



**27 September 2022**

**Agenda Item: 9**

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

**NEWARK AND SHERWOOD DISTRICT REF. NO.: 3/22/00586/CMA**

**PROPOSAL: ENLARGEMENT OF ROUNDABOUT WITH ASSOCIATED LANDSCAPING AND IMPROVEMENTS TO PEDESTRIAN CROSSING FACILITIES. CHANGE OF USE OF LAND ADJACENT TO NO.15 NOTTINGHAM ROAD FROM PUBLIC HIGHWAY (FOOTPATH) TO RESIDENTIAL CURTILAGE**

**LOCATION: LOWDHAM ROUNDABOUT, INTERSECTION OF THE A6097, A612 AND SOUTHWELL ROAD, LOWDHAM**

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

### **Purpose of Report**

1. To consider a planning application for the enlargement of Lowdham roundabout and associated works. The key issues relate to the functioning of the highway for motorised and non-motorised users, impacts to local amenity, the use of agricultural land and flooding/drainage. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.
2. The applicant has elected to undertake an Environmental Impact Assessment and an Environmental Statement has been provided. Consequently the works require planning permission and do not benefit from Permitted Development rights that are usually available to the County Highways Authority.

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

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

and towns together and with the City of Nottingham and also providing 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:
  - (a) **Improved Journey Times and Reliability-** There are regular delays and queueing at Ollerton, Lowdham and Kirk Hill junctions which are predicted to worsen with traffic and local housing/economic growth. It can also be difficult to access the A614 from Bilsthorpe village.
  - (b) **Network Resilience-** Capacity improvements will support the Strategic Road Network by adding resilience to the highway network which will boost productivity and reduce costs to businesses. Both roads serve as alternative and diversionary routes during incidents or major roadworks.
  - (c) **Economic Growth-** Additional capacity will drive economic growth by facilitating housing and creating jobs. In particular a number of development sites have planning conditions and obligations limiting build out until improvements are made to Ollerton and Lowdham roundabouts. This includes the development at the former Thoresby colliery.

Improvements at the junctions would enable 1,330 dwellings and 24,281m<sup>2</sup> of employment space to be built out stimulating economic growth.

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

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

8. Situated on the western edge of Lowdham village, this is a busy conventional 4-arm roundabout (see Plan 1). The A6097 (Lowdham/Epperstone bypass) is a dual carriageway both to the north-west and south-east of the roundabout, whilst the A612 (Nottingham Road) and Southwell Road are single carriageways from the south-west and north-east respectively.
9. Lowdham Cricket Club is situated to the north behind a fringe of mature trees and a grassed embankment. The Cocker Beck flows along the eastern side of the cricket field and then along the Station Road area. The roundabout and surrounding area is consequently denoted as at high risk of flooding (Flood Zone 3) (see Plan 2), however flood defences have recently been improved by the Environment Agency, with a further major upstream project in planning.
10. There are residential properties present to the east (along the short stub of Nottingham Road between Southwell Road and Station Road) and to the west including four properties on the south side of the A612 Nottingham Road which have driveway access directly from the A612.
11. The land to the immediate north-west of the roundabout is a large arable field which rises up northwards. This is enclosed by a low managed hedgerow and a small ditch. The application red line area includes the southern parts of the field. There are areas of highway verge/grass edges around and within the roundabout which are also in the red line. The junction lies within the designated Green Belt.
12. There is limited pedestrian/cycle provision. Narrow footways are present around the roundabout and uncontrolled crossing points are present using the splitter islands across the A6097 on both the north-west and south-east arms. The former is also a shared cycle path linking Lowdham to Burton Joyce and Nottingham.
13. There are five Grade II Listed Buildings within 200m to the north-east, the nearest being the Lowdham War Memorial which stands to the immediate north-east of the roundabout within a landscaped area including a row of mature trees. A pair of bus stops (with shelters, poles and flags) are present on Southwell Road at this point.

### **Planning history**

14. The only relevant planning history to note is this Council's Scoping Opinion issued in 2021 advising on the scope of the Environmental Statement now submitted with the current application. Comments from technical consultees informed this process and it is to be noted that the ES appears to be substantially based on that scoping advice.

### **Proposed Development**

15. This junction experiences journey time delays and queuing, particularly in peak periods. It is also restricting housing delivery and economic growth, with the Teal Close/ Rivendell development (Colwick) limited by planning condition to 325 dwellings until improvements at Lowdham are provided. A further 680 dwellings would then be able to be built.
16. It is proposed to enlarge the current roundabout but in a slight elliptical arrangement, with mostly two lanes on, circulating around, and off, merging back to single lanes in the case of the south-western A612 arm (the Southwell Road north-eastern arm would be single lane exit) and maintaining the dual carriageways on the A6097 (see Plan 3). The A612 south-west arm on its approach to the roundabout would be widened into three lanes on its approach with the first lane providing a dedicated left turn lane for the A6097 north. This would require removal of a mature ash tree, the field hedgerow and drain. A replacement hedgerow and drain would be provided further back.
17. The existing uncontrolled pedestrian/cycle crossing over the A6097 north-west arm of the roundabout, would be replaced with a pair of signal-controlled Toucan crossings along with adjustments to the approaching footways. Works would also include new signage, LED street lighting and a 30mph speed limit would be imposed.
18. The four properties to the south of the A612 Nottingham Road (No.s 15 to 21) would lose direct access onto this road and instead it is proposed to construct a new access road/drive and turning head from the A612 to the south-west of these properties utilising the edge of an arable field and then using the existing verge and footway space in front of these houses. At no.15, on the roundabout corner, it is proposed to transfer part of the footway space to this property in order to create driveway access and enclose it with a new boundary. As such the planning application also seeks a change of use for this small area from highway land to residential curtilage land. Space would be left on the corner for a narrow footway.
19. An area of arable farmland to the north west of the junction is required permanently for a proposed water attenuation/storage area which would be landscaped as seasonally wet meadow with trees/shrubs (see Plan 4). A grassed bund would protect adjacent properties to the west. A replacement wet ditch would be provided behind the replaced hedgerow around this corner of the roundabout. Surface water would drain out from the attenuation area at a controlled rate into a culvert under the A612. Culverts and receiving drains

would be cleaned out. A full drainage scheme has been included in the application.

20. Further arable farmland to the north-west and south-west are also required for temporary construction compounds – see plan 5.

## **Consultations**

21. **Newark and Sherwood District Council** - *No objections.*
22. **Lowdham Parish Council** - *No objection but requests that Nottingham Road (short section to Station Road) be made no entry from Southwell Road to prevent a build up of traffic at busy times as traffic awaits to turn right after leaving the roundabout.*
23. *Adequate drainage should be put in place as there has been historic flooding issues in Lowdham. Pedestrian crossings should be provided. Traffic Management will also be necessary during construction to prevent a rat run through Main Street.*
24. **Environment Agency** - *No objection. Advises registration to the flood warning service and that Permits may be required for works within 8m of a river or flood defence.*
25. **NCC (Highways)** - *Supports the objectives of the proposed works (as part of a series of improvement works along the A6097-A614 route).*
26. Capacity and Congestion- *The assessments demonstrate that the roundabout is over capacity in the AM and significantly so in the PM peaks (2023) and by 2037 will be at even greater levels over capacity if no changes are implemented. The proposed roundabout has been tested and is demonstrated to increase capacity, reducing queuing from a theoretical 117 vehicles to 29.*
27. *It is considered therefore that 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.*
28. Highway Safety- *All issues have now been addressed in terms of accident information and specific queries in regard to cycle provision. The non-motorised users (NMU) information indicates a significant number of cyclists in this vicinity, which is reflected in the accident statistics.*
29. *A Toucan Crossing is proposed to be introduced across the northern arm, linking an existing shared route. (It is accepted it is not necessary to apply LTN1/20 to the design). In order to encourage its use [by cyclists], to offset cyclists using the middle of three lanes, a clearly signed entry point prior to the lane split should be provided at detailed design, with an exit point to the east of the roundabout. If possible, considering land constraints, this latter section*

*should be improved in width to further encourage use, although this could be considered at detailed design.*

30. *It is proposed to increase the numbers of approach lanes from 1 to 2 on the northeast arm. This is a common roundabout layout and is not in itself inherently unsafe. However, considering this in relation to the existing level of cycle accidents, further evidence of NMU activity (i.e. turning diagrams of cyclists) in conjunction with proper first level accident analysis should be submitted for review [ Accident data has now been updated].*
31. *An access road is proposed to serve numbers 15 to 21 Nottingham Road. It appears that the intention of this would be to enable safe residential access for householders, deliveries and refuse collection.*
32. *Tracking of the individual properties served by the access road has been carried out. The tracking in front of number 15 presents some concerns on first appearances as vehicles would have to carry out a several point turn to re-enter the access road in a forward gear. However, there is a 3.3m wide 'buffer zone' included in the tracking drawing which has not been used to facilitate turning movements. This 'buffer zone' is currently fully available for vehicles associated with this property and if utilised as it is now, as part of the parking and turning area associated with the property, it is considered that vehicles will be able to exit the property by reversing and then driving forwards, using just two turns.*
33. *Technically, there is sufficient space for 3 parking spaces within the curtilage of number 15, each with a minimum distance of 6 metres behind them and all exceeding the dimensions required by the Nottinghamshire Highway Design Guide.*
34. *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. Request that information is provided, showing any possible reassignment so that an assessment can be made of any potential capacity or safety issues on the wider, local network.*
35. *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.*
36. **NCC (Archaeology)** - *Requests conditions requiring a written scheme of archaeological investigation to be submitted for approval.*
37. **NCC (Built Heritage)** - *No objection subject to restrictions on construction works around Remembrance Day/Remembrance Sunday.*

38. *The proposed improvements are within the setting of several designated built heritage assets, the closest being Lowdham War Memorial (Grade II listed). The application contains a thorough assessment of proposal's impact on the setting of Lowdham War Memorial and the other designated and non-designated built heritage assets, including noise and lighting impacts.*
39. *Potential impacts/concerns have been addressed satisfactorily. Detailed signage design is still to be submitted, however a sign close to the war memorial is proposed in the same location as the existing sign.*
40. *Recommends by way of condition that, as well as construction work not taking place on Remembrance Sunday, that work also stops in advance of the 11.00 minute's silence on the 11<sup>th</sup> November. This is to ensure that the principal purpose of Lowdham War Memorial as a location for remembrance is not unduly disrupted.*
41. **NCC (Flood Risk)** – *No objection subject to conditions requiring detailed surface water drainage schemes in line with the submitted and published Flood Risk Assessment and drainage strategy.*
42. **NCC Transport and Travel Services -Comments.**
43. *Bus Stop Infrastructure: Transport and Travel Services have no bus stop infrastructure observations or comments in respect of this application. Bus services affected: NCT 26, 26a, Nottsbus Connect Services 300, 747 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.*
44. **NCC (Nature Conservation)-** *No objections provided recommended construction management measures, landscaping/biodiversity net gain and other mitigation measures are secured.*
45. *The application is supported by a range of ecological survey work, which can be considered to be up to date. This scheme does not directly affect any designated sites.*
46. *In terms of losses of notable habitats, these are reported to amount to:*
47. *0.25ha of neutral grassland and 160m of hedgerows would be lost with mitigation provided through landscaping (including through the creation of a flood detention basin). Minor loss of habitat for foraging/commuting bats would occur, but it is noted that these are already subject to disturbance from the existing junction (including from lighting), with mitigation again provided through landscaping.*
48. *The indirect impact of artificial lighting on bats is predicted to be negligible, with an avoidance of the direct illumination of habitats; in addition, street lighting is already present at this location, albeit that the extent of lighting will be greater on the eastern and western arms of the junction than is currently the case.*

49. *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.*
50. *Biodiversity gain - The updated Biodiversity Net Gain Assessment now concludes that a net change of 33.95% for habitats, and 118.7% for hedgerows will be delivered for this scheme, exceeding the 10% minimum figure which will be required when BNG becomes mandatory.*
51. *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 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).*
52. **Natural England – No objection/standing advice.**
53. **Via Safer Highways - Comments and recommendations.**
54. *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).*
55. *The provision of two lanes of traffic circulating around the roundabout will increase conflicts between vehicles, with the resultant increased risk of collisions/injury. This could be particularly difficult for powered and non-powered 2-wheeled vehicles. The increased capacity is also likely to increase vehicle journeys in the immediate local area as well as in the wider region with a consequent increased risk of collisions.*
56. *The Toucan pedestrian and cycle crossing over the A6097 northern arm will be valuable. Recommended that the supporting links/infrastructure is given attention during detailed design. However the proposal offers little or no improvement for pedestrians on three of the arms. This is a residential area with private dwellings all around the junction, so further consideration could be given to improving the crossing facilities.*
57. **Via (Landscape) - Supports, with a number of comments and recommendations.**
58. *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 a combination of existing landform, mature woodland and built form, are considered to negate the potential for significant landscape and visual effects beyond 0.75km.*
59. *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 the vegetation clearance dwg and Ch 8 (Biodiversity) states*

*the vegetation to be removed as unimproved neutral grassland 0.25ha; amenity grassland 0.09ha; arable land 0.38ha; species poor hedgerow and species poor hedgerow with ditch 160m; and seasonally wet flooded ditch 0.12 km. This should be added to Chapter 7.*

60. Landscape character impact - Landscape character impacts are agreed as follows: Mid-Nottinghamshire (MN) 40 Epperstone Village Farmlands with ancient woodlands – Slight adverse Landscape effects at the Construction stage and year 1, and negligible effects by Year 15. Mitigation planting will be beginning to have beneficial effects by Year 15.
61. Trent Washlands (TW) 08 Gunthorpe and Hoveringham village farmlands - Slight adverse Landscape effects at the Construction stage, and neutral effects in Year 1 and year 15. – Is incorrect and should instead refer to TW06 Bulcote village farmlands as this is the other Policy Zone directly affected by the proposed development. However it is agreed that landscape effects will be no more than slight adverse at the construction stage, reducing to neutral by Year 1 and in Year 15 because there are limited direct effects on this Policy Zone.
62. Visual Effects - The Zone of Theoretical Visibility plan was produced at the scoping stage and used to derive six viewpoints. Three visualisations were also produced. The text should explain the rationale for choosing these viewpoints.
63. The conclusions of the assessment of visual effects are set out in tables 7.11, 7.12, and 7.13. 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 A6097 to the north west and south east, and A612 to the southwest.
64. The text for Viewpoint 6 should mention the removal of the mature Ash Tree on the A612 Burton Road, as this is a significant visual feature. Do not however disagree with the overall assessment of slight adverse visual impact.
65. 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.
66. 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: unimproved neutral grassland 0.386ha; amenity grassland 0.045ha; species rich hedgerow 170m; species rich hedgerow 151m and seasonally wet flooded ditch 104m.

67. *A detailed landscape drawing should be requested by planning condition and this should refer to the species list for the Mid Nottinghamshire Farmlands Landscape Character Area.*
68. *A habitat management plan should be included as a condition of the application for the proposed pond, to ensure that arrangements are put in place for the management of this feature and to ensure the continued survival of the landscape mitigation proposed.*
69. **Via (Noise Engineer)** - *No objection subject to conditions requiring a construction management plan and prior to commencement baseline noise survey.*
70. *The result of the overall 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.*
71. *For construction phase impacts, a total of 35 receptors are predicted to experience potentially temporary significant effects. 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).*
72. *The assessment of the effects on the cultural heritage and at the ecological receptors shows a negligible change within the Lowdham assessment area.*
73. **Via (Reclamation)** - *No objections subject to conditions.*
74. *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 application.*
75. *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.*
76. *An Environmental Management Plan to control construction effects including noise, vibration, dust, mud, and pollution/spillages and waste disposal is also recommended.*
77. **Planning Casework Unit** - *(statutory notifications - does not wish to comment).*
78. **Cadent Gas Limited-** *No objection, but notes there is gas infrastructure within the area of the development.*
79. *There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive*

*covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply to have apparatus diverted in advance of any works.*

80. **Via (Countryside Access), Ramblers, Trent Valley Internal Drainage Board, Western Power Distribution, and Severn Trent Water Limited** have not responded. Any response received will be orally reported.

## **Publicity**

81. The application has been publicised by means of site notices, press notices (jointly with the 5 other junction proposal) and neighbour notification letters sent to the nearest 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.
82. 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>.
83. 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.
84. One objection, albeit with multiple correspondence, has been received against this application regarding the proposed changes to residential access to no.15 Nottingham Road/A612. The frontage land that is proposed to be transferred to this property is considered insufficient to allow for vehicle turning within the enlarged residential curtilage in order that vehicles exit onto the access drive in a forward gear. The resident has two vehicles and a business trailer to accommodate on the driveway and is seeking an additional area of highway verge land to the north-east to provide more turning space.
85. The objection is also raised because the underground utilities present within the frontage highway area would not be relocated upon the transfer of this land to the property and as such would be within the private driveway/garden area and could in future require access and excavations by the system operators e.g. Cadent Gas and the associated disruptions.
86. Details of the new boundary are queried and there is a preference for planting rather than close board fencing.

87. Councillor Roger Jackson has been notified of the application and has confirmed verbally that he supports the proposals subject to drainage details.
88. The issues raised are considered in the Observations Section of this report.

## **Observations**

### The requirement for planning permission

89. 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 under article 3 of the Order where the works are deemed to be EIA development, as is case here, where the applicant has elected to submit an Environmental Statement. Therefore planning permission is required.

### Planning policy assessment

90. This is one of six inter-related planning applications concerning junctions along the A614/A6097 corridor. However, each has to be independently considered and determined in the usual way against the applicable Development Plans and having regard to material considerations.
91. The Development Plan in this instance is the Newark and Sherwood Local Plan comprising the Amended Core Strategy (Part 1) (2019) (CS) and the Allocations and Development Management Plan Document (Part 2) (2013) (A&DM) together with the associated policy map. The National Planning Policy Framework (NPPF) is a material consideration. Other material considerations may include the Nottinghamshire Local Transport Plan and the D2N2 Strategic Economic Plan. It is also relevant to note that certain design standards apply including the Design Manual for Roads and Bridges and the NCC Highways Design Guide.
92. 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.

93. Improvements to the highway network therefore form an important aspect of the approach to infrastructure, notwithstanding the wider objectives of CS Spatial Policy 7 (and national policy) in reducing car travel and promoting sustainable patterns of development and travel. Under Spatial Policy 7 (Sustainable Transport) and its supporting text, new highway infrastructure will only be required (for the purposes of the Plan) where other measures are insufficient to cope with the impacts of planned developments and that this is informed by the IDP process.
94. Junction improvements at the Lowdham roundabout form part of the wider A614/A6097 corridor scheme which is included in the Nottinghamshire LTP and is also an investment priority in the D2N2 Strategic Economic Plan. This junction is specifically identified in the IDP and listed in Appendix D of the Core Strategy as being highway infrastructure works required for the delivery of the Local Plan/Core Strategy itself. Four other junctions – the subject of separate reports – are also listed. The IDP comments that possible interventions could include the introduction of signal controls and associated geometry revisions, but it does not specify exactly what form the junction improvements should take.
95. The current proposals do not propose the introduction of traffic signals and go further than just geometric revisions – a full enlargement of the roundabout is proposed with additional lanes on approach and around, thereby expanding junction capacity and throughput for motor traffic. These are essentially road-based improvements although incorporating improved pedestrian/cycle crossings. The identification in the IDP and Core Strategy of this junction does appear to confirm that capacity improvements are necessary and can be supported and that alternatives such as sustainable transport-focussed solutions (for example cycle or bus improvements) would not be enough resolve the existing and forecasted congestion issues on their own.
96. Furthermore, traffic modelling finds that the current roundabout is significantly overloaded in the pm peak and forecasts congestion and queuing would significantly worsen if no changes are made. The enlargement would therefore significantly improve what would otherwise be severe congestion conditions created by a combination of general growth in traffic and from local development and housing growth.
97. 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.*

98. Of particular relevance from the above is to avoid harm to the environment and character of the area, which require further assessment below. However, at this stage it can be considered that the proposed enlargement of Lowdham roundabout is 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.
99. Although the site lies outside of the defined village envelope where development is restricted to a narrow list of types of development under A&DM Policy DM8 (Development in the open countryside) whereby transport infrastructure is not one of the listed types, it is clear that these highway improvement works would not be contrary to the purposes of this policy in terms of the Local Plan directing development to where it is sustainable. CS Spatial Policy 3 (Rural Areas) similarly does not have transport infrastructure in mind, but it is evident that the proposals would help support the rural community/economy by reducing congestion and without unacceptable detriment to local character, amenity or other pertinent impacts such as drainage.
100. Lowdham is not a focus for new development or regeneration as is the case along the A614 at Ollerton and Bilsthorpe, and only limited new development is envisaged in the Local Plan. This is partly due to the village's position within the Green Belt. However the congestion and capacity issues here have wider implications for the A6097/A614 corridor and for new developments further afield and from which the resultant traffic is forecast to partly need to use Lowdham roundabout. Strategic housing led developments that are ongoing at Bingham and Newton, in Rushcliffe Borough, and at Teal Close/Rivendell, Gedling will add to the overall forecast traffic growth at Lowdham. The development at Teal Close is also limited by planning condition to 325 dwellings until capacity at Lowdham roundabout is addressed. Therefore, capacity

improvements are key to the completion of major new developments over a wide area, and key to the delivery of strategic/allocated sites within both the Rushcliffe and Gedling Local Plans. This clearly shows the vital role that the A614 and A6097 corridor plays for the Nottinghamshire economy.

101. It is clear that when considering the above transport and infrastructure plan objectives, and the linkages with nearby developments, the proposals are required and are fully supported in principle to provide needed additional road capacity, whilst maintaining its function as part of the MRN on the A6097/A614 corridor. The plans accord with policies SP6, SP7 and support the wider plan objectives in policies SP1 and SP2. The proposals further support the implementation of the Gedling and Rushcliffe Local Plans. Given the identification and support for this proposal throughout the Local Plan and LTP documents, and the dependence placed upon it to deliver the Plan as a whole, Officers consider that there is strong weight in favour of the proposals in principle.

#### Highway design and safety matters

102. The proposed designs have been subject to an initial Road Safety Audit and found acceptable subject to consideration of a number of detailed recommendations. Certain minor updates to the plans may therefore emerge after any planning permission has been granted and these will need further approvals. Further Road Safety Audits would be conducted at the final/detailed design stage and then after opening to check how the roundabout is operating. It is also understood that the Highway Authority would monitor post development traffic flows to check the network is operating as planned.
103. It should be noted that an enlarged roundabout with additional lanes can expect to result in increased accidents/collisions and poses additional difficulties for motorbikes and cyclists. This has to be traded against the overall day to day increased traffic throughput that would be created.
104. Cyclists using the A612 - Southwell Road route would have the option of taking the off-road shared path and Toucan crossing rather than negotiating the roundabout, however there are a large number of road based cyclists using this area. Signage for the cycle route and crossing could be improved at the detailed design stage to encourage its use and it should be recognised that this would be a significant improvement over the existing uncontrolled crossing point which is difficult for pedestrians/cyclists to use due to the often constant flow of A6097 traffic. It is noted that no further controlled crossings are to be provided across the other arms, however there does not appear to be the need for such. However the A6097 currently has an uncontrolled crossing point south of the roundabout providing connectivity to the four properties to the south-west and this should be maintained or re-provided as a minimum.
105. Lowdham Parish Council have made a specific request to turn the short section of Nottingham Road, east of the roundabout, no entry from its junction with Southwell Road, thereby creating a one-way route from the Station Road

direction only. The concern is for traffic waiting to turn right into Nottingham Road delaying off-coming traffic from the roundabout. This has not been identified as a measure that would be needed to make the scheme function effectively and is therefore outside of the scope of the project. However traffic flows in the area would be monitored post development to check that the network is performing as expected and the County Highways Authority would be able to consider the Parish Council's request as a separate/further intervention in the future.

106. A specific issue is raised at the properties on the south-east side of the roundabout, with an objection from no. 15 Nottingham Road as summarised above. For safety and junction performance reasons these four properties would lose their direct driveway access from the A612 and instead a new access road or driveway, segregated from but parallel with the A612, would be created along the front verge area down to a new priority junction to the south-west. As this would also be shared with any pedestrians it is important that vehicles can leave each of the dwellings in a forward gear and have turning space to do so. In the case of no.15, at the end of the access drive, the proposed solution involves a transfer of some of the front highway land to enlarge the resident's driveway area, rather than create a turning head or area beyond. Officers have requested vehicle tracking be undertaken to demonstrate how the arrangement would work for each property and for two cars. It has been demonstrated that each/either car would be able to turn within the drive area and leave in a forward gear, although one car would require a very tight 5-point turn to do so based on the tracking information undertaken. NCC Highways comment that this tracking information appears to be conservative and that there should be turning space and room for 3 parked cars- which would also accommodate the resident's trailer. Details for the new boundary treatment and gates are yet to be determined. Therefore whilst it has been shown that the access drive would be able to serve these dwellings and safely allow for these vehicles to enter and exit the A612 at a point further away from the roundabout, there appears to be certain details which still need to be resolved at no.15 in terms of the boundary treatment and positioning of any gates and as such a condition on this matter is recommended. Further concerns at this property are discussed below.

#### Residential amenity (including construction effects)

107. CS Core Policy 9 and A&DM Policy DM5 seek to ensure high standards of design. Policy DM5 amongst other matters lays out provisions in relation to local amenity. Development proposals should have regard to their impact on the amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact. The layout of development and separation distances from neighbouring development should be sufficient to ensure against unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. Proposals resulting in the loss of amenity space will require justification. CS Policy SP3 in relation to rural areas also states that new development should not have a detrimental impact on the amenity of local people nor have an undue impact on local infrastructure.

108. Final construction details will not be fully known until a contractor is appointed, however the applicant's ES has been able to assess the likely worst-case level of effect based on typical road construction activities. The construction programme is anticipated to last for approximately 10-12 months. Up to 27 residential properties could experience a significant, albeit temporary/transient *major adverse* impact, these being situated on or adjacent to the roundabout and within 50m of the works boundary on Nottingham Road, Victoria Avenue and Station Road. There could also be some moderate adverse vibration effects which could result in annoyance to 16 properties. At a greater distance from the works area, between 50m and 75m, the resulting noise impact from construction decreases to minor to moderate adverse and after 75m to negligible to minor adverse. Further areas within the village are therefore affected but to a lesser degree. Construction impacts would be temporary and transient depending on where and when certain work activities are carried out, however the nature of these highway works would not be unusual. Furthermore a Construction Management Plan would be developed and the contractor would be expected to use Best Practical Means to control noise and vibration. Typical examples of such mitigation have been identified and could include, for example, the use of temporary acoustic screens. Measures to control dust (considered further below under air quality) and mud would also be covered.
109. Noise modelling for the completed enlarged roundabout shows that generally there would be a negligible beneficial noise impact locally, partly due to the proposed reduced 30mph speed limit on the A6097 and A612 approaches, and because of high levels of existing background traffic noise, although 8% of receptors would experience a negligible adverse effect from traffic noise. In the longer term if background traffic levels increase, a majority of local receptors would see a negligible adverse effect. The noise modelling takes into account over 700 local receptors including healthcare and education settings and no significant operational effects are expected.
110. No noise or vibration objections have been raised and it is clear that the beneficial enlargement and other improvements planned to this junction would require some short term temporary disruption during construction which is capable of being managed and mitigated as far as possible through a construction management plan, which should be required under planning condition.
111. Street lighting would be upgraded to LED which would limit slight spill from the highway areas. This should be beneficial to properties along Nottingham Road and Station Road. Lighting would however extend along the A6097 for the first time and so is likely to be perceived more at night, whilst the additional columns would be visible by day. The lighting scheme has been designed to the necessary standards and is a highway safety measure.
112. There would be an intensification of highway infrastructure at this edge of village location, including from the additional lanes and extended street lighting. The design of the new roundabout includes provision for enhanced and new landscaping on and around it, including the water attenuation area and it would

maintain a green gateway into the village by avoiding impacting on the cricket club or the adjacent verge area.

113. Adjoining residents would not experience unacceptable noise impacts, however changes to access are needed for no.s 15-21 Nottingham Road as noted above.
114. Concerns at no.15 Nottingham Road, which is particularly affected, have been addressed above, but a further concern is over the utilities that are situated below the highway verge/footway area that is to be transferred to this property to enlarge their drive/garden area. Due to cost reasons it is understood the applicant does not propose to relocate these and so they would exist below what would become the resident's driveway and garden. This in itself is not an unusual occurrence and does not prevent the use and enjoyment of the above ground area for residential purposes. It would be a rare occurrence for a utility operator to need to gain access for excavations and they would have to reinstate such works thereafter. However the presence of utilities can be expected to prevent certain above ground works, particularly the planting of trees and positioning of fence/gate posts etc. The latter affects the final designs needed for the new boundary, which has not yet been decided. Indeed Cadent Gas (comments noted above) which has gas pipes in the affected space, notes that certain above ground works cannot interfere with the legal easements covering the infrastructure. This has created some uncertainty, as such a condition is recommended to agree the designs and positioning of fencing and/or boundary planting and if the utilities prevent an acceptable solution being reached, then this part of the project may need to be redesigned. Notwithstanding this situation it can still be concluded that the proposed change of use of a small area of highway verge area to residential curtilage use is acceptable in planning terms, subject to agreeing a sensitive treatment for the new boundary.
115. On balance the proposed designs are considered acceptable and the general amenity at this junction would be largely maintained on completion of works, particularly by retaining the gateway landscaping into the village and by ensuring nearby residents would not be unduly affected by increased traffic noise, and whilst providing alternative means of access where required. Landscape and visual effects are considered below but new and replacement landscaping would be beneficial to the local character and amenity. Construction impacts are capable of being managed and mitigated subject to a construction management plan under planning condition.

#### Landscape and Visual Impact

116. 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.

117. A landscape and visual impact assessment 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.
118. 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 two Regional Landscape Character Areas (RLCAs) (Mid-Nottinghamshire (MN) Farmlands RLCA and Trent Washlands (TW) RLCA) and two Policy Zones (PZs) are affected.
119. PZ MN40 Epperstone Village Farmlands with Ancient Woodlands, includes the open spaces north of the roundabout. The landscape condition is described as good, sensitivity is described as 'moderate', and the overall landscape strategy is 'conserve and reinforce'. The area contains generally medium to small scale arable fields, pasture and woodland, some riparian land within the Cocker Beck valley. There is human influence from the transport routes including the A612 and A6097 as well as from the older area of Lowdham including its conservation assets. Views are constrained to the north-west by topography but are more expansive to the south-east across the Trent Valley. The ES considers the area to be of medium landscape value.
120. PZ TW06 Bulcote Village Farmlands includes the arable field south of the A612, part of which is needed for the new residential access drive. (PZ TW08 Gunthorpe and Hoveringham Village Farmlands is incorrectly referred to in the ES). The landscape condition is described as 'moderate', sensitivity is described as 'moderate', and the overall landscape strategy is to 'create and conserve'. The area contains generally large to medium scale intensively farmed arable fields and hedgerows. This is interrupted with transport routes such as the A612 and railway line and by some modern farm buildings. The ES considers the area to be of medium landscape value.
121. The immediate site consists of the existing roundabout and its approaches, including the A6097 Epperstone bypass with its wide central grass reservation and lack of barriers which is characteristic of an early bypass. The character is more suburban or village-edge, with some ribbon development along the A612 Nottingham Road, including properties to the south west and open arable fields rising towards a ridge to the north. A low, managed hedgerow continues around this side of the roundabout. The eastern side is framed by the cricket club and a crescent of mature trees, with some frontage shrub planting together forming a prominent feature.

122. The proposed works involve the removal of the low hedgerow around the north-west corner of the roundabout to allow for widening works and specifically to accommodate a new A612-A6097 left turn lane. This would also entail the felling of a single, mature ash tree adjacent to No.2 Nottingham Road, a significant visual feature as highlighted by the Via Landscape comments. Some hedgerow would also be removed south of the A612 to create an access drive. The mature trees and landscaped areas around the cricket club, forming a gateway into the village, would however be unaffected.
123. New and replacement landscaping is proposed to reintegrate the enlarged junction into the landscape including replacement native hedgerows. There would also be a new water attenuation area (seasonally wet/dry grassland) with areas of shrub and woodland mix planting. This is set out on an accompanying landscaping plan.
124. The applicant's assessment finds that as a result of the proposed development there would be a slight adverse landscape effect at the construction stage (including through the siting of compounds), and at year 1 but by year 15 a neutral effect is expected as landscaping has taken effect. The new water attenuation area would contribute positively to the immediate landscape context balanced against the inevitable intensification of the highway and the greater footprint of the roundabout. These changes and effects would be very localised.
125. In terms of visual effects, six viewpoints have been assessed by the applicant in the ES and again impacts are considered for the construction stage, at year 1 of operation and year 15. Three visualisations have also been produced. Slight adverse impacts are expected at all but one viewpoint during construction, again also taking into account construction works and compounds. The War Memorial viewpoint is neutral by year 1, leaving slight adverse permanent impacts at year 15 for four viewpoints.
126. The lighting proposals include for the first time new lighting columns and LED fittings to the A6097 both to the north west and south east of the roundabout which will increase the perception of night time lighting at the junction. However the use of LEDs, including the replacement of the existing sodium lighting, would limit the area of light spill to focus on the highway and its verge area. There would be reduced light spill to the fronts of properties along Nottingham Road and Station Road.
127. The LVIA has been subject to critical assessment from Via and the landscape and visual conclusions are all largely agreed with and the proposals adjudged as acceptable and are supported. Whilst a number of minor errors are noted, including referencing an incorrect landscape policy zone, and a series of recommendations are made, there is sufficient information to inform an assessment of landscape and visual impacts. The identified errors/omissions are on the record and there would be no benefit in seeking amends. Instead the recommendations can be taken forwards as part of necessary planning conditions. Final details of landscape planting, its maintenance and other details such as fencing should therefore be agreed through a planning condition.

128. There would be a direct impact upon No.15 Nottingham Road whereby the resident's front hedgerow would need to be removed in order to create a modified access via the proposed new driveway serving nos.15-21. A new boundary would be created, which the applicant has tentatively suggested as a fence. This has not been considered in detail at this stage and potential replacement planting should also be considered for this corner. As discussed above, it is reasonable to defer this matter of detail under a planning condition to allow the final boundary treatment to be agreed with the CPA in consultation with the residents.
129. In conclusion, whilst there would inevitably be some slight adverse landscape and visual impacts at construction and year 1 of operation, the landscape effects would be neutralised by year 15, leaving some slight adverse visual effects permanently due to the greater highway area and new lighting. On balance, Officers consider that the landscape and site specific character has been properly taken into account as required by Core Policy 13 and Policy DM5, including proposals for landscaping, and that the impacts, being neutral, would conserve and to a limited extent possibly also reinforce local landscape character. There is therefore compliance with the policies, however the slight adverse visual impacts should be noted and carried forward into the overall planning balance.

#### Flood Risk and Surface Water Drainage

130. 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 exiting drainage regime. Development should also be resilient to the future effects of climate change.
131. Core Policy 10a (Local Drainage Designations) is relevant but not engaged in this instance. In recognition of the particular flood risk in Lowdham the policy is a statement of intent to develop a local drainage designation for the area, however to date this has not been taken forward by NSDC.
132. Flooding is a particular concern in Lowdham with the village experiencing several damaging events in recent years, stemming from the Cocker Beck 160m to the east of the roundabout as well as from poorly maintained land drains. A major Environment Agency led project is currently underway to reduce the future risk.
133. The application includes a detailed Flood Risk Assessment. It starts by identifying that the roundabout and its approaches are, in the main, located at high risk of fluvial flooding in Flood Zone 3, with the very centre in Flood Zone 2 (see Plan 2). This map/model does not however take into account local flood defences around and alongside the cricket club. Those defences have recently been enhanced by the Environment Agency and they have a further major

project pending to create an upstream flood alleviation/storage reservoir near to Lowdham Grange. More detailed flood modelling is therefore available for both the current situation, taking into account defences, and for a future baseline once the new alleviation scheme has been completed (currently planned for completion in Spring 2024).

134. The updated Environment Agency modelling shows the Lowdham scheme to be at a low baseline level of flood risk contrary to the Flood Zone maps. In a 1% AEP design event, including a +39% climate change allowance, the roundabout and approaches are shown not to be inundated with water – with the cricket club acting to hold water to the north east and some lesser flooding of streets between the A6097 and Station Road. Once the future flood alleviation scheme has been implemented the modelling shows there would be no change to the flood risk at the roundabout and therefore the junction improvements are not dependent on the EA scheme progressing. Overall the assessment considers the risk of fluvial flooding in the baseline situation to be low. There is a medium risk of surface water flooding (some drainage ditches are understood to be overgrown) and also a medium risk from high groundwater.
135. The flood risk assessment concludes that the proposed roundabout scheme is not expected to affect local fluvial flood risk. It then turns its attention to the proposed highway surface water drainage arrangements. Parts of the existing highway drainage system, on the eastern side, can be reused with some modification. On the western side, the scheme proposes attenuation in the form of a landscaped pond area utilising a corner of the arable field between the A612 and A6097 (to be maintained as part of the highway). The outlet from this would run under the road into a field drain beside no. 21 Nottingham Road but a flow control chamber would limit the discharge to 5 litres per second. In addition an underground attenuation chamber and flow control outlet would be sited under the proposed residential access road for no.s 15 to 21. A linear drain in front of these properties would also protect them from surface water flooding. Together this would result in a significant betterment to the existing surface water discharge. The scheme has also been designed to take into account the future effects of climate change.
136. The Environment Agency raises no objection to the proposals. It 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.
137. NCC Flood Risk also raises no objection however it requests a condition to require for approval the final and detailed surface water drainage scheme. In considering whether this is a reasonable request, though a detailed drainage plan has been submitted and the arrangements were considered through the Flood Risk Assessment, it is apparent that further/final details are requested. 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.

138. Two sites for temporary construction storage or compounds are proposed – one an arable field alongside the A6097 Epperstone Bypass and the other to the south-west of the A612 Nottingham Road. The flood modelling shows both would be outside the area affected by fluvial flooding and the latter field experiencing only some surface water flooding. The locations appear acceptable subject to details under condition which should include any stand-offs or buffers to field drains, as well as full restoration on completion.
139. In summary, whilst the Flood Map for Planning shows the roundabout at high risk of flooding, more recent and detailed modelling places the site at low risk of fluvial flooding. The reuse and enlargement of this junction is therefore considered to accord with the sequential approach to flooding and land use. The proposed surface water drainage scheme would provide attenuation which would deliver a betterment over the current system whilst also protecting neighbouring properties. The attenuation pond would also provide multi-functional benefits for biodiversity and enhancing the appearance at the corner of the roundabout. These enhancements should be afforded positive weight in the overall planning balance. Subject to final and exact details under condition, the proposals are considered to accord with local and national planning policy on this issue.

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

140. A&DM Policy DM8 (Development in the open countryside) amongst other matters states that proposals resulting in the loss of the most versatile areas of agricultural land, will be required to demonstrate a sequential approach to site selection and demonstrate environmental or community benefits to outweigh the loss.
141. The NPPF states that planning decisions should contribute to and enhance the natural environment including by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality) and recognise the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile (BMV) agricultural land (para 174). BMV land is defined as land in grades 1, 2 and 3a of the Agricultural Land Classification.
142. The proposals require part of the arable field to the west of the roundabout to create a surface water attenuation area as well as a temporary construction compound. A strip of arable land to the south-west is also required to create a new access drive for no.s 15-21 Nottingham Road and again for temporary construction purposes. Initial survey findings indicate that the affected areas of agricultural land are largely Grade 2 and Grade 3a BMV land, with small areas of Grade 3b. The proposals would result in the permanent loss of approximately 0.5ha of BMV agricultural land, mostly for the water attenuation area, and would require the temporary removal of a further 0.88ha for construction purposes. There is no available mitigation as such for the removal/loss of the BMV land although the ES states that a soils resource plan would identify any re-use

options for the surplus soil material, where possible. The ES concludes that the permanent loss of half a hectare of BMV land would be of slight adverse significance, whilst the areas temporarily lost would also be of slight adverse significance.

143. The construction works also have potential to create damage to agricultural soils at the construction stage, including from the requirement for a temporary compound in the field to the west. The ES highlights this possibility as a slight adverse residual effect. Additional mitigation would be in the form of a soil resources plan/a materials management plan and an earthworks strategy. The works will be carried out in accordance with the Defra “Code of Practice for the Sustainable Use of Soils on Construction Sites” and other standards. Measures would include soil handling and stockpiling techniques and dedicated construction traffic/plant routes. Topsoil and subsoil would first be stripped and stockpiled separately either for use in restoring temporary areas such as the compound, upon completion of the project, or to enable beneficial reuse elsewhere. A range of pollution prevention measures would also be applied to protect soils and nearby surface and ground waters.
144. A condition governing the works for the temporary compound and requiring its restoration thereafter should be applied. Other details can be covered within a CEMP.
145. Impacts on adjacent BMV agricultural land is unavoidable if this roundabout is to be enlarged whilst avoiding impacts to the cricket club and neighbouring properties. Meanwhile ensuring highway surface water is sustainably managed is of critical importance to this community. The permanent loss of 0.5ha of BMV land along with a residual risk of reduced land quality following restoration of temporary work areas, carries some negative weight into the planning balance. However, for the purposes of Policy DM8, this is evidently outweighed by the benefits to the community and to wider road users from the resulting increased junction capacity and improved non-motorised user crossing provision. Other benefits include the improved surface water management and biodiversity enhancements, such that the proposals are considered to accord with Policy DM8 on this matter.

### Green Belt

146. The application site is entirely within the Green Belt as confirmed by the Core Strategy and on the associated policies map. Spatial Policy 4B (Green Belt Development) sets out how development such as housing will generally be distributed in Green Belt areas. However, it then advises that other proposals in the Green Belt are to be adjudged according to national planning policy concerning the Green Belt, as is the case here.
147. Chapter 13 of the NPPF sets out that the Government attaches great importance to Green Belts and their fundamental aim is as a policy tool to prevent urban sprawl by keeping land ‘permanently open’ (para 137). The Green Belt serves five purposes: a) to check the unrestricted sprawl of large

built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land (para 138).

148. Paras 147 to 151 relate to proposals in the Green Belt and determine whether proposed development is appropriate or inappropriate development within Green Belt locations.
149. The proposals are considered to fall comfortably within the scope of para 150 – particularly para 150c): *“local transport infrastructure which can demonstrate a requirement for a Green Belt location”* – as a form of development which is specifically listed as capable of being ‘not inappropriate’ (and so appropriate) within the Green Belt provided that two tests are met. These two requirements are that the proposed development needs to preserve openness and result in no conflict with the Green Belt purposes (as listed above).
150. The need to demonstrate a requirement for a Green Belt location is self-evidently met because of the pre-existence of this junction in this location and that a Green Belt location is unavoidable. The enlargement of the roundabout and its associated works are entirely logical, reasonable and proportionate responses to the pressing congestion issues.
151. On the matter of whether the proposals would preserve openness, whilst this is a planning judgment in a given case, the Courts have provided clarity on this matter<sup>1</sup>. Openness is a broad policy concept which is the counterpart to urban sprawl and is linked to the purposes served by the Green Belt. Openness is not necessarily a statement about the visual qualities of the land, nor does it imply freedom from all forms of development. Whilst views and visual appearance in a landscape may still be capable of being a consideration in this matter of openness (it remains a matter of planning judgment in any given case), there is an emphasis of the Green Belt being a counterpart to ‘urban sprawl’.
152. The proposals do not entail the erection of any buildings or any notable above ground engineering structures, such as bridges, bunds or holding walls. Engineering works are generally planned at or below existing surface level in order to enlarge the roundabout, or to provide surface water drainage solutions.
153. The proposed works predominantly involve existing highway verges and other landscaped edges on the entrance to the village, but careful attention has been made so as to retain the mature trees around the edge of the cricket club (and the ground itself). An area of arable field is required on the north-west corner but

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<sup>1</sup> R (on the application of Samuel Smith Old Brewery (Tadcaster) and others) (Respondents) v North Yorkshire County Council (Appellant) [2020] UKSC 3

this would be predominantly to create a landscaped surface water attenuation area. Where the field hedgerow would be removed it would be replanted on a revised alignment. Changes to signage and street lighting would be required but overall these would be proportionate alterations at an existing junction which has to exist in a Green Belt location. The works to enlarge this roundabout are considered to not be harmful to the current conditions. The works would not create urban sprawl in Green Belt sense (subject to landscaping) and so it is considered that the proposals would preserve openness.

154. It is further considered that there would be neutral outcomes for the purposes of the Green Belt (as listed above). The proposals have not been designed to facilitate further development in the Green Belt or urban sprawl (but do enable planned development elsewhere) and the junction does not serve as an important break/barrier to settlements merging together, nor does it form a setting to any historic town (though conservation issues are still relevant in other aspects). There would be some minor impact upon the adjacent countryside from direct land take, specifically for water attenuation, however the proposals would still fundamentally safeguard the countryside from urbanising development and particularly from built development.
155. If, however Members are of the alternative view that openness would not be satisfactorily preserved, or that there would be direct conflict with the purposes of the land's inclusion in the Green Belt, it would be necessary to consider whether 'very special circumstances' (VSC) clearly existed to justify what would be harmful and inappropriate development in the Green Belt and VSC would only exist where such harm by reason of inappropriateness, and any other harm resulting from the proposals, are clearly outweighed by other considerations (following NPPF paras 147-148). Such considerations would be the resulting public benefits for both the effective flow of road traffic and improved facilities for non-motorised users as a result of the capacity and reconfiguration works. It is Officers' opinion that the benefits would clearly outweigh the harms such that VSC would exist. However, for the reasons set out above, Officers' position is that the proposals are considered to be appropriate development in the Green Belt (subject to landscaping and other conditions) and would therefore comply with national and local planning policy on this matter.

#### Ecological Impact

156. 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.
157. Following on, A&DM Policy DM5 (Design) amongst other matters states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Wherever possible, this should

be through integration and connectivity of the Green Infrastructure to deliver multi-functional benefits. Where it is apparent that a site may provide a habitat for protected species, development proposals should be supported by an up-to date ecological assessment. Significantly harmful ecological impacts should be avoided through the design, layout and detailing of the development, with mitigation, and as a last resort, compensation (including off-site measures), provided where significant impacts cannot be avoided.

158. 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. However, there are no such sites in proximity to the Lowdham scheme. Development proposals on 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.
159. The application is informed by various surveys including an extended phase 1 habitat survey with species specific surveys and an ecological appraisal. No issue is raised as to their adequacy or completeness.
160. No sites designated for biodiversity would be affected – the nearest LWS is 750m distant on the other side of Lowdham. One veteran tree is located approximately 140m from the scheme boundary on Station Road. Indirect effects to this tree during construction and also upon completion in terms of potential air emissions/dust have been considered, but no adverse effects are predicted.
161. The enlargement of the roundabout and associated works would result in the temporary loss of 0.25ha of neutral grassland (verges) and 160m of species poor hedgerow. These are of local or county importance, and whilst they can support species such as foraging bats, this area is suboptimal, being part of, or adjacent to, busy roads and in the case of hedgerows are heavily managed.
162. The landscaping plans would replace and better these upon completion of works with the provision of 0.38ha of grassland (including some species-rich wildflower meadow verges) and 330m of new species-rich hedgerow, including around the new water attenuation area, which itself will provide new seasonal wet/dry habitats. Two trees would be removed (including the mature Ash) but 24 new trees would be planted. It will take some years for the hedgerows and trees to mature and therefore some temporary/short term slight adverse impacts are acknowledged.
163. Using the Biodiversity Net Gain Calculator, the applicant states that there would be an overall net gain on site of some 33.95% for habitats, 118.70% for hedgerows and 86.74% for river, which is clearly welcomed, aligns with the thrust of national planning policy and should be afforded moderate positive weight in the overall planning balance.

164. Whilst the area is sub optimal for bats, the lighting design nonetheless has been designed to minimise impacts to these species with LED lanterns fitted with rear shielding. The reduced speed limit from 40mph to 30mph may also slightly benefit hedgehogs.
165. No objection is raised by NCC Nature Conservation subject to the developer following various recommendations to avoid and mitigate harmful impacts to protected species and the water environment as part of a Construction Environmental Management Plan (CEMP) which should be a planning condition requirement. A Biodiversity Net Gain plan should also be required in order to realise the anticipated enhancements alongside a final landscaping scheme.
166. NCC Nature Conservation requests that this is managed for 30 years to ensure that the habitats deliver the intended net gains. The new landscaping would have to be routinely maintained in any event, but this would ensure that biodiversity informs the approach. Overall the temporary loss of some fringing vegetation, including managed hedgerow and a mature ash tree, is considered to be justified in order to deliver the highway improvements. The scheme otherwise intentionally seeks to avoid impacting on notable features such as the mature trees surrounding the cricket club, which has resulted in the elliptical roundabout design. Furthermore, in light of the habitat and landscaping enhancements that would be created around the roundabout including replacement hedgerows, trees and the water attenuation area, resulting in an overall net gain/enhancement for biodiversity, the proposals can be adjudged to be beneficial for the natural environment and this should be recognised in the planning balance. Subject to the CEMP and landscaping conditions the proposals comply with Core Policy 12, Policy DM5 and Policy DM7.

#### Heritage and Archaeology

167. CS Core Policy 14 and A&DM Policy DM9 seeks to ensure the continued conservation and enhancement of the character, appearance and setting of heritage assets and the historic environment, in line with their identified significance, following national policy.
168. 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).
169. Where adverse impact is identified there should be a clear and convincing justification. National planning policy guides this further in the case of identified 'less than substantial harm' to the significance of a designated heritage asset. In such circumstances this harm should be weighed against any public benefits of the proposal.

170. 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.
171. The Grade II listed War Memorial lies <100m to the north-east and is set in a landscaped triangle of land between Nottingham Road, Station Road and Southwell Road. It is partly screened from the roundabout by mature trees. Its primary significance stems from the 67 inscribed names - 62 being the fallen from the villages of Lowdham, Gunthorpe and Caythorpe during the First World War, and a further five servicemen lost during the Second World War. They are commemorated on a large stone obelisk with a surrounding remembrance garden. This siting within a landscaped area, at a central position within the village, also contributes to its heritage significance.
172. The proposals to enlarge the roundabout and its approaches take all this into account, avoiding any direct impacts on this green area and on the mature trees which flank the memorial along its rear with Southwell Road. The proposals also avoid impacts to the nearby cricket club and the mature trees on the north-east corner of the junction. Physically therefore the War Memorial and its garden would be fully preserved, however indirect impacts from construction and noise are pertinent.
173. As a place of reflection and remembrance there is potential for temporary noise and construction activity to adversely affect this aspect of its significance. This is acknowledged in the Environmental Statement which also confirms there would be no construction works on Sundays, however a slight adverse level of harmful impact (not significant) is identified due to the indirect views of construction works (particularly in winter when trees are bare) and from associated noise etc. Similarly, a cluster of 19thC Grade II houses just beyond the war memorial, on Southwell Road, could experience some temporary construction noise. Again this would not be significant.
174. In the advice from NCC's Built Heritage Officer, there is a request to reserve such construction impacts at/around 11am on the 11<sup>th</sup> November and also on the remembrance Sunday so to avoid impacting the national minute's silence and parades. Although a condition to this effect is requested, it is considered that this aspect can form part of the wider construction management plan condition that is considered necessary for this and other reasons of amenity.
175. The Environmental Statement also concludes that there could be slight adverse (not significant) impact on this heritage receptor from a negligible increase to operational traffic noise upon completion, notwithstanding the existing high background traffic noise.
176. In terms of other details, the street lighting would be upgraded to LEDs, but plans show the lighting columns in the vicinity of the memorial would retain their present locations and shows there would be a reduced area of light spill. A road sign on Southwell Road near to the memorial, but screened by the trees, would be replaced in this existing position.

177. In terms of archaeology there is potential for unrecorded remains within the agricultural fields to the north and south-west, which would be developed for the flood attenuation area and construction compounds. The Environmental Statement assesses any such remains are likely to be of low heritage value. There is also potential to affect remnants ridge and furrow, which has been previously recorded in the field. However there are no obvious, visual remains and this is classed as of low significance and any impact would be not significant. NCC Archaeology is content subject to the inclusion of a planning condition requiring an archaeological scheme of mitigation. This is reasonable and should be required prior to commencement of works.
178. In conclusion the proposal's impacts on the historic environment would be very limited, largely from the temporary effects of construction (visual/noise). However, some further slight adverse impacts could arise upon completion in terms of potentially slightly increased traffic noise at the War Memorial and from the loss of any surviving archaeology. The Environmental Statement has afforded due weight to each asset in reaching its conclusions on the level of impact to significance. These identified impacts however appear to be on the conservative side. For the purposes of planning policy these are nonetheless harmful impacts but are all squarely within the bracket of 'less than substantial harm' and whilst great weight should be afforded to preserving the setting and significance of heritage assets, the public benefits from improving this key junction are considered to overwhelmingly outweigh the very minor impacts. No conflict is identified with Core Policy 14 and Policy DM9, but the impacts need to be fed into overall planning balance.

#### Air Quality/Dust

179. Air quality impacts in terms of construction dust and operational traffic emissions have been assessed within the ES, including through atmospheric modelling.
180. Construction works have potential to generate adverse but temporary dust effects. Receptors within 50m of the assessment boundary (which is wider than the actual works area) are most sensitive of which there are approximately 40 residential properties. The assessment recommends that best practice mitigation measures are employed as part of a CEMP and as a result no significant dust impacts are expected to any sensitive receptor.
181. The modelling predicts a small decrease in NO<sub>2</sub> concentrations at all the nearest receptors/properties. No receptors are predicted to experience an exceedance of the Air Quality Objectives and overall there would be no significant air quality effects at both construction and operational stages. In addition no likely significant air quality effect is predicted to the Veteran tree located on Station Road. Subject to securing construction management controls the proposals would not adversely impact on air quality and A&DM Policy DM10 is therefore satisfied.

#### Contamination /ground pollution

182. A&DM 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.
183. 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.
184. The application contains an appropriate level of background assessment work to inform the design and to quantify the risk of contamination or unstable ground conditions. A Phase 1 geo-environmental desk study gathered information from historical mapping and environmental data searches and a site walkover survey was also undertaken. There is also a thorough review of the water environment.
185. This background work has been reviewed on behalf of the County Planning Authority by Via East Midlands - see Via Reclamation comments above - and confirmed as acceptable at this stage. Intrusive surveys can follow prior to construction and it is recommended that these be required under planning condition along with proposals for any decontamination that may be required, followed finally by a validation report upon completion of the project.
186. Construction works risk polluting ground or surface waters if mitigation measures are not taken. This could include fuel spillages or mobilisation of contaminated materials. Additional supplementary ground investigations are proposed and with risk assessments and mitigation (such as aquifer protection measures) put in place, the residual effect would not be significant. The construction management plan would also contain measures to prevent accidental pollution, run off or spillages into the environment. This will also ensure that waste is managed appropriately, for example by ensuring soils that are reused are validated as being suitable and clean. The plan would also ensure other emissions of dust, mud and noise are controlled as far as possible during the construction works. The CEMP is also to be required by planning condition.
187. Therefore whilst there are risks that need to be managed, the issues present are not unusual for a highways scheme of this nature and there is confidence that these matters can be addressed at the next stages of the design and development and with the oversight of the CPA through the imposition of

conditions. Consequently it can be stated that the proposals are compliant with the above local and national planning policies.

### Climate Change and Sustainability

188. 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.
189. 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.
190. 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'.
191. 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 will result in very limited traffic re-routing and no significant traffic growth. Routine maintenance is also not considered further because this is not expected to be dissimilar to the current baseline.

192. The assessment recognises the high sensitivity of the climate to GHG emissions in the context of the Paris Agreement and more recent IPCC reports highlighting the importance of limiting global warming below 1.5°C.
193. GHG emissions have been estimated as totalling 735 tCO<sup>2</sup> for the Lowdham roundabout scheme with over half attributed to the transport of materials. This would be a contribution of 0.00004% to the 4th UK Carbon Budget (2023-2027).
194. The assessment considers that a range of mitigation measures that would be implemented by the contractor. These include developing a plan to reduce energy consumption and carbon emissions, for example potentially using renewable and/or low or zero carbon energy sources; the use of sub-contractors with low emission fleet vehicles; where practicable the use of sustainably sourced materials 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.
195. 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.
196. 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.
197. This is accepted, and there is no policy which appears to direct that these emissions (which can be mitigated to some degree) should be used to withhold planning permission.
198. 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.
199. Whilst the need for the proposal stems from arguably unsustainable vehicular traffic, as noted above there would be improvements for non-motorised users with a toucan crossing on the shared foot/cycle way and reduced congestion should also benefit 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.

200. 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.
201. 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. There is no realistic alternative package of public transport and sustainable travel interventions that could completely replace the need for enlarging the roundabout.
202. 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

203. 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.
204. 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 Bilsthorpe site. Whilst it has been necessary to assesses such combined effects, ultimately each application needs to be individually and separately determined.

### **Other Options Considered**

205. As part of developing options the applicant and their consultants first considered the use of an enlarged 4-arm conventional roundabout, including potential signalisation. Following public consultation the proposed elliptical roundabout design was selected to reduce land take. A third left turn filter lane from the A612 east to A6097 north was also added.
206. The County Council is under a duty to consider the planning application that has been submitted.

### **Statutory and Policy Implications**

207. 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

208. The enlargement of this roundabout is not expected to create new opportunities for crime and disorder. Changes to some property boundaries would require new/revised means of enclosure, details of which can be reserved under condition. Street lighting would be upgraded to LED models.

#### Data Protection and Information Governance

209. 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

210. There are no direct financial implications arising from the consideration of this planning application and the recommendation made. The implications for

financing and proceeding with the development are for Cabinet to consider in due course. It can however be noted that the wider A614/A6097 junctions project has £24.4m of provisionally allocated funding from the Department for Transport towards total scheme costs of £28.635m. It is understood there are also developer contributions towards the project costs.

#### Human Rights Implications

211. 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. 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 negligible. Satisfactory alternative residential access would also be provided. Therefore (only) the 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 to the surface water drainage regime. 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

212. The proposals relate to the public highway which is accessible to all (within the bounds of the Road Traffic Acts). The improvements to this junction include a new Toucan crossing across the A6097 north arm which also forms part of a shared cycle/pedestrian route. The safety for all these users and particularly for vulnerable young and/or disabled users, would be improved.

#### Implications for Service Users/ Safeguarding of Children and Adults at Risk

213. Users of the County Highways network would benefit from the increased junction capacity which would improve traffic conditions along this part of the A6097. Non-motorised users including cyclists and children would benefit from a new Toucan crossing improving the safety for these users.

#### Implications for Sustainability and the Environment

214. These have been considered in the Observations section above, including the main environmental issues covered within the Environmental Statement submitted with the application and the advice of consultees.
215. Of note is that this proposal would result in the loss of some Best and Most Versatile agricultural land. However there would be an improved surface water

drainage system and the landscaping proposals are expected to lead to a moderate net-gain for biodiversity.

216. There are no human resources implications.

### **Conclusion and planning balance**

217. It is proposed to enlarge the existing junction into a 2-lane elliptical roundabout, along with associated changes to residential access and other associated works. It forms part of the wider proposals to improve the A6097 as part of the Major Road Network.
218. 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 as a whole, and would also support new housebuilding in neighbouring boroughs.
219. The application is supported by a comprehensive Environmental Statement based upon a prior Scoping Opinion. Other than construction impacts and the loss of some BMV agricultural land, no significant permanent effects are anticipated to matters including ecology, landscape and views, noise/vibration, air quality, flooding/drainage, geology and water resources, local heritage, or to the climate. No significant cumulative or combined effects have been found. A local objection has been considered and responded to and certain matters require further attention through planning conditions.
220. Officers consider that the benefits of the proposals both to the local community and wider Nottinghamshire economy should afford a high degree of supportive weight in the decision. In addition the proposal would provide an enhancement/net gain for biodiversity of 33.95% for habitats, 118.70% for hedgerows and 86.74% for river from the baseline at this location which is a moderate additional benefit. Effects to the local landscape are considered neutral with some beneficial new hedgerow planting and other landscaping around a water attenuation area, but also an intensification of highway infrastructure including further street lighting. The drainage system has been designed to provide a betterment to the current system, which is a further localised minor benefit of the proposals. The permanent loss of BMV agricultural land is considered to be a minor to moderate disbenefit. Any perceived impacts to residential amenity are considered to have been addressed and are outweighed by the wider public and combined benefits.
221. 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.

222. Overall it is considered that the proposals are sustainable and can be clearly supported subject to planning conditions and that it complies with local and national planning policy and in particular CS Policies SP3, SP6, SP7, Core Policies 9, 10, 12, 13, 14 and A&DM policies DM5, DM7, DM8, DM9, and DM10 of the Newark and Sherwood Local Plan, comprising the 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**

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

### **RECOMMENDATIONS**

224. 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/4408](http://www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=ES/4408)

### **Electoral Division and Member Affected**

Southwell

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