

Relevant Representation

A46 Newark Bypass

Inspectorate's reference number TR010065

1.0 Introduction

- 1.1. Newark and Sherwood District Council (NSDC) is the host local authority for the A46 Newark Bypass Development Consent Order (DCO) application. The 'order limits' of the DCO are wholly within the administrative boundary of the NSDC. Nottinghamshire County Council are the Highway Authority within this administrative boundary and will be providing separate Relevant Representations.
- 1.2. In accordance with section 102(1)(C) of the Planning Act 2008 (PA 2008), NSDC automatically qualifies as an 'interested party' (IP) for the purpose of the examination of the A46 Newark Bypass DCO.
- 1.3. In its capacity as an 'interested party' NSDC submits this Relevant Representation (RR) in accordance with sections 56 and 102(4) of the PPA 2008.
- 1.4. This RR is made without prejudice to the future views that may be expressed by NSDC in its capacity as an IP in the subsequent examination process. The comments are made following an initial review of the DCO material.
- 1.5. NSDC recognises the benefits of this project both locally and nationally. This scheme has been an important aspiration of the Government's National Road Investment Strategy, an aspiration supported by a raft of partners including ourselves, Midlands Connect, Nottinghamshire County Council, Lincolnshire County Council and a number of highway, Local Enterprise Partnerships and Local Planning Authorities from the Humber Ports to Tewkesbury.
- 1.6. The scheme represents a major opportunity in the District and the scheme should not miss opportunities to improve the environment and accessibility in this part of the District. The nature of the scheme and the location of the proposal means that the scheme should be sensitive to its impact on both the environment and the communities through which it passes and serves.

2.0 Scope of this Relevant Representation

- 2.1 NSDC will provide a detailed case on the impact of the applications within its Local Impact Report (LIR). The LIR will set out the views of NSDC following an opportunity to review the application in detail.
- 2.2 A full response setting out the technical assessment of the application, include policy compliance and planning balance, will be reported within NSDC's Written

Representation (WR). The WR will include assessments on the individual impacts of the DCO.

- 2.2 This RR therefore sets out the key issues that NSDC consider to be important and relevant for the examination phase of the application to consider.
- 2.3 Many of the reports and drawings submitted as part of the DCO, have only been made available to the Council once the DCO has been formally accepted and therefore a full assessment has not been able to be made, but our comments represent our initial assessment of the scheme. It should be noted that many of the documents and how they are structured and referenced to other documents has made it difficult to find and assess information.

3.0 Core issues for consideration

- 3.1 Without prejudice to matters that are identified following a detailed assessment, NSDC expect the following matters to be scrutinised in detail through the examination phase:

- Compliance with relevant legislation;
- Policy compliance and planning balance;
- Cultural Heritage – *Built heritage* - Although there is a visual receptor (no.25) in relation to Smeaton’s Arches, which is Grade II Listed, has not been identified as an important receptor. Due to the significance of the Smeaton arches, the significant historic approach along Great North Road into Newark, along with views of grade I listed St Marys Magdalene, this should be a ‘Key Visual Receptor and Photomontage’. This will allow for a full assessment on the potential impact of the engineering works will have on the setting of the listed building and historic route into Newark. In addition, it is considered that the visual receptors do not allow for a full assessment on potential impacts on Winthorpe Conservation Area. An additional visual receptor may be required or the existing (no. 41 & 43) may need to be wider than the 90 degrees shown. There are elevation plans for each bridge, however nothing showing the full length of the cattle market bridge from where it rises at Kelham Road to where it falls to the east. In addition, a full elevation of the bridge over the A1;
- *Archaeology* – Investigations have already taken place and the potential for archaeological hotspots are possible within the site.
- Noise and vibration impacts – Certain activities will result in high noise levels at nearest receptors – particularly some overnight works and works at height where the provision of a barrier is not feasible. Measures will be required to show the reasonableness to implement mitigation for these periods. Also, a

barrier is planned for an area of Toney Lane to mitigate impact for a number of residents, but it is not clear what the rest of the impact would be on the residents and the area;

- Land Contamination – Although the long term human health risk hasn't been identified as harmful, contamination hotspots are proposed to be mitigated by leaving in situ at depth (WS46) and placement beneath permanent hardstanding (BH11). It is expected that full details of mitigation will be confirmed prior to commencement of works;
- Air Quality – The southern link road, which is located to the south of Newark and links the A1 to the A46 and is expected to be completed by Spring 2026, has not been taken into consideration in any air quality assessment, which the Council would have expected. This would have an impact on the flows within and close to the scheme;
- Ecology and Biodiversity impacts (including Biodiversity Net Gain);
- Landscape and visual effects – The Council considers that the number of visual photomontages is insufficient to adequately represent the true impact of the development from key receptors taking in to account the significant increase in the levels and the elevations of the highway. The impact of the development upon the quality of the user experience of the public rights of way network and local roads has not been adequately assessed. An error on one of the visuals (viewpoint 18) labels the Staythorpe Power Station incorrectly as Stanhope power station, this will need correcting as could appear misleading.
- Effects on residential amenity – The Council considers that insufficient mitigation has been put forward to mitigate for the existing residents in the area of Cattle Market roundabout and especially those visual effects to residents of Sandhills Park and Close;
- Traffic and transport;
- Flood risk and drainage;
- Impact on the loss of trees;

3.2 NSDC will also express its judgement on the 'planning balance', assessing all of the schemes benefits and disbenefits against the relevant policy framework to provide an overall conclusion on the acceptability of the application.

3.3 In addition to the submission of a WR and LIR, NSDC understands its role in the examination process to respond to written questions directed to them and the requirement to participate in Hearings as scheduled by the Examining Authority.

4.0 Conclusion

- 4.1 As host authority and interested party for the project, NSDC will be taking a full and active role in the examination of the DCO application.
- 4.2 NSDC will undertake a thorough review and assessment of the application documents and provide a full response in a WR and LIR which will be submitted accordingly. NSDC will continue to engage with the applicant to try and minimise the harm caused by the project and address the issues raised where possible.
- 4.3 NSDC will continue to seek and advocate for s106 agreements to secure appropriate mitigation and/or compensation in relation to impacts caused by the project.