface than the existing arrangement, reducing this risk of flooding. However, the fluvial flood risk would remain.
212. Whilst the sequential approach in planning policy applies, such that development should first consider sites at lower risk of flooding, that is clearly not feasible in this instance where there is a pre-existing junction at the convergence of multiple main roads and which requires in situ improvement and enlargement. Road infrastructure such as this is classed as essential infrastructure within the NPPF (annex 3) which has to cross an area at flood risk. The exception test therefore has to be applied and met (following Planning Practice Guidance) which means that the development should demonstrate wider sustainability benefits to the community to outweigh the flood risk and also ensure that the development will be safe for its lifetime taking account of the vulnerability of users, without increasing flood risk elsewhere and, where possible, reducing flood risk overall.
213. The exception test is considered to be satisfied. The wider benefits to community sustainability in terms of addressing the acute congestion issues along with the specific identification within the Local Plan of the need to enlarge this roundabout to support the regeneration of Ollerton & Boughton and other local growth is plainly evident. Whilst the roundabout could still experience flooding in the future, there would be two or more dry routes leading away from the roundabout to the north ensuring people and vehicles would not become trapped. Additionally the surface water drainage system would offer an improvement and reduce the risk of surface water flooding. Flood risk would not be increased to other land.
214. The Environment Agency raises no objection to the proposals, but requests a condition to agree the final drainage scheme, notably which needs to give

further consideration to pollution prevention measures as the discharge could risk sensitive groundwaters forming part of the principal aquifer associated with the Chester Sandstone Formation. It also refers to the flood warning service and it would be precautionary for the developer/contractors to be signed up to this as part of the Construction Management Plan.

215. NCC Flood Risk also raises no objection, however it also requests a condition to require for approval the final surface water drainage scheme.
216. Though a detailed drainage plan has been submitted and the arrangements have been considered through the Flood Risk Assessment and by the above consultees, it is apparent that further/final details are needed. Therefore whilst there are no objections to the scheme as presented, it is agreed that the final details should be reserved for condition and further approval of the consultees.
217. The main construction compound proposed in the field off Mansfield Road also appears to be located in Flood Zone 3 at high risk of fluvial flooding. However because of the overriding need to avoid siting this on the SSSI/Sherwood Heath to the west and the fact that all the surrounding land to the south and east lies also within Flood Zone 3, there appears to be no realistic alternative. The only potential alternative would be to site this further north along the A614 Blyth Road, but this would be remote from the construction area. As no objection has been raised by the Environment Agency and given this would be a temporary incursion, it is considered to be allowable subject to the details under condition which should include any stand-offs or buffers to field drains, surface water drainage arrangements and flood emergency plans.
218. In conclusion, the enlarged roundabout would remain at medium to high risk of flooding from the River Maun, i.e. no change, however it passes the sequential and exception tests in local and national planning policy and is considered essential transport infrastructure. Surface water flood risk would be reduced by a new/expanded and attenuated drainage system, subject to final details being provided under a planning condition. The proposals are therefore acceptable and sufficient to meet the requirements of Core Policies 9 (Sustainable Design), 10 (Climate Change) and Policy DM5 (Design), following national planning policy and guidance on this matter.

#### Contamination/pollution issues

219. 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. Policy DM5 (Design) includes a criterion

to take into account ground conditions resulting from historic mining, which includes the application site/area.

220. 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.
221. 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. 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. Should the proposals proceed, it is recommended that further site investigations are conducted and proposals for any decontamination that may be required are drawn up for subsequent submission and approval. A range of conditions to this effect can be attached.
222. There are additional pollution pathway risks to the Principal Aquifer and associated Source Protection Zones. The risk to the aquifer is highlighted also by the Environment Agency's response. Additional ground investigation is proposed at these sites and aquifer protection measures may be required. Again this falls under the recommended planning conditions for subsequent consideration.
223. It will also be necessary to ensure that the drainage scheme incorporates measures to intercept pollution and residues from the highway in the interest of the aquifer, but also for the nearby River Maun.
224. A preliminary risk assessment for controlled waters has been undertaken and a controlled waters risk assessment would be undertaken in advance of construction work. Sustainable drainage features are the preferred attenuation solution as in addition to minimising the impact of flooding they can provide a degree of treatment for pollutants (e.g. suspended solids, metals and hydrocarbons). The proposed discharge to existing ditches adjacent to the roundabout provide a degree of treatment and water quality mitigation before the runoff water discharges to the River Maun.
225. Whilst detailed schemes have been submitted, and the designs have not been challenged by any of the technical consultees, a condition is recommended in line with the Environment Agency's request, to require a final drainage scheme for review and approval. This would ensure a suitable scheme is in place to minimise the risk of groundwater contamination from surface water runoff.
226. Construction management plan measures are also required 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.

227. Therefore, whilst there are risks that need to be managed, the issues present are not unusual across the County highways network 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.

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

228. 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 (BMV) 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.
229. 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 BMV agricultural land, should be recognised (NPPF para 174). BMV agricultural land is defined as grades 1, 2 and 3a of the Agricultural Land Classification.
230. Setting aside the impacts on SSSI land and soils as considered separately above, impacts to agricultural land and soils would generally be very low. Small areas/corners of arable and pasture fields are required around the roundabout for enlargement purposes. A total of 0.15ha would be permanently removed including part of the pasture field between Newark Road and Ollerton Road and a small corner of the arable field north of Ollerton Road. Initial surveys indicate this to be Grade 2 BMV agricultural land. There would also be larger areas affected temporarily during construction works the largest being an area of 0.59ha within the arable field on Mansfield Road which is identified for a compound and storage site.
231. Given the other land and property constraints, impacts on adjacent BMV agricultural land is unavoidable if this roundabout is to be enlarged and in any event the permanently affected areas appear to be small, marginal corners of the two affected fields, one of which is in pasture use. The main concern here (again setting aside the SSSI) would be the management of soils affected by the temporary compound and storage sites.
232. Permanent damage and impact to these areas/soils can be avoided with appropriate soil stripping, handling and storage measures, and after completion, the replacement and restoration of these areas back to their former use and condition. A soil resources plan/a materials management plan and an

earthworks strategy would be developed. 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.

233. Overall the impacts are categorised within the applicant’s Environmental Statement as slight adverse which carries a degree of negative weight into the planning balance. (The permanent loss of part of the adjacent SSSI land however has been categorised as a moderate adverse effect but this is most relevant to considering impacts on biodiversity above.) However, for the purposes of Policy DM8, this is clearly outweighed by the public benefits from improving and enlarging this congested roundabout. As such the proposals are considered to accord with Policy DM8 on this matter.

#### Climate Change and sustainability

234. 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.
235. 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.
236. 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'.

237. 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 the more recent Intergovernmental Panel on Climate Change reports highlighting the importance of limiting global warming below 1.5°C.
238. GHG emissions have been estimated as totalling 1,288 tCO<sup>2</sup> for Ollerton with over half attributed to the transport of materials. This would be a contribution of 0.0001% to the 4th UK Carbon Budget (2023-2027).
239. The assessment considers 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 such as 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 used.
240. 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.
241. 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.
242. 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 be

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.

243. Whilst the need for the proposal stems from arguably unsustainable vehicular traffic, as noted above provision for non-motorised users is incorporated and there should also be benefits to the reliability of local bus services. Planning policy and NCC initiatives do promote sustainable transport and travel, which is particularly viable for local journeys. However the nature of the junction and the A614/A6097 corridor is that it serves a broader role with long distance traffic, including freight, tourism and diverted traffic from the Strategic Road Network. Therefore the need for the proposed enlargement goes hand in hand with other measures that might be brought forward to develop sustainable travel options more locally.
244. The ES 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.
245. 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 adding junction capacity can in practice readily induce additional trips as well as redistributing journeys to take advantage of the improved journey conditions. The improvements can and will also result in additional local development in and around Ollerton and Bilsthorpe. These have either already received conditional planning permission or would be subject to future consideration. There is no realistic alternative package of public transport and sustainable travel interventions that could completely replace the need for enlarging the roundabout.
246. 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

247. 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.
248. 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. The majority of this is at the Mickledale Lane, Bilsthorpe junction. Whilst it has been necessary to assess 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**

249. The applicant and their consultants considered one alternative junction design which would have incorporated multiple traffic signals as well as a through route within the junction. This would have a greater land take and environmental impact and so was ruled out. Grade separation was similarly ruled out at an early stage.
250. 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**

251. 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

252. The enlargement of this roundabout is not expected to create new opportunities for crime and disorder. Natural surveillance is present from adjacent businesses and other properties. Street lighting would be upgraded to LED models.

#### Data Protection and Information Governance

253. 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

254. Consideration of the planning application has identified a requirement for off-site ecological compensation works, which the applicant has submitted a scheme for, and the associated costs would form part of the overall project budget.
255. 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. Developer contributions have also been secured towards this project from the former Rufford Colliery redevelopment.

#### Human Rights Implications

256. 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 immediate proximity of several residential properties at the junction, one of which will entail loss of part of the garden. The impact of this has been noted and the land would need to be acquired through separate negotiation. Construction/highway works are likely to create temporary disruptive impacts including noise/vibration, dust/mud. These can be mitigated through a construction management plan and would be temporary. However upon completion, impacts are assessed as generally neutral or slightly improved. These temporary construction impacts need to be balanced against the wider benefits the proposals would provide in terms of reduced congestion/better junction performance, along with improvements for pedestrians. 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

257. The proposals relate to the public highway which is accessible to all (within the bounds of the Road Traffic Acts). The enlarged roundabout would incorporate

for the first time, signal-controlled pedestrian crossings enabling safe and improved access to/between the roadside businesses as well as Sherwood Heath LNR. These improvements would disproportionately benefit less mobile pedestrians and those with pushchairs or mobility scooters and may effectively open up access to these facilities and the nature reserve for the first time thereby promoting inclusivity.

#### Safeguarding of Children and Adults at Risk Implications

258. The roadside food and drink businesses are popular with young residents, often as pedestrians from Ollerton. The new pedestrian crossings and footways would provide a much enhanced and safer means of accessing these sites.

#### Implications for Service Users

259. Users of the County Highways network would benefit from the increased junction capacity which would improve traffic conditions and journey reliability by reducing the present queuing and congestion on the approaches to the roundabout. Pedestrians would also significantly benefit from two new crossings.

#### Implications for Sustainability and the Environment

260. 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.
261. The proposals in this case would lead to a permanent loss of a small part of the SSSI, albeit this is not optimal habitat and is directly beside the existing roundabout. Compensatory proposals have been developed and proposed to improve other nearby habitats and overall the proposal would create a net gain for wildlife. There are also some minor adverse landscape and heritage impacts to consider. Climate change issues, in terms of construction emissions and drainage design have been considered.
262. There are no human resources implications.

#### **Conclusion and planning balance**

263. The proposal is to enlarge and create a roundabout that is fit for purpose as a key junction on the A614 Major Road Network, addressing the regular peak hour congestion, improving access to local services, enabling local regeneration and plan-led development to proceed, and helping improve the experience of tourists and visitors to the area.
264. 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 ShAP4) and to support new housebuilding currently taking place in the area, including at the former Thoresby colliery site (Policy SP5).

265. The application is supported by a comprehensive Environmental Statement based upon a prior Scoping Opinion. Permanent adverse impacts have been identified in respect of the loss of BMV agricultural land (slight adverse), landscape and views (slight adverse), and local heritage (slight adverse/less than substantial harm to Ollerton Conservation Area). The plans would also result in the partial loss of garden for no.1 Forest Side Cottage. Whilst an objection currently remains in place from Natural England, Officers are satisfied that, despite the technical (and unavoidable) loss of 0.05ha of the adjoining SSSI at the corner of the A614 and A616, this would have limited effect and would be compensated for off-site. The proposals would in fact therefore enhance the longer term quality of priority habitats off site as well as on site through new/replacement landscaping-all secured by planning condition.
266. No unacceptable noise/vibration, air quality, flooding (subject to condition), or climate impacts have been found and there would be no significant cumulative or combined effects. There is local support from the Town Council and no objections from the community. Pre-application community consultation has also been carried out.
267. Officers consider that the benefits of the proposal for the local community and wider travelling public, and its consistent identification and safeguarding within the Local Plan, should afford a very high degree of supportive weight in the decision. In addition the proposal would provide an enhancement/net gain for biodiversity on site of some 16.7% for habitats, 120.1% for hedgerows which is a moderate additional benefit. Tree planting within the centre of the new roundabout would create an attractive feature for this gateway location. There would also be a programme of enhancements to Cockglode and Rotary Woods LNR which is a further moderate benefit. There would be improvements for surface water drainage, though the overall flood risk would remain.
268. 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.
269. After carefully balancing the competing issues, Officers consider that the proposals can be made sustainable through conditions and that the balance is clearly in favour of granting planning permission. Extensive public benefits would clearly outweigh the limited harmful outcomes to various conservation matters. The proposals comply with local and national planning policy, considered overall, and in particular CS Policies SP1, SP2, SP3, SP5, SP6, SP7, policy ShAP4, 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**

270. 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 with consultees to resolve issues and progressed towards a timely determination of the application. Issues of concern have been addressed through the submission of further measures, such as for biodiversity, along with the recommended planning conditions, which the applicant has been given advance sight of. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

### **RECOMMENDATIONS**

271. 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/4407](http://www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=ES/4407)

## **Electoral Divisions and Members Affected**

Ollerton	Councillor Mike Pringle
Sherwood Forest	Councillor Scott Carlton

Report Author/Case Officer

Joel Marshall

0115 9932578

For any enquiries about this report, please contact the report author.