

**THE NOTTINGHAMSHIRE COUNTY COUNCIL
(B684 TO A612 LINK ROAD)
A6211 GEDLING ACCESS ROAD
(SIDE ROADS) ORDER 2018
and
THE NOTTINGHAMSHIRE COUNTY COUNCIL
(GEDLING ACCESS ROAD)
COMPULSORY PURCHASE ORDER 2018**

**STATEMENT OF CASE ON BEHALF OF NOTTINGHAMSHIRE COUNTY
COUNCIL UNDER RULE 7 OF THE COMPULSORY PURCHASE (INQUIRIES
PROCEDURE) RULES 2007**

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INTRODUCTION

1.1 Purpose of Statement

1.1.1 This Statement of Case (“**Statement**”) has been prepared on behalf of Nottinghamshire County Council (“**NCC**”) in its capacity as acquiring authority pursuant to Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007 (2007/3617).

1.1.2 On 25 October 2018 NCC made:

- The Nottinghamshire County Council (B684 to A612 Link Road) A6211 Gedling Access Road (Side Roads) Order 2018 (“**SRO**”); and
- The Nottinghamshire County Council (Gedling Access Road) Compulsory Purchase Order 2018 (“**CPO**”) (the SRO and CPO together being the “**Orders**”).

1.1.3 The Orders were made pursuant to NCC’s resolution of 16 March 2017. The Orders were submitted to the Secretary of State for Transport for confirmation on 29 November 2018.

1.1.4 Eight statutory objections and one non-statutory objection were received to the Orders and the Secretary of State by way of letter date 7 January 2019 has given notice of his intention to call a Public Inquiry into the objections to the Order. The Inquiry will commence on a date yet to be fixed.

1.1.5 The Statement describes the aims and purposes of the proposals for the Gedling Access Road (“**GAR**”), which is a new 3.8km link road in the Borough of Gedling in Nottinghamshire (“**Scheme**”) and the reasons, the deliverability and purposes for making the Orders on the basis of the satisfaction of the following principles:

- Its justification and need;
- The consultation process and how third-party interests have been considered;
- The status of associated consents;
- The availability of all necessary funding;
- The availability of all the land required and the reasons why all the land identified is necessary;
- The statutory requirements that must be satisfied before construction can start; and
- Confirmation that there are no legal impediments to the Scheme being implemented.

1.1.6 The Statement will demonstrate that the requirements of the non-statutory guidance document entitled “Compulsory Purchase Process and the Crichel Down Rules”, the requirements of the Highways Act 1980 (“**1980 Act**”) sections 14 and 125 relating to SROs (stopping up and the provision of alternative access arrangements) and the requirements of Highways Circulars 1/97 and 2/97 have been met.

1.2 Powers under which the Orders have been made

1.2.1 The SRO has been made under sections 14 and 125, and in accordance with Schedule 1, of the 1980 Act. Section 14 of the 1980 Act authorises NCC in relation to the classified road to:

- Stop up, improve, divert, raise or lower or otherwise alter a highway that crosses or enters the route of a road or is or will be otherwise affected by the construction of the road; and
- To construct a new highway for purposes concerned with any such alteration or for any other purpose connected with the road or its construction and to close after such period as may be specified in the SRO any new highway so constructed for temporary purposes.

1.2.2 Section 125 of the 1980 Act provides that any order made by NCC under section 14 may authorise NCC to:

- Stop up each private means of access to premises adjoining or adjacent to land comprised in the route of the classified road, or forming the site of any works authorised by the order; and
- To provide new private means of access to any such premises.

1.2.3 The CPO has been made under sections 239, 240, 246 and 250 of the 1980 Act. The powers of the 1980 Act enable NCC, as acquiring authority, to acquire land compulsorily and acquire rights compulsorily by creating new rights for the following purposes:

- The construction and maintenance of a new highway which will be a classified road from the B684 Mapperley Plains in a south-easterly direction for a 3.8 km to its junction with the A612 at Trent Valley Road / Nottingham Road;
- The diversion and extinguishment of existing drainage and watercourses and the carrying out of drainage works in connections with the construction of highways, including the construction of six ponds for highway drainage purposes and a further three ponds for overland drainage collectively meeting storage and attenuation needs arising as a result of GAR. The highway and overland drainage systems are kept separate until their relative outfall points. The attenuation ponds are adjacent to the new highway along its route and new accesses to those attenuation ponds are provided within Scheme;
- In pursuance of The Nottinghamshire County Council (B684 to A612 Link Road) A6211 Gedling Access Road (Side Roads) Order 2018, there are improvements to the following existing highways:
 - B684 Mapperley Plains, Mapperley;
 - A6211 Arnold Lane, Mapperley – classification to change as a result of the GAR;
 - A6211 Gedling Road, Arnold;
 - B684 Plains Road, Mapperley;
 - Lambley Lane, Gedling;
 - A612 Trent Valley Road, Gedling;
 - A612 Nottingham Road, Gedling;
 - Burton Road, Gedling;
 - Nottingham Road, Gedling (service road providing access to Whitworth Drive and properties 246 to 230).
- Use by the acquiring authority to construct a turning head at Lambley Lane in connection with the construction and improvement of highways;
- The provision of new means of access to premises pursuant to The Nottinghamshire County Council (B684 to A612 Link Road) A6211 Gedling Access Road (Side Roads) Order 2018;

- Mitigating the adverse effect that the existence or use of the highways will proposed to be constructed will have on the surroundings thereof by the provision of landscaping and habitat creation; and
- Cleansing of Ouse Dyke and other watercourses.

1.3 **Confirmation of Orders**

1.3.1 The confirmation of the SRO will enable NCC to improve, raise, lower, divert or otherwise alter highways, stop up highways, stop up private means of access and provide new private means of access to premises required as a consequence of the construction of the classified road.

1.3.2 The confirmation of the CPO will enable NCC to acquire the land and rights necessary for the construction and maintenance of GAR and ensure the necessary improvements are made to the local highway network, which mitigation measures are implemented, and that exchange land is provided.

2 BACKGROUND TO THE SITE AND SCHEME

2.1 Introduction

2.1.1 The Scheme involves the construction of a new 3.8km link road, known as GAR. The GAR follows a southern–eastern route from a new junction with the B684 Mapperley Plains in Mapperley north of Gedling, running parallel with the A6211 Arnold Lane, through the centre of the former Gedling Colliery site, to the east of which is the Country Park. From the former colliery site, GAR crosses arable and pasture land, Glebe Farm, Lambley Lane and a section of the walled garden at Gedling House (which is a Grade II Listed Building), and a small section of the Carlton–le–Willows Academy (“**CLWA**”) grounds. The route of the GAR terminates at a new junction with the Burton Road and the A612 Trent Valley Road / Nottingham Road junction east of Gedling.

2.1.2 The primary objective of the GAR is that it will enable the sustainable redevelopment of the former Gedling Colliery / Chase Farm site and adjoining land for mixed–use purposes by providing safe and adequate access to the proposed residential, employment and community related uses envisaged for these sites, which are described as the Development Area (“**DA**”) in this Statement. The developer for the DA (excluding the employment land area north of GAR) is Keepmoat Homes Limited (“**Keepmoat**”).

2.1.3 The secondary objective of the GAR is that it will also provide a ‘bypass’ link to the east of Gedling, with the wider road network and consequently Nottingham City Centre. NCC have been safeguarding proposals for a Gedling Village bypass for over 50 years, and GAR forms part of the proposals for the A612 Nottingham Eastern Outer Loop Road. This has, with the exception of the eastern most section around Gedling Village, been successfully completed by NCC. GAR will connect directly to the most recently constructed phase (the Gedling Major Integrated Transport Scheme) which opened to traffic in 2007. The construction of GAR will have positive impacts to the transport network by improving connectivity of the local road network and reducing traffic flows along the A6211 Arnold Lane / Main Road corridor thereby reducing traffic congestion in Gedling Village. Such roads are at present either at, or nearing, capacity and therefore provide neither a safe nor a pleasant environment for both local residents and drivers.

2.1.4 In addition, GAR is also part of a wider package of sustainable transport measures in the local area and a key consideration will be ensuring that GAR integrates with existing infrastructure and Gedling Country Park (“**Country Park**”).

2.1.5 Gedling Borough Council (“**GBC**”) is the Local Planning Authority (“**LPA**”) responsible for granting planning consent for the Scheme and NCC is the responsible Local Highway Authority (“**LHA**”). The GAR is remote from the nearest Trunk Road or Motorway and Highways England (who are responsible for Trunk Roads and Motorways) are not involved in the Scheme.

2.2 Site Location

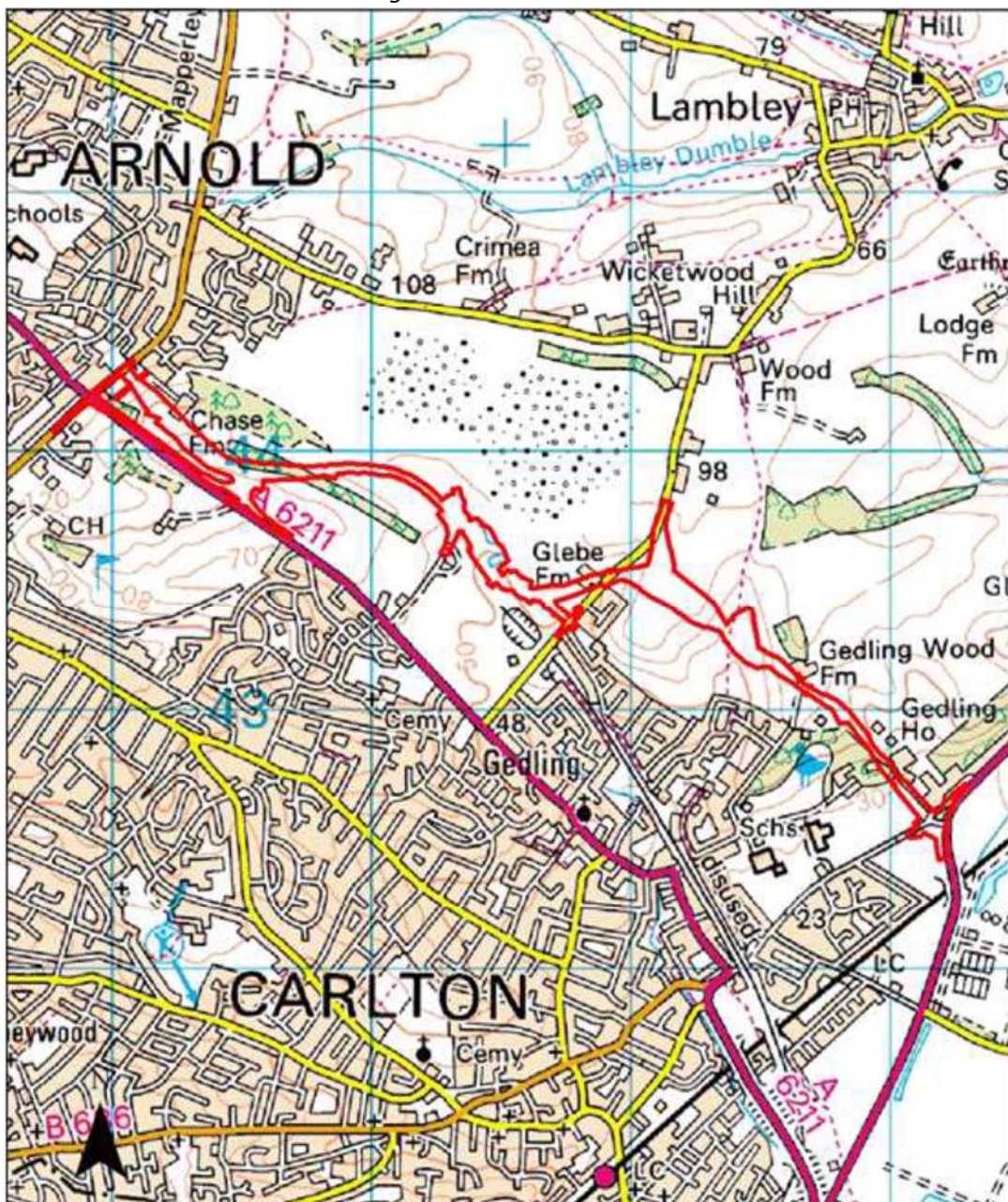
2.2.1 The GAR is located in the East Midlands region of England, between 6–8km north–east of Nottingham City Centre. It is located wholly within the Borough of Gedling and is situated directly to the north of the settlements of Gedling, Carlton, Colwick and Netherfield, east of Mapperley, southeast of Arnold and Woodthorpe, south of Lambley and west of the

settlement of Burton Joyce. This area is considered part of the wider Nottingham conurbation.

2.2.2 To the north of GAR's route lie the less populated area of Lambley where dwellings are more linear and scattered, often interspersed by areas of agricultural land. Beyond the residential area to the north of GAR are large areas of pastoral and arable farm land. The former Gedling Colliery spoil heaps, located directly to the north of the GAR's route, were transformed into Gedling Country Park which was opened in March 2015.

2.2.3 The area of land within the GAR planning boundary is 37.1 ha, which as noted above follows a linear route of approximately 3.8km. Title to 31.4ha of land is required to deliver the GAR, together with 6.1ha of land over which permanent rights are required. The location of GAR as defined in the planning application is shown edged red in Figure 1.

Figure 1: Location of GAR



2.3 Site Description

- 2.3.1 GAR will be constructed to the north of Gedling Village, which sits in a valley that starts on high ground at Mapperley Plains, running in a south-easterly direction down towards the A612 corridor. At this point the valley opens out on to the open floodplain of the River Trent. The valley floor and most of the slopes of the western side are urbanised, forming the eastern edge of the Nottingham conurbation, whilst much of the eastern side has little built development.
- 2.3.2 Gedling Colliery was closed in 1991 and the area of the former colliery and its spoil heaps reverted to scrub land. In 2014, GBC entered into a 25-year lease with the land owners and invested over £1million in developing the paths and entrances and making a range of landscaping enhancements. The Country Park officially opened to the public in March 2015. Later in 2015, GBC purchased the land comprising the Country Park outright.
- 2.3.3 The Country Park is towards the northern end of GAR and the former spoil heaps dominate the landscape on the northern side, facing back towards the urbanised area. The flanks of the spoil heaps are generally steep, with some woodland cover, but also contain large open grassed areas. A shallow valley feature separates the eastern and western tips, which have high points approaching 120m Above Ordnance Datum.
- 2.3.4 There is an enclosed area on the eastern spoil heap that is outside of the defined Country Park area. At this location the land owners, Harworth Estates, partnered with Anesco to install 23,000 solar panels that provides 5MW of capacity providing electricity to power approximately 1,800 homes. The site was granted planning permission by GBC in 2013 and started producing electricity in 2014.
- 2.3.5 For the purposes of this Statement, GAR is described in two sections. These are the north-western and south-eastern sections. The north-western section of GAR is between the B684 Mapperley Plains and Lambley Lane. The south-eastern section of GAR is between Lambley Lane and the A612 at its junction with Burton Road.
- 2.3.6 The north-western section follows a route southeast from a newly created junction with the B684 parallel with the A6211 Arnold Lane which is currently used as pasture before following a route through the former colliery site towards the now vacant Glebe Farm on Lambley Lane. The part of the former colliery site which GAR will pass through contains areas of former spoil tipping and infilled land which have been restored or remediated to varying degrees. The restored land includes areas of both scrub and pasture land.
- 2.3.7 Along this north-western section also lies part of a former dismantled railway and associated railway tunnel, former spoil heap areas and the infilled railway cutting at Gedling Landfill which is crossed by the route of GAR. GAR also passes adjacent to two other land filled areas namely the Arnold and Lambley Lane Landfills. The remaining former colliery structures are located generally north of the infilled railway cutting.
- 2.3.8 The existing route of Lambley Lane that connects Spring Lane and Arnold Lane will be severed by the GAR and realigned as part of the Scheme. Lambley Lane will connect to the GAR in the form of two new T-junctions with the GAR linking the northern and southern sections of Lambley Lane.

- 2.3.9 The south-eastern section of GAR is between Lambley Lane and the A612 at its junction with Burton Road. This section of the route is more rural with open fields and woodland extending out from residential areas. The most southerly part of the route drops down over the edge of a scarp slope above the River Trent floodplain.
- 2.3.10 From Lambley Lane the GAR crosses a number of undulating arable and pastoral fields, intersects a small area of woodland that is known as Gedling House Wood Nature Reserve (“**Gedling House Woods**”), a section of the walled garden at the Grade II Listed Gedling House and a section of the grounds of CLWA. The proposed route of the GAR cuts across Footpath No.2 (Carlton), which runs north from Almond Walk in Gedling to Spring Lane in Lambley.
- 2.3.11 GAR will terminate at a new junction with Burton Road, the A612 Trent Valley Road / A612 Nottingham Road that includes the upgrade of the existing junction at this location.
- 2.3.12 The arable and pastoral fields, woodland, walled garden and school grounds, through which GAR will pass upon leaving the area of the former colliery site, all fall within the designated Green Belt, under the Gedling Borough Replacement Local Plan 2005 (“**Local Plan 2005**”). With the exception of the school grounds and three fields immediately to the south-east of the former colliery site, the land along this section of GAR’s route is designated as a Mature Landscape Area. The former Gedling Colliery and Dismantled Railway is a Local Wildlife Site (a local, non-statutory designation). Gedling House Woods is designated as a Local Nature Reserve and part of the land required for GAR on Glebe Farm is designated as housing allocation in the Local Plan 2005.
- 2.3.13 The proposed corridor for GAR is made up of mainly permeable areas within the red line planning boundary, with very small areas of impermeable ground in the form of Glebe Farm and a small section of Lambley Lane. The existing watercourses within the GAR corridor mainly comprise of culverted surface water courses flowing toward the River Trent. Within the colliery and landfill section of the route there is the Ouse Dyke. This is a tributary of the River Trent and can be prone to localised flooding in the Netherfield area south east of Gedling.
- 2.3.14 The Environmental Statement that accompanied the 2008 GAR planning application detailed that the surface water from the old colliery feeds in to the Ouse Dyke and sections of the Ouse Dyke will need to be diverted as part of the GAR. Two lagoons, associated with the former colliery, are still present close to the route of the GAR and will remain in-situ as part of the Scheme.
- 2.3.15 The GAR generally follows the route indicated on the Local Plan 2005 Proposals Map.

2.4 **Background to the DA and Scheme**

- 2.4.1 The original “Gedling Bypass” was a long-standing proposal that can be traced back to the 1930s when sections of the A612 Nottingham Eastern Outer Loop Road were originally proposed. However, although the possibility of a “Gedling Bypass” has been around for a long time, it had not featured within any delivery programme.
- 2.4.2 In 1986, part of the route of the Nottingham Eastern Outer Loop Road (safeguarded in the County Structure Plan) which would have passed through the centre of Gedling Village

severing the local community was formally abandoned and replaced with an alternative bypass route to the east of the village.

- 2.4.3 In 1992, the safeguarding of Gedling Village Bypass was confirmed as part of the Greater Nottingham Orbital Study which considered other possible highway schemes to the north and east of the Nottingham conurbation as far as M1 Junction 27.
- 2.4.4 In 1996, the Nottinghamshire Structure Plan Review considered the existing strategic network to the north and east of Nottingham. It concluded that there was a need to relieve the traffic impact on Gedling Village and that the line of the “Gedling Bypass” should be protected. It should be noted that this proposed bypass extended from Victoria Road to Arno Vale. Plans for a more extensive Nottingham Orbital route were not considered necessary as part of the NCC’s future transport strategy.
- 2.4.5 In 2003, the Nottinghamshire and Nottingham Joint Structure Plan Deposit Draft safeguarded the “A6211 Gedling Relief Road” and described it as “proposed for investigation”, with an implementation timetable of 2006 – 2011. Together with the “A612 Gedling Major Integrated Transport Scheme”, this road replaced the Gedling Bypass included in the 1996 Structure Plan.
- 2.4.6 Gedling Colliery was a Tranche 1 site in the National Coalfield Programme located in the Green Belt and the Planning Inspector’s report for the Local Plan 2005 approved the withdrawal of the site from the Green Belt and for a mixed-use development subject to the construction of an access road in advance of development
- 2.4.7 The Local Plan 2005, adopted 12th July 2005, provides for the redevelopment of the DA adjacent to the predominantly residential suburb of Gedling and proposed the construction of GAR to serve the DA. However, some form of new road that would take traffic away from Gedling Village has been proposed for a much longer period of time.
- 2.4.8 In 2006, NCC and Nottingham City Council adopted the Joint Structure Plan, safeguarding the “A6211 Gedling Relief Road”, again being described as “proposed for investigation”; with an implementation timetable of 2006 – 2016.
- 2.4.9 In 2007, the most recently constructed phase of the A612 Nottingham Eastern Outer Loop Road, the section known as the Gedling Major Integrated Transport Scheme (“**GMITS**”) was opened to traffic. This road is now called Trent Valley Road and provides a link between the A612 Colwick Look Road at Netherfield with Burton Road and the A612 Nottingham Road at Burton Joyce. The GMITS was designed and built such that the GAR could be connected to it at the eastern junction with Burton Road.
- 2.4.10 In 2008, a development brief for the site was formally adopted as a Supplementary Planning Document (“**SPD**”) after approval at GBC on the 19th June 2008. This SPD is part of the Local Development Framework for GBC and used as a significant material consideration to be taken into account by GBC when processing planning applications relating to the Scheme. This SPD anticipated that an outline planning application will be submitted for the DA and a full application for the GAR.
- 2.4.11 East Midlands Development Agency (“**EMDA**”) submitted two applications for the DA and GAR during 2008. The first was an outline application for the area covered by the DA

under application reference 2008/0460 and the second a full application for the construction of the GAR under application reference 2008/0459. These applications were not determined and a key issue with the GAR application made in 2008 was a requirement for the GAR to be funded as a whole in advance of development, due to limited availability of public funding the project stalled on viability grounds and was not featured on any delivery programme.

- 2.4.12 All Regional Development Agencies, including EMDA, closed on 31st March and were abolished on 1st July 2012. The portfolio of land, property assets and liabilities transferred to the Homes and Communities Agency, who are now Homes England (“HE”).
- 2.4.13 The DA was identified by GBC in the emerging Greater Nottingham Aligned Core Strategy as a key strategic site for future development on the urban edge of Nottingham and was viewed as a priority site for GBC in order to meet expected increasing housing demands. Working in partnership the public-sector entities, being HE, GBC and NCC, considered options around phasing and funding for the DA and the GAR. It was recognised that the existing highway network in the surrounding area had limitations with several roads already experiencing severe traffic congestion and having a very poor safety record.
- 2.4.14 In 2013, to support the priority to bring the DA forward transport modelling work was commissioned and undertaken. This was to consider a phased approach to the delivery of the DA and GAR that would assist in assembling a funding package to deliver the supporting infrastructure and minimising the impact on the existing network resulting from traffic generated from the DA. This modelling work included a Strategic Transport Assessment (“STA”) using the Greater Nottingham Multi Modal Transport Model (“GNMMTM”) which is a multi-modal transport model consisting of a highway model (“SATURN”), public transport model (“Cube Voyager”) and a Variable Demand Model (“VDM”) known as Cube. The modelling work established that a phased programme delivering both the DA and GAR could be adopted allowing 315 dwellings to be developed as a first phase without the need for the GAR with the remainder of the mixed-use development being delivered in conjunction with a viable programme for the GAR. The funding strategy for the GAR is covered in detail in Section 7 of this Statement.
- 2.4.15 The limit of 315 dwellings with the DA is considered the maximum number that can be developed without GAR taking into account committed development in the area. This is based on the anticipated additional vehicle movements that the DA would create, and Chapter 3 of this Statement describes the need for the Scheme in detail. The A6211 Arnold Lane corridor that is directly impacted from traffic generated by the DA is at or approaching its capacity. It is considered that the additional traffic generated would cause unacceptable detrimental impacts on the existing network without the provision of GAR as supporting infrastructure in terms of affecting quality of life for local residents, constraining the local economy, reducing the attractiveness of the area for visitors and creating unnecessary delays to local and strategic vehicle movements.
- 2.4.16 NCC resolved at its Transport and Highways Committee (“THC”) on 6th June 2013 to approve GAR as a bid for funding from the D2N2 Local Transport Body (“D2N2”), who approved allocation of £10.8 million towards the cost of the GAR on 22nd July 2013.

- 2.4.17 In 2014, application 2008/0459 for GAR was never determined and 2008/0460 for the DA was formally withdrawn by HE in favour of a developer led approach to bring forward the planning for the site.
- 2.4.18 A number of other funding agreements were secured during 2014 which gave increased certainty regarding the viability of the GAR that supported the progression of the DA. On 27th February 2014, NCC resolved to incorporate £5.4 million into its capital programme to support GAR. In March 2014, NCC and the HE completed funding agreements that related to the acquisition of land required along the route, this has a maximum capped value of £7 million. The other agreement was intended to provide funding related to the early construction of a roundabout forming a junction between the A6211 Arnold Lane and the DA.
- 2.4.19 HE owns the DA site, with the area totalling approximately 33.4ha and sent out an Invitation to Tender (“ITT”) during 2014 to appoint a developer to take forward the development of the DA. This ITT included restriction on the phasing and limit of 315 dwellings and requirements for funding towards the GAR. Following a detailed assessment Keepmoat were appointed as the preferred developer for the DA to develop a residential led, mixed-use phased development of up to 1,050 dwellings with associated infrastructure.
- 2.4.20 In order to move forward with the delivery of GAR, HE undertook to refresh surveys and information required to resubmit an application for full planning permission for GAR. The updated Transport Assessment (“TA”) used the modelling from the GNMMTM and is consistent with the outputs from the STA. An application for full planning permission for GAR in its current form was submitted by HE on 1st August 2014, application reference 2014/0915.
- 2.4.21 GBC adopted the Aligned Core Strategy 2014 (“ACS 2014”) on 10th September 2014 with Broxtowe Borough Council (“BBC”) and Nottingham City Council (“City Council”). The ACS 2014 sets out the strategic policy direction for future development in Borough of Gedling. It is used to help decide planning applications and guide the location and design of development in the borough and some policies in the Local Plan 2005 superseded by the adoption of this document. The DA and GAR remained a strategic location transport scheme within GBC’s Development Plan.
- 2.4.22 NCC submitted a Value for Money Appraisal to the D2N2 on 15th September 2014 to provide a summary of work that had been undertaken to date and obtain feedback to support the submission of an Outline Business Case (“OBC”) for GAR.
- 2.4.23 Full planning permission for application 2014/0915 was granted for construction of the GAR on 23rd December 2014 (“Original Permission”). The Original Permission included a requirement to construct the GAR in two phases. The first phase being the early construction of a roundabout forming a junction between the A6211 Arnold Lane and the DA, primarily the purpose of this roundabout was to support a first phase of housing within the DA.
- 2.4.24 In 2015, NCC submitted the OBC for GAR to the D2N2 on 6th July 2015. HE made an application to vary condition 1 of the Original Permission by application of under section 73 of the Town and Country Planning Act 1990 (“1990 Act”) on 7th August 2015. The

application, reference 2015/1033, proposed the removal of phasing for the early construction of a roundabout forming a junction between Arnold Lane and the DA.

- 2.4.25 Keepmoat submitted a full planning application for phase 1 of the DA comprising 506 dwellings (2, 3, 4 and 5-bedroom houses and flats), vehicular access from Arnold Lane, internal roads and all associated infrastructure in November 2015. Application reference 2015/1376 included outline planning permission for subsequent phases, with all matters reserved except for indicative access to the sites from phase 1, and future access from the GAR. The local centre and education facilities are contained within the outline application. The application included proposals to access the first phase of the development solely from Arnold Lane using the old colliery access road.
- 2.4.26 D2N2 approved the OBC for GAR on 18 May 2016. GBC granted consent on 3 June 2016 for application 2015/1033 ("**GAR Permission**"). This effectively permits the GAR to be constructed as a single phase. The GAR Permission provides additional benefits when compared to the Original Permission as it promotes the achievement of a better balance of cut and fill for the earthworks and minimises the importing of materials that would have been required to build the new roundabout.
- 2.4.27 Planning permission for the DA application 2015/1376 was granted by GBC on 3 March 2017 and construction commenced on the first phase of housing in Spring 2017. The proposed mixed-use development was and will continue to be planned around the GAR and there is a planning condition attached to the Keepmoat application that restricts the number of houses that can be built and occupied in advance of the opening of the GAR to traffic – this limit is 315 homes.
- 2.4.28 NCC resolved at THC on 16 March 2017 to take all necessary steps to make, advertise, obtain confirmation and implement the Orders required to deliver GAR.
- 2.4.29 Via East Midlands Limited ("**Via EM**") on behalf of NCC submitted applications to discharge pre-commencement conditions attached to the GAR Permission and these discharges were granted during December 2017. Drainage works required for GAR commenced the same month and on 20 December 2017 GBC confirmed that the GAR Permission had been lawfully implemented.

3 NEED FOR THE SCHEME AND OBJECTIVES

3.1 Introduction

3.1.1 This section gives a summary of the background to the need for the Scheme, and thus why land is required for construction of GAR, as well as justifying the associated SRO. The information is set out in greater detail in the TA that was submitted as part of the GAR planning application that secured the Original Permission on 23 December 2014.

3.2 Existing Network Description and Conditions

3.2.1 The TA study area, shown in Figure 2 covers the route of the GAR including its terminal junctions with the B684 Mapperley Plains, the A612 Trent Valley Road / Nottingham Road and all intermediate junctions. The TA includes the route of the A6211 Arnold Lane between its junctions with the B684 and the A612 corridor including all intermediate junctions that comprises the existing local network of roads that GAR will provide traffic relief to once it is complete and open to traffic. The current A6211 will be declassified when GAR is open to the public, at which stage the GAR will be classified as the A6211. For the avoidance of doubt reference to A6211 in this section relates to Arnold Lane whilst the proposed GAR continues to be referred to as GAR.

3.2.2 Mapperley Plains passes through the northern end of the study area and on the section adjoining the GAR is subject to a 40mph speed limit, is street lit with footways and verges on both sides of the road and has a carriageway width of approximately 7.3m. The B684 is urban in character with existing residential properties along the route, some of which are accessed via minor roads off the B684. In the vicinity of the GAR, properties opposite are accessed directly from Mapperley Plains via vehicle crossings over the footway and access will be maintained during and after the construction of the GAR. At the signal-controlled junction with the A6211 Arnold Lane / A6211 Gedling Road the carriageway widens to provide two through lanes and a right turn lane from the B684 in both directions onto the A6211.

3.2.3 Arnold Lane generally runs parallel to the route of GAR, through Gedling Village the road is narrow and in places has no footway which compounds the environmental problems and its safety record. At its north-western end, Arnold Lane is a single carriageway road subject to the national speed limit (60mph), the section past the former Gedling Colliery site has a rural character with limited frontage development, and there is a single footway on the south-western side and street lighting present. Travelling southeast the speed limit on Arnold Lane reduces to 40mph in advance of its junction with Linsdale Gardens. At this point most of the residential properties on Arnold Lane have direct vehicular access to the road. There are also numerous side road junctions present on the south-western side of the road from this point south-eastwards towards Gedling Village.

3.2.4 On Arnold Lane between Featherstone Close and Shelford Road, at a point approximately 300m northwest of its junction with Lambley Lane the speed limit reduces to 30mph. A short distance to the south of its junction with Bessecar Avenue the A6211 has footways on both sides of the carriageway. From Lambley Lane the A6211 has continuous residential development on both sides with direct vehicular accesses and numerous side road junctions, with a carriageway width in the order of 6.5m.

Figure 2: Transport Assessment Study Area



- 3.2.5 The existing junction of Arnold Lane with Lambley Lane is a simple priority T-Junction and there is a signal-controlled pedestrian crossing located southeast of this junction adjacent to a local store. The Recreation Ground is situated further along Lambley Lane.
- 3.2.6 Further to the southeast on Arnold Lane the footway on the north-eastern side adjacent to the All Hallows Church. At this point Arnold Lane narrows and the footway terminates for approximately 80m with an off-carriageway route provided through the church grounds. A short distance to the southeast of the church there is a mini-roundabout junction with Main Road, at which point the A6211 becomes Main Road travelling further south before its name changes again to Shearing Hill at the junction with Wood Lane.
- 3.2.7 CLWA, which is a large mixed age (11–18) comprehensive school of around 1,350 pupils, is located off Wood Lane within Gedling Village. Vehicular access to the academy is taken exclusively from the A6211 via Wood Lane. Proceeding south from Wood Lane the A6211 has a junction with Brooklands Drive which is used by traffic seeking to avoid traffic congestion on the A6211 Shearing Hill.
- 3.2.8 The junction of the Shearing Hill with Burton Road is a signal-controlled T-Junction located immediately to the west of a railway bridge over the eastern Burton Road arm of the junction. The A6211 changes name to Burton Road on the western arm at this point and a short distance to the west is the signal-controlled T-Junction of the B686 with the A6211. The signal controls at both junctions are linked to manage traffic travelling along the route.

- 3.2.9 At the A6211 / B686 junction, the A6211 changes name to Colwick Loop Road and at this point Burton Road continues as the B686 towards Carlton. The A6211 between Shearing Hill and the B686 is subject to a 30mph speed limit.
- 3.2.10 Further along Colwick Road Loop, there is a simple priority T-junction with Conway Road and past this junction the speed limit changes to 40mph, there is no direct frontage access onto the A6211 along this section from Conway Road to the A612 Trent Valley Road. Colwick Loop Road terminates at a large traffic signalled junction with the A612.
- 3.2.11 Also, at the Shearing Hill traffic signal-controlled junction, the section of Burton Road that continues in a northeast direction under the railway bridge to its junction with the A612 Nottingham Road and Trent Valley Road is an unclassified road. This section of Burton Road and Colwick Loop Road were part of the previous A612 corridor prior to the opening of the GMITS that resulted in Burton Road being declassified to an unclassified road and the road number on Colwick Loop Road changed from the A612 to A6211.
- 3.2.12 The character along the unclassified section of Burton Road between the A6211 and A612 is predominantly residential and urban in nature, although there is less frontage development to the northern side as the road passes the playing fields associated with CLWA. This section of Burton Road is street lit and subject to a 30mph speed limit and there are footways on both sides from the A6211. On its southern side the footway terminates at Linden Grove, whilst on its northern side it becomes a continuous shared footway/cycleway from its junction with Coronation Walk (approximately 150m northeast of the Shearing Hill / Burton Road junction) to its junction with the A612 approximately 1 km to the northeast.
- 3.2.13 There is a signal-controlled pedestrian crossing on Burton Road east of its junction with Coronation Walk and a number of central refuges in the carriageway opposite CLWA to assist pedestrian crossing movements. There are also several bus stops with associated laybys at a point approximately 200m southwest of its junction with the A612 there are traffic signals in place controlling opposing traffic flow with associated carriageway narrowing. These traffic signals were previously used as a 'Bus Gate' along Burton Road, this is no longer in place and the Traffic Regulation Order prohibiting the movement of vehicles except for buses on Burton Road has been revoked. However, the traffic signals help to make it less desirable to use as a cut-through and reduces traffic speeds along the route which is heavily used by school children accessing the academy
- 3.2.14 There is also a 7.5t weight restriction in force on Burton Road between the A612 and the traffic signals 200m southwest of this junction. The purpose of this is to prevent Heavy Goods Vehicles ("HGVs") from cutting through Burton Road and keeping them off the principal road network. Vehicle turning facilities are provided on Burton Road in advance of the weight restriction, although this area tends to be used for school buses. Advanced warning signs for the weight restriction are in place on Burton Road at its junction with the A6211 Shearing Hill.
- 3.2.15 The A612 at the southern end of the study area towards Netherfield is known as Trent Valley Road. The A612 towards Burton Joyce is known as Nottingham Road. The A612 Trent Valley Road is a wide single carriageway road (9.3m and kerbed), is subject to a 40mph speed limit and is street lit. Trent Valley Road is currently rural in character,

although planning permission has been granted for residential and industrial development on both sides of the road. In the vicinity of its junction with Burton Road the A612 carriageway widens out to provide an additional lane in both directions through the junction and a right turn lane is provided for vehicles travelling from Burton Joyce along the A612 to turn onto Burton Road. The A612 corridor at this point is rural in character with only limited development on the north-western side of the junction, served from an access road near to Whitworth Drive. There is a shared footway / cycleway running along the western side of the A612 linking Burton Joyce with Netherfield and Colwick.

- 3.2.16 Existing traffic flows on selected links, as described above, are given in Table 1. The data is given as Annual Average Daily Traffic levels (“AADT”) together with the proportion of HGVs, expressed as a percentage of the AADT.
- 3.2.17 The capacity of the highway links across the network vary dependent upon the carriageway width, the number of traffic lanes, e.g. single carriageway or dual carriageway, the proportion of HGVs and the proportion of traffic travelling in the peak hours. The theoretical capacity of a link is an estimate of the AADT at which the carriageway is likely to be congested in the peak periods on an average day. Congestion is defined as the situation when the hourly traffic demand exceeds the sustainable hourly throughput of the link. At this point traffic flow is likely to break down, average speeds will drop significantly, and traffic queues are likely to form.

Table 1: Traffic Numbers by AADT 2016

Link	AADT	%HGVs
B684 Mapperley Plains (Arnold Lane to Spring Lane)	21,450	1.5
B684 Plains Road Arnold Lane to Somersby Road)	20,000	1.0
A6211 Gedling Road (B684 Plains Road to Arno Vale Road)	12,250	2.2
A6211 Arnold Lane (B684 Mapperley Plains to Lambley Lane)	13,400	2.8
A6211 Arnold Lane (Lambley Lane to Main Road in Gedling Village)	17,100	2.5
A6211 Arnold Lane (Main Road in Gedling Village to Shearing Hill)	14,200	2.2
A6211 Arnold Lane (B684 Mapperley Plains to Shearing Hill) – Average	14,900	2.5
A612 Nottingham Road (Burton Road to Burton Joyce)	17,250	3.2
A612 Trent Valley Road (Burton Road to Stoke Lane)	11,050	4.6
Burton Road (Stoke Lane to Linden Grove)	7,900	0.4
Lambley Lane (A6211 Arnold Lane to Spring Lane)	4,400	0.7

- 3.2.18 The capacity of Arnold Lane varies along its length but is typically calculated to be at or below 17,000 vehicles AADT. In the case of the average AADT, the A6211 is currently operating at 87% of theoretical capacity, but on the section of Arnold Lane between Lambley Lane and Main Road through Gedling Village it is already above capacity. Mapperley Plains has a theoretical traffic capacity of 24,000 vehicles and this link between Arnold Lane and Spring Lane is currently operating at 90% capacity. The A612 Trent Valley Road by comparison is a newly built section of road constructed to a much higher standard than Arnold Lane with a traffic capacity calculated at over 30,000 vehicles AADT. This length of highway is operating at about 30% of its forecast capacity.
- 3.2.19 It should be noted on the highway network, junctions tend exceed their design capacity before the links in between. For example, the A6211 Gedling Road / B684 Plains Road / A6211 Arnold Lane junction already operates over capacity in the peak travel periods and

significant queues and delays result. The TA accompanying the GAR Permission gives further details on the performance of junctions both with and without the DA and GAR.

3.3 Need for the Scheme

3.3.1 The STA undertaken in 2013 included traffic modelling that applied an assessment year of 2028, which is consistent with the end of plan period for the ACS 2014. This examined the 2028 'Reference Case' and 2028 'With Development' scenarios.

3.3.2 The 2028 'Reference Case' includes the 2028 'Base' situation plus all committed transport infrastructure schemes and planned land-use developments that are expected to be complete by 2028, for clarity this excluded the GAR and DA.

3.3.3 The 'With Development' scenario examined the 2028 'Reference Case' plus the DA and GAR. The 'With Development' scenarios examined a phased delivery of the GAR and phased delivery of development on the DA, which at the time was assumed to comprise of 1,120 residential dwellings, 4,500 sqm of B1 employment and 18,000 sqm of B2 employment. This established that 315 dwellings could be accommodated without GAR.

3.3.4 The TA prepared and submitted to support the GAR planning application included outputs from the 2013 STA to confirm the basis for a phased programme of both the DA and its linkage with the GAR. This supports the provision of GAR for its primary purpose to facilitate the redevelopment of the DA. The TA references a number of terms, for clarity these are:

- Reference Case – this is without the development and the GAR;
- AM Peak – this is between 0800 and 0900 hours;
- Inter Peak Hour – this is the average between 1100 and 1400 hours;
- PM peak – this is between 1700 and 1800 hours;
- Design Flows – this is taking into account the full development and the GAR;
- 2019 Opening Year – for the purpose of the TA this is the year that the GAR will be open and available. Whilst it is likely that the road opening year is 2020, at the earliest, it is considered that the impact is negligible; and
- 2034 Design Year – this is based on 15 years after the road opening.

3.3.5 The TA demonstrates the effect of GAR on the traffic network in the form of forecast traffic flow on the existing and new highway links and junctions. The TA includes the total vehicular trip generation expected from the completed DA and the effects of these additional traffic flows have been modelled in the design year flows.

3.3.6 The DA is forecast to generate an additional 1,010 2-way vehicles per hour in the AM peak hour, an additional 941 2-way vehicles an hour in the PM peak, with the average peak hour being almost 1,000 2-way vehicles an hour. Overall this is approximately an AADT increase of 10,000 over and above current levels and the existing highway network would not be able to accommodate this level of additional traffic generation without the provision of the GAR, particularly as existing highway links and junctions are already approaching, and some are over, capacity. This would increase the average AADT on the A6211 to almost 25,000 which means Arnold Lane's estimated operating capacity of 17,000 would be exceeded by over 47%.

3.3.7 Tables 2 and 3 use outputs included in the TA to consider traffic flow forecasts on the A6211 corridor between the B684 Mapperley Plains and the A612 due to GAR and the DA. Table 2 is based on the AADT and Table 3 is based on vehicles per day. Table 2 also considers the volume of traffic now compared to the Design Year of 2034 without GAR and includes traffic information on the B684 and Lambley Lane.

3.3.8 The traffic forecast information summarised in Tables 2 and 3 shows that the provision of GAR reduces traffic flows on all sections of the adjacent A6211 Arnold Lane corridor, and this takes into account the additional trips generated by the DA. The average peak hour flow changes across all sections of the current A6211 Arnold Lane corridor are a reduction of between 300 to 400 vehicles per hour (2-way). This equates to a reduction of between approximately 5 and 7 vehicles per minute on the Arnold Lane corridor as through traffic movements are forecast to make use of GAR.

Table 2: Traffic Forecast on Existing Network with and without GAR in the future

Link	2016 AADT	2034 (Reference Case - without GAR and with the DA)	2034 (Design Year Flows AADT - with GAR and DA)	Percentage Changed (Reference to Design Year Flows)
B684 Mapperley Plains (Arnold Lane to Spring Lane)	21,450	24,400	23,250	-5%
B684 Plains Road (Arnold Lane to Somersby Road)	20,000	23,900	21,450	-10%
A6211 Gedling Road (B684 Plains Road to Arno Vale Road)	12,250	17,900	17,550	-2%
A6211 Arnold Lane (B684 Mapperley Plains to Shelford Road)	13,400	16,500	10,400	-37%
A6211 Arnold Lane (Shelford Road to Lambley Lane)		17,150	12,700	-26%
A6211 Arnold Lane (Lambley Lane to Main Road in Gedling Village)	17,100	24,200	18,350	-24%
A6211 Arnold Lane (Main Road in Gedling Village to Shearing Hill)	14,200			
A612 Nottingham Road (Burton Road to Burton Joyce)	17,250	21,200	21,600	3%
A612 Trent Valley Road (Burton Road to Stoke Lane)	11,050	14,350	18,300	28%
Burton Road (Stoke Lane to Linden Grove)	7,900	10,100	8,900	-13%
Lambley Lane (A6211 Arnold Lane to GAR)	4,400	6,400	4,600	-28%
Lambley Lane (GAR to Spring Lane)		7,150	8,450	18%

Table 3: Forecast Change in 2-Way Hourly Traffic Flows on the A6211 and Burton Road, Gedling

Link	2-Way Flow Changes attributable to the GAR with the full build-out for the DA - Vehicles Per Hour			
	2019 Open Year		2034 Design Year	
	AM	PM	AM	PM
A6211 Arnold Lane (B684 Mapperley Plains to Shelford Road)	-346	-456	-495	-406
A6211 Arnold Lane (Shelford Road to Lambley Lane)	-304	-386	-431	-309
A6211 Arnold Lane (Lambley Lane to Shearing Hill)	-345	-556	-484	-511
A6211 Shearing Hill	-298	-454	-408	-490
Burton Road (Shearing Hill northeast to A612)	-181	-200	-83	127
Average	-295	-410	-380	-318

- 3.3.9 On Burton Road there is forecast to be an overall reduction in the number of vehicles using the highway in the AM peak as a result of the GAR, but a modest flow increase is forecast in the PM peak (in the 2034 Design Year with full redevelopment).
- 3.3.10 Table 2 shows that there are predicted traffic increases along the A612 Trent Valley Road which was opened in 2007. This is as anticipated as traffic reassigns to the more strategic orbital routes in the area avoiding the network congestion within Gedling Village. This is acceptable as this section of the A612 has traffic capacity at over 30,000 vehicles AADT and the forecast traffic would be operating at about 60 % of its forecast capacity.
- 3.3.11 The data also shows an increase of traffic on Lambley Lane on the section between GAR and Spring Lane. This is expected as Lambley Lane is currently used by through traffic and similar traffic movements are expected and forecast is for these to increase marginally. Wider traffic signage will be in place to promote the use of the road hierarchy for primary destinations and Environmental Weight Restrictions will be introduced to direct HGVs to the most suitable routes.

Junctions

- 3.3.12 Detailed capacity assessments of the existing junctions are included in the TA. This includes existing junctions that require alteration for GAR and others that will not change but will be impacted by the change in traffic patterns. These assessments have been rechecked and the GAR junction designs are still appropriate for the forecast traffic flows.
- 3.3.13 The operation of all proposed new and amended junctions affected by GAR has been tested and it has been demonstrated that they will operate within acceptable parameters at the 2034 Design Year assuming the GAR is open and with full redevelopment of the DA. The assessment of the junctions has been undertaken using the ARCADY 7, PICADY 5 and LINSIG 3 computer programmes which are the 'industry standard' traffic modelling computer software packages used for assessing the traffic capacity of roundabouts, simple priority junctions and signalised junctions respectively. The types of junctions used on the GAR are a mixture including traffic signal controlled, priority junctions (some with right turn lanes) and roundabouts (including a mini-roundabout on Lambley Lane).
- 3.3.14 The construction of GAR will require changes to existing junctions on the local highway network. These include the B684 Mapperley Plains / A6211 Arnold Lane / A6211 Gedling Road junction and the A612 Trent Valley Road / A612 Nottingham Road / Burton Road junction.
- 3.3.15 The B684 Mapperley Plains / A6211 Arnold Lane / A6211 Gedling Road junction will be amended so that it works in conjunction with the signal-controlled T-junction that will be built where the GAR joins Mapperley Plains. Current permitted traffic movements will be amended as part of the GAR and additional queuing capacity created for traffic travelling along the B684. This junction is forecast to be operating at a level where queuing will start to be noticeable at the 2034 Design Year (Reserve Capacity values of -11.0% in the AM and -12.4% in the PM Peaks).
- 3.3.16 Experience with Reserve Capacity calculations at existing junctions indicates that queuing does not become particularly noticeable until the degree of overload reaches 10% (i.e. -10% RC). However, this level of performance is deemed to be acceptable considering it is

a Design Year forecast and the 'with GAR' junction operation is significantly improved in comparison to the existing junction in the 2028 Reference Case scenario.

- 3.3.17 Comparing the operation of the existing A6211 Shearing Hill / Burton Road and the B686 Burton Road / A6211 Colwick Loop Road junction layouts in the 'Reference Case' scenario with their operation in the 2028 and 2034 'With DA and GAR' scenarios it can be seen that provision of GAR will assist with the operation of both of these signal-controlled junctions, with significant performance benefits.
- 3.3.18 In addition, the operation of existing junctions along the A6211 corridor will also benefit from the general reduction in traffic with fewer delays and queues experienced during peak hours. These existing junctions include major / minor type junctions, examples include Stanhope Road onto Arnold Lane, mini-roundabout on Arnold Lane at the Memorial Hall and the Wood Lane junction.
- 3.3.19 Other benefits will be experienced by those using the Arnold Lane corridor as a result of lower traffic flows (reduction of 5 and 7 vehicles per minute), reduced vehicle speeds and the reduction in the numbers of HGVs, these include:
- Pedestrians finding it easier to cross the road, with fewer potential conflicts and more opportunity to cross;
 - Cyclists benefiting from reduced traffic flows and less HGVs, making shared use of the carriageway safer and more appealing;
 - Reduced conflicts for right turn movements to / from the A6211; and
 - Improved junction performance, with reduced potential for queues and delays, which help minimise incidents of drivers taking unnecessary risks due to frustration.

Wider Network

- 3.3.20 The TA completed for the GAR Permission also included further link flow summary information to demonstrate the impacts of the developments on the existing wider highway network.
- 3.3.21 Overall, the provision of GAR and the DA results in relatively small peak hour flow changes on the wider highway network at both the 2019 Opening and 2034 Design Years when compared to the Reference Case. Flows on the A612 through Burton Joyce, B684 Mapperley Plains north of GAR and on the A6211 Gedling Road towards Arnold remain essentially unchanged, whereas flows on the B684 Plains Road towards Nottingham (south of Westdale Lane) are forecast to be reduced. Flows on Main Street in Lambley increase by a very small amount, although the forecast differences are small and therefore unlikely to be noticeable in practice. Flows on the A612 Colwick Loop Road towards Nottingham (west of Victoria Park Way) are forecast to increase by approximately 5% to 7% in the PM peak hour and by approximately 4% daily in both the Opening and 2034 Design Years when compared to the Reference Case.
- 3.3.22 With reference to the Peak Hour Flow across the whole network, there is a forecast reduction when comparing the Reference Case flows to the Design Flows in both peaks (AM and PM) at 2019 and at 2034. The links with the most significant flow increase is the A612 Trent Valley Road towards Nottingham, with smaller increases forecast on Burton Road in the PM peak, Spring Lane in the AM peak and on Lambley Lane. These increases

are due to traffic re-routing to use the GAR and corresponding flow reductions on the A6211 corridor.

3.3.23 With reference to the AADT across the whole network, there is a forecast reduction when comparing the daily Reference Case flows to the Design Flows at the 2019 opening and 2034 design years. The link with significant flow increases is the A612 Trent Valley Road (SW of Burton Road, towards Nottingham) which is forecast to experience a daily traffic flow increase of 3,204 vehicles per day (“VPD”) at the 2019 Opening Year and 3,987 VPD at the 2034 Design Year. Lambley Lane (on section between GAR and Spring Lane) is forecast to experience a daily traffic flow increase of 363 VPD at the 2019 Opening Year and 1,271 VPD at the 2034 Design Year. The A612 Nottingham Road (northeast of Burton Road) is forecast to experience a small daily traffic flow increases of 191 VPD at the 2019 opening year and 699 VPD at the 2034 design year. Daily flow increases are also forecast on Westdale Lane at both the 2019 opening and 2034 design years.

3.3.24 There is a housing development off Plains Road consisting of Bailey Drive, Howieson Court and Swindell Close. Currently access to this site is left in / left out from Arnold Lane (travelling towards the B684 / A6211 junction) and left in / left out from Plains Road (travelling away from the B684 / A6211 junction towards the city). GAR provides the opportunity to provide a right turn area for vehicles onto Bailey Drive from Plains Road that will benefit existing residents significantly over their current access arrangements.

3.3.25 The provision of GAR also provides opportunity for other complementary traffic management measures to be implemented in parallel with its opening and which are considered to support the need for the GAR, these include:

- Classification of the GAR as an ‘A’ road, being numbered the A6211 and downgrading of the classification of Arnold Lane;
- Appropriate direction signage at the terminal junctions of the GAR and on the wider network to encourage use of the new road for through vehicle movements and to access the new development served by GAR;
- Introduction of a lower 40mph mandatory speed limit on Arnold Lane between its junctions with the B684 Mapperley Plains Road and the new roundabout with the GAR;
- Introduction of a lower 30mph mandatory speed limit on Arnold lane to include the new roundabout with the GAR and the existing 30mph speed limit at a point approximately 100m north west of its junction with Besecar Avenue – this is a planning obligation; and
- Introduction of a new 7.5T environmental weight limit along Arnold Lane and on roads between Arnold Lane and the GAR to remove HGV through traffic from the existing A6211 onto the GAR. This will be supplemented by signage indicating the start / end of restrictions, and advanced signage.

3.4 **Need for the Scheme Summary**

3.4.1 GAR is necessary to facilitate the redevelopment of a priority site as proposed in the ACS 2014 and an essential component in the planning of this part of the Borough of Gedling.

3.4.2 Overall, the provision of GAR is beneficial in terms of impacts on the local highway network and the Scheme is therefore considered acceptable on transport grounds. The construction of GAR will have positive impacts to the transport network by improving

connectivity of the local road network and reducing traffic flows along the A6211 corridor in all scenarios as traffic reassigns to new routes, thereby reducing traffic congestion that currently occurs on the existing highway network in and around Gedling Village. The range of complementary traffic management will integrate the GAR and DA proposals into the existing transport network.

3.4.3 The operation of the existing junctions on the A6211 corridor will also benefit from the general reduction in traffic with fewer delays and queues experienced in peak hours.

3.5 GAR is also part of a wider package of sustainable transport measures for the area and a key aim of the GAR is to ensure that it integrates with existing infrastructure including the Country Park. There is provision for non-motorised users by means of a shared 3.0m wide footway / cycleway facility for pedestrians and cyclists along the entire length of the Scheme. This will intersect with existing walking / cycling infrastructure at key locations.

3.5.1 There is also a planning obligation by Unilateral Undertaking (“UU”) pursuant to Section 106 of the 1990 Act for post works monitoring and mitigation. In summary the planning obligations contained in this UU include requirements to:

- Publish a report within 24 months of GAR opening identifying;
 - The traffic usage of the local highway network based upon monitoring undertaken following the opening of the GAR;
 - The safety record of the local highway network from notified personal injury accident statistics;
 - The results of any speed monitoring undertaken;
- Review the performance of the local highway network including the GAR against applicable design and safety standards to assess if there are areas where mitigation measures should be implemented within 6 months of the report being submitted to the LPA;
- Implement measures identified from the review subject to any consents and permissions necessary; and
- Repeat and review after 60 months but prior to 66 months of the completion of the GAR.

3.5.2 Potential measures that could be considered following the post works monitoring include:

- Traffic calming features on Arnold Lane adjacent to the proposed residential development on the DA site. This could take the form of ‘speed tables’ at access junctions, chicanes with priority movements, ‘speed cushions’ etc. The final form will need to be designed to complement the proposed residential development and cater for appropriate vehicle movements (e.g. buses);
- New pedestrian crossing facilities on Arnold Lane such as Zebra, Pelican or Toucan;
- Traffic signing (including Vehicle Activated Signs);
- Road markings and anti-skid surfacing; and
- Parking (e.g. restrictions in inappropriate locations, bollards, sheltered parking etc.).

4 HOW DOES THE SCHEME MEET ITS OBJECTIVES

4.1 Introduction

4.1.1 This section describes the physical elements and characteristics of the Scheme which has been developed to solve the problems identified in Chapter 3 of this Statement. It also describes the range of impacts that the GAR will have and how the design and construction has been considered to minimise impact whilst meeting its strategic objectives including proposed mitigation measures.

4.2 Detailed Route Description

4.2.1 The following passages describe the route and key characteristics of GAR from its northern junction with the B684 to its southern junction with the A612 by reference to land, topography, and other known engineering constraints.

4.2.2 The Scheme consists of the a new 7.3m wide single-carriageway road, 3.8km in length with sectional speed limits of 30mph and 40mph (70kph design speed). The north-western section of GAR is from the B684 Mapperley Plains to Lambley Lane and south-eastern section from Lambley Lane to the A612.

4.2.3 Street lighting and a 3.0m wide shared footway/cycleway will run along the northern side of GAR for the whole length of the new road.

North-western section

4.2.4 At the start of the north-western section of GAR there is a new signal-controlled T-Junction onto Mapperley Plains located approximately 170m to the east of the existing B684 Mapperley Plains / B684 Plains Road / A6211 Arnold Lane / A6211 Gedling Road ("**B684 / A6211 junction**") signal controlled cross roads junction. The new junction includes signal-controlled pedestrian / cycle crossing facilities. The operation of the signal control at this new junction constructed for the GAR will be linked to the operation of the existing B684 / A6211 junction, so that they effectively operate together as one large integrated junction. Right turns from Plains Road into Arnold Lane will be banned and the lanes on this approach to the existing signal junction will be reallocated to provide one left-turn lane into Gedling Road and two ahead lanes onto Mapperley Plains travelling in a northbound direction. The banned right turn will be catered for at the new GAR junction on Mapperley Plains approximately 170m to the east.

4.2.5 Currently there is no right turn facility onto Bailey Drive from Plains Road travelling away from the city. The changes to the B684 / A6211 junction provide the facility for a right turn area to be created for vehicles to turn into Bailey Drive, all other current manoeuvres are still permitted once GAR is completed.

4.2.6 GAR will be a single carriageway road from Mapperley Plains to the new 5-arm roundabout created at the junction with Arnold Lane, GAR will have a 40mph speed limit along this section. The speed limit will lower to 30mph on the approach to the 5-arm roundabout, this limit will include the roundabout and extend onto Arnold Lane towards Gedling Village and further along GAR where it runs adjacent to the DA. Embankments along much of the north-western section of GAR (from Mapperley Plains to the former

colliery including the roundabout) are up to a maximum height of approximately 14m above present ground levels.

- 4.2.7 The north-western section of GAR crosses the disused Mapperley Tunnel (railway) and does not directly impact the two Pepper Pots that are structures at the top of shafts that were built in the 19th century to ventilate the railway tunnel. However, the GAR does pass immediately adjacent to the north of the eastern Pepper Pot and to allow the air vent to be maintained a retaining structure will be constructed at this location. No works are required within the tunnel as a result of the GAR.
- 4.2.8 The section of the GAR between the 5-arm roundabout (junction with Arnold Lane) and the new 4-arm roundabout, will have a lower 30mph limit to help integrate the GAR with the adjacent new housing development and Country Park. In order to restrict vehicle speeds, non-pedestrian traffic refuges will be installed, and kerb alignment varied along this section of road. These will be accompanied by central hatching to create an undulating effect that will be effective in reducing vehicle speed. This section of GAR also crosses the landfilled area of the railway cutting before entering the former colliery site.
- 4.2.9 The new 4-arm roundabout connects GAR with a second access point to the DA (residential area) and employment development on the former colliery site. This roundabout will be within the lower 30mph speed limit and a new TOUCAN crossing will be included on the south-eastern arm of the roundabout providing a controlled and safe crossing point for pedestrians and cyclists crossing over the GAR into the Country Park.
- 4.2.10 The GAR continues as a single carriageway road from the 4-arm roundabout and the speed limit changes back to 40mph. The GAR is within the former colliery site until it reaches Glebe Farm on Lambley Lane. The buildings on the Glebe Farm site are vacant and consist of an old farm house and stables and in a poor state of repair. These will be demolished to deliver GAR and mitigation measures will be implemented due to the loss of the buildings as a bat roosting site.
- 4.2.11 Lambley Lane is severed where it is crossed by GAR at Glebe Farm and will be realigned onto the GAR with two new priority 'Ghost-Island' T-junctions providing links with the northern and southern sections of Lambley Lane. The northern section is between the GAR and Spring Lane, the southern section is between Arnold Lane and GAR.
- 4.2.12 There will be a new 3-arm mini-roundabout on Lambley Lane connecting the southern section of Lambley Lane directly to GAR, with the option of a fourth arm to serve potential development land immediately to the east of Lambley Lane.
- 4.2.13 The southern section of Lambley Lane is currently 30mph and this speed limit will be retained. From this point the current speed limit on Lambley Lane changes to 40mph, this will be retained on the northern section of Lambley Lane following the construction of the GAR

South-eastern section

- 4.2.14 On the south-eastern section of GAR, there is a new service road to enable future maintenance and access to highway attenuation ponds to the north of GAR (located approximately 270m to the southeast of the proposed new junction between the GAR and

the northern section of Lambley Lane). At this point there will also be a new private access to serve Gedling Wood Farm.

- 4.2.15 Diversion of Public Footpath No.2 (Carlton) is necessary at the point where it crosses GAR (located approximately 360m to the southeast of the proposed new junction between GAR and the northern section of Lambley Lane). The diverted footway will cross GAR at a controlled pedestrian crossing point.
- 4.2.16 The cuttings on the south-eastern section of GAR are up to approximately 15m in depth below present ground levels east of Lambley Lane, but shallower (up to 4m depth) further east.
- 4.2.17 GAR continues across open farm land and will cut through the south-eastern tip of Gedling House Woods through a cutting up to approximately 5.0m depth and running immediately to the south of Gedling Wood Farm before continuing southeast. It is proposed that a slope stabilisation technique called "Soil Nailing" will be used to strengthen cutting walls and reduce the area of land take required at Gedling House Woods.
- 4.2.18 From Gedling Wood Farm, GAR continues to its southern junction with the A612. This includes land which forms part of the grounds of Gedling House, including part of the walled garden and passing through land which is currently part of the grounds and playing fields of CLWA roughly parallel to Whitworth Drive. At this point the GAR is on a shallow embankment, heading south-east. The gradient of the road will be up to 8% and GAR has been designed to include measures to permit overtaking on the incline section leading uphill from the A612. The climbing lane on the south-eastern section of GAR is a length of approximately 900m from its junction with the A612 and Burton Road. This is to allow vehicles travelling northwest from the A612 along GAR to safely overtake slow moving vehicles on the uphill gradient over this section.
- 4.2.19 At its south-eastern end the GAR will terminate with a new signal-controlled junction onto the A612 at the location of the existing junction between Burton Road and the A612. The new junction arrangement will link the realigned Burton Road, Nottingham Road (service road providing vehicular access to Whitworth Drive and properties 246 to 230) with the A612. The junction incorporates central refuges on the GAR arm with the A612 to assist pedestrian/cycle crossing movements and to ensure continuity of the existing shared footway / cycleway facilities at this point.
- 4.2.20 During the planning application process, concerns were raised by CLWA regarding pupils travelling from Burton Joyce and crossing the GAR. In response to these concerns, the layout of the crossing was revised with additional priority added. Proposals were discussed with CLWA and changes incorporated include:
- Two stage pedestrian crossing proposed rather than three stages;
 - The minimum 'green man time' increased to 6 seconds;
 - Clearance period (this is after the green man has gone off but traffic held on red) will be tailored to meet the pedestrian demand and flow by utilising the latest on crossing detection;
 - Advanced call up on next crossing stage to minimise wait time at next cycle and maximise opportunity to cross straight over on next phase;

- All red phase for traffic movements when pedestrians crossing GAR between Burton Road and central island over northbound carriageway;
- Improved visibility of pedestrians at the crossing with the introduction of all red phase to prevent and traffic movements impeding visibility of waiting vehicles;
- Pedestrian crossing layout rearranged to suit dominant pedestrian desire line and encourage use (departure from standards); and
- GAR / Burton Road junction works in conjunction with GAR / A612 and traffic cycle means vehicles travelling southbound along GAR towards Burton Road will meet a red light for 50 out of the 70 seconds cycle – this means pedestrians arriving from Burton Joyce are likely to arrive at the pedestrian crossing with a green man.

4.2.21 The proposed 'at grade' surface crossing is consistent in type with the crossing point at the GAR / A612 and elsewhere in the local area. This consistency helps with both pedestrian and driver awareness. It is considered that the proposed layout and signalling arrangement offers a greater degree of pedestrian priority than at any other comparable site within the County.

4.2.22 In addition to the controlled pedestrian crossing facilities described along the GAR there will be a number of safe, uncontrolled pedestrian crossing points to supplement these and help integrate the GAR with surrounding infrastructure. These include, but are not limited to, the following:

- On all arms of the new 5-arm roundabout linking to existing footways on Arnold Lane;
- On the section of the GAR between the two new roundabouts, the location has been set to tie into new footpath links proposed within the DA;
- On the north-eastern arm of the new 4-arm roundabout;
- On the GAR on both approaches to the junction with link road to the southern section of Lambley Lane;
- On the link road to the southern section of Lambley Lane at its junction with GAR; and
- On the northern section of Lambley Lane at its junction with GAR.

4.2.23 The design of GAR has evolved having regard to these constraints and the preferred alignment now proposed is considered to be the most appropriate solution to fit within these constraints, whilst meeting GAR's objectives.

4.3 **Assessment of Scheme**

4.3.1 The background to the Scheme demonstrates that the route of GAR has been considered for a number of years. As part of the preparation of the application for the Original Permission an Environmental Assessment (EA) was undertaken. In preparing for the EA, data previously collected was reviewed and where appropriate, further surveys and analysis undertaken to update the EA and ensure that environmental aspects were fully considered. This including consulting with the Environment Agency (and other Statutory Consultees) during the preparation of the GAR proposals. All consultees were satisfied for a range of environmental aspects to be safeguarded and these protections secured by planning conditions.

4.3.2 The EA identified the overall impact of the Scheme on the environment. The following section summarises the key elements considered within the EA with narrative being

refreshed and updated where new information is available following further surveys and detailed design. Areas covered included:

- Air Quality;
- Archaeology and Historic Environment;
- Noise and Vibration;
- Landscape and Visual Impacts;
- Socio-economics;
- Ecology; and
- Sustainable Transport.

Air Quality

4.3.3 The Air Quality Assessment (“AQA”) undertaken took into account traffic generated by the DA and impact of GAR. Transportation was identified in the AQA as the dominant emission source that is likely to cause potential risk of exposure to air pollutants at receptors. The AQA therefore consisted of the quantified predictions of the change in nitrogen dioxide and particulate matter due to changes in traffic movement.

4.3.4 At the time of assessment, a total of 4,906 properties were within 200m of roads affected by the Scheme. 94.7% of these receptors are predicted to experience a reduction in exposure to nitrogen dioxide. In addition, 91.1% of these receptors are close to sections of the road on which particulate matter exposure is also predicted to reduce.

4.3.5 The overall assessment indicated that GAR has a net benefit in terms of receptor exposure to nitrogen dioxide and particulate matter.

Archaeology and Historic Environment

4.3.6 The EA included a review of previous assessments undertaken for GAR and these were updated. This identified two key areas affected by the GAR, these being the walled garden which is associated with Gedling House and Glebe Farm on Lambley Lane.

4.3.7 This walled garden, although disused has a high value due to its association with the Gedling House, which is a Grade II Listed Building of special architectural or historic importance. Construction of the road affects approximately 25% of the area of the walled garden. To reduce the impact of GAR on the walled garden, a programme of further archaeological investigation is proposed and included as a planning condition to the GAR Permission. This is in addition to the dismantling and rebuilding of the wall as part of the GAR construction.

4.3.8 The assessment also identified the requirement for Glebe Farm, a locally listed building to be demolished. This farm is of interest in a district context and a programme of archaeological building recording was proposed as part of the planning application. This was carried out during August and September 2017 and comprised of a historic building recording to Level 3 of Understanding Historic Buildings 2006. As part of the process a Written Scheme of Investigation (“WSI”) was approved by NCC and the study employed methodology conforming to the standard requirement of planning authorities where consent applications have been made for developments. There is also the potential to impact upon buried archaeology, during earthworks, to the hollow way and ridge and furrow features to the south of Glebe Farm, a programme of archaeological investigation will be implemented to record remains should any be discovered.

- 4.3.9 It is considered that these mitigation measures appropriately offset the potential impact on these historic features caused by the construction of GAR.

Noise and Vibration

- 4.3.10 The EA included a noise assessment was submitted considering the potential noise from construction activities and traffic using GAR. This was based on previous work done for the 2009 application and was updated principally relating to traffic flows and updated legislation and guidance.
- 4.3.11 During the construction phases, it is anticipated that through appropriate mitigation potentially significant noise and vibration effects can be minimised so that residual significant effects would not arise.
- 4.3.12 It is anticipated that there will be no significant environmental effects in relation to vibration from the operation of the GAR.
- 4.3.13 In accordance with planning requirements, the noise assessment was updated to ensure that the development is in accordance with the aims of Policy ENV1 of the Local Plan 2005 (certain Policies Saved 2014). The refreshed noise assessment has updated predicted noise levels at all the receptor locations (these tend to be properties) used previously and incorporates the latest available traffic data and road design to inform the detailed noise mitigation strategy.
- 4.3.14 The noise mitigation strategy utilises the latest national planning guidance and standards for the assessment of noise impacts from road traffic noise. These are all detailed in the information provided to GBC as LPA to discharge planning condition 15 of the GAR Permission. Noise levels are calculated using noise modelling software which incorporates Calculation of Road Traffic Noise ("CRTN") and ISO 9613 methodologies and calculations. The assessment completed a review to determine if any residential properties may be eligible for noise insulation in accordance with the provisions of the Noise Insulation Regulations 1975 (as amended 1988).
- 4.3.15 Once GAR is fully open there will be increases in road traffic noise at a number of properties that are predicted to experience a 'moderate' or 'major' noise, where a 'moderate' impact is defined as an increase of 5.0 – 9.9dB; and a 'major' impact is defined as an increase of 10dB or greater. The greatest impact occurs at locations towards the south-eastern end of the GAR surrounding Gedling Wood Farm east of Lambley Lane as some of these properties experience very little traffic noise at present. Specific locations include Gedling Wood Farm, Whitworth Drive, The Old Stables at Gedling House, White Gate Lodge on Wood Lane and some properties on Maple Drive and Almond Walk closest to the proposed route.
- 4.3.16 The base design used in the noise model already included earth noise bunds consisting of a 2m high bund in front of Gedling Wood Farm and a 1.5m high bund around the junction where GAR meets Lambley Lane. In addition, the GAR has a 40mph speed limit except for the section adjacent to the DA that has a lower 30mph, these will also have a beneficial impact on noise levels from the road.

4.3.17 Further mitigation in the form of noise barriers is proposed along the route of GAR to mitigate noise impacts to the properties predicted to experience a 'moderate' or 'major' increase in noise to the lowest practicable noise levels. The barrier height and position has been determined taking other factors such as visual appearance into account. While the actual height of barriers used varies between 2.0 and 2.9m the maximum effective height of any barrier used will be approximately 2.0m. The location for noise mitigation has been extended from the proposals included in the planning application following analysis of the latest noise model, and consideration of other issues such as privacy, vehicle headlights and ecological impacts. These are all described below:

- Noise barrier from Mapperley Plains to south of Chase Farm on the north side of GAR. The noise model predicts that traffic noise levels will reduce as a result of the new road despite the proximity of GAR to these locations. The reason is that the GAR is raised on an embankment up to 10m high that will screen existing traffic noise from Arnold Lane. Noise contributions from the new road are predicted to be slightly lower than existing levels due to the elevated height of the new road. However, noise mitigation is proposed due to the perceived impact from noise due to the proximity of the new road, along with concerns over privacy and headlights from vehicles;
- Further ecological surveys have identified the presence of a bat swarming area near the former train tunnel entrance. Ecology specialists have advised that disturbance to bats through noise and headlights from vehicles should be minimised through the use of noise barriers adjacent to the road around the vicinity of the tunnel entrance. In addition, a solid barrier is recommended to protect owl flight routes and to minimise risk of collisions with vehicles. To mitigate these impacts a further 2m high noise barrier is proposed for 695m adjacent to the tunnel entrance area.
- Barrier alongside Gedling Wood Farm;
- Barrier alongside properties to the north of White Gate Lodge, Maple Drive and Acorn Walk;
- Barrier in front of properties adjacent to Whitworth Drive; and
- Barrier on the southern boundary at the Old Stables adjacent to Gedling House.

4.3.18 The mitigation strategy proposed has reduced predicted noise level increases at all receptors assessed. The most notable noise reductions occur at Whitworth Drive and The Old Stables adjacent to Gedling House. The slightly elevated position of Gedling Wood Farm from the new road and partial screening provided by a slight cutting in this area means the noise barrier provides a more modest reduction of 2.7dB. However, the reduction is still notable, and whilst higher barriers may further reduce levels, these are not considered appropriate to the character of the setting. One of the factors in the magnitude of increase at Gedling Wood Farm is the currently low ambient noise levels at this location due to its remote setting.

4.3.19 Similarly, a modest reduction of 2.0dB is also predicted at White Gate Lodge on Wood Lane, with marginal reductions achieved at Maple Drive and Almond Walk. Analysis using longer barriers along the southern boundary in a westerly direction was considered at these locations, however this was found to have a negligible benefit. It should be noted however, that resultant noise levels at Maple Drive and Almond Walk are less than 50dB, below which is unlikely to cause annoyance according to the WHO Guidelines on Community Noise. Similarly, only a marginal reduction is achieved at 246 Nottingham Road. However, this is due to the position of this receptor in relation to the junction of

the new road with the existing road network. Therefore, there is minimal opportunity to reduce noise impacts further through the use of physical roadside measures.

4.3.20 Regulation 3 of the Noise Insulations Regulations 1975 (Amended 1988) imposes a mandatory duty on the Highway Authority to carry out or make a grant in respect of the cost of carrying out, noise insulation work with respect to a highway or a highway to which an additional carriageway is to be added. Regulation 4 grants concessionary powers to the Highway Authority to carry out or make a grant in respect of the cost of carrying out, noise insulation work with respect to an altered highway. To qualify, a property must:

- Be Residential;
- Be within 300m of the new or altered road;
- Have been occupied before the new or altered road was first opened to the public;
- The traffic levels at one or more facades of the property must have been predicted to increase by 1dB(A) and be not less than 68dB(A)L10(18 hour); and
- The noise caused by traffic using the new road must contribute at least 1dB (A) to the noise level measured above.

4.3.21 However, the predicted increase in noise is such that there are not any properties entitled to mitigation in accordance with the criteria set out in the amended Noise Insulation Regulations.

4.3.22 In addition, the GAR will also achieve a noticeable improvement at a large number of properties along Arnold Lane and Spring Lane and, to a lesser extent along the facades of properties which are along Mapperley Plains, as traffic flows on these roads decrease due to the Scheme.

Landscape and Visual Impacts

4.3.23 A landscape and visual baseline for GAR was established and used as the basis for the EA. This included selecting eighteen viewpoints within a 1.5km study area to represent the views afforded in the surrounding area.

4.3.24 This identified that during construction and early operation of GAR there will be an effect on landscape, based upon the loss of the existing vegetation on the site; the effects on the local landscape character; the effects on landscape amenity of residents adjoining the Site and the Public Right of Way crossing the site. The impact will be on:

- Residents within the local area including those situated close to the site and on the rising ground overlooking the existing agricultural landscape within the site;
- Users of the Public Right of Way crossing the site;
- Users of the Country Park; and
- Local road users.

4.3.25 However, after 15 years the effects on the landscape and on views available of the highway would be lessened as the maturing woodland, tree and hedgerow planting along the highway would integrate the road into the landscape and in general provide screening or filtering of views of the road development.

Socio–economics

- 4.3.26 An updated transport user benefits appraisal (“TUBA”) has been completed as part of the economic analysis superseding work done as part of the original EA. This indicates that journey time savings, other safety and efficiency benefits are worth at least £74 million (Present Value of Benefits) and this generates a benefit to cost ratio (“BCR”) against the total Scheme cost (Present Value of Costs) that is considered a positive beneficial effect. In addition, there will be other positive benefits to the local community from a reduction in traffic volumes along Arnold Lane.

Ecological

- 4.3.27 GAR has been designed to avoid known existing sensitive receptors identified during the initial consultation prior to the 2008 Environmental Statement, where practically possible.
- 4.3.28 However, this has not been possible for all sensitive ecological receptors where limitations for the roads alignment and elevation exist. Where this is not possible mitigation has been undertaken to restrict the land take to the minimum where the road transverses ecologically sensitive areas.
- 4.3.29 Effort has been made in the design process to lessen the impact and to minimise dislocation and fragmentation of green infrastructure (foraging routes etc.) in areas where sensitive receptors exist e.g. through the Country Park. The result is that land take from these habitats has been minimised and mitigation designed where impacts have been unavoidable.
- 4.3.30 The planting proposals where possible have ameliorated the loss of the majority of the habitats found on site. Planting proposals will enhance habitat continuity and connectivity along and across the GAR route. Proposals for planting have included numerous approaches to mitigate the impact of the road and where possible provide opportunities for new habitat creation to maintain connectivity and viability of foraging routes.
- 4.3.31 Several construction ecological mitigation measures have already been included in the proposals to uphold the development’s legal obligation for the protected and notable wildlife sites, habitats and species being affected by the development. The mitigation measures detailed in Chapter 3 are supplemented by the ‘good working practice’ during construction listed below:
- The employment of an ecological clerk of works (“ECoW”) to oversee ecological mitigation and all licenced works;
 - Ecological tool box talks to be given to construction staff prior to any works commencing;
 - Covering of and inclusion of ramps within excavations to avoid animals becoming trapped in excavations (use of physical barriers etc.);
 - Demarcation and inclusion of buffer zones between construction activities and sensitive ecological receptors;
 - Vegetation clearance outside the breeding birds’ season;
 - Appropriate planting with more diverse species mix to compensate for loss of habitat. This planting has the objective of improving connectivity;
 - Restricting night time working near bat and badger sensitive areas and reduction of lighting requirement;

- Design of road lighting scheme that is sensitive to the requirements of wildlife; and
- Any additional mitigation or enhancement measures required to address likely significant impacts as identified by the current series of ecological surveys.

4.3.32 To ensure the implementation of these environmental protection measures during and after construction of GAR, a Construction Environmental Management Plan (“CEMP”) is to be prepared from ecological surveys incorporating recommendation relating to mitigation measures provided by an ecologist.

4.3.33 The alignment of GAR through Glebe Farm will result in the demolition of buildings used by bat roosts, the construction of a bat house and deployment of bat boxes is required prior to the event. The proposed location of the bat house is within the Glebe Farm site.

Sustainable Transport

4.3.34 GAR will intersect with existing walking/cycling infrastructure at the following locations:

- Its northern terminal junction onto the B684 Mapperley Plains;
- At its junction with the current A6211 Arnold Lane at the proposed new 5-arm roundabout;
- At the location of the proposed new mini-roundabout onto the southern section of Lambley Lane;
- At the location of a footpath linking the Lambley Recreation Ground with the Country Park;
- The location of the proposed tie-in to the northern section of Lambley Lane;
- Approximately 310m southeast of the northern junction GAR with Lambley Lane where the line of the new road is crossed by the Public Footpath No. 2 (Carlton); and
- At its southern terminal junction with the A612 Trent Valley Road / Burton Road / Whitworth Drive.

4.3.35 Pedestrian crossing points will be provided across the GAR to enable the public to access land to the Country Park and other areas to assist pedestrian and cycling crossing movements. This includes a new controlled crossing point as part of the diversion of Footpath Number 2, at the roundabout adjacent to the existing lagoons linking established paths from the Lambley Lane recreation ground and a future crossing point linking paths through the DA.

4.3.36 GAR will provide a new 3.0m wide shared footway/cycleway along its entire length, generally on the northern side with linkages to existing infrastructure as described in this Statement.

4.4 Delivery

4.4.1 NCC has the overall responsibility for land acquisition, design, procurement, construction and delivery of the GAR working in partnership with the HE, GBC and Keepmoat. Via EM working on behalf of NCC, will be responsible for managing the land acquisition process and the design and project management of the road construction.

4.4.2 Via EM is jointly owned by NCC and CORSERV, CORSERV is fully owned by Cornwall County Council. Via EM delivers services for NCC that were formerly delivered within the

Highways Department. The scope of these services is defined within a Service Contract between NCC and Via EM which is for 10 years initially.

4.4.3 Via EM by virtue of its 'Teckal status' is protected from State Aid issues and this status provides a legal background as to how the package of work to design and procure directly is legitimate route to project delivery.

4.5 Design Standards

4.5.1 The GAR, which will be the A6211, has been designed in accordance with the Design Manual for Roads and Bridges ("**DMRB**") to achieve as far as possible an earthwork 'cut / fill' balance across the whole of the road construction, with the earth removal required to create the cuttings on the south-eastern section being reused to create the embankments required for the north-western section. This minimises the need to import / export large quantities of material, thereby achieving cost effective construction and helping to minimise disruptive construction traffic impacts. The link sections onto the GAR including Lambley Lane have been designed in accordance with the Nottinghamshire Highway Design Guide.

4.5.2 The engineering design has been undertaken using industry standard applications. A full vertical and horizontal alignment has been completed using MX and AutoCAD modelling tools. Junction layouts have been designed using bespoke junction modelling software (ARCADY, PICADY and LINSIG) to satisfy the forecast traffic flows in the design years. The road design completed is equivalent to the RIBA Plan of Work 2013 Stage 3 (Developed Design) which broadly maps to the former Stage D (design Development). The completion of the technical design and engineering details of the GAR (RIBA Stage 4) have been completed to facilitate the completion of works information to enable NCC to develop a target price with a Framework Contractor ("**Contractor**"). This target price together with costs related to land, fees, advanced works, diversions of statutory undertaker's apparatus will support previous estimates produced to demonstrate that the costs are within the funding available to deliver GAR.

4.5.3 The following section details design standards and information related to the following:

- Drainage;
- Lighting and Signage;
- Additional Traffic Management Measures;
- Statutory Services and Diversions.

Drainage

4.5.4 A sustainable drainage system ("**SuDS**") is designed to reduce the potential impact of development with respect to surface water discharge. The design philosophy adopted for the drainage requirement for the GAR are based on principals of the SuDS manual (C753) 2015 as produced by CIRIA. This guidance document replaces the SuDS manual (C697) published in 2007 and has been updated to incorporate the latest technical advice and adaptable processes to assist in the planning, design, construction, management and maintenance of good SuDS.

4.5.5 The GAR is kerbed throughout its length and bituminous impervious surfaces (carriageway and the shared footway / cycleway areas) are designed to be drained by a

combination of traditional trapped street gullies and linear drainage systems (discharging through trapped outfalls). To attenuate flows, the drainage system has been split into discrete lengths with the downstream end of each section culminating in an attenuation pond. All attenuation points have the outfall restricted with a Hydro brake to discharge highway surface drainage at Greenfield run-off rates. The discharge rate is a practicable minimum limit to provide a balance between attenuating flow to a satisfactory low flow rate whilst keeping the risk of blockage to an acceptable level.

- 4.5.6 The highway drainage system has been split into five networks, each network includes at least one attenuation pond with outfall points discharging into either the Ouse Dyke, STW systems or other existing watercourses. Detailed information relating to the drainage network was submitted and approved by GBC as a pre-commencement of development condition in December 2017.
- 4.5.7 The design has been completed using Micro drainage which allows simulations of surface water flow from various storm events to be checked for flooding. The simulations have allowed for climate change impacts on intensity and volumes. The pipe networks were designed to a 1 in 1-year storm and then checked against a 1 in 5-year storm as dictated by the DMRB in HD33/06 Volume 4, Section 2.
- 4.5.8 The discharge rate adopted for the GAR drainage design is set at 5 litres per second per hectare (l/s/ha). This limit is defined in the document "Rainfall runoff management for developments - Report SC030219". Compliance with the report was a requirement of planning and the report is based on research commissioned by the Environment Agency and the limit set is to reflect the expected discharge rate from green field sites.
- 4.5.9 The attenuation ponds along the route of GAR provide storage and attenuation for the highway drainage. These also include treatment systems, if required, prior to the outfall. These are supplemented by storm block system (storage crates) installed under the 5-arm roundabout. The ponds have been sized to control the discharge to the watercourse to 5 l/s/ha, up to and including a 1 in 100 year +30% (climate change) event. Gradients on the sides of the ponds are generally 1 in 4 for the ease of maintenance.
- 4.5.10 A permanent pool has been provided in four of the ponds to provide an area where water will remain in the pond throughout the year. This will act as a treatment zone and helps protect fine deposited sediments from resuspension. The permanent pools are no deeper than 0.5m. There will be a smaller settlement pond at the inlet which would also act as an oil interceptor. This design is effective in the removal of the range of expected pollutants from roadside runoff, finer suspended solids and associated heavy metals through the physical processes of sedimentation and filtration. A wetland grass mix will be sown on the lower areas of the ponds where there will be seasonally wet. Native species of aquatic and marginal planting will be carried out the edges of the ponds to improve biodiversity and this will take place following the establishment of the wetland grass mix.
- 4.5.11 Run off from all cuttings has been allowed for by the provision of combined carrier filter drains. In areas where this is not required, sealed carrier drains have been used.
- 4.5.12 Run off from surrounding farmland will be intercepted by cut off ditches, which either connect directly into existing ditches or indirectly via road drainage.

- 4.5.13 Run off from high road embankments will be intercepted by cut off ditches which either connect directly into existing ditches or indirectly via road drainage.
- 4.5.14 As part of the design for the GAR, hardstanding areas have been incorporated into the design adjacent to the ponds to allow vehicles easy access for maintenance. The drainage systems and SUDs features will be maintained under NCC's normal cyclic maintenance programme.

Lighting and Signage

- 4.5.15 Street lighting will run along the entire length of the GAR and incorporate the roundabouts and various junctions associated with the road. The lighting scheme has been designed in accordance with the British Standard BS5489-1 2013 and takes into consideration the requirement of the surrounding local wildlife and their habitats into the design to reduce its impact as much as possible. Consideration has also been given to the document "Bat Conservation Trust (June 2014). Artificial lighting and wildlife: Interim Guidance: Recommendations to help minimise the impact of artificial lighting."
- 4.5.16 The lighting design consists of mainly 8m high lighting columns using the latest LED lantern technology. The lighting has been designed in such a way to have a minimal as possible impact on the environment, wildlife habitats and foraging routes whilst still conforming to the requirements of British Standards. In line with the NCC's policy the lamps will be dimmed by 50% from 10pm to 7am this is when vehicular use is at its lowest but also when nocturnal wildlife is at its most active. In addition, using information from bat surveys planting will be taller and denser to encourage bats to fly up and over the GAR. These are known as a "bat hop over" and provided where existing hedgerows used by bats are severed by the GAR. Lux levels have been used to confirm the darkest route between lighting columns and trees will be planted between columns to help bats avoid the brightest areas.
- 4.5.17 Signage will be a mixture of informatory, regulatory and warning signs. The Traffic Signs Regulations and General Directions 2016 ("TSRGD") prescribes the design and conditions of use of traffic signs (which include road markings, traffic signals, pedestrian, cycle and equestrian crossings) to be lawfully placed on roads. A key requirement of the TSRGD is to consider reducing sign clutter and traffic signs implemented will be considered the minimum required for legal and safety requirements whilst being mindful to its setting and impact on the environment.

Additional Traffic Management Measures

- 4.5.18 Traffic Orders, also known as Traffic Regulation Orders ("TROs") are the legal instruments by which traffic authorities implement most traffic controls on their roads. NCC is the local traffic authority and has the power to make TROs in exercise of its powers under the Road Traffic Regulation Act 1984.
- 4.5.19 These include Permanent TROs, that will remain in force until superseded or revoked, and Temporary TROs.
- 4.5.20 Permanent TROs will be required for the GAR to ensure it is operated as intended and to make changes to restrictions on the existing local highway network, some of which are planning obligations. These include static and moving restrictions, speed limits and environmental weight limits, specific orders include:

- Static – 24-hour clearway (this restriction is to prevent stopping or waiting) along the GAR and Arnold Lane (between the new 5-arm roundabout and the B684 junction);
- Static – ‘No Waiting At Any Time’ (double yellow lines) on the southern section of Lambley Lane in the turning head and on the new link to GAR;
- Moving – ‘No Right Turn’ restricting movements from Mapperley Plains onto Arnold Lane;
- Moving – ‘No Right Turn’ restricting movements from GAR onto Burton Road;
- Moving – ‘No U Turn’ restricting U turns from the GAR at the A612 junction;
- Speed Limit – Implementation of a 30mph speed limit on GAR (by virtue of street lights, classed as a restricted road) on GAR between and including the new roundabouts;
- Speed Limit – Implementation of a 40mph speed limit on remaining lengths of the GAR;
- Speed Limit – Implementation of a 30mph speed limit (by virtue of street lights, classed as a restricted road) on Arnold Lane (on southbound approach to new 5-arm roundabout and along remaining length of Arnold Lane towards Gedling Village, this will include revoking the existing 40 mph / derestriction order. This is a planning obligation for the GAR;
- Speed Limit – Implementation of a 40mph speed limit on Arnold Lane from Mapperley Plains junction towards the new 30mph terminal on the southbound approaching to new 5-arm roundabout this will include revoking the existing 40 mph / derestriction order; and
- Environmental Weight Limit (“EWL”) – New 7.5T weight limit bounded by the GAR and to include Burton Road, Shearing Hill and Arnold Lane, this includes the revocation of the existing weight limit at the old bus plug on Burton Road as it would be covered by the new area-wide restriction.

4.5.21 Obtaining a permanent TRO is a separate legal procedure and these traffic management measures are not part of the Orders. The process of detailing the TRO for public advertisement and feedback from consultation may result in slight changes being made, objections may be received and if required, these would be considered via existing procedures at NCC. TROs will be progressed as and when required.

4.5.22 Temporary TROs will be required to deliver GAR in order for construction works to be completed efficiently and safely, this may include temporary changes to speed limits and road closures.

4.5.23 In addition to temporary TROs, there will be requirements for portable light signals on the existing network to manage traffic whilst construction works such as surfacing is carried out. Site approval is required for portable signals under the TSRGD from NCC and once approved bulletins are provided to interested parties.

4.5.24 As part of the delivery of GAR, a communication strategy will be implemented and this will include consideration for stakeholder consultation and updates regarding permanent and temporary TROs and other restrictions on the existing highway network such as portable traffic signals, lane closures and footpath closures.

Statutory Services and Diversions

- 4.5.25 GAR cuts across Public Footpath No.2 (Carlton) which runs north from Almond Walk in Gedling to Spring Lane in Lambley. Diversion of this footpath is therefore required where it crosses GAR (located approximately 360m to the south-east of the proposed new junction between GAR and the northern section of Lambley Lane). When diverted, the footway will cross GAR at a controlled crossing point. The diversion of this footpath is being undertaken under section 14 of the Highways Act 1980 and detailed within the SRO.
- 4.5.26 When undertaking improvement works, often major improvements, such as the construction of the GAR, it is the case that undertakers' apparatus (examples are electricity cables and gas pipes running under the highway) may need to be diverted. The New Roads and Street Works Act 1991 ("NRSWA"), supported by relevant regulations including The Street Works (Sharing of Costs of Works) (England) Regulations 2000 and Codes of Practices, provides a legislative framework for street works by undertakers and works for road purposes. The aim of NRSWA is to balance the statutory rights of highway authorities and undertakers to carry out works with the rights of road users to expect the minimum disruption from works.
- 4.5.27 As part of the development of the Scheme preliminary inquiries have been undertaken to seek details of the apparatus within the section of maintainable highway which is being altered or improved. The key areas that this applies to is:
- B684 Mapperley Plains (where new junction is to be formed for the GAR);
 - A6211 Arnold Lane / Gedling Road / Mapperley Plains where junction changes are required as a result of the GAR;
 - Lambley Lane that is being realigned;
 - Services to Gedling Wood Farm;
 - Burton Road and junction with the A612 that will be altered as part of the GAR.
- 4.5.28 In most cases, budget estimates have been received, this is where the undertaker provides preliminary details of the effects on their apparatus including estimates of costs for works required to ensure there is no impact on their apparatus. In some cases, detailed estimates (C4) enquiries have been made, establishing in detail the necessary steps that need to be taken, if further works are required then financial orders are placed with the relevant undertaker.
- 4.5.29 The status of diversionary works depends on a number of factors including whether they can be done in advance (diverted outside of the works area or lowered / protected in the current location), need to be done in conjunction with improvements or require further investigation / design to understand the impact.
- 4.5.30 This list below is a summary of apparatus that requires some form of alteration, this list is not exhaustive and may change as both the construction programme develops and as a result of any further site investigations. If diversions, are not included on this list, they will be dealt with through the construction programme.
- Mapperley Plains – Severn Trent Water (STW) Main, Gas Main, BT and Western Power Distribution ("WPD") apparatus need to be diverted from the existing footway to within the new footway at the junction of GAR and Mapperley Plains;

- Mapperley Plains – Severn Trent Water Main, Gas Main, BT and WPD apparatus need to be moved on section to be widened on the south side adjacent to the Scouts carpark;
- Mapperley Plains – A highway sewer needs to be demolished and replaced on the corner of Mapperley Plains and Arnold Lane due to the junction widening;
- On the link between Mapperley Plains and the 5–arm western roundabout – A surface water sewer which serves the Clementine Drive development which connects into the Ouse Dyke will be underneath the GAR. Manholes along this sewer will need to be replaced and the sewer may need to be structurally lined dependent on the results of surveys;
- Arnold Lane – Existing 33kv overhead line in the fields off Arnold Lane will be diverted underground within Arnold Lane as advanced works;
- Arnold Lane – Gas Main on Southwest side of Arnold Lane has already been lowered / diverted as advanced works;
- New 4–arm eastern roundabout – BT and WPD underground cable to be diverted;
- Lambley Lane (southern section) – STW sewer, new manholes to be constructed to new levels near new mini roundabout on Lambley Lane;
- Lambley Lane (northern section) – Foul Water Gravity Fed Sewer to be replaced;
- Lambley Lane (northern section) – 27” water main to be diverted;
- Lambley Lane (northern section) – Gas to be diverted;
- Lambley Lane (northern section) – BT Overhead to be diverted underground;
- Lambley Lane (northern section) – WPD apparatus to be diverted;
- GAR adjacent to Gedling Wood Farm – Services to Gedling Wood Farm to be diverted;
- GAR adjacent to Whitworth Drive – Existing overhead BT apparatus at northern end of Whitworth Drive to be diverted underground under GAR;
- Burton Road – Gas, STW, BT and WPD to be diverted or lowered, protection works may be required to Virgin Media apparatus.

4.6 Environmental Mitigation Measures

4.6.1 The GAR includes a range of environmental mitigation measures designed to reduce the impact of the Scheme on its surrounding environment. Within the planning consent there are conditions that have been discharged by the LPA detailing mitigation measures, these relate to:

- Drainage;
- Landscaping;
- Invasive Species; and
- Mitigation and Monitoring of Protected Species

Environmental Mitigation Measures – Drainage

4.6.2 The highway drainage system is described in section 4.4. However, as a result of GAR overland flows and existing channelling of surface water will be affected. The Environment Agency’s Flood Map indicates that the site is not at flood risk in a 1 in 1000–year event and the catchment areas for the GAR are predominantly greenfield land, some of which have severe gradients. The spoil heaps as part of the Country Park drain into the two lagoons, these are separate to both the highway drainage for the GAR and the overland flow drainage systems. All drainage systems around this location discharge into the Ouse Dyke.

- 4.6.3 To consider environmental mitigation related to drainage the first stage of the assessment process completed establishes areas of standing water within the existing catchment based on topographical survey information. This acts as a 'baseline' for comparison with the post-Scheme assessment and a full understanding of the catchment areas and existing watercourses and drainage systems is required. On the section from Mapperley Plains / Arnold Lane and into the colliery area, run-off is primarily through the Ouse Dyke via ditches (open water courses) and piped sections. The Ouse Dyke is classed as an Ordinary Water Course and appropriate liaison has taken place with the Flood Risk Management team at NCC who are acting as Local Lead Flood Authority ("LLFA").
- 4.6.4 Further along the route of the GAR in a south-eastern direction of the section from Lambley Lane towards the A612 overland flows are dealt with by a mixture of land drains and open water courses, which ultimately drain into the Ouse Dyke within Gedling Village through a mixture of open and culverted water courses.
- 4.6.5 The proposed drainage strategy will mimic the existing drainage scenario, effectively the Ouse Dyke will be realigned as part of the GAR. An assessment has been undertaken on the existing catchment based on topographical survey information and compared with a post-Scheme assessment. This has identified areas where additional ponding, over the current situation, will be introduced. However, a review of mitigation measure for each of these areas has been undertaken and it is considered that the SuDS compatible storage measures incorporated in the drainage design will successfully accommodate these additional volumes of water. Therefore, the proposed development will not increase flood risk elsewhere.

Environmental Mitigation Measures –Landscaping

- 4.6.6 A key objective in the design of GAR is to ensure that it is sympathetic to the rural character of the area. The landscape scheme has been designed to meet the recommendations within the Nottinghamshire Landscape Guidelines for conserving and enhancing the overall structure and distinctive rural character of the landscape. This is particularly important where the south-eastern section of GAR passes through the distinctive Dumble Farmlands landscape.
- 4.6.7 The aim of the landscape scheme for GAR is to integrate the new road into the surrounding countryside and reduce the visual impact for local residents, users of public rights of way and the paths within the Country Park.
- 4.6.8 The landscape treatments also aim to mitigate ecological impacts and maintain biodiversity. The majority of the proposed planting is native species, in keeping with the Mid Nottinghamshire Farmlands local landscape character. Mitigation planting will be carried out to compensate for the loss of mature woodland and hedgerows which provide valuable habitats for bats, badgers, birds, amphibians and butterflies as identified in ecological surveys.
- 4.6.9 Bat hop overs and badger tunnel locations have been guided by ecological surveys along the route of GAR. Larger trees are planted in the bat hop over locations to encourage bats to fly up and over the road, avoiding the brightest area around lamp columns. Wildlife hedges with nuts and berries will be planted on the approach to the badger tunnels to guide badgers to the tunnel entrances.

4.6.10 The proposed landscape treatment along GAR includes tree planting, woodland/wet woodland and woodland edge planting, hedgerow planting and native/semi-native shrub planting. Grass seeding includes a highway verge mix to the verges and ditches, species rich grass mixes and a wetland grass mix to the ponds. The attenuation ponds have been designed using the principles of SUDS in attenuating road run off to prevent flooding of adjacent watercourses and to provide pollution control. These are designed as permanent water bodies. Native aquatic/marginal planting will supplement the wetland grass mix within the ponds to help improve biodiversity.

4.6.11 The works contract for GAR will include 5 years of establishment maintenance, after which it will be handed over to NCC as the LHA or relevant landowner for future maintenance. Details of the long-term management strategy including the proposed management and maintenance schedule for each habitat to be created was included in information submitted to GBC as part of a pre-commencement of development planning condition – this condition (number 16) has been discharged by GBC as LPA. The strategy will help achieve a number of key objectives, including:

- To ensure the successful establishment and long-term management of the proposed planting along the route of GAR;
- To ensure visual impact of the new road is minimised for local residents, users of public rights of way and the Country Park to the north;
- To provide a robust, sustainable and visually attractive landscape setting;
- To mitigate impacts on identified species and habitats and enhance the ecological potential of landscape treatments; and
- To manage the landscape and ensure the safety of site operatives and the public – maintaining visibility splays, keeping shared footways clear of overhanging vegetation, and removing dead or diseased trees and shrubs etc.

4.6.12 The landscape elements incorporated have been designed to mitigate adverse impacts of the road and to enhance opportunities for bio-diversity within the environs.

4.6.13 Open Mosaic Habitat (“OMH”) was identified within the footprint of the GAR on the former colliery yard area. These are areas of bare soil / coal mine waste and pioneer vegetation with Birdsfoot Trefoil which is the larval food plant of the Dingy Skipper butterfly. Mitigation for the loss of OMH is a planning obligation and areas of OMH have been translocated in November 2017, this included:

- Scrub clearance to areas of the Country Park to the north of the GAR route (to prevent encroachment of scrub/woodland on species rich area; and
- Scraping off 100mm depth of material with the habitat and re-spreading on suitable bare areas on the southern area of the Country Park – the seed bank in this material will include Birdsfoot Trefoil which should regenerate.

4.6.14 To ensure successful establishment of OMH areas within Country Park the following maintenance operations will be carried out by Via EM on behalf of NCC:

- Scrub clearance areas within the Country Park to be kept clear of further encroachment by inspection and clearance on a yearly basis;
- Areas with translocated OMH material to be monitored for success and growth of Birdsfoot Trefoil – seeding or plug planting will be carried out if establishment is poor;

- Pernicious weeds such as docks, thistles and dandelions to be spot sprayed;
- New growth of Bramble to be spot sprayed/weed wiped to prevent encroachment; and
- Areas of translocation to be kept clear of scrub to prevent encroachment.

Environmental Mitigation Measures – Invasive Species

- 4.6.15 The GAR planning approvals included a requirement for details of how invasive species such as Japanese Knotweed and New Zealand Stone Crop/Pygmy weed will be surveyed and monitored within habitats affected by the Scheme and if necessary what measures will be taken to manage and treat invasive species.
- 4.6.16 Japanese Knotweed has been identified on and around the Scheme. This species is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), making it an offence to grow or cause this species to spread in the wild. Five colonies of Japanese Knotweed have been identified thus far on or close to the GAR and treatments have been undertaken from September 2016, these are checked regularly, and further treatments applied if further regrowth is identified. There is one colony directly on the route of the GAR and checks have shown that there is no evidence of regrowth of Japanese Knotweed at this location. Suitable mitigation will be undertaken by the Contractor during construction, to prevent the spread of Japanese Knotweed within the site and further afield, to the requirements of the Environment Agency and the Department of Environment, Food and Rural Affairs Guidelines updated 17 November 2017.
- 4.6.17 New Zealand Pygmy Weed/Stonecrop *Crassula helmsii* has been identified in waterbodies adjacent to the site, particularly in the Country Park and attempts to eradicate this species in the Country Park have been unsuccessful. The major risk to spread of the species is the movement of humans or animals over these areas of the site. To prevent further spread these areas will be fenced off as part of the construction and have site notices put in place to indicate that these are 'No go areas' to prevent tracking across by site staff and vehicles. Whilst these areas are within the redline planning boundary, the route of GAR submitted as part of the Original Permission was amended at the time to ensure that construction works in these waterbodies was not required resulting in no impact on the New Zealand Pygmy Weed.

Environmental Mitigation Measures – Mitigation and Monitoring of Protected Species

- 4.6.18 The GAR planning approvals included a requirement for details to be provided to the LPA regarding mitigation and monitoring measures and a programme and timetable of implementation in relation to assisting amphibians, badgers, bats, breeding birds and invertebrates during the construction and operational phases of the GAR. For generic mitigation, the following hierarchy of measures will be followed:
- Avoidance / prevention: measures taken to avoid or prevent adverse impacts, for example, layout or timing of site works;
 - On site – Reduction/mitigation: measures taken to reduce adverse effects, for example, retaining walls or pollution interceptors; and
 - Off-site – Compensation / offsetting: measures taken to offset significant residual adverse effects, i.e. those which cannot be entirely avoided or mitigated to the point that they become insignificant; for example, habitat creation or enhancement.
- 4.6.19 Specific details relating to the mitigation and monitoring of protected species have been submitted and formally discharged by GBC as LPA. However, in the Scheme development

has been progressed using general survey information that was collected and submitted as part of the planning application in 2014 as the baseline and updated, where applicable, to inform the detailed design and mitigation measures. In most cases further surveys will be required in advance of construction activities to check and confirm that the measures put in place have been effective – these will be undertaken by a suitably qualified ecologist. Good work practices related to all protected species will be adopted as part of the construction activities.

4.7 Accommodation Works

4.7.1 GAR will affect a number of agricultural holdings across the route. Their severance has been minimised by the retention of some existing accesses and the creation of new accesses. A full description of the stopped up and new accesses are included in the SRO and in Section 8 of this Statement.

4.7.2 Accommodation works will be required as a result of GAR, these have been kept to a minimum and the key areas include:

- Scouts Carpark off Mapperley Plains – Works to the car park will be carried out including repositioning gate/fence and some works to the carpark to tie into new levels;
- Country Park – Works to accommodate tie in to GAR including regrading vehicular access into park, works to tie in new pedestrian accesses to park around lagoon area, repositioning fencing, drainage works to intercept existing pipe running through park that will be cut off due to GAR;
- Glebe Farm – Install Bat House near to former Glebe Farm buildings;
- Gedling Wood Farm – Replace Cesspit if existing is disturbed during GAR works and demolition of farm buildings;
- White Gate Lodge – Install Cesspit;
- CLWA – works to playing fields to regrade fields to tie into GAR and enable reconfiguration of pitches.

4.7.3 The accommodation works are subject to agreement with relevant landowners and the list provided is not exhaustive and subject to change. Any changes will be kept to a minimum, but may occur following further discussions with landowners, following the commencement of construction if unknown ground conditions or services are encountered.

4.8 Temporary land use

4.8.1 The GAR route is linear and areas for compounds are limited. Construction compounds will be required along the route of the GAR and will generally be sited alongside or adjacent to the proposed works.

4.8.2 Typically, there are two types the main construction compound and satellite construction compounds. Siting of compounds is influenced by various factors and considering environmental effects including:

- Avoiding proximity to sensitive receptors;
- Proximity to local A roads and bus routes;

- Easy accessibility for the local workforce;
- Suitable existing topography with minimal requirement for site preparation works;
- Proximity to existing utilities for ease of establishing temporary services;
- Ease of establishing and maintaining security;
- Adequate space;
- Existing use of the site;
- The effects of changes to the noise levels, light, visual impact and air quality; and
- The location of aquifer, surface water courses and flood plains.

4.8.3 The main construction compound will act as strategic hub for core project management activities (i.e. engineering, planning and construction delivery) and for office-based construction personnel. It will include offices, storage for materials (such as aggregates, steel reinforcement) and laydown areas, and maintenance and parking facilities (for site plant, lorries and staff cars), together with the main welfare facilities for construction personnel. Within the GAR Permission the intention was that the area of land identified as Plot 15a in the CPO plans would be used as a compound. This area of land is within the DA and would require agreements with Keepmoat and HE. This area was originally suggested as it is adjacent to the location for roundabout linking Arnold Lane, the GAR and the DA and its locality that was stipulated as the first phase of the GAR.

4.8.4 The GAR Permission to remove the phasing requirements provides the opportunity for the site compound to be located at the most appropriate location along the route of GAR. A number of options are being considered, if this is on land outside the extents of the GAR then the Contractor will be responsible for negotiating and agreeing details direct with the landowner. Planning permission is not expected to be required based on The Town and Country Planning (General Permitted Development) (England) Order 2015 as the compound would be covered under Part 4 - Temporary buildings and use.

4.8.5 Satellite construction compounds will generally be smaller potentially providing office accommodation for a limited number of construction personnel. They will include local storage for plant and materials, welfare facilities, and limited car parking for construction personnel. It is anticipated that satellite compounds would be used at the junction interface areas with existing highways at the B684 and A612 ends of GAR. These would be within the work areas and be mainly used to store local material required and welfare facilities.

4.9 **Construction**

4.9.1 The main construction works for the GAR are being procured using Medium Schemes Framework (“MSF”) that is provided through the Midlands Highways Alliance (“MHA”) of which NCC is a member.

4.9.2 Using the framework helps to reduce procurement costs and gives greater flexibility over the timings of construction compared to a traditional tender route. However, the major benefit of the framework is that it enables a significant period of Early Contract Involvement (“ECI”) with a Contractor. This is a collaborative approach and key benefits includes enabling the Contractor to input into the design process, key suppliers and sub-contractors being involved in decisions at an early stage, carry out value engineering, assist in the management of risk and fix a target price for the works.

- 4.9.3 The latest iteration of the framework, MSF3, utilises Option C (target cost) from NEC4 Engineering and Construction Contract (“EEC”). The EEC form of contract has become public sector contracts of choice, being used for nearly all projects procured by national and local government bodies and agencies. Via EM on behalf of NCC have successfully used the previous framework, MSF2, to deliver other major highway projects including the Hucknall Town Centre Improvement Scheme (contract value £8.5 million) and Hucknall Rolls Royce (contract value £3.1 million), this has provided experience and knowledge of working with EEC contracts and the target cost option. The same teams are working on the GAR and using the experience gained in preparing the works information and contract documentation.
- 4.9.4 The construction of the GAR can be considered in two elements. The first and largest element is off-line from the existing highway infrastructure and consists of undertaking an earthworks operation to form cuttings and embankments for the new road alignment. The second element of construction covers the interface works at the junctions onto the existing highway network.
- 4.9.5 The actual phasing and programming of the works will be put forward by the Contractor for approval as part of the contract. This gives the Contractor to opportunity to construct the GAR in an efficient manner and to control its resources whilst working within constraints included as part of the contract. This includes but are not exclusive to constraints such as ecology (bird nesting season for site clearance and bat maternity seasons), land / access agreements, traffic management requirement, and noise and site conditions. Any changes to the programme will be agreed through the typical contractual arrangement available when using an EEC type contract. Key tasks that need to be undertaken to construct the GAR are briefly described as follows:
- Clear site vegetation including tree felling and remove topsoil and install fencing. Fencing maybe temporary such as hoardings, but in some cases the permanent boundary fencing will also be installed;
 - Some site clearance may take place in advance of the main contract to avoid bird nesting season;
 - Undertaken demolition works, in the case of the GAR this includes buildings at Glebe Farm, part of the walled garden and part of outbuilding at Gedling Wood Farm;
 - Ecology mitigation works including fencing for amphibians, bat house and relocation of badger setts;
 - The next phase will be bulk earthworks to create the road formation with a cut and fill balance. These earthworks will be done in phases as per the overall construction programme. Any badger tunnels required for the GAR will also be installed during this stage;
 - Rebuilding of any walls and retaining structures such as the walled garden, sections of soil nailing and other retaining walls;
 - Undertake top soiling on cuttings and embankments in advance of landscaping work;
 - Preparation of formation levels for new carriageway and footway construction;
 - Install kerbs, services, and drainage including ponds;
 - Lay the pavement layers in the carriageway and footways; and
 - Implement landscaping scheme, street lighting, road restraints, and signage and road markings.

- 4.9.6 The exact order of the tasks will vary depending upon the work activities being undertaken and location on site. In addition, where possible, permanent noise acoustic fencing and landscaping will be implanted early to help planting get established but also mitigate construction noise.
- 4.9.7 Construction activities on the site will normally be carried out between 0700 and 1800 hours Monday to Friday and 0700 to 1300hours on Saturdays. No construction activities to be carried out during Sunday or Public Holiday unless agreed otherwise with GBC.
- 4.9.8 A construction travel plan will be agreed with GBC prior to any works commencing to establish the most appropriate routes to and from the site. It is proposed construction and deliveries traffic will be scheduled and managed to minimise peak hour congestion where possible.
- 4.9.9 The contract will incorporate constraints to ensure that it is delivered effectively whilst minimising the impact on the local community and existing users of the highway network. Representations were made during the publicity of the Orders raising concerns as to the level of disruption and impact on local businesses that would arise due to the proposed closure of Lambley Lane the duration of construction works. NCC has responded to concerns and is committed to ensuring that any disruption is kept to an absolute minimum. Safety of nearby residents and businesses, the general public, motorists and the construction workforce is paramount and a key consideration in any decisions. Further dialogue will take place as the process moves on and this will be in advance of any construction works affecting through traffic along Lambley Lane.
- 4.9.10 Any road closures will be secured by operation of temporary TROs and NCC will provide comprehensive signage as part of the diversion routes. Temporary traffic signal installations will be programmed and co-ordinated with other works on the network. In all cases, a communications plan will be adopted for the Scheme that will be designed to ensure that information is available and shared with those affected.
- 4.9.11 Whilst they may be subject to change, key relevant constraints include:
- The closure of Arnold Lane to construct tie in points to the GAR will not be undertaken until the GAR is open and available for traffic to use as part of diversion route;
 - The main changes to the B684 junction through its signal-controlled junction with the A6211 Arnold Lane / Gedling Road will be undertaken, where possible, to coincide with the closure of the A6211 Arnold Lane. This is required because the alterations will be the right turn from the B684 onto Arnold Lane for traffic travelling from Nottingham. Right turning traffic will use the new junction constructed further north with the GAR and the B684. Therefore, the GAR needs to be opened for this to be implemented;
 - Lambley Lane will be required to be closed to vehicular traffic at times during the construction of GAR. This closure is necessary in order to undertake safely the significant earthworks operation involved in delivery of GAR which will require approximately 150,000m³ of excavated material (equivalent to approximately 34,000 heavy plant crossings) to be hauled from east to west over Lambley Lane. There is no footway at this location and temporary closures remove conflict with construction traffic that will be using the route. This approach to construction work in this location is safer to members of the public using the highway (both pedestrians and motorists)

and construction workers whilst also allowing for a more efficient, prompter conclusion of the works;

- The new junction of the GAR with Burton Road and the A612 will be constructed whilst closing Burton Road to vehicular traffic, safe pedestrian and cycle routes will be maintained at all times;
- Two-way traffic will be maintained along the A612 at all times during peak hours, any temporary restrictions will be put in place off-peak.
- Pedestrian routes will be maintained from the Lambley Lane recreation ground and Public Footpath No. 2 (Carlton) throughout the duration of the works ensuring that access is available to users of the Country Park and between the areas of Gedling and Lambley. In order to ensure these are safe, temporary diversions may be required together with control measures to manage pedestrians crossing the site; and
- Access to local premises along the route, such as Gedling Wood Farm will be maintained, and any necessary temporary measures put in place. These will be discussed with the relevant affected parties as required.

4.9.12 Noise – During construction, there is the likelihood that construction works will be audible at properties close to the road corridor. This noise will be for a relatively short period as work progresses along the road corridor. A construction site noise assessment will be completed prior to works commencing utilising a 3-Dimensional site noise model to estimate noise levels during significant elements of the construction phase. Noise propagation calculations are in accordance with BS5228-1: Code of practice for noise and vibration control on construction and open sites (“**BS5228-1**”) and this is embedded in the modelling software, information contained in the assessment includes the following:

- Phasing and detailed programme of works;
- List of noise generating plant to be utilised in each phase of works;
- Quantity and proposed on-time of each piece of plant;
- Proposed haul routes for each phase of works;
- Proposed location and extent of compound(s) for storage of materials and welfare/office cabins including type and number of operational plant (including generators) in these areas;
- Any other information deemed relevant for the purposes of undertaking the Construction Site Noise Assessment.

4.9.13 Notwithstanding the results from the noise assessment, the Contractor will implement Best Practicable Means (“**BPM**”) consistent with the recommendations of BS5228-1.

4.9.14 If the noise assessment demonstrates that the ambient noise level will exceed the threshold value of 65 db (A) then the Contractor shall submit a Section 61 application for ‘prior consent’ under Section 61 of the Control of Pollution Act 1974 to GBC. This offers the Contractor protection from any subsequent action by the local authority under Section 60 or Section 66 of the Control of Pollution Act 1974 or under the Environmental Protection Act 1990 to impose further controls on noise from the site. If this is required, the Contractor will abide by the terms of the Section 61 Prior Consent including any agreed noise limits and temporary noise mitigation. The application would include the construction site noise assessment and set out the details of the proposed works, details of any temporary measures to reduce noise from the works and method statements to demonstrate the adoption of BPM.

- 4.9.15 Vibration – During construction, there is the likelihood that construction works will be felt in the form of vibration at properties close to the road corridor. The Contractor will use BPM to minimise vibration generated by the works taking account all relevant guidance including BS5228-1.
- 4.9.16 Nearby residents and users of buildings within the vicinity shall, as far as practicable, be protected from vibration. The Vibration Dose Values (“**VDV**”) shall not exceed those specified in BS 6472: 2008: Guide to evaluation of human exposure to vibration in buildings (“**BS 6472**”) which will result in a “low probability of adverse comment”. To protect buildings from physical damage, peak particle velocity (“**PPV**”) levels shall not exceed 5 mm/sec. If deemed required, following the construction site noise assessment, details of appropriate control measures including method statements will be included in the section 61 application such as periodic vibration monitoring or extended periods of continuous monitoring, in either case, this will be in compliance with BS6472. Subjective vibration monitoring will be undertaken as part of the weekly site surveys.
- 4.9.17 A Site Waste Management Plan shall be developed by the Contractor to include earthworks strategy, compliance with health and safety, good storage, working practices to reduce waste at source, reuse and recycling waste, reducing material wastage, security measures to prevent loss of materials and disposal measures including management of traffic / haul route and full duty of care waste documentation to ensure full compliance with environmental regulation.

4.10 **Maintenance**

- 4.10.1 GAR will be a publicly maintainable highway and NCC as LHA will be responsible for all maintenance aspects of the Scheme. Any sections of the GAR that are outside of the limits of public highway will be maintained by NCC as landowner or by the relevant landowner.

5 CONSULTATION AND PUBLIC ENGAGEMENT

5.1 Introduction

5.1.1 In accordance with the provisions of Article 1 of the First Protocol to the European Convention of Human Rights (“**Convention**”), a compulsory purchase order should only be made where there is a compelling case in the public interest, and land should only be taken compulsorily where there is clear evidence that the public benefit will outweigh the private loss. The following describes the response to Article 1 and includes details of consultation with the public that supports the assertion. Discussions and negotiations with all those who have interests in land directly affected by the Scheme have also been taking place during the evolution of the Scheme.

5.2 Human Rights Act

5.2.1 The Human Rights Act 1998 incorporated into domestic law the European Convention in Human Rights. The Convention includes provision in the form of articles, the aim of which is to protect the rights of the individual.

5.2.2 Section 6 of the Human Rights Act prohibits public authorities from acting in a way which is incompatible with the Convention. Various Convention rights may be engaged in the process of making and considering a compulsory purchase order, notably the following articles:

- Article 1 of the First Protocol protects the rights of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law;
- Article 8 protects private and family life, home and correspondence. No public authority can interfere with these interests except if it is in accordance with the law and is necessary in a democratic society in the interest of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others; and
- Article 14 protects the right to enjoy rights and freedoms in the Convention free from discrimination on a ground such as sex, race, colour, language, religion, political or other opinion or national or social origin.

5.2.3 The European Court of Human Rights has recognised in the context of Article 1 that regard must be had to the fair balance which has to be struck between the competing interests of the individual and of the community as a whole. Similarly, any interference with Article 8 rights must be necessary for the reasons set out. In this case, any interference with Convention rights is considered to be justified in the public interest to secure delivery of GAR and the economic, social and physical benefits that the Scheme will provide to the surrounding area.

5.2.4 Extensive consultation has been undertaken during the planning application process with the opportunity being given for interested parties to make representations regarding the proposals. Further representations can be made in the context of any Public Inquiry which

the Secretary of State has given notice of intention to hold in connection with the Orders. Those directly affected by the Orders will be entitled to statutory compensation.

5.3 **Public Sector Equality Duty**

5.3.1 In formulating and promoting the Orders, NCC has had regard to its statutory duties and obligations under the Equality Act 2010 ("**2010 Act**") and in particular, to its obligations in section 149 and 150 of the 2010 Act, in taking into account the differential impact the Orders will have on various groups of persons with different characteristics.

5.4 **Consultation Background**

5.4.1 Since its inception, a collaborative approach has been taken to the delivery of both the GAR and DA projects. As part of the planning application refresh, monthly meetings have been held with the client team at HE together with their consultants and key officers from NCC and GBC involved in the project. In addition to discussions regarding the technical aspects of the proposal, the strategy for consultation was discussed and agreed in this forum. A system of document sharing ensured that all members of the team have access to information and technical studies as they become available.

5.4.2 Statutory Consultees were also contacted in the course of undertaking the Environmental Impact Assessment ("**EIA**") and as part of the pre-application process and feedback has been disseminated. Their comments and requirements have been addressed and incorporated in the EIA and planning application process.

5.4.3 It was agreed with the client team that public exhibitions would form the main element of the consultation strategy in order to enable as many local people as possible to view the plans and to have an opportunity to make comments and to discuss any concerns with members of the team.

5.5 **Public Consultation Pre-Planning**

5.5.1 A target area was defined, and a flyer was sent out to advise local residents of two consultation events. The target area covered some 10,000 properties in the area. The events were also advertised in the Nottingham Post and via an article on the newspaper's website, posted on 21 June 2014. The first event was held at the Gedling Memorial Hall on 23 June 2014, with a second event at the Mapperley Plains Recreational and Social Club on 27 June 2014.

5.5.2 A separate preview of the proposals was arranged for Members of NCC and GBC with a short briefing being provided. A number of meetings were also held with small groups of local residents and organisations (see below) in response to particular issues and queries as they arose.

5.5.3 When it became apparent that some households within the area had not received the flyer, further round of publicity was arranged to advertise an additional consultation event held on 7 July 2014 at Gedling Memorial Hall. A press release was issued on 21 June 2014 and the events promoted through various other means including GBC's website and through social media including Facebook. The proposals were made available to view on NCC's website for those unable to attend the exhibition on 7 July 2014.

5.5.4 A questionnaire was provided to enable comments to be made either at the exhibitions or to be returned later by post or e-mail. A dedicated e-mail address was also made available for comments to be made electronically.

5.5.5 A series of banners was produced on which the background to and details of the proposed Scheme were displayed. Representatives from HE, the local authorities and the consultant team were available at each of the consultation events to explain the proposals and to answer queries. Those attending were encouraged to comment using a short questionnaire.

5.5.6 The events were very well attended with approximately 1,000 people viewing the proposals over the three events. Approximately 200 written responses were received. Overall, there was considerable support for the proposals, with many people recognising the need for, and benefits of, the new road. A number of issues and queries were raised and as might be expected, the main concerns relate to the potential increases in traffic, the close proximity of the new road to existing properties, issues relating to the selected route and the design and arrangement of junctions. Noise and pollution were also raised as concerns, together with the impact on the local environment and use of greenfield land. The key points made by respondents are summarised below.

5.5.7 **Traffic and noise issues**

- Traffic will increase on local roads in the vicinity;
- Plains Road is too busy to accommodate any further increase in traffic;
- The proposals will alleviate problems in Arnold but create traffic problems in Mapperley Plains;
- The volume of traffic will create congestion, noise and pollution problems;
- The new road will not be able to cope with all the additional traffic generated by the proposed new development;
- The road junctions on Mapperley Plains are too close together;
- The proposals will cause disruption and noise during the construction period;
- The route is too close to existing housing; it should be sited further away from residential properties;
- The route should be extended across Wembley Road to connect with Arno Vale Road;
- An alternative route via Lambley Lane, across fields to join the B684 would be preferable;
- The route needs better provision for cyclists and pedestrians;
- Measures are needed to prevent traffic from continuing to use Arnold Lane e.g. weight limits, speed restrictions, traffic calming; and
- There should be restrictions on access to Gedling Village.

5.5.8 **Environmental**

- There will be noise issues in what is currently a rural area;
- The road will have a detrimental impact on the Country Park, on local wildlife and on the environment, generally;
- The proposed route is too close to Gedling House Woods;
- The two lagoons in the Country Park are public amenities with picnic sites and wildlife; the route of the GAR should be moved further south to avoid this area;

- The road is on embankment and cuts across greenfield land;
- A great deal of money is being spent on a road which will not bring much benefit without significant new infrastructure being provided; and
- The GAR may encourage new development in the Green Belt.

5.5.9 Other

- There are not enough doctors, schools and other facilities to support additional housing;
- The road should be built before any new housing is completed;
- There should be a light rail connection to the new road;
- More information is required on traffic flows; and
- Further information and consultation on the plans is needed.

5.5.10 Many of those attending the consultation were aware that the GAR was a longstanding proposal that has been included in planning documents for many years. The benefits of the road to the local area were generally recognised, with many local residents considering that it would ease traffic congestion in the area and improve the local residential environment.

5.5.11 Following the consultation events, HE and NCC dealt with a number of telephone queries and wrote to ten individuals and two Councillors providing details of the proposals and the address of GBC's website.

5.5.12 Two meetings were held with the Woodbridge Scout Group to discuss the plans for GAR and its impact on the Scout Group site. Further meetings are planned.

5.5.13 Meetings have also been held with a small group of local residents from Whitworth Drive and Burton Road concerned about the impact of the proposed junction of the GAR with the A612 Nottingham Road and Burton Road and with the owners of Gedling Wood Farm to discuss access arrangements to the farm.

5.5.14 As a direct result of discussions with local residents and others through the consultation process, the following changes have been made to the design of GAR:

- Re-design of the eastern junction of GAR with the A612 Trent Valley Road and Burton Road to increase the distance from properties in Whitworth Drive and Nottingham Road, Burton Joyce and to enable the creation of a landscape buffer between the road and the residential area;
- Re-positioning of the roundabout access to the Country Park and the alignment of GAR to ensure that the two lagoons which are a valued public amenity are not affected by the new road; and
- Changes to the B684 Mapperley Plains / GAR junction to remove the left turning slip road; this will aid road safety at and in the vicinity of this junction.

5.6 Public Consultation Ongoing

5.6.1 During 2015, the consultation strategy undertaken by Keepmoat for the DA provided opportunities to further engage with the local community and provide information related to the GAR. Whilst the Original Permission for GAR was in place, it enabled people of raise

questions relating to phasing of the housing, impact on local roads, timing and impact of GAR.

- 5.6.2 The main element of the consultation strategy for the DA was through public consultations and flyers were sent out to advise local residents of the consultations, the target area covered 6,200 properties. Three events were held in total, two in September 2015 and a third in November 2015. Representatives from NCC were available at all these events to answer any queries related to GAR and approximately 150 people attended the events. Overall, there was considerable support for the proposals, with many people recognising the benefits of the DA and the linkage with GAR.
- 5.6.3 Letters were sent by NCC to all land / lease holders in August 2016 to provide an update on the possibility of a CPO, stating that wherever possible rights will be acquired by negotiation and agreement and providing details of key contacts with whom to discuss details of the Scheme.
- 5.6.4 In January 2017, Land Interest Questionnaires (“LIQs”) were sent out to all affected parties. The return rate exceeded 77%, which is considered high and this provided the opportunity to ensure the CPO schedule is accurate and up to date.
- 5.6.5 Detailed discussions and negotiations have been ongoing, this has provided the opportunity to incorporate changes into the design and to minimise land take wherever possible.
- 5.6.6 NCC have a dedicated webpage associated with the GAR and this provides links to all partner sites. There have been various press releases linked to both the DA and GAR, again providing further opportunity for the community and stakeholders to be kept information with progress and key milestones, these are shared through social media platforms and in the local press.
- 5.6.7 Updates have also been provided, through the relevant committees at NCC in line with internal constitutional requirements, key reports considered by NCC are as follows:
- Communities and Place Committee dated 8 March 2018
Gedling Access Road – Scheme Update
 - Transport and Highways Committee Report dated 16 March 2017
Gedling Access Road – Scheme Update, Compulsory Purchase Orders and Side Roads Orders
 - Finance and Property Committee Report dated 19 September 2016
Gedling Access Road – Scheme Update and Funding Agreement
 - Transport and Highways Committee Report dated 21 September 2016
Gedling Access Road – Scheme Update, Compulsory Purchase Orders and Side Roads Orders
 - Finance and Property Committee Report dated 24 March 2014
Gedling Access Road, Scheme Development and Funding Agreements
 - Report to NCC dated 27 February 2014
Capital Programme 2014/15 to 2017/18

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6 THE PLANNING POSITION

6.1 Introduction

- 6.1.1 This section describes the planning history, policy and strategy aspects of the Scheme.
- 6.1.2 The Secretary of State for Housing, Communities and Local Government carefully considered the case for 'calling in' the GAR planning application. He determined that call in of the application was not necessary, this was confirmed in a letter to GBC dated 2nd December 2014. The letter concluded that GBC, as LPA were the relevant authority to determine the application for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Original Permission was subsequently granted authorising construction of a 3.8km road linking the A612 and B684 Mapperley Plains.
- 6.1.3 The GAR Permission was subsequently granted following submission of a section 73 application varying condition 1 of the Original Permission. The GAR Permission is the consent that is being implemented to deliver GAR and the section 73 variation removed the conditions associated with phasing included in the Original Permission. With the exception of phasing conditions, the GAR Permission includes the same conditions as the Original Permission, some of which, require discharging prior to commencement of development and a number of others linked to site clearance required for the main construction works and demolition.
- 6.1.4 The Scheme is therefore found to be compliant with national and local strategic planning policy and is considered acceptable for development in planning terms.

6.2 Planning History

- 6.2.1 In August 2008, an application for the construction of a 3.8km single carriageway road, linking the A612 and B684 Mapperley Plains, was submitted by EMDA with reference 2008/0459. This application did not proceed to determination following the abolition of EMDA in March 2012.
- 6.2.2 The portfolio of land, property assets and liabilities transferred to the HE following the abolition of EMDA who took forward the GAR application as described previously in Chapter 2.

6.3 Current Planning Status

- 6.3.1 The GAR Permission, reference 2015/1033 is the live planning application for GAR.
- 6.3.2 As part of the Original Permission, GBC required HE to enter into a UU containing planning obligations under section 106 of the 1990 Act in order for GBC as LPA to determine the application. NCC will construct GAR pursuant to the planning permission granted and are responsible for the discharge of the planning obligations contained in the UU. Via EM has been working closely with key landowners as required under these obligations, which has resulted in land acquisition, rights and mitigation works being agreed in principle with those parties defined in the UU.

6.3.3 Applications to discharge pre-commencement conditions 10, 16 and 17 of the Original Permission as varied by the GAR Permission were submitted to and approved by GBC in December 2017. Lawful commencement of the GAR Permission was also confirmed by GBC in December 2017 with an early phase of drainage works around the perimeter of the County Park, these have since been completed.

6.3.4 There are a number of other conditions that require discharging, some of which require public consultation. The detail of which were considered by GBC to be of wider public interest when the Original Permission was granted. Applications to discharge these conditions will be submitted in advance of the Public Inquiry and it is anticipated that these will be considered by a future planning committee at GBC later in 2019.

6.3.5 Obligations within the UU include the following:

- A Traffic Regulation Order for the reduction of the speed limit on the A6211 Arnold Lane south of the GAR 5-arm roundabout – this will be advertised and implemented to coincide with the construction of the GAR. There are 2 years to implement a Traffic Regulation Order once advertised so all documentation is being finalised in preparation;
- Approved wheel washing and construction access routes – this will be included and specified in construction works information;
- Creation of habitats for badgers and barn owls and the translocation of the Open Mosaic Habitat – creation of habitats for badgers and barn owls work is ongoing, requirements prior and during construction are included in the Environmental Management Plan submitted and discharged by GBC. Works to undertake the translocation of the Open Mosaic Habitat have been completed;
- Mitigation measures to compensate for loss of open space – Via EM on behalf of NCC has been working closely with key landowners as required under these obligations, which has resulted in land acquisition, rights and mitigation works being agreed in principle.
- Travel planning – not started;
- Post works monitoring and mitigation – not started; and
- Local labour agreement – covered in the procurement of a Contractor through the Midlands Highway Alliance.

6.3.6 Planning permission for the DA reference 2015/1376 was granted by GBC on 3 March 2017. The permission sets a limit of 315 dwellings without the GAR and the application included outline planning permission for subsequent phases, all matters reserved except for indicative access to the sites from phase 1, and future access from GAR.

6.4 **Statement of Community Involvement**

6.4.1 A comprehensive Statement of Community Involvement was submitted detailing measures taken to engage the local community and other interested parties with the proposal and the planning process and to provide them with an opportunity to view and comment on the proposals in order to establish the need and preferred type of road scheme. Three public exhibitions were held and extensive leaflet distribution organised, targeting some 10,000 households in the area. The events were also advertised in the Nottingham Post. Every effort has been made to ensure that as many people as possible were made aware

of the Public Consultation exhibitions. In the Planning Committee Report dated 27 November 2014 the Officer dealing with the Original Permission concluded that:

“the developer has carried out extensive consultation with properties in the area and has held several public meetings”.

6.5 Planning Policy Context

6.5.1 The starting point for considering development proposal is the Development Plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides “If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.” Central Government advice is a material consideration.

6.5.2 When GBC determined the Original Permission, the statutory Development Plan for this area comprised of:

- The “saved” policies of the Local Plan 2005.

6.5.3 Other material considerations were:

- The emerging Broxtowe Borough, Gedling Borough and Nottingham City Aligned Core Strategies (document formally adopted September 2014);
- National Planning Policy Framework (March 2012 – edition in force at time GAR Permission was determined);
- National Planning Policy Guidance (2014).

6.6 Gedling Borough Replacement Local Plan (2005)

6.6.1 The Local Plan 2005 provided the main planning framework for the Borough and was the relevant plan at the time of submission and determination for the GAR (until replaced by the ACS 2014 and Local Planning Document 2018). In July 2008 the adopted policies were reviewed and either saved or deleted.

6.6.2 GAR was identified as an allocation within the Local Plan 2005 to be developed in conjunction with the DA under Policy H3 ‘Land at the Former Gedling Colliery and Chase Farm’. The following extract from policy (H3) was saved and related to the DA, setting out the requirement to provide a new access road from Burton Road to Arnold Lane:

“POLICY H3 LAND AT FORMER GEDLING COLLIERY AND CHASE FARM

“Planning permission will be granted for the mixed development of land at, and adjoining, the former Gedling Colliery site, as identified on the Proposals Map. The development will provide for up to 1,120 dwellings, with 700 to be completed by 2011, and 6 hectares of employment land subject to:

a. a phased programme of implementation to be agreed with the Borough Council and County Council through joint Legal Agreements to ensure a comprehensive development solution and that the following are provided:

(i) construction of an access road, (as identified on the proposals map, from Burton Road to Arnold Lane) and necessary junction improvements; the construction of the access road shall be completed before any of the dwellings are occupied.....”

6.6.3 Paragraph 2.35 of the Local Plan 2005 expanded further on the requirement for the access road to facilitate redevelopment of the site:

“Providing adequate facilities and infrastructure to accommodate the transportation needs resulting from the development of the site is an important component in the successful integration of the site with the existing urban area. An independent study commissioned jointly by the Borough Council and the County Council concluded that the access road, as identified on the proposals map, and junction improvements will be required to serve the development. The access road will have the added benefit of reducing the level of traffic on the A6211 and providing environmental improvement for residents along this route. The Gedling By-Pass is identified as a long-term proposal by the County Council in the 1996 Structure Plan Review which predates the Government's White Paper on Transport in 1998. Since then it has been made clear it will not receive public funding within the plan period. The access road will therefore require to be funded entirely by the development of the site. The construction of the access road shall be completed before any of the dwellings are occupied or any of the employment development is brought into use. The access road is to incorporate a satisfactory junction at Mapperley Plains (including any traffic management measures on the approach roads to that junction).”

6.6.4 It was proposed that GAR be developed in conjunction with the re-development of Gedling Colliery for residential, employment and community related uses. Furthermore, the alignment of GAR was designed to follow the route identified in the Local Plan 2005 as far as practically possible, taking into account physical constraints and the need to protect features of nature conservation, ecological and built heritage importance.

6.6.5 Based on the above it was therefore considered that the proposed development complied with the requirements of Policy H3 as far as practically possible.

6.6.6 Policy ENV26 ‘Control over Development in the Green Belt’ sought to resist inappropriate development in the Green Belt. The policy defined appropriate Green Belt development as that which is essential development for agriculture and forestry, the provision of outdoor sport and recreation facilities or cemeteries. The policy required that:

“In all cases new development (in the Green Belt) must be designed and sited so as not to harm the openness of the Green Belt or the purpose of including land within it.”

6.6.7 A significant proportion of the route of GAR falls within the Green Belt and was designated as a Mature Landscape Area. Whilst GAR does not fall within the definition of ‘appropriate Green Belt use’ as set out within the Local Plan 2005, it was a development which was allocated within the Local Plan 2005 and therefore significant consideration had been given to appropriateness of GAR within the Green Belt.

6.6.8 Further, it was considered that the construction of GAR would not conflict with the purposes of including land within the Green Belt. A significant proportion of the road itself will be set within a cutting and the layout and lighting will be carefully designed to minimise its impacts. It was therefore considered, by virtue of its nature and appearance,

GAR would not have a significant impact upon the openness of the Green Belt and it would not result in any settlement coalition, urbanisation or significant encroachment.

- 6.6.9 Policy ENV37 'Mature Landscape Areas' sought to resist development which would have an adverse effect on the visual, historic or nature conservation importance of a Mature Landscape Area unless it could be demonstrated that the need for the proposals clearly outweigh the need to safeguard the area's intrinsic value. Where development is permitted, proposals and mitigation measures were required to ensure that harm was minimised.
- 6.6.10 GAR was routed through land formerly designated as a Mature Landscape Area. This was regrettable but unavoidable, due to site circumstances and topography. The proposed benefits which will be brought about by GAR will include the facilitation of the development of a primarily brownfield site for mixed-use sustainable development and a reduction in traffic congestion on other roads within the locality. It was therefore considered that the benefits of the proposal would far outweigh any impact upon the designated Mature Landscape Area.
- 6.6.11 Policy ENV1: Development Criteria stated that Planning Permission would only be granted for development which was of a high standard of design, would not have any adverse impacts upon the amenities of adjoining occupiers or the locality in general, including provision for safe and adequate vehicular and pedestrian movements, was laid out to incorporate crime prevention measures and incorporates best practice in the protection and management of water resources.
- 6.6.12 GAR has been designed to a high standard taking into account the site conditions and constraints along its route and the need to provide a viable route which is safe and meets with all relevant highway design criteria.
- 6.6.13 Policy ENV2 dealt with Landscaping stating that landscaping required as part of a new development should complement existing development, retain and enhance where possible established features, reflect the character of the surrounding landscape/townscape, incorporate native British species and create new or enhance existing features of nature conservation value.
- 6.6.14 A detailed landscaping scheme will ensure that GAR is screened from surrounding views where appropriate and/or necessary through the provision of a mixture of planting, bunding and fencing along the length of GAR.
- 6.6.15 By its very nature, GAR will result in an increase in noise as a result of increased traffic within the area surrounding the route. The Noise Assessment submitted with the Original Permission assessed fully the potential noise impacts of GAR both during construction and operation. With the introduction of acoustic screening through landscaping and fencing along certain parts of the route of GAR, it is calculated that the road will operate within acceptable noise parameters. Further assessments of noise have been described elsewhere in this Statement.
- 6.6.16 Policy ENV18 dealt with the Demolition of Listed Buildings stating that planning permission for development involving the demolition of a listed building would not be

granted unless clear and convincing evidence was submitted to prove that all reasonable efforts had been made to sustain existing uses or that preservation was not suitable.

- 6.6.17 The proposed route of GAR will intersect with part of the walled garden at the Grade II listed Gedling House. Due to the topography of the land in this location and other site circumstances, the loss of a section of the walled garden is unavoidable. It is however considered that through mitigating archaeological works, impacts upon this historic feature can be minimised and the wall reinstated in a slightly re-aligned location without a significant loss of its historic integrity. A separate Listed Building Consent application, with accompanying Heritage Statement was submitted in conjunction with the application for the Original Permission.
- 6.6.18 Policy ENV31 'Safeguarded Land' specified that land identified as safeguarded land on the proposals map should be safeguarded from inappropriate development.
- 6.6.19 The route of GAR is defined as land safeguarded for the route of GAR in the Local Plan 2005 but was shown as an indicative dotted line only. In designing GAR, its route has been developed through site surveys, site circumstances and constraints as that which is most appropriate in the locality in terms of land take, visual appearance and environmental/engineering factors. The route of GAR therefore follows the indicative route in the Local Plan 2005 as closely as practicably possible.
- 6.6.20 Provision of the GAR is identified as an essential requirement for regeneration of the DA in the adopted and planning policy for Gedling Borough and is therefore considered to accord with the aims and policies of the NPPF.
- 6.6.21 Provision of the access road is also considered to accord with the strategic objectives of the third Nottinghamshire Local Transport Plan in terms of; supporting growth through the regeneration of the former colliery site, delivering traffic relief to adjacent roads within Gedling which will help to support a thriving local economy and minimise the impacts of transport on people's lives as well as improving access to new employment opportunities.
- 6.7 **The Broxtowe Borough, Gedling Borough and Nottingham City Aligned Core Strategies (2014)**
- 6.7.1 The ACS 2014 plan was adopted in September 2014, at which time it became part of the statutory Development Plan.
- 6.7.2 Paragraph 2.4.1 of the Spatial Objectives relating to housing includes at (ii), that "Gedling Colliery/Chase Farm is identified as a strategic location for at least 600 houses with further work to be undertaken on agreeing the funding for the necessary highway infrastructure".
- 6.7.3 The former Gedling Colliery is also identified as a brownfield regeneration area under the regeneration section of the Spatial Objectives at 2.4.1 (v).
- 6.7.4 Section A of the ACS 2014 deals with Sustainable Growth and commences with Policy A which sets out a presumption in favour of sustainable development. Policy 1 deals with

Climate Change and covers matters such as sustainable design, reducing carbon dioxide emissions and flood risk and sustainable drainage.

- 6.7.5 Policy 2 sets out the spatial strategy for the area and includes proposed housing numbers. Gedling Borough needs to provide 7,250 additional homes in the period from 2011 to 2028. A number of strategic locations are identified including Gedling Colliery/Chase Farm, subject to funding of GAR (at least 600 homes) in the ACS 2014 and it is noted non-strategic sites have been allocated through GBC's Local Planning Document – Part 2 Local Plan ("**Local Planning Document 2018**"). The policy also deals with employment development and again, Gedling Colliery/Chase Farm is identified as a strategic location for employment use. GAR is noted as a highway scheme with no committed funding, but which is important to the delivery of the Core Strategy.
- 6.7.6 Paragraph 3.2.9 notes that at Gedling Colliery/Chase Farm, further homes and employment land are capable of being delivered although the upper limit is uncertain at present. Paragraph 3.2.24 indicates that the redevelopment of Gedling Colliery/Chase Farm is a regeneration priority for GBC but it is acknowledged that there are challenging delivery issues for this former colliery site.
- 6.7.7 Policy 3 deals with the Green Belt. The policy states that the principle of the Nottingham Derby Green Belt will be retained. The Local Planning Document 2018 reviewed Green Belt boundaries to meet the other development land requirements of the Aligned Core Strategies, in particular in respect of the strategic locations and the Key Settlements named in Policy 2. A section of the route of GAR crosses Green Belt land and this will be taken into account in its design, particularly in relation to its impact on the openness of the Green Belt. It should be noted that the proposed GAR was a proposal in the adopted Gedling Borough Replacement Local Plan 2005, during the preparation of which Green Belt issues were fully considered and the principle of GAR endorsed by the Secretary of State. The GAR is also shown on the adopted Policies Map for the Local Planning Document 2018.
- 6.7.8 Policy 4 concerns Employment Provision and Economic Development. It is proposed that GBC will provide a minimum of 23,000 sqm of new office and research development floor space (2011 – 2028) and provide a range and choice of sites up to 2028 for new and relocating industrial and warehouse uses (in Use Classes B1(c), B2 and B8). As a minimum, 10 hectares will be identified in Gedling. Gedling Colliery/Chase Farm is identified as a site for significant new economic development.
- 6.7.9 Policy 6 notes that a local centre will be required at Gedling Colliery/Chase Farm. Policy 7 deals with Regeneration and states that, "Gedling Colliery/Chase Farm offers the opportunity for the redevelopment and reuse of brownfield land to create a new sustainable neighbourhood. It will be designed to engender a safe and strong community and to create a place of distinction and will require the construction of the GAR".
- 6.7.10 Transport Infrastructure Priorities are set out in Policy 15. The GAR is included as a highway improvement scheme with no committed funding, but which remains important to the delivery of the Core Strategy. Supporting paragraph 3.15.2a states:

"significant progress has been made in terms of putting together a funding package for the construction of the GAR which has an estimated cost of £32.4 million. The Local

Transport Board and the Homes and Communities Agency have committed some funding and other sources of funding are being pursued. A revised planning application for the GAR is being prepared and expected to be determined in the summer 2014. Subject to funding, construction of the first phase of the GAR is expected to commence shortly after this and be substantially completed by April 2015."

6.7.11 Appendix 2 of the document includes GAR as a critical infrastructure requirement to facilitate the DA and made provision for the construction of GAR to facilitate both housing development and as a regeneration location for employment. The GAR is considered to be compliant with emerging policies, notwithstanding that part of the route crosses land within the Green Belt.

6.8 National Planning Policy Framework

6.8.1 The NPPF sets out the government's planning policies for England and replaces all former Planning Policy Guidelines ("PPGs") and Planning Policy Statements ("PPS") (with the exception of the Waste Planning Policy Statement which remains in place until the National Waste Management Plan is published). The NPPF 2012 was a material consideration in the planning decision for GAR.

6.8.2 The NPPF 2012 advised that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 6). Paragraph 14 stated that there is a presumption in favour of sustainable development at the heart of the NPPF and explained that for decision making this means where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:

- *"Any adverse effects of doing so would significant and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or:*
- *Specific policies in this framework indicate development should be restricted."*

6.8.3 This positive approach is reflected in paragraph 187 of the NPPF 2012 which stated that *"Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible."*

6.8.4 Delivering sustainable development is one of the main themes of the NPPF 2002. Within this overarching objective is a focus on building a strong, competitive economy (paragraphs 18–22). Paragraph 20 noted that *"to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century"*. Paragraph 21 advised that local authorities should (inter alia) *"identify priority areas for economic regeneration, infrastructure provision and environmental enhancement"*.

6.8.5 NPPF 2012 advised that promoting sustainable transport also plays a role in delivering sustainable development (paragraphs 29–41). Paragraph 30, for example, indicated that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Delivering a wide choice of high-quality homes was also a key part of the sustainable development agenda.

6.8.6 The role of GAR is twofold. Primarily, GAR will enable the full redevelopment of the DA for both housing and employment uses to assist in the regeneration objectives of the former adopted Local Plan 2005 and the Local Planning Document 2018 and Aligned Core Strategies. GAR will also provide a 'bypass' around Gedling, linking the area with the wider road network and consequently, Nottingham City Centre. In addition, GAR will seek to ease traffic congestion on other roads surrounding the former colliery site, e.g. Arnold Lane.

6.8.7 It is considered that GAR will not only facilitate a large scale, sustainable urban regeneration project, but will also create safe and efficient linkages to other parts of the Borough and City for the private car user, public transport users and cyclists alike. It is therefore considered that GAR development will be in accordance with the urban regeneration and sustainability objectives of the NPPF as set out in 2012.

Green Belt

6.8.8 The NPPF 2012 noted that the government attached great importance to protecting Green Belt land. Paragraph 79 stated:

"the fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of green belts are their openness and their permanence."

6.8.9 Paragraph 80 set out the five purposes of Green Belt as follows:

- To check the unrestricted sprawl of large built up area;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.8.10 LPAs were advised that, once established, Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of the Local Plan (paragraph 83).

6.8.11 Part of the route of GAR will traverse Green Belt land. As noted above, the indicative route of GAR was established in the adopted Local Plan. As such the policy considerations related to Green Belt have been fully explored through the Local Plan process. Following the adoption of the ACS 2014, the Local Planning Document 2018 reviewed Green Belt boundaries, in particular in respect of the strategic locations for development set out in Policy 2 of the ACS 2014, of which the DA was one.

6.8.12 GAR is an essential component of the ACS 2014 for Gedling, providing access to the DA. Its construction will facilitate the urban regeneration of a brownfield site, in line with one of the purposes of Green Belt. Without GAR and its associated DA, the adopted ACS 2014 and the Local Planning Document 2018 would be undermined fundamentally and critically undeliverable. Mitigation measures will ensure that any impact of GAR on the openness of the Green Belt, (assuming that a section of it will remain within the Green Belt), are minimised.

Flood Risk

- 6.8.13 The route of GAR is located within Flood Zone 1 and is considered to be at low risk of flooding. A Flood Risk Assessment and Drainage Strategy was prepared to accompany the planning application for the Original Permission. The proposal complied with the NPPF 2012's advice in relation to flood risk.

Natural Environment

- 6.8.14 NPPF 2012 advised that the planning system should contribute to and enhance the natural and local environment. The aim of the proposals has been to minimise the impact on biodiversity and to put in place mitigation measures where necessary. The EIA has been prepared in accordance with the appropriate regulations.

Historic Environment

- 6.8.15 NPPF 2012 provided guidance and advice on conserving and enhancing the historic environment. In accordance with paragraph 128, a full assessment of heritage assets both along and within the vicinity of the route of GAR was been undertaken and mitigation measures proposed where appropriate.

6.9 National Planning Policy Framework 2018

- 6.9.1 On 24 July 2018, the Government published the revised NPPF which has replaced the 2012 version. For the purpose of determining planning applications, the NPPF 2018 takes immediate effect from the date of publication. NPPF 2012 will apply for the purpose of examining Local and Neighbourhood Plans that are submitted on or before 24 January 2019.

- 6.9.2 Given the timing of NPPF 2018, it does not directly impact upon the GAR Permission. However, any new planning applications for developments submitted as a result of GAR or variations to the GAR permissions will be impacted by NPPF 2018. The document confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. It explains at paragraph 7 that there are three overarching objectives to achieving sustainable development which are interdependent and need to be pursued in mutually supportive ways:

- Economic – to help build a strong, responsive and competitive economy;
- Social – to support strong, healthy and vibrant communities; and
- Environmental – contributing to protecting and enhancing the natural, built and historic environment

- 6.9.3 So that sustainable development is pursued in a positive way, there is a presumption in favour of sustainable development at the heart of the Framework (paragraph 10); this runs through both plan making and decision taking (paragraph 11).

- 6.9.4 Paragraph 15 confirms that the planning system should be genuinely plan-led, with succinct and up-to-date plans that provide a positive vision for the future of each area and a framework for addressing housing needs and other economic, social and environmental priorities.

- 6.9.5 Chapter 6 is concerned within ensuring that planning policies and decisions should help to create the conditions to build a strong and competitive economy. Policies should set

out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth and recognises the specific locational requirements of different sectors, including making provision for clusters of networks of knowledge and data-driven, creative or high technology industries (paragraphs 80 – 82). Paragraph 80 provides that “planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”.

- 6.9.6 Chapter 9 outlines the link between the promotion of sustainable transport and the role that plays in delivering sustainable development (paragraphs 102–111). Paragraph 104 confirms that planning policies should identify and protect sites and routes critical to developing infrastructure to widen transport choice and realise opportunities for large scale development.
- 6.9.7 In assessing sites that are allocated in development plans, or specific applications for development, local authorities should ensure that: appropriate opportunities are taken to promote sustainable transport modes, safe and suitable access can be achieved for all users, and any significant impacts from development on the transport network and highway safety can be cost effectively mitigated to an acceptable degree (paragraph 108).
- 6.9.8 Planning policies and decisions should promote and effective use of land while safeguarding and improving the environment, making as much use as possible of previously developed / brownfield land. Planning policies and decisions should encourage multiple benefits from development, including through mixed use schemes; and local planning authorities should take a proactive role in bringing land forward using the full range of powers available to them, including compulsory purchase to assemble land (paragraphs 117 – 119)
- 6.9.9 Chapter 12 sets out the importance achieving well-designed places, stating that good design is a key aspect of sustainable development and should be considered throughout the evolution and assessment of individual proposals. Development plans and supplementary planning documents should set out a clear design vision and expectations with a framework for creating ‘distinctive places’ to ensure that developments: will function well and add to the quality of the area over their lifetime, are visually attractive and sympathetic to local character and history, establish a strong sense of place, optimise the potential of the site and create places that are safe inclusive and accessible.
- 6.9.10 Chapter 16 of the NPPF sets out the Government’s policies regarding planning and the historic environment and reminds local planning authorities of the key considerations for determining planning applications. Paragraph 193 applies to the consideration of the impact of proposed development on the significance of a designated heritage asset, noting that great weight should be given to the asset’s conservation; the more important the asset, the greater the weight should be. It is noted that significance can be harmed or lost through alteration or destruction of the asset itself, or by development within its setting.
- 6.9.11 Paragraph 200 states that local planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their

significance. Proposals that preserve those elements of setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

6.9.12 Paragraph 38 of the NPPF advises that local planning authorities should approach decision making in a positive way to foster the delivery of sustainable development. Decision-makes at every level should seek to approve applications for sustainable development where possible.

6.10 Nottinghamshire – Local Transport Plan 3 (2011 – 2026)

6.10.1 The Nottinghamshire Local Transport Plan 2011 to 2026 (“LTP3”) is the third Local Transport Plan for the County of Nottinghamshire and came into effect on 1 April 2011. The document details the transport strategy for the whole of the county of Nottinghamshire for the fifteen-year period 2011–2026. The county of Nottinghamshire comprises the seven districts of Ashfield, Bassetlaw, Broxtowe, Gedling, Mansfield, Newark & Sherwood, and Rushcliffe.

6.10.2 The document comprises:

- The Local Transport Plan Strategy which sets out how NCC aims to make transport improvements in Nottinghamshire during the plan period. Including a review at least every five years to make sure that it considers any changes in transport conditions and priorities; and to make sure that it is effective; and
- The Implementation Plan that runs for the same period as Central Government's capital funding allocations to ensure it takes account of realistic funding levels. The first implementation plan covered the four-year period 1 April 2011 to 31 March 2015. The second implementation plan covers the period 1 April 2018 to 31 March 2021.

6.10.3 The Implementation Plan seeks to deliver proposals and measures that will help to achieve the five overarching strategic objectives for transport which are to:

- Provide a reliable, resilient transport system which supports a thriving economy and growth whilst encouraging sustainable and healthy travel;
- Improve access to key services, particularly enabling employment and training opportunities; and
- Minimise the impacts of transport on people's lives, maximise opportunities to improve the environment and help tackle carbon emissions.

6.10.4 Whilst the LTP3 doesn't specifically mention the GAR the proposal is considered to accord well with its strategic objectives in terms of supporting growth through the regeneration of the former colliery site, delivering traffic relief to adjacent roads within Gedling Village which will help to support a thriving local economy and minimise the impacts of transport on people's lives as well as improving access to new employment opportunities.

6.11 Local Planning Document – Part 2 Local Plan

6.11.1 The Local Planning Document was prepared by GBC, covers the whole borough and was adopted in July 2018 and works with the ACS 2014 to shape future development in Gedling Borough by planning for new homes, jobs and infrastructure. The document

includes more detailed planning policies that will work with the strategic policies set out in the ACS 2014 and includes detailed policies for development management and the allocation of non-strategic development sites.

- 6.11.2 The ACS 2014 and the Local Planning Document 2018 will be used to help decide planning applications and guide the location and design of development in Gedling Borough.
- 6.11.3 The Local Planning Document Publication Draft was consulted on in May / July 2016 and submitted to the Planning Inspectorate (“PINS”) in October 2016.
- 6.11.4 The hearing sessions commenced in February 2017 for a three-week period and reconvened in May 2017. After further deliberation the Inspector requested GBC give further consideration to one of the housing allocations and postponed the hearing sessions to allow GBC to undertake further consultation on new housing allocations.
- 6.11.5 Further consultation on the six additional housing allocations took place in September / October 2017, and the final round of hearing sessions to consider these sites took place in November and December 2017, with the sessions closing on 7 December 2017. GBC consulted on proposed modifications in February / March 2018, following which the Inspector issued her report to find the plan ‘sound’. GBC formally adopted the LDP on 18 July 2018. The following LDP 2018 policies are relevant to GAR:
- 6.11.6 Policy LDP 60 – Local Transport Schemes details transport schemes. This stipulates that planning permission will not be granted for development proposals which would prejudice the delivery of GAR.
- 6.11.7 Policy LDP 64 Housing Allocation identifies sites that will not be permitted to deliver homes prior to the completion of GAR, these are consistent with the Local Plan 2005 and consist of H3 – Willow Farm (110 homes) and H4 – Linden Grove (115 homes). Together with the H9 – Gelding Colliery / Chase Farm (the DA), this supports the need for GAR to facilitate development in the area and provide needed supporting infrastructure.
- 6.11.8 GBC are continuing to closely monitor the progress on GAR to identify any slippage or risk of no delivery as advocated by the Inspector for the Local Planning Document in order to establish whether an early review of the LDP 2018 may be required depending upon the progress of GAR.
- 6.11.9 Accordingly, as summarised here the Scheme continues to be supported by planning policy at all levels.

7 SCHEME APPROVAL, FINANCIAL PROVISION AND PROGRAMME

7.1 Scheme Approval and Financial Provision

7.1.1 The Original Permission authorised the construction of GAR on 23 December 2014. Financial provision for GAR was approved by NCC's Finance and Property Committee ("F&P") on 19 September 2016, this included approvals for NCC to enter into financial agreements required to deliver GAR. NCC's THC resolved to make the Orders on 16 March 2017.

7.1.2 Based on current estimates the Scheme is deliverable with sufficient funding streams available to cover anticipated costs. Under terms of the grant funding agreements and full business case submission to D2N2, NCC will also need to accept responsibility for meeting any costs over and above the current contributions from partners. Details of the risk of a shortfall and the need for costs to be underwritten by NCC were also included and approved in the F&P meeting on 24 March 2014 and reconfirmed in the meeting on 19 September 2016.

7.2 Governance

7.2.1 NCC has the overall responsibility for land acquisition, design, procurement, construction and delivery of the GAR working in partnership with HE, GBC and Keepmoat. Via EM working on behalf of NCC, will be responsible for managing the land acquisition process and the design and project management of the road construction. All statutory procedures associated with the Orders will be dealt with by NCC as the relevant powers are not delegated to Via EM.

7.2.2 A major projects meeting is held every 6 weeks attended by NCC and Via EM at which GAR is a regular item. This is supported by a GAR Executive meeting, typically held quarterly and chaired by the Chief Executive of GBC and attended by all partners. These meetings present regular opportunities for all partners to closely monitor progress, be satisfied that delivery is progressing in a timely and efficient manner, and understand strategic and operational risk and the impact of changes on GAR and the DA.

7.3 Scheme Cost

7.3.1 The Scheme is currently estimated to cost £40.899 million, split £7 million for land and £33.899 million for design and construction of the GAR, these are summarised in Table 4.

7.3.2 The construction cost includes a contingency set at 5% and inflation is based on current BCIS (Building Cost Information Service) All In Tender Prices. It should be noted that these costs have been developed using the best information available at the time of review. These costs are considered still to be valid based on the current programme.

7.3.3 The target cost is not yet set and will be agreed with the Contractor through using the MSF3 contract and based on work completed to date it is considered that this will be achieved within previous estimates. The MSF3 contract provisions enable the start date to vary depending upon the status of the Orders and has the facility for the contract to be terminated should the Orders not be confirmed by the Secretary of State following an Inquiry.

7.3.4 In the case of the target cost being above current Scheme estimates then this information would be taken to partners in line with the agreed, robust project governance arrangements and additional contributions sought. A subsequent report will be taken to the appropriate committee at NCC to advise on the next steps required to deliver the GAR.

7.3.5 The report approved at the NCC Communities and Place Committee (“C&P”) on 8 March 2018 included a recommendation that Committee approves to grant delegated authority to the Corporate Director, Place to negotiate and approve the final terms of the contract as necessary, and authorise NCC to enter a contract to construct GAR in consultation with the Service Director – Finance, Procurement & Improvement (NCC Section 151 Officer) and the Chair (or Vice-Chair) of C&P providing that the contract target price is within Scheme estimates.

Table 4 - Scheme Costs

Costs (millions)	Comments
£26.427	Construction costs (2016 prices)
£1.581	Diversion works to services during main construction works
£0.273	Diversion works to services outside of main construction works (including diversion of gas services already done on Arnold Lane)
£28.281	Construction Total
£1.755	Inflation (assumed 7.35%) – based on current BCIS All In Tender Prices
£0.061	Advanced Works
£1.273	Contingencies (5%) on construction costs and services during construction
£0.478	Testing (2%) including ground investigation works
£2.051	Design, Project Management and Site Supervision
£33.899	Design and Construction Total
£7.000	Rights Acquisition, Compulsory Purchase Order, compensation (including blight and Part 1 claims) and costs relating to Unilateral Undertaking
£40.899	TOTAL PROJECT COSTS

7.4 Funding

7.4.1 A funding package has been assembled totalling the £40.899 million required to deliver GAR. The funding stream contributed to by each development partner is as follows:

- Land and Enabling Works
 - HE – £7.17 million;
- Construction (including design)
 - NCC Capital – £5.4 million;
 - D2N2 – £10.8 million (outline business case approval obtained, full approval required as discussed below);
 - Housing Developer Keepmoat – £17 million including Community Infrastructure Levy (“CIL”) liabilities of £4.488 million via GBC;
 - Section 106 contributions – £0.529 million (£0.436 from Teal Close development).
- Total: £40.899 million

7.4.2 The latest finance profile to fund the construction of the GAR based on the funding agreements is shown in Table 5. Information related to the funding agreements was laid out in detail in the F&P report of 19 September 2016. The funding agreements seek to protect all parties and they are controlled by way of trigger points for funds to be drawn from, should trigger points not occur then the funds remain inaccessible. There are pre-requisites included in the agreements that are linked to planning, statutory procedures, timescales and funding and demonstration that delivery is viable. Notice has been given to hold a Public Inquiry and it is considered that the alternative timescales provided in this Statement are valid and that the Scheme is deliverable within the funding available. The latest funding profile is shown in Table 5, however, the nature of the agreements enables flexibility on the spend profile if required. Details of each funding stream between NCC and key partners are:

- Land
 - HE – Grant Funding (Phase 1 Works);
 - HE – Grant Funding (Enabling Works);
- Construction
 - D2N2 – LEP Funding;
 - Keepmoat – Payment and Escrow Account;
 - GBC – Deed of Agreement for CIL Funding.

Table 5 – Finance Profile

	Funding contribution (£m)					
	2016/17	2017/18	2018/19	2019/20	2020/21	TOTAL
NCC	–	0.508	–	–	4.892	5.400
D2N2	–	0.500	1.400	8.900	–	10.800
Keepmoat / GBC	–	–	–	–	17.529	17.529
HE	0.138	0.206	1.600	2.000	3.226	7.170
TOTAL	0.138	1.214	3.000	10.900	25.647	40.899

7.4.3 The confirmation of the Orders will allow the agreements for construction to become unconditional and enable funding drawdown for construction. The land agreements permit funds to be drawn down in advance of confirmation of the Orders in order for land to be assembled.

7.4.4 Costs of the Scheme up until this point for design and construction will be met from NCC Capital and D2N2 pre-compliance funding with land purchases and costs associated with the Orders through the HE Grant Funding agreement.

Homes England – Grant Funding (Phase 1 Works)

7.4.5 The total value claimed by NCC under this agreement was £170,000.

7.4.6 At the F&P meeting of 24 March 2014 a resolution was passed to give delegated authority to the Corporate Director Environment and Resources (now Corporate Director Place) to enter into agreements and approve final terms as necessary with HE to secure funding for the GAR.

- 7.4.7 One of these agreements related to the early construction of a roundabout forming a junction between Arnold Lane, GAR and the DA as required in the Original Permission. The funding agreement had a maximum funding allocation of £1.9 million funded using Public Land Infrastructure Funding (“**PLIF**”) obtained by HE that would be repaid by the developer.
- 7.4.8 The phasing condition was seen as impeding the progress of the Scheme and the section 73 variation to the Original Permission was approved in May 2016, removing the condition associated with phasing, resulting in the granting of the GAR Permission. This change was due to a range of factors including but not limited to the timing of planning for GAR, planning status of the DA and engineering challenges on the DA resulting from starting the development at the top of the site (the highest point being off the roundabout junction with Arnold Lane).
- 7.4.9 The GAR Permission removes the requirement for phase 1 to be constructed as a discrete and separate piece of work and enables the work to be incorporated into the main contract delivered as a single phase. However, opportunities were taken to utilise approximately £170,000 of this funding (which was received by NCC) to undertake gas diversion works on Arnold Lane and site clearance works. This work has been completed and these costs have been included in both the Scheme estimates and income for the construction work.

Homes England – Grant Funding (Enabling Works)

- 7.4.10 The total value available under this agreement is £7 million.
- 7.4.11 This agreement relates to the acquisition of land and rights required to construct and maintain GAR and is the second agreement that NCC entered into with HE as a result of the approval given at the Committee meeting on the 24 March 2014. It also includes the provision for the title of land currently in the ownership of HE and defined as required to deliver GAR to transfer to NCC as part of the delivery of the overall Scheme.
- 7.4.12 The funding agreement provides for a contribution of up to a maximum capped value of £7 million from HE. Work has previously been undertaken to validate land acquisition costs and whilst these are subject to potentially fluctuating land values it is considered that this element of work can be delivered within the funding available. Recent work undertaken by the Valuation Office Agency has demonstrated that the funding available for land including costs associated with the CPO and compensation is sufficient to deliver GAR.
- 7.4.13 This funding agreement has been varied to reflect the status of the Scheme and requirements of HE regarding the drawdown of funding.

D2N2

- 7.4.14 At its board meeting of 22 July 2013, the D2N2 Local Transport Body (“**D2N2**”) agreed to allocate £10.8 million towards the cost of the GAR from the £31.2 million available. The GAR was one of only six schemes supported by D2N2 and is the largest single scheme it is supporting representing 35% of the allocation. The £10.8 million allocation is subject to LTB gateway progression in accordance with the Local Assurance Framework.

- 7.4.15 The Outline Business Case was submitted to D2N2 on the 6 July 2015 and approval given on 18 May 2016 with technical feedback provided.
- 7.4.16 The economic business case has been produced and submitted as part of the Full Business Case (“FBC”) to the D2N2 LTB in March 2018. A transport user benefits appraisal (“TUBA”) indicates that journey time savings and other safety and efficiency benefits are worth at least £73m (Present Value of Benefits) and this generates a benefit to cost ratio (“BCR”) of 2.4 against the total Scheme cost (Present Value of Costs).
- 7.4.17 The Scheme shows a very good BCR based on headline economic impacts. With the addition of journey time reliability, land uplift values and wider economic benefits which will also flow from the scheme this would result in a BCR of 3.94. The D2N2 financial contribution is ¼ of the total Scheme cost and effectively the return on investment of the D2N2 contribution is a BCR of over £9 for every £1 invested.
- 7.4.18 At a D2N2 LEP Infrastructure Investment Board (“IIB”) meeting on 21 December 2017, representatives from Via EM and NCC presented an update on GAR. This included a request for £0.5million of pre-compliance funding for use within the 2017-18 financial year. This was approved and provided the opportunity for the overall GAR funding profile to be adjusted as detailed in this report. NCC is seeking FBC approval during 2019-20 upon demonstrating that all land has been acquired either by negotiation or through confirmation of the CPO, this would then facilitate the drawdown of the D2N2 funding.

Keepmoat – Payment and Escrow Account

- 7.4.19 The total value available under this agreement is £17 million.
- 7.4.20 HE owns the DA site with Keepmoat appointed to develop the site. The DA will be delivered in three phases as described previously in the Statement and the site disposal will be via a phased drawdown as set out in an Agreement for Lease document between HE and Keepmoat. Under the development agreement, Keepmoat pay £17 million towards the delivery of the GAR with payments being made in instalments into a Payment and Escrow account, this is in accordance with an agreed schedule and will be fully paid by the end of 2019 which is largely in advance of development. Any residual land value will only be paid to the HE on completion of the whole DA.
- 7.4.21 The £17 million includes a maximum value of CIL liability for the three phases estimated at £4,448,120 (to take into account indexation). Any additional CIL liability over and above this value will be dealt with outside of the Payment and Escrow account and is not the responsibility of NCC. HE is a signatory to the Escrow Account as they own the land and have overall responsibility for the delivery of the DA.
- 7.4.22 In addition, Keepmoat are required to fund the section 106 agreement (“s106”) for the DA, with contributions totalling almost £5.1 million. The s106 covers a range of items but those specific to NCC include land and a £3.6 million contribution towards a new primary school plus contributions to public health, libraries, public transport and sustainable transport.
- 7.4.23 The CIL liability for Phase 1a of the DA (£1,225,715) has been paid by the Keepmoat to GBC. The value paid into the Payment and Escrow account will therefore be £15,774,285

which includes the CIL liabilities from Phases 1b and Phase 2 of the DA and enables NCC to drawdown the full amount if required for construction.

- 7.4.24 If all the funding is utilised by NCC from the Payment and Escrow account, then NCC will be required to pay back the Phase 1b and Phase 2 CIL monies into the Escrow account when the liability notices are issued in the future. This will enable the developer to meet its CIL liabilities.
- 7.4.25 The subsequent repayment of the funding from GBC to NCC is covered in a separate agreement between the two authorities.

Community Infrastructure Levy – Gedling Borough Council

- 7.4.26 The total value of this funding stream is £4.448 million, and this is linked to the Payment and Escrow Account which part funds the delivery of GAR.
- 7.4.27 CIL is a method for collecting financial contributions from developers towards the provision of infrastructure needed as a result of development. The liability for CIL on each phase of the DA is triggered on the grant of the related planning permission that first permits the proposed development such as the granting of full planning, change of use or approval of the last reserved matter on the grant of outline planning. Payment of CIL in respect of each phase of the DA is due on commencement of development of the phase either in accordance with any instalments policy or otherwise within 60 days of commencement.
- 7.4.28 A revised Charging Schedule was issued by GBC after consultation following the Community Infrastructure Levy (Amendment) Regulations 2014 coming into force and a review of the housing supply in the ACS 2014. The revised CIL Charging Schedule set out where CIL would be levied and how much will be charged, it also included in GBC's "Regulation 123 list".
- 7.4.29 The Regulation 123 list provides for contributions from CIL received by GBC to be allocated to GAR, the Gedling Colliery Country Park visitors centre and for secondary school contributions.
- 7.4.30 The DA will generate CIL liabilities on Phases 1a, 1b and 2 of the site. As some of the phases are in the future CIL liabilities are index linked and the final value is unknown. However, to obtain certainty for the GAR then the values within the funding agreements have been agreed to cap the value of CIL liabilities that will be paid from the Payment and Escrow account. Any CIL required to be paid above the capped amount will be the responsibility of the developer.
- 7.4.31 The value of £4.448 million is the capped CIL figure for the purposes of the funding agreements. This contribution will be required from CIL receipts together with other funding streams to deliver the construction of GAR. An agreement is currently being negotiated between NCC and GBC that will facilitate the payment of CIL from GBC to NCC for infrastructure costs directly incurred on the construction of the GAR. The GBC CIL contributions have Full Council approval.

- 7.4.32 The CIL liability for Phase 1a of the DA have already been paid by Keepmoat to GBC and this can be used towards the construction of GAR. The funding agreement will facilitate NCC drawing down this funding from GBC when required.
- 7.4.33 The CIL regulations allow GBC to utilise CIL receipts to pay for infrastructure already built. Under the terms of this agreement the funding paid back into the Payment and Escrow account for CIL liabilities that was spent on the GAR could then be recovered by NCC from GBC through CIL, as expenditure would have been incurred on its construction.
- 7.4.34 In the event of the GAR being delivered for less than the estimated costs then the contribution from CIL towards the GAR will be less resulting in the remaining funding being utilised for other priorities on the Regulation 123 list, including secondary school provision.

Nottinghamshire County Council

- 7.4.35 The total value of funding allocated by NCC from its capital budgets is £5.4million.
- 7.4.36 At its Full Council meeting in February 2014 NCC resolved to incorporate funding of £5.4million into its capital programme to support GAR. Currently part of this funding is being brought forward to facilitate detailed design, procurement and site investigation works which will enable the road to be delivered subject to the completion of statutory processes. Details of NCC's spend are reflected in regular updates on the capital programme and in the annual budget with variations dependent upon actual spend and income received.

Teal Close – Section 106 Agreement

- 7.4.37 This site is not subject to CIL as planning permission was granted before GBC adopted its CIL Charging Schedule. However, the section 106 agreement includes a contribution of £436,000 towards the construction of the GAR. The site currently has outline planning permission and reserved matters are due to be submitted by the developer imminently. Once approved it would enable funding to be obtained, this is subject to contracts being in place to deliver the GAR. There is sufficient contingent funding available for GAR should there be a delay in drawdown of these section 106 monies.

7.5 Programme

- 7.5.1 Whilst negotiations are underway to obtain land by agreement it is expected that the making and confirmation of a CPO will be required to acquire the residual land and rights necessary for the construction and maintenance of the Scheme. The delivery programme represented is based on the current status of GAR and excludes tasks previously completed.
- 7.5.2 The construction dates referenced below are based on a requirement to hold a Public Inquiry, with an alternative timeline for construction based on consideration that no objections to the Scheme are received or that such objections will be resolved without the need to hold a Public Inquiry.
- CPO and SRO Process
 - Orders made – 25 October 2018;

- Notification and Publicity of the Orders (includes period for comment from interested parties) – November / December 2018;
- Objection period closed 21 December 2018;
- Notification of Intention to hold Public Inquiry – 7 January 2019 (“**Relevant Date**”)
- Public Inquiry within 22 weeks of Relevant Date – by 5 July 2019 (indicative as will be dependent on allocation of an Inspector);
- If no objections/objections received that can be dealt with via written representations procedure, process will be truncated and evidence etc. required to be submitted to Secretary of State in truncated period i.e. less than 22 weeks;
- Decision from Secretary of State on confirmation of Orders – October 2019;
- Land vests in NCC three months from confirmation of Orders – January 2020
- D2N2 Funding – Full Business Case (FBC)
 - Submit economic analysis for FBC and supporting narrative – completed;
 - FBC Unconditional Approval – following confirmation of Orders November 2019;
- Design and Procurement
 - Design complete, Target cost negotiation and contracts – January 2019 to September 2019;
- GAR advanced drainage works – completed;
- GAR advanced works – ongoing (diversions to statutory undertakers’ apparatus, ecology mitigation and drainage works);

GAR construction – without a Public Inquiry

- GAR onsite (main contract works) – Summer 2019;
- GAR complete – End of 2020 (based on 18-month main contract works programme).

GAR construction – with a Public Inquiry

- GAR onsite (main contract works) – Winter 2019;
- GAR complete – Summer 2021 (based on 18-month main contract works programme).

7.5.3 In either indicative scenario, GAR would be open for traffic in advanced on the 315 dwellings being occupied on the DA, based on current projections.

8 SIDE ROADS ORDER

8.1 The Need for a Side Roads Order

8.1.1 The SRO will, subject to confirmation by the Secretary of State for Transport, allow NCC to stop up existing side roads and private means of access affected by the Scheme, to improve existing side roads and to create new side roads and private means of access required as a consequence of the main works.

8.1.2 The full title of the SRO published under the 1980 Act is:

**THE NOTTINGHAMSHIRE COUNTY COUNCIL
(B684 TO A612 LINK ROAD)
A6211 GEDLING ACCESS ROAD
(SIDE ROADS) ORDER 2018**

8.2 The Need for Side Roads Alterations

8.2.1 The proposed alterations to existing highways and private means of access that will be affected by GAR are detailed in the Schedules (1 to 6) attached to the SRO and shown diagrammatically on the six SRO site plans numbered 1 of 6, 2 of 6, 3 of 6, 4 of 6, 5 of 6 and 6 of 6 respectively, contained in the plan folio marked "The Nottinghamshire County Council (B684 to A612 Link Road) A6211 Gedling Access Road (Side Roads) Order 2018" sealed with the Common Seal of NCC. The following descriptions should be read in conjunction with the Schedules in the Order and the Order Site Plans.

8.2.2 GAR will require alterations of side roads and access, and the SRO made under section 14 and 125 of the Highways Act 1980 authorises NCC to:

- Improve the lengths of highway named in the Schedules and shown on the corresponding Site Plan by cross hatching;
- Stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching;
- Construct a new highway along each route whose centre line is shown on a Site Plan by an unbroken black line surrounded by stipple;
- Stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band; and
- Provide new private means of access to premises at each location shown on a Site Plan by thin diagonal hatching.

8.2.3 The proposed arrangements are detailed below. In the following descriptions capital letters (e.g. 'A') refer to sections of new highway and will be a road unless the word "footpath" appears alongside its reference; lower case letters (e.g. 'a') refer to private means of access to be stopped up, and; numbers (e.g. '1') refer to new private means of access. Highways to be improved, diverted, raised, lowered or otherwise altered, and highways to be stopped up do not have a reference.

8.2.4 Any improvements to the existing highway network may result in disposal, replacement, renewal and additions to existing assets within the public highway, these are, but not limited to drainage, street lighting, signage, traffic signal apparatus, kerb alignment

(horizontal and vertical), paved areas including footways, cycleways and the pavement, verge areas and soft landscaping. The exact work will be dependent upon the detailed design requirements and layout at each section of the highway. The area of improvement shown on the site plans includes the full extent of public highway including verge areas where they form part of the highway, unless otherwise stated.

8.3 Site Plan 1 of 6

Improvements

8.3.1 Improvements are required along the existing B684 Mapperley Plains (between the A6211 and Chartwell Grove junction) and to the B684 Plains Road, A6211 Gedling Road and the A6211 Arnold Lane at the existing traffic signal-controlled junction. Works to include:

- B684 Mapperley Plains – Widening of Mapperley Plains on the western side to create a wider carriageway and new footway to create width for new junction with GAR and to achieve appropriate visibility splay at the new signal-controlled T-junction including pedestrian and cycleway facilities. This will achieve two ahead only lanes travelling northbound through the GAR junction and a dedicated right turn from the B684 onto GAR. Travelling southbound through the GAR junction a single ahead only lane will be provided and a left turn lane from the B684 onto GAR;
- Alterations to the B684 / A6211 Junction – Junction upgrade to enable link with the GAR junction to effectively operate together as one large integrated junction and tie-in works to accommodate changes to road width on the improved Mapperley Plains. Right turns from Plains Road into Arnold Lane will be banned and the lanes on this approach to the existing signal junction will be reallocated to provide one left-turn lane into Gedling Road and two ahead lanes onto Mapperley Plains travelling in a northbound direction. The banned right turn will be catered for at the new GAR junction on Mapperley Plains approximately 170m to the east;
- On Plains Road there is no right turn facility onto Bailey Drive travelling away from the city. The improvements to the junctions include the facility for a right turn area to be created for vehicles to turn into Bailey Drive.

New highways

8.3.2 References 'A' and 'B' – This is two new lengths of unclassified highway are to be constructed to link the existing alignment of Arnold Lane with GAR at the new 5-arm roundabout.

8.3.3 Reference 'C' – This is a length of new unclassified highway off the GAR 5-arm roundabout, this will, in the future link onto the internal spine roads constructed as part of the DA and be one of three vehicular access points into the site.

Highways to be stopped up

8.3.4 A length of Arnold Lane from a point 494m south-east of its junction with Plains Road / Mapperley Plains for a distance of 387m. This is to enable new unclassified highway ('A' and 'B') to be created on a new alignment onto the 5-arm roundabout constructed as part of GAR.

Private means of access to be stopped up and new accesses

8.3.5 Reference 'a' – This private means of access ("PMA") from the east side of Mapperley Plains provides shared access to the gas compound and Scouts buildings and land from a

point 45m northeast of the prolongation of the two kerb lines at the junction of Arnold Lane (north) with Mapperley Plains. Access is currently over a dropped vehicular crossing directly from Mapperley Plains onto a bituminous access way leading into the Scouts and the gas compound.

- 8.3.6 Reference '1' – This represents the location of the amended shared access from the east of Mapperley Plains following the stopping up of **PMA 'a'**. This will be accessed over a new dropped vehicular crossing on the widened Mapperley Plains. Due to level difference at this location accommodation works will be required to the access way, rights for this work are being sought through the CPO Order Land. The widening of Mapperley Plains also enables a right turn facility to be provided into this access creating a safer turning point and reducing the impact and potential delays to traffic traveling north along Mapperley Plains when vehicles are waiting to turn.
- 8.3.7 Reference 'b' – This PMA from the east side of Mapperley Plains provides shared access to agricultural land and the derelict buildings at Chase Farm from a point 200m northeast of the prolongation of the two kerb lines at the junction of Arnold Lane (north) with Mapperley Plains. Access is currently over a across vehicular crossing directly from Mapperley Plains onto an unmade track.
- 8.3.8 Reference '2' – This represents the location of the amended shared access from the east of Mapperley Plains following the stopping up of **PMA 'b'**. This will still be accessed over a dropped vehicular crossing on the widened Mapperley Plains at the same point as previous. This PMA will continue to provide access to the derelict buildings at Chase Farm and part of the agricultural land previously accessed from **PMA 'b'** that will be split as a result of GAR. The access provided will only be suitable for current levels of use and not appropriate for additional development traffic at this location due to its proximity to GAR.
- 8.3.9 Reference '3' and '4' – This represents the location of a new accesses following the stopping up of **PMA 'b'**. The accesses will be directly from the GAR and be of bituminous construction. These will provide access to agricultural land that is split as a result of GAR.
- 8.3.10 Reference 'c' – This PMA from the south side of Arnold Lane provides access to Mapperley Golf Club from a point 673m south-east of its junction with Plains Road / Mapperley Plains. This is not the main public access to the Golf Club, which is off Central Avenue in Mapperley and provides access for service / maintenance and a right of access appurtenant to Wood Farm. Access is currently over a dropped vehicular crossing directly from Arnold Lane in a bituminous construction before crossing over the GBC footpath parallel to Arnold Lane and continuing into the Golf Club grounds.
- 8.3.11 Reference '5' – This represents the location of a new access following the stopping up of **PMA 'c'**. The access will be directly from the new unclassified highway constructed to tie the existing alignment of Arnold Lane with the new 5-arm roundabout on GAR, new highway '**B'**'. It will be of a bituminous construction and continue to provide access to the Golf Club. The new access is considered to be safer and more appropriate to use than at present as it will join Arnold Lane where the speed limit will be 30mph compared to the current national speed limit and with less traffic volume that that currently using Arnold Lane.

- 8.3.12 Reference 'd' - This PMA from the south side of Arnold Lane provides field access to agricultural land that is being developed by Keepmoat as part of the DA. The access is from a point 673m south-east of its junction with Plains Road and Mapperley Plains. Access is over a dropped kerb direct onto the verge area.
- 8.3.13 Reference '6' - This represents the location of a new access point following the stopping up of PMA 'd' and is part of the new highway 'C' constructed as a spur to serve the DA off the new 5-arm roundabout in the future.

8.4 Site Plan 2 of 6

New highways

- 8.4.1 Reference 'D' - This is a new length of unclassified highway to be constructed to link the new 4-arm roundabout on GAR with internal roads layouts being constructed as part of the DA and will be one of three vehicular access points into the site.
- 8.4.2 Reference 'E' - This is a new length of unclassified highway to link the new 4-arm roundabout on GAR with future internal roads layouts for the employment area located to the north side of GAR adjacent to the Country Park.

Private means of access to be stopped up and new accesses

- 8.4.3 Reference 'e' - This PMA is part of the historic colliery access road from Arnold Lane leading up to the disused quarry also providing access to the Methane Plant, County Park, adjacent agricultural land and the former household waste centre. The stopping up starts from a point 309m northwest of its junction with Arnold Lane. Access is currently a mixture of bituminous and concrete construction.
- 8.4.4 Reference '7' - This represents the location of a new access to the Methane Plant and proposed employment area following the stopping up of PMA 'e' and is part of the new highway 'E' constructed as a road off the 4-arm roundabout to serve this area in the future.
- 8.4.5 Reference '8' - This represents the location of a new access into the County Park for maintenance vehicles linking to existing infrastructure following the stopping up of PMA 'e'.
- 8.4.6 Reference '9' - This represents the location of a new access to the proposed employment area and a highway attenuation pond following the stopping up of PMA 'e' and comes directly off the new highway 'E' constructed as a road off the new 4-arm roundabout to serve this area in the future.
- 8.4.7 Reference '10' - This represents the location of a new access to the former Household Waste Centre following the stopping up of PMA 'e' and comes directly off the new highway 'D' constructed as a road off the new 4-arm roundabout to serve the DA in the future.

8.5 Site Plan 3 of 6

New highways

- 8.5.1 Reference 'E' – This is a new length of unclassified highway to be constructed directly off the GAR (north side) to provide access to a highway attenuation pond and linking existing footpath with the Country Park.
- 8.5.2 Reference 'F' – This is a new length of unclassified highway to be constructed directly off the GAR (south side) to provide access to a highway attenuation pond and linking existing footpath from Lambley Lane Recreational Ground to the Country Park.

Private means of access to be stopped up and new accesses

Reference '11' – This represents the location of a new access to agricultural land south of GAR following the stopping up of PMA 'e' and comes directly off the GAR.

8.6 Site Plan 4 of 6

Improvements

- 8.6.1 Improvements are required along Lambley Lane at a number of locations to both interface with GAR and with new lengths of unclassified highway that are required to ensure that the route between Gedling and Lambley is maintained. Works to include:

- Section fronting 24 to 54 Lambley Lane to facilitate the construction of a new mini-roundabout as part of new unclassified highway 'G' linking to GAR;
- Section outside 66 and 68 Lambley Lane to interface with GAR that is severing the existing route of Lambley Lane;
- Length of Lambley Lane on north side of severed section to interface with GAR and to maintain suitable access onto isolated residual length of Lambley Lane not being stopped up;
- Length of Lambley Lane as part of tie-in to new unclassified highway 'H' linking to GAR and creating northern section of Lambley Lane up to Spring Lane.

New highways

- 8.6.2 Reference 'G' – New length of unclassified highway to be constructed to link the existing alignment of Lambley Lane with GAR.
- 8.6.3 Reference 'H' – New length of unclassified highway to be constructed off the new mini-roundabout on Lambley at side of number 40 to provide future access point into NCC land.
- 8.6.4 Reference 'I' – New length of unclassified highway to be constructed off Lambley Lane opposite number 68 to provide adequate turning head at the end of the severed southern section of Lambley Lane.
- 8.6.5 Reference 'J' – New length of unclassified highway to be constructed that will link the northern section of Lambley Lane between Spring Lane and GAR.

Highways to be stopped up

- 8.6.6 A length of Lambley Lane from a point 109m northwest of the prolongation of the two kerb lines at the junction of Lambley Lane with Glebe Farm View (north) for a distance of 62m. This is where GAR intersects the existing Lambley Lane.
- 8.6.7 A length of Lambley Lane from a point 365m northwest of the prolongation of the two kerb lines at the junction of Lambley Lane with Glebe Farm View (north) for a distance of 98m. This is Lambley Lane needs to be realigned to intersect with GAR in a new cutting due to the topography at this location.

Private means of access to be stopped up and new accesses

- 8.6.8 Reference '**f**' – This PMA from the west side of Lambley Lane provides access to derelict farmhouse and outbuildings as part of Glebe Farm, ménage area and agricultural (grazing) land. Access is currently gated and over highway verge directly from Lambley Lane.
- 8.6.9 Reference '**13**' – This represents the location of a new access following the stopping up of **PMA 'f**' to the residual agricultural (grazing) land on the west of Lambley Lane opposite Glebe Farm View. The new access will be of carriageway construction and subject to relevant permissions meets the NCC's design standards for a Private Shared Drive providing access for greater than 6 but no greater than 25 dwellings.
- 8.6.10 Reference '**14**' – This represents the location of a new access following the stopping up of **PMA 'f**' to the residual ménage area north of the existing Glebe Farm buildings that will be used for ecology mitigation measures. The access will be via a vehicular dropped crossing direct from the GAR with a bituminous construction.
- 8.6.11 Reference '**15**' – This represents the location of a new access following the stopping up of **PMA 'f**' to the residual agricultural land and wooded area that is part of Glebe Farm off the severed section of Lambley Lane. The access will be via a vehicular dropped crossing direct from Lambley Lane with a new gate and of bituminous construction.
- 8.6.12 Reference '**g**' – This PMA from the west side of Lambley Lane provides access to agricultural land. Access is currently gated and over highway verge directly from Lambley Lane.
- 8.6.13 Reference '**18**' – This represents the location of a new access following the stopping up of **PMA 'g**' to the residual agricultural land on the west of Lambley Lane. Access arrangement similar to existing.
- 8.6.14 Reference '**h**' – This PMA from the east side of Lambley Lane provides access to agricultural land. Access is currently gated and over highway verge directly from Lambley Lane. Multiple new access points are required as a result of the alignment of GAR to maintain access to residual agricultural land.
- 8.6.15 Reference '**16**' – This represents the location of a new access following the stopping up of **PMA 'h**' to the residual agricultural land on the east of the existing Lambley Lane and west of the new northern section of Lambley Lane linking to GAR. Access arrangements to be gated and over verge area directly from Lambley Lane.

8.6.16 Reference '17' – This represents the location of a new access following the stopping up of PMA 'h' to the residual agricultural land on the east of Lambley Lane, north of GAR at the side of 68 Lambley Lane. Access arrangements to be gated and over new highway area directly from Lambley Lane.

8.6.17 Reference '19' – This represents the location of a new access following the stopping up of PMA 'h' to the residual agricultural land on the east of Lambley Lane and north of GAR. Access arrangements similar to existing.

8.7 Site Plan 5 of 6

New highways

8.7.1 Reference 'K' – New lengths of footpath to be constructed as part of the diversion to Public Footpath No.2 (Carlton), there are three sections of new footpath these are:

- The first section of footpath is from a point 162m north from the rear of boundary of 8 and 10 Almond Walk travelling roughly parallel to GAR in a western direction until it joins new highway 'M' that forms part of the diversion route and link onto GAR;
- The second section of footpath provides a direct link from the crossing point on GAR with new highway 'L' that forms part of the diverted footpath route;
- The third section of footpaths provides a link from the new highway 'L' that forms part of the diverted footpath route and ties back into the existing Public Footpath No. 2 (Carlton) 193m further north than the point at which it was diverted.

8.7.2 Reference 'L' – New length of unclassified highway to be constructed directly off GAR that will provide access to highway attenuation ponds, provide a link from GAR to a new access road up to Gedling Wood Farm and form part of diversion of Public Footpath No. 2 (Carlton).

8.7.3 Reference 'M' – New length of unclassified highway to be constructed directly off GAR that will provide access to agricultural land and form part of diversion of Footpath No. 2 (Carlton).

Highways to be stopped up

8.7.4 Public Footpath No. 2 (Carlton) from a point 162m north from the rear boundary of no's 8 and 10 Almond Walk for a distance of 193 metres in a northerly direction. Due to the location of noise bunds and two highway attenuation ponds the footpath has to be diverted from its current alignment.

Private means of access to be stopped up and new accesses

8.7.5 Reference 'i' – This PMA forms part of the private section of Wood Lane that provides access to Gedling Wood Farm and agricultural land surrounding it. The GAR severs Wood Lane at this point and is within a cutting due to the topography of the area.

8.7.6 Reference '20' – This represents the location of a new access point west of Gedling Wood Farm to agricultural land following the stopping up of PMA 'i'. Access arrangements to be gated and dropped kerbs directly off new unclassified highway 'L'.

8.7.7 Reference '21' – This represents the location of a new access point west of Gedling Wood Farm to agricultural land following the stopping up of PMA 'i'. Access arrangements to be gated and dropped kerbs directly off new unclassified highway 'L'.

- 8.7.8 Reference '22' – This represents the location of a new access point south of GAR to agricultural land following the stopping up of PMA 'i'. Access arrangements to be gated and dropped kerbs directly off new unclassified highway 'M'.
- 8.7.9 Reference '23' – This represents the location of a new access road to Gedling Wood Farm following the stopping up of PMA 'i'. This will be gated and similar construction to the unclassified road 'L' that it is a continuation of. Access from GAR is via new highway 'L'.
- 8.7.10 Reference '24' – This represents the location of a new access point south of GAR and Gedling Wood Farm to agricultural land following the stopping up of PMA 'i'. Access arrangements to be gated and dropped kerbs directly off new unclassified highway 'M'. The construction similar to that of a vehicular crossing over the footway.

8.8 Site Plan 6 of 6

Improvements

- 8.8.1 Improvements are required along the existing A612, Burton Road and Nottingham Road. Works to include:
- A612 Trent Valley Road – Strip widening on western side to incorporate dedicated left turn facility for vehicles travelling north to west (along GAR) and amended junction layout;
 - A612 Nottingham Road – Strip widening on western side to incorporate additional right turn facility for vehicles travelling south to west (along GAR) and amended junction layout;
 - Burton Road – Tie-in works to accommodate GAR at new junction incorporating signal-controlled pedestrian and cycle crossing facilities;
 - Nottingham Road (service road providing access to Whitworth Drive and properties 246 to 230) – Tie-in works to accommodate GAR.

New highways

- 8.8.2 Reference 'N' – New length of unclassified highway to be constructed to link the existing alignment of Burton Road with GAR.

8.8.3

Highways to be stopped up

- 8.8.4 Burton Road from its junction with Trent Valley Road and Nottingham Road for a distance of 105m. This section of Burton Road is required for the route of GAR and a new junction with the A612.

- 8.8.5 Nottingham Road (service road providing access to Whitworth Drive and properties 246 to 230) from its junction with Burton Road for a distance of 24m. This section of road is required for the route of GAR and a new junction with the A612.

8.8.6

Private means of access to be stopped up and new accesses

- 8.8.7 Reference 'j' – This PMA from the east side of Lambley Lane provides access to agricultural land. Access is currently gated and via a bituminous access road directly from Burton Road.

8.8.8 Reference '25' – This represents the location of a new access point west of Gedling Wood Farm to agricultural land and highway attenuation pond following the stopping up of PMA 'I'. Access arrangements unchanged, but with the addition of a turning head of a similar construction to existing.

8.9 SRO Classifications

8.9.1 Upon completion the GAR will become the A6211 under section 12 of the 1980 Act and this will necessitate the changes of the existing road classifications in the area. The Department for Transport ("DfT") document "Guidance on Road Classification and the Primary Route Network: January 2012" has been used to propose the following changes to the existing network as a result of GAR, these are shown in table 6.

8.9.2 No further public consultation will take place regarding reclassifications, this is not required and NCC as LHA is free to use such measures as required. All signing of road classifications and numbering will be carried out in accordance with the TSRGD and Traffic Signs Manual.

Table 6

Road Name	Existing Classification and Road Number	Proposed Classification and Road Number
Mapperley Plains	B684	A6211 (subject to detailed review of signage)
Arnold Lane, Mapperley	A6211	Unclassified
Arnold Lane, Gedling	A6211	Unclassified
Main Road, Gedling	A6211	Unclassified
Shearing Hill, Gedling	A6211	Unclassified
Burton Road, Gedling (between Shearing Hill and Colwick Loop Road)	A6211	Unclassified
Colwick Loop Road, Gedling	A6211	B686
Colwick Loop Road, Netherfield	A6211	B686

8.10 SRO Summary

8.10.1 This section has demonstrated that the requirements of section 14(6) and 125(3) of the 1980 Act have been met, which state:

- No order authorising the stopping up of a highway shall be made or confirmed by the Minister unless he is satisfied that another reasonably convenient route is available or will be provided before the highway is stopped up (s14(6));
- No order authorising the stopping up of a means of access to premises shall be made or confirmed by the Minister unless he is satisfied that no access to the premises is reasonably required or that other reasonably convenient means of access to the premises is available or will be provided (s125(3)).

8.10.2 The making and confirmation of the SRO will enable NCC to improve, raise, lower, divert or otherwise alter highways; stop up highways; construct new highways; stop up private means of access to premises, required as a consequence of the construction of the classified road and; to provide new private means of access to premises as required for GAR.

9 THE COMPULSORY PURCHASE ORDER

9.1 Introduction

- 9.1.1 The Scheme requires the acquisition of land and rights for which a Compulsory Purchase Order has been made. NCC will be negotiating with the owners of affected land to arrange for transfer by Agreement, but it is necessary to seek authority for compulsory purchase to ensure that all land required for the Scheme is available at the appropriate time.
- 9.1.2 Land required to deliver GAR is in a mixture of public sector and private ownership, with a total of 67 plots referenced in the CPO schedule for acquisition purposes, 25 of these have additional areas over which acquisition of new rights is necessary.
- 9.1.3 Public-sector bodies with an interest in the Order Land include NCC, GBC, Nottingham City Council and the Crown Estate. Ten plots of the Order Land are within the existing public highway.
- 9.1.4 The Order Land includes the private interests of 15 parties, one of whom is only affected on the basis that rights over their interest are to be acquired. The other 14 parties include local landowners, Killarney Homes Developments Limited, Harworth Estates Investment Limited, Langridge Homes Limited, Midlands Land Portfolio Limited, the 3rd Woodthorpe Scouts Group, Carlton-le-Willows Academy and Cadent Gas Limited.

9.2 Consultation with Land Interests

- 9.2.1 NCC have carried out extensive consultation with affected landowners in order to achieve an acceptable Scheme proposal, whilst having regard to the First Protocol of the European Convention on Human Rights. Consultation and public engagement is detailed in Chapter 5.
- 9.2.2 As part of the land referencing process and identification of those with an interest in the land affected by GAR, NCC retained the service of TerraQuest who first wrote to affected landowners in January 2017 circulating statutory requests for information served under powers contained in section 16 of the Local Government (Miscellaneous Provisions) Act 1976. Further correspondence was sent to affected landowners who did not respond to these notices and contact with interested parties to ascertain the identity of all affected landowners.
- 9.2.3 Negotiations with affected landowners are ongoing to progress the voluntary acquisition of land interests required for GAR, these will continue until agreement is reached and being led by NCC.

9.3 The Order

- 9.3.1 The CPO has been made and has been submitted to the Secretary of State for confirmation pursuant to the 1980 Act (sections 239, 240, 246 and 250) and the Acquisition of Land Act 1981. The full title to the CPO is:

THE NOTTINGHAMSHIRE COUNTY COUNCIL (GEDLING ACCESS ROAD) COMPULSORY PURCHASE ORDER 2018

9.4 The Need for the Order Land

9.4.1 The need for the Scheme and its objectives are set out in Chapter 3 and a description of how the Scheme meets its objectives are set out in Chapter 4.

9.4.2 Under the powers contained in section 239, 240, 246 and 250 of the 1980 Act, NCC are acquiring land and rights for the purposes of:

- The construction and maintenance of a new highway which is a classified road from the B684 Mapperley Plains in a south–easterly direction for a 3.8 km to its junction with the A612 at Trent Valley Road / Nottingham Road;
- The diversion and extinguishment of existing drainage and watercourses and the carrying out of drainage works in connections with the construction of highways, including the construction of six ponds for highway drainage purposes and a further three ponds for overland drainage collectively meeting storage and attenuation needs arising as a result of GAR. The highway and overland drainage systems are kept separate until their relative outfall points. The attenuation ponds are adjacent to the new highway along its route and new accesses to those attenuation ponds are provided within Scheme;
- In pursuance of The Nottinghamshire County Council (B684 to A612 Link Road) A6211 Gedling Access Road (Side Roads) Order 2018, there are improvements to the following existing highways:
 - B684 Mapperley Plains, Mapperley;
 - A6211 Arnold Lane, Mapperley – classification to change as a result of the GAR;
 - A6211 Gedling Road, Arnold;
 - B684 Plains Road, Mapperley;
 - Lambley Lane, Gedling;
 - A612 Trent Valley Road, Gedling;
 - A612 Nottingham Road, Gedling;
 - Burton Road, Gedling;
 - Nottingham Road, Gedling (service road providing access to Whitworth Drive and properties 246 to 230).
- Use by the acquiring authority to construct a turning head at Lambley Lane in connection with the construction and improvement of highways;
- The provision of new means of access to premises pursuant to The Nottinghamshire County Council (B684 to A612 Link Road) A6211 Gedling Access Road (Side Roads) Order 2018;
- Mitigating the adverse effect that the existence or use of the highways will proposed to be constructed will have on the surroundings thereof by the provision of landscaping and habitat creation; and
- Cleansing of Ouse Dyke and other watercourses.

9.5 The Order Land

9.5.1 The Order Land has a total area of approximately 40.1 ha. This comprise of:

- 31.4ha for which title to the land is required, this includes 1.9ha of existing public highway;
- 6.1 ha for which rights over land are required;

- 0.5ha for which rights of support over Mapperley Tunnel are required (title to the surface strata over the Tunnel is required);
- 2.1ha of land being vested for Exchange Land, the acquisition of part of this land is via the Enabling Works agreement between NCC and HE.

9.5.2 The Order Plans consist of five sheets numbered 1 of 5, 2 of 5, 3 of 5, 4 of 5 and 5 of 5 respectively detail the specific plots within areas for title shaded pink, rights shaded blue and Exchange Land shaded green.

9.5.3 Over 18ha (57%) of the 31.4ha required for GAR for which title of land being acquired of land being acquired is classified as solely as agricultural land, other significant classifications of land includes 3.5ha of wooded area, 1.9ha of existing public highway, 1.8ha of disused quarry and 2.1ha of the County Park.

9.5.4 Land acquired by HE for the delivery of the Scheme as part of bring forward the DA, accounts for 9.9ha of the title to land required for GAR. Under the terms of the funding agreement, this land transfers to NCC upon confirmation of the CPO. Together with land already in the ownership of NCC (0.9ha) and existing public highway land (1.7ha), the land that is available to NCC excluding other parties, is 12.7ha representing almost 40% of the land that is to be permanently acquired.

9.5.5 The route of GAR crosses several farms with the land being typically used for a mixture of arable and pasture purposes.

9.6 Description of Land required for Title by Plot Reference

Classified Road, connection to A612 and B684

9.6.1 Title to land is required for GAR, the connections to the B684 and A612 and associated drainage works, environmental and ecological mitigation measures and to cleanse and maintain watercourses along the route.

9.6.2 For the north-western section of GAR between the B684 and Lambley Lane (inclusive of Lambley Lane adjacent to Glebe Farm), this consists of:

- CPO Plan 1 of 5 – Plots 1, 2, 3, 4, 5, 6, 7, 8, 38, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21 and 22;
- CPO Plan 2 of 5 – Plots 15, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 33;
- CPO Plan 3 of 5 – Plots 29, 31, 32, 33, 34, 35, 36, 37, 42, 43, 45, 46 and 47.

9.6.3 For the south-eastern section of GAR between Lambley Lane (excludes section of Lambley Lane adjacent to Glebe Farm) and the A612, this consists of:

- CPO Plan 3 of 5 – Plots 44, 48, 49 and 50;
- CPO Plan 4 of 5 – Plots 48, 50, 51, 52, 53, 54, 55, 56 and 57;
- CPO Plan 5 of 5 – Plots 55, 56, 57, 58, 59, 60, 61, 63, 64, 65, 66 and 67.

Ancillary Highways and Existing Highways to be improved

9.6.4 Title to land is required for the provision of ancillary highways and improvements to existing highways to connect GAR to the existing networks along the route.

- 9.6.5 Title to land is required to improve the B684 Mapperley Plains through GAR and at its existing A6211 junction to achieve sufficient width for the revised traffic lanes through these junctions, this consists of:
- CPO Plan 1 of 5 – Plots 1, 2, 3, 4, 5, 6, 7, 8 and 39.
- 9.6.6 Title to land is required to provide new unclassified highway on Arnold Lane to tie into the 5–arm western roundabout on GAR, this consists of:
- CPO Plan 1 of 5 – Plots 15, 16, 17 and 19;
 - CPO Plan 2 of 5 – Plots 15, 17 and 19.
- 9.6.7 Title to land is required to provide new unclassified highway off the GAR 5–arm roundabout to provide future access point into the DA, this consists of:
- CPO Plan 1 of 5 – Plot 15;
 - CPO Plan 2 of 5 – Plot 15.
- 9.6.8 Title to land is required to provide new unclassified highway off the GAR 4–arm roundabout to link to internal road layout within the DA, this consists of:
- CPO Plan 2 of 5 – Plots 22, 23, 27, 28 and 29.
- 9.6.9 Title to land is required to provide new unclassified highway off the GAR to provide access to highway attenuation points, this consists of:
- CPO Plan 3 of 5 – Plots 33 and 34.
- 9.6.10 Title to land is required to provide a new unclassified carriageway as a link from the existing alignment of Lambley Lane to tie into GAR and improvements to Lambley Lane (on the section fronting 24 to 54 Lambley Lane) to facilitate construction of a new mini–roundabout, this consists of:
- CPO Plan 3 of 5 – Plots 34, 46, 37, 40, 41, 42 and 43.
- 9.6.11 Title to land is required to provide a new unclassified carriageway off the new mini–roundabout on Lambley Lane to provide future access point into NCC land, this consists of:
- CPO Plan 3 of 5 – Plot 40.
- 9.6.12 Title to land is required to improve Lambley Lane at the point where GAR intersects the existing alignment on both the northern and southern side of GAR and includes new unclassified highway as part of a turning head opposite number 68, this consists of:
- CPO Plan 3 of 5 – Plots 43, 45, 46, and 47.

9.6.13 Title to land is required to improve Lambley Lane at the point where the existing alignment links into a new section of unclassified highway that will link the northern section of Lambley Lane between Spring Lane and the GAR, this consists of:

- CPO Plan 3 of 5 – Plots 44, 48 and 49.

9.6.14 Title to land is required to provide a section of new unclassified highway that will provide access to highway attenuation ponds, provide a link from GAR to a new access road up to Gedling Wood Farm and form part of diversion of Footpath No. 2 (Carlton), this consists of:

- CPO Plan 4 of 5 – Plot 50.

9.6.15 Title to land is required to provide new footpath that forms part of diversion of Footpath No. 2 (Carlton), this consists of:

- CPO Plan 4 of 5 – Plot 50.

9.6.16 Title to land is required to provide a section of new unclassified highway to link the existing section of Burton Road with GAR as a result of the junction works and construction of GAR over the existing alignment of Burton Road at its existing junction with the A612. on), this consists of:

- CPO Plan 5 of 5 – Plots 64, 65 and 66.

9.6.17 Title to land is required to improve Nottingham Road (service road providing access to Whitworth Drive and properties 246 to 230) where the existing alignment links with GAR, this consists of:

- CPO Plan 5 of 5 – Plot 64.

9.6.18 Title to land is required to improve the existing A612 Trent Valley Road and A612 Nottingham Road to amend the junction and provides additional traffic manes required for GAR, this consists of:

- CPO Plan 5 of 5 – Plot 67.

New Means of Access

9.6.19 Title of land is required for the provision of 3rd party access, these will form part of the construction works for GAR and interface with adjacent 3rd party land. The text in brackets represents current land use and purpose and these consists of:

- CPO Plan 1 of 5 – Plots 5 and 6 (shared access to Scouts building and land and Gas Compound);
- CPO Plan 1 or 5 – Plot 8 (shared access to agricultural land and Chase Farm);
- CPO Plan 1 of 5 – Plots 15, 17 and 18 (access to Mapperley Golf Course);
- CPO Plan 1 of 5 – Plot 15 (access to agricultural fields);
- CPO Plan 2 of 5 – Plots 25(access to discussed quarry area and Methane Plant);
- CPO Plan 2 of 5 – Plots 25 and 26 (access to Country Park);
- CPO Plan 2 of 5 – Plots 22, 27 and 28 (access to former Household Waste Centre);

- CPO Plan 3 of 5 – Plots 34 (access to agricultural field);
- CPO Plan 3 of 5 – Plots 37 and 41 (access to agricultural fields adjacent Lambley Lane on section between Jessops Lane and Glebe Farm View);
- CPO Plan 3 of 5 – Plots 43 and 48 (access to agricultural land off Lambley Lane in the vicinity of Glebe Farm);
- CPO Plan 3 of 5 – Plots 44 and 48 (access to agricultural land off Lambley Lane);
- CPO Plan 4 of 5 – Plots 50 (access to agricultural land);
- CPO Plan 4 of 5 – Plots 50, 51 and 52 (access to Gelding Wood Farm);
- CPO Plan 4 of 5 – Plots 50 and 54 (access to agricultural land);
- CPO Plan 5 of 5 – Plot 65 (access to agricultural land).

9.7 Description of Land required for Rights by Plot Reference

Rights

- 9.7.1 Rights are required to access land to construct, maintain and support GAR this includes ecological mitigation measures and the right to cleanse and maintain watercourses. The descriptions are included in the CPO Order schedules but are also summarised in this section.
- 9.7.2 A right of access to construct, inspect and maintain works, regrade and resurface, access way to, scrubland surrounding and within gas compound, over the following:
- CPO Plan 1 of 5 – Plots 5a, 5b and 5c.
- 9.7.3 A right of access to construct, inspect and maintain works and modify, regrade and resurface 106 square metres, of Scout yard and access way to gas compound (Mapperley Plains), over the following:
- CPO Plan 1 of 5 – Plot 6a.
- 9.7.4 A right of support over Mapperley Tunnel, over the following:
- CPO Plan 1 of 5 – Plots 10a and 12a.
- 9.7.5 A right of support together with a right to construct inspect and maintain works and to modify existing drainage over Mapperley Tunnel, over the following:
- CPO Plan 1 of 5 – Plots 13a and 14a.
- 9.7.6 A right of access to construct, inspect and maintain works a right to install a temporary works compound and the right to construct, keep, inspect, maintain, and discharge water through a new watercourse, over the following:
- CPO Plan 1 of 5 – Plot 15a;
- 9.7.7 A right of access to construct inspect and maintain works and to carry out works to re-profile and landscape of public highway known as Arnold Lane, over the following:
- CPO Plan 1 of 5 – Plots 16a and 17a;
 - CPO Plan 2 of 5 – Plot 17a.

- 9.7.8 A right of access to construct, inspect and maintain works and to carry out works to the existing public footpath at Mapperley Golf Course access, over the following:
- CPO Plan 1 of 5 – Plot 18a;
 - CPO Plan 2 of 5 – Plot 18a.
- 9.7.9 A right of access to construct, inspect and maintain works and the right to carry out modification works to the existing footpath and drainage re-profiling works of disused quarry, private access way and Country Park, over the following:
- CPO Plan 2 of 5 – Plot 26a;
 - CPO Plan 3 of 5 – Plot 26a.
- 9.7.10 A right of access to construct inspect and maintain works and to carry out re-profiling works, over the following:
- CPO Plan 3 of 5 – Plot 29a and 31a (east of former Household Waste Centre);
 - CPO Plan 3 of 5 – Plots 47a and 48a (south of Lambley Lane).
- 9.7.11 A right of access to construct inspect and maintain works and to carry out re-profiling works and a right to carry out ecological mitigation works to protect, relocate and install badger sett, over the following:
- CPO Plan 4 of 5 – Plot 50a.
- 9.7.12 A right of access to construct inspect and maintain works south of Gedling Wood Farm, over the following:
- CPO Plan 4 of 5 – Plots 50b and 53a.
- 9.7.13 A right of access to carry out demolition, modification and construction works to buildings and carry out drainage works and to construct, inspect and maintain works at Gedling Wood Farm, over the following:
- CPO Plan 4 of 5 – Plot 52a.
- 9.7.14 A right of access to carry out drainage works and to construct, inspect and maintain works, over the following:
- CPO Plan 4 of 5 – Plot 52b.
- 9.7.15 A right of access to repair, demolish and reconstruct an existing wall and right to remove foliage and trees and to construct, inspect and maintain works, over the following:
- CPO Plan 5 of 5 – Plots 61a and 62a

9.8 Other Consents

9.8.1 The planning history of GAR and the DA is set out in Chapter 2 and the latest planning position set out in Chapter 6.

9.8.2 Listed Building Consent authorising the demolition of part of the walled garden to Gedling House was granted on 12th December 2014, reference 2014/0916 with 4 conditions. The consent expired without having been implemented on 12 December 2017. A replacement application for Listed Building Consent will be submitted to GBC in February 2019.

9.9 Special Consideration affecting the Order Land

9.9.1 A Protected Assets Certificate has been submitted to the Secretary of State, giving details of buildings, monuments or areas of historical significance within the Order Land.

9.9.2 Part of the walled garden of Gedling House, a Grade II Listed Building, is included within the Order Land, the expired Listed Building Consent for these works was obtained on 12 December 2014 and will be refreshed.

9.9.3 There are no buildings in a conservation area that will be demolished as a result of the Scheme being delivered.

9.9.4 GAR does not require any land owned by the National Trust

9.9.5 The Scheme requires acquisition of part of Country Park, which is open space land. Accordingly, a Section 19 Certificate is required from the Secretary of State and exchange land has been provided at Plots EX1, EX2 and EX3. The exchange land is adjacent to the Country Park and a mixture of wooded areas, scrubland and grassland. NCC proposes an extension to the Country Park boundary to be inclusive of these areas.

9.9.6 The total area for the exchange land being provided is approximately 2.77ha, exceeding the amount of open space within the Country Park affected by the CPO. For the avoidance of doubt the open space land affected by the CPO is at plot numbers 26, 26a (rights), 33, 35 and 36 shown across the CPO Plans 2 of 5 and 3 of 5.

9.9.7 The Order Land includes some Crown Land which will be acquired by agreement shortly and in any event before the Secretary of State makes a decision as to whether to confirm the CPO.

9.10 Property Demolition

9.10.1 Demolition of derelict farm buildings at Glebe Farm, out buildings at Gedling Wood Farm and part of a walled garden at Gedling House.

9.11 Related Order

9.11.1 Other than the SRO, which has been submitted to the Secretary of State for confirmation at the same time as the CPO, here are no other orders associated with these proposals. The permanent TROs required to ensure that GAR operates as intended are a separate legal procedure, these would be advertised as and when required by NCC.

9.11.2 Regulation 16 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 requires a permanent TRO to be made within two years beginning with the date on which a notice of proposals relating to the order is first published. The timing of the notice of the permanent TRO is therefore important and it is considered that extensive consultation was undertaken as part of the planning process that represented the detail of the Scheme and how it will operate.

9.11.3 Requirements for both temporary and permanent TROs are discussed in detail in section 4.

9.12 **CPO Summary**

9.12.1 This document demonstrates how NCC justifies its proposals for the compulsory acquisition of land required to deliver GAR.

9.12.2 Sections 3, 4 and 5 have demonstrated that there is a compelling case in the public interest for the compulsory purchase to be made, and regard has been had to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights.

9.12.3 The document has also demonstrated that, subject to confirmation of the Orders, all land required in order to construct the Scheme will be available to NCC.

9.12.4 The funding and planning approvals are also in place and there are no other impediments to the progression of the Scheme.

9.12.5 Accordingly, on confirmation of the SRO and CPO all elements will be in place to enable the Scheme to proceed to construction.

10 RESPONSE TO OBJECTORS

10.1 Objection Summary

10.1.1 Eight statutory objections and one non-statutory objection have been made to the Orders, these include:

- 10.1.1.1 Cadent Gas Limited;
- 10.1.1.2 Western Power Distribution Limited;
- 10.1.1.3 Alkane Energy UK Limited;
- 10.1.1.4 Midlands Land Portfolio Limited;
- 10.1.1.5 Jigsaw Homes Limited;
- 10.1.1.6 Mr Christopher Reckless;
- 10.1.1.7 Mr Carl Walker;
- 10.1.1.8 David John Prince and Pamela Marye Prince; and
- 10.1.1.9 Openreach (non-statutory objection).

Briefly, the objectors raised the following issues and NCC's response to these objections is also set out below:

10.2 Cadent Gas Limited – Plots 2, 4, 5, 5a, 5b, 5c and 6a

10.2.1 **Objection:** Existing infrastructure belonging to Cadent Gas Limited (“**Cadent**”) is within the Order Land. Cadent's rights to retain its apparatus and to access, inspect, maintain, renew and repair the apparatus must be retained at all times and not restricted.

10.2.2 **Response:** NCC is currently involved in negotiations with Cadent and is confident that this objection will be resolved in advance of the Inquiry. In any event the objector's interests will be protected during and post construction of the Scheme.

10.3 Western Power Distribution Limited – Plots 21, 22, 28, 29a, 52, 52a and 54

10.3.1 **Objection:** Existing infrastructure belonging to Western Power Distribution Limited (“**WPD**”) is within the Order Land and it has submitted the objection in order to protect its statutory rights and duties pursuant to the Electricity Act 1989, specifically on the basis that it has been provided with:

- 10.3.1.1 Insufficient detail as to how security of electricity supply in the area will be ensured;
- 10.3.1.2 Insufficient detail on protections for the electricity network during construction and operational phases;
- 10.3.1.3 Insufficient information relating to construction and operation of the Scheme; and

10.3.1.4 Insufficient information relating to impact of implementation of Orders on objector's rights and interests.

10.3.2 **Response:** NCC is currently involved in negotiations with WPD and is confident that this objection will be resolved in advance of the Inquiry. In any event the objector's interests will be protected during and post construction of the Scheme.

10.4 **Alkane Energy UK Limited – Plots 22, 23, 24, 25, 28 and 29**

10.4.1 **Objection:** Alkane Energy UK Limited ("**Alkane**") has a leasehold interest in a compound at Gedling Energy Park, Land Off Arnold Lane, Gedling, Nottinghamshire NG4 4GZ ("**Compound**") located to the north of Parcel 24 on CPO Plan 2 of 5. Alkane object on the following grounds related to access during construction and operation of the Scheme and to the installation of a new gas main, specifically that:

10.4.1.1 The acquisition of Alkane's Compound is unnecessary and unacceptable;

10.4.1.2 The acquisition of an access route is unjustified and is unacceptable until a binding commitment is in place with NCC providing for an alternate access route;

10.4.1.3 The acquisition of the gas main route through Plot 22, 23, 24 and 28 unacceptable until rights have been granted to the objector and its gas transporter from NCC; and

10.4.1.4 Land acquisition and/or works should not impact upon the electricity network or services to the Compound.

10.4.2 **Response:** NCC is currently involved in negotiations with Alkane and is confident that an agreement reflecting the points below will be in place to resolve the objection in advance of the Inquiry, specifically:

10.4.2.1 NCC has confirmed with Alkane that the Compound is not within the Order Land;

10.4.2.2 As set out in the Orders, an adequate alternative access to the Compound will be provided by NCC should the Orders be confirmed;

10.4.2.3 NCC has been working collaboratively with Alkane to agree the line and level of the gas main route and a draft easement has been prepared that will provide the required rights for Alkane and its gas transporter. This easement will transfer to NCC until GAR is operational and open to traffic at which stage the gas main will be located within the public highway; and

10.4.2.4 Protective provisions have been agreed to protect continuity of electricity supply to Alkane's interests throughout the works.

10.5 **Midlands Land Portfolio Limited – Plots 64, 65 and 66**

10.5.1 **Objection:** Midlands Land Portfolio Limited (“MLPL”) are supportive of the delivery of the Scheme. MLPL object on the following grounds:

- 10.5.1.1 No consideration of alternative schemes which have no impact upon the objector’s interest;
- 10.5.1.2 Insufficient attempts have been made to acquire the objector’s land by agreement; and
- 10.5.1.3 Insufficient information provided as to how access will be maintained to the objector’s interest during the construction phase of the Scheme.

10.5.2 **Response:** NCC remain committed to securing the land required by agreement and negotiations are ongoing, specifically:

- 10.5.2.1 Due to the physical layout of the Order Land at this location in terms of both ground conditions and geographical considerations there are no viable alternative locations to the current configuration of GAR allowing for removal of the objector’s interest from the Orders.

At this location the GAR will join the most recently constructed phase of the wider A612 Nottingham Eastern Outer Loop Road (the Gedling Major Integrated Transport Scheme – GMITS). This road was designed and built such that the GAR could be connected to it and integrate with other local roads including Burton Road and the Nottingham Road service road which provides access to the properties in Whitworth Drive.

The traffic signal junction layout, as proposed, was modelled for capacity and refined during the planning application process for GAR. A signalised gyratory option was explored but had a larger land footprint. The junction layout provides a compact footprint for the connection of A612 / Burton Road / Whitworth Drive and GAR and provides formal signalised pedestrian and/or cycle crossings to connect the main non-motorised user routes across the carriageways.

The vehicle capacity of the junction was modelled using the industry standard LINSIG software which indicates that the junction will operate within vehicle design capacity with predicted peak flows in 2028 and 2034. If the footprint of the junction were to be reduced, and traffic lanes removed, the junction would not cope with the predicted vehicles flow leading to queues, delays and congestion.

Footway / Cycleways have been provided for all expected and existing non-motorised user routes as part of the proposed junction layout. Residential developments are currently being constructed on the A612 which will generate pedestrian and cycle traffic.

In plan the GAR junction adjacent to the objector’s land is entirely within public highway or other third-party land. The Order Land is required in order to provide sufficient storage and attenuation for highway drainage as

a result of the Scheme in the form of a Detention basis (within the Scheme design this is referenced as “Pond G”) prior to discharge into the water course parallel to the A612.

Pond G is designed to be dry at all times except during and immediately following storm events (except for a sump area). During these times it will store water until such time that the outlet to Pond G allows the water to leave the pond into the existing highway drainage system at a greenfield runoff rate. There will be a 0.5m deep sump within the bottom of the pond to allow for oxygen to reach the bottom of the pond to enable biodegradation of oils by natural organisms.

There is limited fall between the inlet Pond G and the outfall connection onto the existing highway drainage system therefore Pond G needs to be built at the level proposed in the Scheme design in order to achieve the gradient of the inlet and outlet pipes. As the invert level of Pond G is critical this has meant the pond needs to be raised above the existing ground level of the field.

Due consideration was given to an alternative drainage solution as part of a review of the Scheme design prior to the submission of the refreshed planning application. This consisted of locating Pond G on the eastern side of the GAR between the Nottingham Road service road and the A612. This option was not considered feasible at the time due to the amount of statutory utility apparatus in this location and the loss of trees in the area that were provided as mitigation as part of the GMITS.

Accordingly acquisition of the objector’s interests is necessary in order to deliver the Scheme.

10.5.2.2 NCC accepts that the CPO Guidance requires it to show that reasonable steps have been taken to acquire interests required by agreement. However, the CPO Guidance does not require that an acquiring authority wait until such time as negotiations fail before starting the compulsory purchase process and in fact provides that it may be sensible for an authority to initiate the CPO process in parallel with stakeholder discussions.

NCC remain committed to reach an agreement for the acquisition of MLPL’s interest in the Order Land and this was confirmed in a letter from NCC to MLPL dated 19 July 2016. There have been subsequent discussions with MLPL through NCC’s agents and NCC have reimbursed fees for firms advising MLPL on the impact of GAR on their interest.

NCC have also worked proactively with the objector’s representatives in discussions over the timings of the development through both the Public Inquiry for the Local Development Plan and on a number of other occasions providing information as requested.

- 10.5.2.3 The construction of GAR at its junction with Burton Road and the A612 will require closures of Burton Road and alternative temporary traffic management arrangements along the A612. The exact date and duration of any closures is to be determined.

Temporary closures of the highway will be secured by operation of Temporary Traffic Regulation Orders and there will be a clear communication strategy to ensure that those affected are included in the planning of any closures and kept up to date.

Access to the objector's retained land will be maintained off Burton Road. However, during the closure of Burton Road, vehicular access will be via a signed diversion route along the A612, A6211 Colwick Loop Road, A6211 Burton Road towards the junction with Shearing Hill.

NCC is committed to ensuring that any disruption is kept to an absolute minimum and any closures include provision for a signed diversion route. The safety of nearby residents and businesses, the general public, motorists and the construction workforce is of paramount importance and a key consideration in any decisions that have been taken to date and will be taken in the future.

10.6 Jigsaw Homes Group Limited – Plot 62a

- 10.6.2 **Objection:** New Charter Homes Limited is the registered freehold owner of Plot 62a and is part of the Jigsaw Homes Group Limited (“Jigsaw Homes”) who have objected to the Order on the following grounds:

- 10.6.2.1 Land not required to deliver the Scheme;
- 10.6.2.2 Unclear as to what rights are being sought over objector's interest; and
- 10.6.2.3 No detail on how rights sought will be exercised and the impact this will have on the objector's interest.

- 10.6.3 **Response:** NCC's preference it to reach an agreement to secure rights to undertake work described in the Order and NCC is currently involved in negotiations with Jigsaw Homes to secure this in advance of the Inquiry and resolve the objection.

- 10.6.3.1 All land required to deliver the Scheme is included within the Order Land. At this location the land is needed to demolish and reconstruct an existing wall, to remove foliage and trees and to construct, inspect and maintain works;
- 10.6.3.2 As set out in the description of the rights to be acquired over plot 62a comprise a right of access with and without vehicles to demolish and reconstruct an existing wall, a right to remove foliage and trees and a right to construct, inspect and maintain the works. There is also a right to install a temporary fence on the perimeter of the plot to the exclusion of others in order that construction, inspection and maintenance works can be undertaken; and
- 10.6.3.3 As necessary NCC will need to access the plot in order to exercise the rights being sought.

10.7 **Mr Christopher Reckless – Plots 61 and 61a**

10.7.2 **Objection:** Mr Reckless has objected to the Order on the following grounds:

- 10.7.2.1 No consideration of alternative schemes which have no impact upon objector's interest;
- 10.7.2.2 No justification for the acquisition of the rights set out in the CPO over the objector's interest; and
- 10.7.2.3 Orders will have an unacceptable impact upon the objector's human rights.

10.7.3 **Response:** NCC has been engaged in ongoing dialogue with Mr Reckless outlining the land and rights requirements for the Scheme. NCC continues to explore the possibility of acquiring the land required to deliver the Scheme by agreement. Notwithstanding the above, NCC responds to Mr Reckless' concerns specifically as follows:

- 10.7.3.1 The proposed alignment of the Scheme follows the route identified in the Local Plan 2005 considering physical constraints and detailed traffic modelling with the Scheme designed to minimise the impact on affected landowners.

Position and orientation of the Scheme in proximity to the objector's land interest is determined by existing physical factors and design standards. A key existing physical factor is the location of the Scheme's proposed junction with the existing highway network at its south-eastern end for reasons as set out in section 10.5.2.

The alignment of the Scheme from its junction with the A612 in a north-western direction is linked to the general topography and design standards for a road of this type. At the point where the Scheme interfaces with the walled garden, the largest proportion of land required is within the ownership of NCC.

Due consideration was given to alternative schemes and it was decided that the present Scheme was most suitable;

- 10.7.3.2 As set out in the description of the rights to be acquired over Plot 61a comprise a right of access with and without vehicles to demolish and reconstruct an existing wall, a right to remove foliage and trees and a right to construct, inspect and maintain the works. There is also a right to install a temporary fence on the perimeter and provide a zoned area for operative safety.

All land and rights included within the Order Land is required rebuild the existing wall and carry out repairs that enables the deliver the Scheme; and

10.7.3.3 As set out in section 5 above, any interference with Convention rights is considered to be justified in the public interest in order to secure the provision of the Scheme and the benefits it will provide to the local highway network. Due compensation will be paid in accordance with the Compensation Code.

10.8 Mr Carl Walker – Plot 59

10.8.2 **Objection:** Mr Walker has objected to the Order on the following grounds:

- 10.8.2.1 Land not required to deliver the Scheme;
- 10.8.2.2 No planning policy support for the Scheme;
- 10.8.2.3 Absence of compelling case in public interest;
- 10.8.2.4 Prematurity;
- 10.8.2.5 Use of compulsory purchase powers unnecessary as significant TROs required to deliver wider transport improvements;
- 10.8.2.6 No evidence access to objector's interest will be maintained throughout construction phase of Scheme; and
- 10.8.2.7 Absence of detail on impact of Scheme upon retained land.

10.8.3 **Response:** NCC are currently involved in negotiations with Mr Walker and these are well advanced although not concluded, formal approval is in place within NCC to acquire the land required and NCC is confident that the completion of sale to resolve the objection in will occur advance of the Inquiry. However, it is considered, in relation to points raised in the objection that:

- 10.8.3.1 All Order Land is necessary to deliver the Scheme;
- 10.8.3.2 As set out in section 6 above, the Orders benefit from planning policy support at national and local levels;
- 10.8.3.3 As set out in section 3 above, the Orders are justified in the public interest and any adverse impact is outweighed by the benefits of the Scheme;
- 10.8.3.4 For the reasons set out in this response and in this Statement the Orders are not premature and their confirmation is justified in the public interest;
- 10.8.3.5 As set out in section 3 above, the Orders are justified in the public interest and necessary to deliver the Scheme. There are TROs required to deliver the Scheme and wider transport improvements, these are described in detail in section 4 above, these can be made by NCC as the local traffic authority. Given the timescales of the delivery of GAR it is considered that the process for securing the TROs are not conjoined with the CPO and can be implemented independently. Consultation has been undertaken as part of the planning for the Scheme which included key factors relating to the operation of the Scheme and wider transport network;
- 10.8.3.6 The construction of the Scheme at its junction with Burton Road and the A612 will require closures of Burton Road thereby affecting the current access arrangements onto the Nottingham Road Service Road and Whitworth Drive. The exact date and duration of any closures is to be determined. Temporary highway closures will be secured by operation of

Temporary Traffic Regulation Order and there will be a clear communication strategy to ensure that those affected are included in the planning of any closures and kept up to date. Access to the objector's land via Whitworth Drive will be maintained throughout the construction of the Scheme, albeit this will be under a temporary access onto the A612; and

10.8.3.7 The agreed boundary treatment of the objector's retained land is agreed in principle and included in the agreement that is being finalised.

10.9 David John Prince and Pamela Marye Prince – Plots 47, 47a, 48 and 48a

10.9.2 **Objections:** David and Pamela Prince object on the following grounds:

10.9.2.1 Loss of access to Lambley Lane and insufficient detail on replacement access;

10.9.2.2 No justification for including land within Orders and severance of access to retained land; and

10.9.2.3 Absence of detail on access to retained land during construction phase of Scheme.

10.9.3 **Response:** NCC is currently involved in negotiations to resolve the objection in advance of the Inquiry with David and Pamela Prince who, as part of their objection, confirmed they are supportive of this process. However, it is considered, in relation to the points raised in the objection that:

10.9.3.1 As shown on SRO Plan 4 of 6, provision for replacement accesses from the objectors' retained land to the public highway will be provided as part of the Scheme;

10.9.3.2 All Order Land is necessary to deliver the Scheme and NCC has confirmed that access to the objectors' retained land will not be severed; and

10.9.3.3 The construction contract will include provisions for access to be maintained to retained land. Temporary arrangements may need to be varied as construction work progresses and the objectors' requirements will be considered and dealt with as part of the ongoing negotiations.

10.10 Openreach – non-statutory objections to the SRO

10.10.2 **Objection:** Existing infrastructure belonging to Openreach is affected by the proposals in the SRO. They object to the stopping up of highways in which they have apparatus until adequate provisions for the diversion of that apparatus have been made with the acquiring authority.

10.10.3 **Response:** NCC is currently involved in negotiations with Openreach and is confident that this objection will be resolved in advance of the Inquiry. In any event the objector's interests will be protected during and post construction of the Scheme.

11 **LIST OF DOCUMENTS, MAPS OR PLANS FOR THE PUBLIC INQUIRY**

11.5 The Council will refer to the following documents at the Public Inquiry and reserves its right to add to or amend this list as necessary:

- The Orders and Order Maps;
- The Original Permission;
 - Application (Form and Submission Letter)
 - Plans (Site and Red Line Boundary)
 - Environmental Statement
 - Statement of Community Involvement
 - Consultation Responses
 - Transport Statement
 - Decision Notice
 - Listed Building Consent
 - Application (Form and Submission Letter)
 - Supporting Information
 - Decision Notice
- GAR Permission
 - Application (Form and Submission Letter)
 - Plans (Site and Red Line Boundary)
 - Environmental Statement
 - Decision Notice
- Nottinghamshire County Council Approvals
 - Report to C&P dated 8 March 2018: Gedling Access Road – Scheme Update;
 - Report to THC dated 16 March 2017: Gedling Access Road – Scheme Update, Compulsory Purchase Order and Side Roads Orders;
 - Report to F&P dated 19 September 2016: Gedling Access Road – Scheme Update and Funding Agreement;
 - Report to THC dated 21 September 2016: Gedling Access Road – Scheme Update, Compulsory Purchase Orders and Side Roads Orders;
 - Report to F&P dated 24 March 2014: Gedling Access Road, Scheme Development and Funding Agreements;
 - Report to NCC Full Council dated 27 February 2014: Capital Programme 2014/15 to 2017/18;
 - Report to THC dated 6 June 2013: Local Transport Body.

11.6 The documents are available to view at the following addresses and can be inspected at all reasonable times:

- (a) The Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP.
- (b) Gedling Library, Wollaton Avenue, Gedling, Nottingham, NG4 4HX.
- (c) Mapperley Library, 454 Westdale Lane, Mapperley, Nottingham, NG3 6DG.
- (d) Burton Joyce Library, Meadow Lane, Burton Joyce, Nottingham, NG14 5EX.
- (e) Carlton Library, Manor Road, Carlton, Nottingham, NG4 3AY.

11.6.2 The Order documents are also available online at:

<http://www.nottinghamshire.gov.uk/GAR>