

1. General overarching matters including Policy, Need and alternatives

Q1.0.1	The Applicant, Host Authorities and all other IPs	<p>National Planning Policy Framework</p> <p>A revised National Planning Policy Framework (the Framework) was published on 12 December 2024. All Parties confirm whether there are any changes to your case resultant from changes to the Framework and if so, set out the amended policy and how this changes your case. Furthermore whether you consider this changes the scope of any of the Applicant's Assessments or the basis for the Secretary of State's conclusions.</p>	NCC has no additional comments
Q1.4.1	NSDC, NCC, LLFA, Natural England, the EA	<p>Mitigation – Pre-commencement Plan</p> <p>a) Do you have any unresolved comments on the Pre-commencement Plan (PCP) [REP4- 012]?</p> <p>b) Are there any matters which you consider should be included in the PCP which have not yet been included?</p>	NCC has no additional comments at this stage

		<p>c) Where relevant, does the PCP satisfactorily reflect the provisions on the First Iteration</p> <p>EMP so that there would be a consistent approach to mitigation across all stages of development</p>	
3. Biodiversity, Ecology and Natural Environment			
Q3.0.7	NSDC, NCC Local Nature Recovery Strategy	<p>Local Nature Recovery Strategy</p> <p>Are the Host Authorities content that the Proposed Development supports the aims of the Local Nature Recovery Strategy?</p>	<p>The LNRS is still in preparation with the BNG offsetting site at Doddington Hall located within a separate LNRS Site (Lincolnshire). Lincolnshire are also still preparing their LNRS.</p> <p>We therefore cannot provide any detailed comments on whether the proposed development supports the aims of the LNRS. Although any habitat enhancement proposed is likely to meet the aims of the LNRS.</p>
4. Climate and Carbon Emissions			
Q4.0.3	NSDC, NCC	<p>Additional Information in Response to Finch Judgement</p> <p>a) Does [REP4-036] affect any of the comments that you have made in relation to Climate and Carbon Emissions. If yes, how?</p>	NCC has no additional comments

		b) Following your review of [REP4-036], do you have any additional observations to make in relation to Climate and Carbon Emissions?	
6. Draft Development Consent Order (dDCO)			
Q6.0.2	The Applicant, NCC	<p>Article 3 Disapplication of legislative provisions</p> <p>Confirm whether any further dialogue or agreement has been reached in respect of the County Council's permit scheme and how this is to be addressed through the Draft Development Consent Order.</p>	The applicant has agreed to use the Street Manager booking system and has informed the council they will be updating their Outline Traffic Management Plan to reflect this. No further amendments are required.
8. Cultural Heritage			
Q8.0.1	NSDC, NCC	<p>Civil War Landscape</p> <p>Considering the contents of [REP4-041] and cross referencing this with the most up to date Works Plans [REP3-002], does either of the councils have any concerns over the potential impacts on the civil war landscape, including both designated and non-designated assets, with respect to the understanding and</p>	The Civil War landscape features primarily impacted by the proposals include designated heritage assets, in particular the Scheduled Ancient Monuments 30201, 30208, 30204 which are all civil war redoubts to the north of the A46. The non-designated heritage asset which is the course of the medieval (pre-1770) London to Berwick road out of Newark (HER ref M3093) is also a key feature that played an important part during the Civil War and contributes to this heritage landscape. Along with other features, designated and non-designated, such as the

		<p>legibility of the landscape and its wider importance to the history and identity of Newark on Trent and the surrounding area.</p> <p>When responding, please consider the desirability of preserving the asset(s) and any efforts by the Applicant to enhance their setting.</p>	<p>tower of St Mary's parish church, Newark Castle and 'Edinburgh' (the Scots army Civil War HQ, HER ref M3124) these are the components of the Civil War heritage landscape most impacted by the proposals. The existing A46 and other components of the modern road system around the Cattle Market roundabout already impact on the appreciation of the Civil War Landscape components. Although, it is possible to appreciate the inter-relationship of these various components from maps and the online Nottinghamshire Historic Environment Record, physical accessibility, via the existing rights-of-way network provides only very limited opportunities for on-the-ground interaction with the redoubts and other elements. The 'Trent Valley Way' is the main footpath opportunity, presently offering long views over the river flood plain towards Newark and including the Civil War Landscape, running immediately passed Edinburgh (Scots HQ) and allowing you to approach the town across a landscape that retains many of the C17th components that contribute to the town's setting. The A46 in this area is already largely embanked to the west of Cattle Market roundabout and this detracts from views of Newark townscape the surrounding Civil War heritage.</p> <p>There is a similar situation when the heritage assets are experienced from the roads from Kelham (A617) and Muskham (A616). However, the present height and topography of the Cattle Market roundabout allows for</p>
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			<p>views towards Beastmarket and Newark Castle, with St Mary's tower beyond that are historic views, largely intact since the C17th and C18th. These views will be substantially altered by the embankment and retaining walls of the proposed elevated section of the A46. It is clear from the LVIA evidence that the views in and out of Newark along the 'Great North Road' (A616) will be truncated and the present scenario (which includes established mature trees around and on the roundabout) will be replaced by a distinctly-urban engineered barrier.</p> <p>It remains unclear from the information provided to what extent suitable weight was given to this matter during the development of options for the design of the elevated section of road. It is clear that the proposed mitigation (in particular the restrained approach to tree planting) will have minimal effectiveness in 'softening' these impacts and very little effect in preserving the present setting of the Civil War Landscape assets.</p>
10. Landscape and Visual Effects			
Q10.0.4	NSDC, NCC, the Applicant	<p>Setting of Protected Landscapes</p> <p>Do you consider the recently published 'Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes' (16 December 2024) by Defra to have any relevance to</p>	<p>This development does not have relevance to this Guidance document. Protected landscapes as defined by DEFRA are National Parks, Norfolk and Suffolk Broads and National Landscapes in England. National Landscapes is the rebranded name for Areas of Outstanding Natural Beauty (AONBs). There are no protected landscapes</p>

		this proposal and, if so, please provide a statement detailing the relevant effects. If not, please detail why.	designated within the study area of the development proposals.
11. Material Assets and Waste			
Q11.0.2	The Applicant, NCC	<p>Borrow Pits – Restoration</p> <p>Has there been any progress on agreeing restoration provisions? Do any amendments need to be made to the draft DCO or any of the documents that are proposed to be certified, e.g. the EMP?</p>	<p>The applicant has referred the Council to their written summary of Issue Specific Hearing 4 [REP4-034] [Item 3.3.18].</p> <p>The clarification on maintenance periods has provided some comfort that restoration is covered through other controls, and this should negate the need for additional wording to requirement 6 of the dDCO.</p> <p>The applicants written response states:</p> <p><i>“Where habitats contribute to BNG, they will be maintained for a 30-year period (in accordance with BNG requirements), as detailed in the Register of Environmental Action and Commitments (REAC) within the FEIMP [REP3-022] (to be developed into the TIEMP). In light of the above, the following periods apply:</i></p> <p><i>1. For the lifetime of the Scheme: all areas of proposed planting as depicted on the Environmental Masterplan], as these contribute to essential mitigation</i></p>

			<p>2. For 30 years: BNG post-construction habitats as shown in Appendix A.2 of Appendix 8.14 of the ES (Biodiversity Net Gain Technical Report) [APP-159];”</p> <p>30 years for the BNG habitats which include the reedbeds is acceptable as this should allow the habitats to reach their target conditions - as long as it falls under the 30-year period as part of the BNG.</p> <p>The Council would appreciate further clarity on the what will be managed and monitored under BNG for the 30-year period as well an update to the FIEMP to reflect this (as per issue no. 29 of the SoCG to be submitted at deadline 5).</p>
13. Population and Human Health			
Q13.0.1	The Applicant	<p>Public Rights of Way – Clarification</p> <p>Have Farndon FP3 and Farndon FP5 been incorrectly-labelled as Newark FP3 and Newark FP5 as suggested in [REP4-049]? If yes, please update the application documentation accordingly.</p>	<p>To assist with this, please see appended a marked-up plan of definitive public rights of way in the Farndon area.</p>
Q13.0.2	The Applicant, NCC	<p>Public Rights of Way</p> <p>[REP4-023] notes in relation to Newark BW6, Newark FP66 and Newark FP48</p>	<p>The council notes that consultation on the temporary diversion routes for the Public Rights of Way is secured through Requirement 11 of the Draft DCO [REP4-003],</p>

		that NCC would like to be further consulted on issues which are temporary in nature but which are likely to be in place for some time. Has a means to undertake such consultation been agreed / secured?	<p>which requires submission and approval of a traffic management plan in accordance with the OTMP.</p> <p>The County Council requests that it is consulted as soon as the details emerge.</p>
Q13.0.3	NCC	<p>Public Rights of Way</p> <p>Various submissions to the Examination refer to Newark FP48 and Newark FP48#1. Are these different PRow? If yes, please provide a map showing the routes of the PRow. If no, which reference is used on the Definitive Map and should be used in the ExA's report to the SoS?</p>	<p>There is only Newark FP48. Please see appended plan to assist in identification.</p>
Q13.0.5	NCC	<p>WCH / Public Rights of Way</p> <p>Do you consider that the Proposed Development safeguards the aspirations in the Local</p> <p>Cycling and Walking Infrastructure Plan (LCWIP). If no, which aspirations would be prejudiced,</p> <p>and in what way?</p>	<p>The proposed scheme does not fully safeguard the LCWIP aspirations. NCC has adopted LTN 1/20 as the design standard for new infrastructure on County Highway and expects projects to comply with those standards. However, <i>in our opinion</i>, the design of the routes (shared use) and – in one case – the actual routing of the path do not meet the standards or comply with the principles of LTN 1/20. Where these facilities interface with or are provided on County Highway, there is an expectation that NCC will be required to upgrade them at our expense in the event that we bring forward proposals to upgrade or</p>

			<p>create the remainder of these routes. This is of greatest concern on the B6326 Great North Road but there is also an issue on the A617 where NCC would like to extend the proposed shared use footway improvement further west than NH's current design provides for. This would require the relocation of a large direction sign which would be much easier to do if included in the A46 scheme than it would if NCC proposed to do it as part of a County-led project. It is noted however, that the applicant considers the scheme design to be LTN1/20 compliant.</p>
Q13.0.6	NCC	<p>Effect on Allocated Sites</p> <p>With reference to 2.61 of [REP1-038], have you been provided with sufficient evidence to demonstrate whether the Proposed Development would impact the delivery of strategic sites in terms of traffic flows, accessibility by public transport and accessibility by active modes?</p> <p><i>Site allocations are a matter for NSDC; however, NCC would like to understand whether the A46 scheme will impact the delivery of strategic sites, particularly in terms of:</i></p>	<p>The Council's position is subject to the outcomes of the Traffic modelling. Please see response to Q14.0.1 for an update on this.</p>

		<ul style="list-style-type: none"> • any increase in traffic flow routing along key links and whether this may lead to congestion issues in future and / or undermine the ability to deliver key sites in future; • accessibility by public transport; • accessibility by active modes. 	
14. Transportation and Traffic			
Q14.0.1	The Applicant, NCC	<p>Transport Assessment / Traffic Modelling</p> <p>Are there any matters which remain unresolved? If yes, please set these out along with your opinion on whether a resolution is achievable during the Examination and indicative timescales for reaching a conclusion.</p>	<p>Via EM has reviewed the ARCADY junction modelling outputs [REP4-029] and the model input files on behalf of the Council. NCC has formally requested the applicant makes geometry amendments to the model input data and is awaiting the resubmission of outputs for review.</p> <p>The Council is also awaiting the Vissim model input files, we are in discussion with the applicant who are working to provide this.</p> <p>NCC is aiming for deadline six, in order to provide comment on the above, depending on when the additional information is received.</p>
Q14.0.2	The Applicant, NCC	Mitigation – Pelham Street	The Council is confident we can reach an agreement on this matter, but no further discussions have taken place as

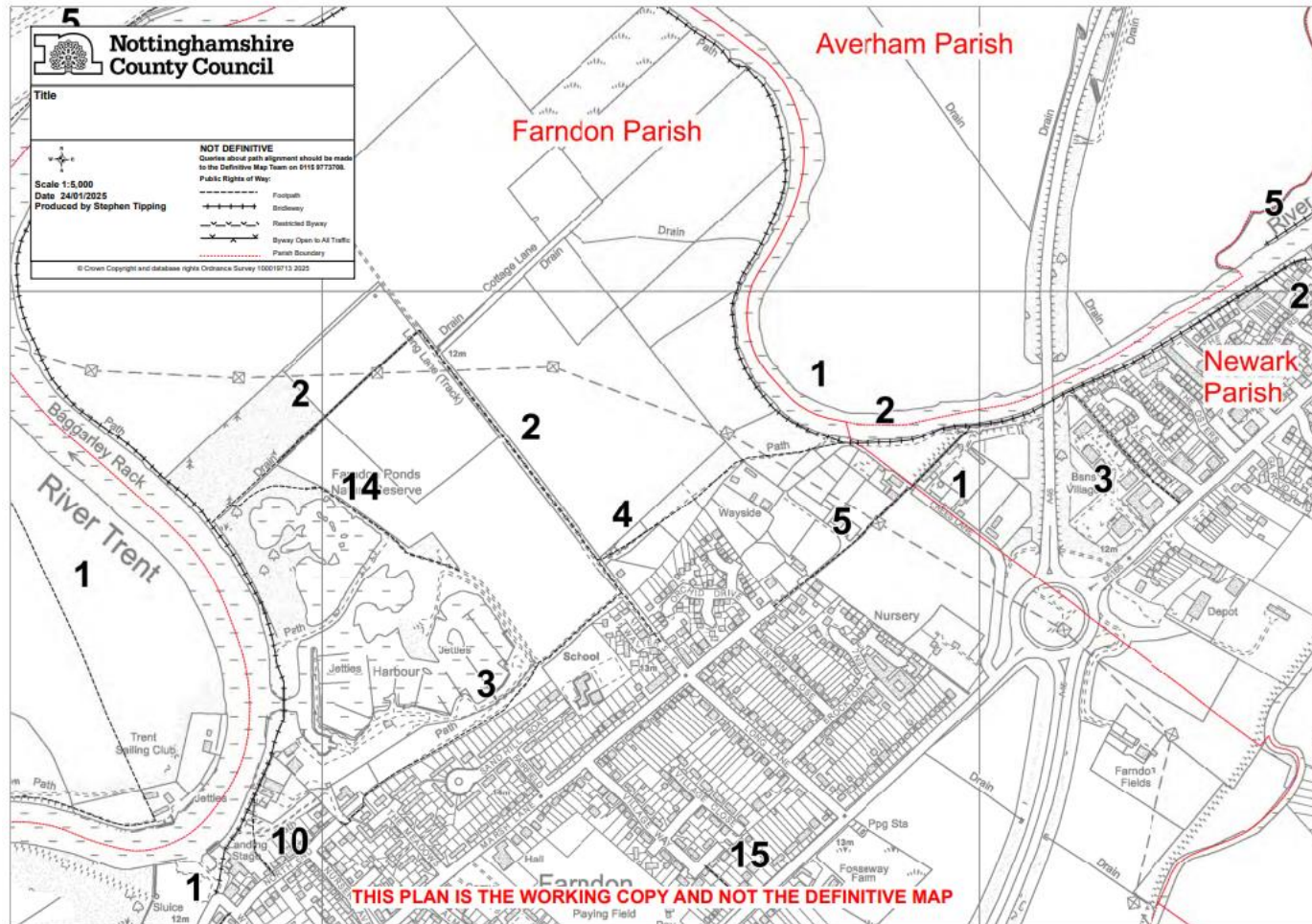
		<p>Has a means of monitoring and mitigating potential impacts on Pelham Street been agreed?</p> <p>If yes, please provide details of, and justification for, the proposed mitigation measures and an</p> <p>explanation of how these would be secured</p>	<p>yet. The applicant has recorded the intention within the Consents and Agreement Position Statement [REP4-007].</p>
Q14.0.3	Applicant, NCC, NSDC, Coddington Parish Council	<p>Mitigation – Outline Traffic Management Plan</p> <p>a) Do NCC and NSDC have any unresolved comments on the OTMP, including in relation to construction-phase diversions? If yes, please explain whether and how these could be resolved and whether OTMP Appendix A [REP3-026] needs to be amended.</p> <p>b) Should parish councils be specifically mentioned as consultees / stakeholders?</p> <p>c) Should parish councils be invited to monthly traffic management meetings as suggested by Farndon Parish Council [RR-022]?</p>	<p>Ideally the A617 should not be used for construction access, we would advise traffic travelling on the A617 from Mansfield to use the A614 from Lockwell Hill Roundabout then A6097 to the A46 near East Bridgford, then on to the A46 to the works</p> <p>For all construction sections but especially section 6 (see page 106 of the TAR [APP-193])</p> <p>A617 Kelham Bridge should be out of bounds for Construction Traffic. It is narrow and has a caution on ESDAL “No Abnormal Loads”</p> <p>Abnormal Loads are advised to take this route, if they are on the A617.</p>

		(4 or 8) of Highways Act 1980 noted in [REP4-023] need to be reflected in the Consents and Agreements Position Statement?	
15. Water Environment and Road Drainage (incl Flooding)			
Q15.0.1	The Applicant, NCC, the EA, NSDC	<p>Averham and Kelham FCA In [REP4-033], it was confirmed that Peridot Solar had submitted an amended plan relative to their application for a solar panel installation on part of the Averham and Kelham FCA to remove the panels from the FCA</p> <p>Does this resolve the fundamental concern over how the FCA and the panels would operate and their relative development timescales?</p>	The EA removed their holding objection following the amended plan submitted by Peridot Solar as the proposed development is no longer within the FCA. NSDC Members have since voted to refuse the application however, this decision is followed by an appeal window.
Q15.0.2	The Applicant, NSDC, NCC, the EA	<p>EA Flood Map Update</p> <p>Does the recent update to the EA flood mapping data, published on 17 December 2024, result in any alterations</p>	NCC has commissioned consultants to assist the Council to undertake a review of submitted evidence regarding the applicant's drainage strategy. Due to recent flooding in the County and the impact on Officer capacity the outputs of this review have been delayed. Q15.0.2 will be taken into

		to the findings of Chapter 13 Road Drainage and Water Environment [APP057] or Appendix 13.2 Flood Risk Assessment [APP-177]. Equally, does this update alter the comments made by the Host Authorities or the EA?	consideration within the review and incorporated within the County's response, which is expected by deadline 6.
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Appendix A

Q13.0.1 – Farndon



Nottinghamshire County Council

Title

Scale 1:5,000
Date 24/01/2025
Produced by Stephen Tipping

NOT DEFINITIVE
Queries about path alignment should be made to the Definitive Map Team on 015 9773768.
Public Rights of Way:

- Footpath
- Bridleway
- Restricted Byway
- Byway Open to All Traffic
- Parish Boundary

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South Muskham Parish

Newark Parish

Path passes under A46

48

6

37

THIS PLAN IS THE WORKING COPY AND NOT THE DEFINITIVE MAP