

**Great North Road Solar and Biodiversity Park EN010162
Final Summary Statement from Nottinghamshire County Council
23rd April 2026 (Examination Deadline 6)**

The following statement is submitted by Nottinghamshire County Council at Deadline 6 to summarise matters that it has previously raised during the examination that have not been satisfactorily resolved, as invited by the ExA. This statement supplements the final version of the Statement of Common Ground between NCC and the Applicant.

NCC has engaged constructively with the Applicant throughout the examination to seek to resolve all matters but maintains that significant highway safety concerns remain unresolved, principally during the operational phase of the development.

NCC does not agree that the Development complies with National Policy Statement EN1 and believes that the proposed permanent highway works would give rise to unacceptable highway safety impacts which are contrary to the safety provisions of NPS EN1 and which NCC consider cannot be adequately mitigated.

Accesses

Whilst all the access points to be authorised by the DCO are shown in Appendix D of the Transport Statement (TS), NCC does not agree that their operational highway safety has been adequately assessed. The TS largely assesses a managed access regime, relying on measures such as routing controls, movement restrictions, vegetation management and other ongoing interventions. NCC is able to accept such management during the construction phase, where traffic is temporary, time-limited and controlled through the Construction Traffic Management Plan (CTMP), including the use of booking systems, banksmen, temporary signing and short-term vegetation works. However, these arrangements are not considered acceptable in the operational phase, when accesses become part of the ordinary public highway network.

During the operational phase:

- traffic movements are unmanaged and continuous
- inclusion of measures and protocols in the Operational Management Plan are likely to be difficult to enforce
- reliance on banksmen is unrealistic (and requires them to cross over roads where visibility is proven deficient);
- visibility splays must be permanently achievable, maintainable within highway control, and enforceable over time.

NCC's concern is that for a number of accesses the required visibility splays cannot be permanently secured or maintained, as they would rely on ongoing management of land and vegetation outside NCC's control. In addition, the coppicing proposed

during construction is likely to promote rapid regrowth and thickening of hedgerows at the base, potentially worsening visibility in the longer term.

Many accesses described as “secondary” in the TS are the sole access to parcels of land in the operational phase and should therefore meet the standards expected of a permanent access.

Specific concerns remain with the following accesses:

- PA01 will involve vehicle stopping to turn right in front of traffic signals which indicate to following drivers that it is safe to proceed, risking shunts.
- PA02, PA04, PA06, PA10, PA17, SA08, SA09, SA13, SA14, SA15 and SA20, which rely on severe coppicing during construction and cannot maintain compliant visibility during operation.
- PA05 and SA08, where the required visibility splays fall outside the Order Limits; relaxations to visibility are permitted at or on approach to junctions.
- PA11, SA16, SA20 and SA21, where vegetation maintenance is relied upon or no mitigation is proposed.
- PA07 and PA08, where visibility splays cross laybys on a high-speed route on the Major Road Network. Whilst the applicant states that visibility is achievable to the centreline, this is not a standard measure of visibility and is specifically precluded unless measures to prevent overtaking are present.

No access has been subject to a Road Safety Audit to determine the principle of acceptability, as required by the Nottinghamshire Highway Design Guide. It is recognised that an RSA would be prepared for each construction access post consent, as stipulated by the Outline CTMP. However, RSAs fundamentally address poor visibility by recommending that suitable visibility splays are provided and kept clear. The DCO does not allow the necessary hedgerow removal to account for this and therefore at several accesses the visibility cannot either be provided and/or kept clear. As such, the commitment to post consent RSAs does not alleviate the issues raised.

NCC would note that the acceptance of deficient visibility splays has been suggested by the applicant as being commonly accepted for DCO maintenance accesses. This approach may have historically been based on HS2 Design Approach Statement – Roads (Appendix A: HS2 Rural Road Design Criteria) commonly known as CDJ 010. This cross-references the Design Manual for Roads and Bridges (DMRB) document TD41 (which considers direct access rather than a public road junction). However, this document has been withdrawn and has been replaced by DMRB CD123 which applies where a direct access connects to rural roads. It requires accesses meeting these criteria having available visibility splays commensurate with the speed of vehicles based on accesses for general road design, with no differentiation given between private and public accesses to the road network.

NCC appreciate that provision of appropriate visibility splays would mean removal of and reinstatement of hedgerows in most instances listed above (other than accesses

PA05, PA07, PA08 and SA08). The reasons for the applicant to not remove hedgerows is not however a consideration for NCC as Highway Authority.

NCC therefore considers that unresolved highway safety issues remain which cannot be addressed through discharge of post consent requirements alone.

Passing Places

The DCO appears to authorise a fixed and finite set of passing place; 13 permanent passing places; and 14 temporary passing places.

The Design Criteria for passing bays is set out in Appendix A of CDJ010 (Rural Road Design Criteria).

- Of the 13 authorised permanent passing places, 1 does not have an intervisibility assessment but the text in the TA identifies the spacing is inadequate.
- The 12 passing bays which have been assessed demonstrate that many exceed the maximum distance set out in CDJ010 (HS2 Rural Road Design Criteria) and there is restricted intervisibility between many.

It is noted that the applicant has suggested that the provision of passing bays should be informed by existing traffic levels of the roads and number of HGVs during the construction period. However, passing-place provision is not justified by average traffic flows; it is justified by network function. Low flows still generate opposing movements and the absence of sufficient passing places converts every meeting into a stopping, reversing, or shoulder-overrun manoeuvre. Safety risk is therefore binary not volumetric: either vehicles can pass safely, or they cannot.

Fundamentally, passing places operate as a connected system, and the safety of any one section depends on the functionality of adjoining passing places. The TS demonstrates that the scheme as presented does not meet the necessary criteria and therefore does not demonstrate that the single-track road network would operate safely during construction or operation.

The Highway Authority consider that the wording of the DCO (Article 12(2)) allows minor changes to be made to the approved scheme but does not allow wholesale redesign. It is therefore not clear that these issues can be addressed post consent.

Technical Approval Costs

NCC recognises that all works to the highway will be subject to technical design approval from the Highway Authority prior to construction, pursuant to the CTMP. Whilst this is supported, NCC does not believe that an appropriate fee regime has been secured within the DCO or Outline CTMP to cover the cost of this process.

NCC notes that the fee for each technical approval pursuant to the approved CTMP would be £2535 per submission, as set out in Schedule 14 of the DCO. However, the fee payable should be proportionate to the scale of each submission, rather than a flat rate as the number of submissions is unknown and could each be very expansive.

NCC has requested that the fee payable should reflect the fees which are charged by the council for technical approval equivalent to the S278 or S184. This is the approach that has been agreed in relation to other NSIPs in the region including the Outline CTMP for the recently consented Springwell Solar Farm which stated: *“The Applicant will reimburse the highway authorities for the technical approval process at the time the applications are made, in line with costs for similar Section 278 or Section 184 applications made under the Highways Act”* (REP4-028). This same wording was also agreed by the applicant with respect to the One Earth Solar Farm oCTMP (REP7-020).

The Council’s approved charging schedule for technical approvals associated with S278 Agreements is 10% (up to £100,000) of the value of the proposed works and this has been proposed by NCC. The cost of obtaining a S184 license for a verge crossing is £1500. NCC would be willing to agree a fee of £1500 per access/passing place, rather than £2535 per submission, which may include any number of accesses.