

PLANNING COMMITTEE – 6 OCTOBER 2020

Application No:	20/01177/FULM	
Proposal:	Proposed single petrol filling station forecourt building with associated drive thru, drive thru kiosk, 6no car pump islands, canopy, HGV fueling, dedicated parking and landscaping.	
Location:	Field At Great North Road Fernwood	
Applicant:	Alliance GW Ltd And Mr.Gregory & Mrs O Reilly	
Agent:	Rapleys LLP - Mr Michael Birch	
Registered:	02.07.2020	Target Date: 01.10.2020
	Extension of Time Agreed Until 09.10.2020	
Website Link:	https://publicaccess.newark-sherwooddc.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QCSSO8LBI3M00	

This application is being referred to the Planning Committee for determination by the local ward member (Cllr Mison) due to the possible traffic impacts in general and in the context of the new Suthers School. In any case, the application would be brought before Members at the discretion of the Business Manager under the Scheme of Delegation due to the strategic nature of the application and the local concern which is contrary to the support of the Parish Council.

The Site

The site, circa 1.9ha, is an undeveloped semi-circle of land located to the south of Balderton and to the west of Fernwood. The site is located to the west of the A1 with the B6326 curving round its western boundary, and as such the site is entirely enclosed by main roads. Equally within and adjacent to the site's boundary are a collection of hedgerows.

There is an oil pipeline and a Severn Trent Water pipeline crossing the site. The Lowfield Drain, a riparian watercourse, traverses the site. The site is located entirely within Flood Zone 1 according to the Environment Agency maps albeit land to the west is within Flood Zone 3.

Access is from the B6323, immediately south of the roundabout which services the northbound side of the A1. Furthermore, the planned Newark Southern Link road junction linking the A46 (Farndon) with the A1 (Fernwood) will be located to the west of the proposed development site. The site forms part of the Land South of Newark allocation (NAP 2A) as defined by the Proposals Map.

Whilst the site is entirely surrounded by the road network, there are residential curtilages in nearby proximity, the closest being the rear gardens of Bilton Close to the north west around 30m away from the site boundary.

Relevant Planning History

20/SCR/00001 - Screening Opinion for proposed development of roadside services area.

Decision issued by letter dated 19th February 2020 confirming that an Environmental Impact Assessment was not required.

In addition to the above screening decision, pre-application advice has been sought.

The Proposal

The proposal seeks planning permission for a Roadside Service Area (RSA). Components of the development include a petrol filling station (PFS) forecourt building with an approximate footprint of 969m² at the northern boundary of the site. The building would include a drive thru facility at the eastern side of the building. To the west of the forecourt, fronting the building, is 6 no. pump islands housed under a canopy.

The building design features render of light and dark grey as well as elements of timber cladding and large expanses of glazing. The building would be approximately 34m by 30m with a maximum pitch height of approximately 8.5m.

In the NW area of the site there would be a standalone drive thru kiosk with an approximate footprint of 145m² with an associated car parking area. This building would also feature dark grey render and timber cladding with a monopitch roof to a maximum height of approximately 6m.

Separate HGV fueling is located towards the SW boundary of the site with an associated canopy over the pumps. The site would provide a total of 99 car parking spaces (24 of which are electric charge points and 5 allocated for staff). 10 spaces are provided for motorcycles. There would also be provision for 2 caravan parking spaces; 42 HGV parking spaces; one abnormal load bay and 2 coach spaces.

The application has been considered on the basis of the following plans and supporting documents:

- OGL Survey – GWBALDERTON061216 – AS2220/01 Rev. B dated 10 Dec 2016;
- Existing Layout – 160862-PLNG1;
- Existing Elevations – 160862-PLNG2;
- Proposed Layout – 160862-PLNG3R;
- Proposed Layout 200 Scale Sheet 1 – 160862-PLNG4P;
- Proposed Layout 200 Scale Sheet 2 – 160862-PLNG5P;
- Proposed Layout 200 Scale Sheet 3 – 160862-PLNG6M;
- Proposed Layout 200 Scale Sheet 4 – 160862-PLNG7J;
- Proposed Site Sections – 160862-PLNG8F;
- Proposed CLH Sections – 160862-PLNG9C;
- Proposed Service Road Sections – 160862-PLNG11A;
- Proposed Petrol Filling Station Building Layout– 160862-PLNG12C;
- Proposed Petrol Filling Station Roof Plan– 160862- PLNG13A;
- Proposed Petrol Filling Station Building Elevations– 160862- PLNG14A;
- Drive Thru' Coffee Shop Elevations, Internal Layout & Roof Plan – 160862-PLNG15B;

- Site Elevations– 160862-PLNG16A;
- Ancillary Details. – 160862-PLNG17B;
- Bin / Delivery Compound Detail – 160862-PLNG18;
- Typical Sub Station Detail – 160862-PLNG19;
- Computer Generated Images 1-3;
- Copy of Pre-application Letter dated 07.03.19;
 - Copy of highways england letter dated 22nd February 2019;
- Copy of Screening Opinion dated 19.02.20;
- Planning Statement by Rapleys dated 30 June 2020 Ref: MJB/17-00186;
- Design and Access Statement by Alliance GW Ltd. dated June 2020;
- Report Relating to an Assessment of Need & Related Matters by Tim Hancock dated June 2020;
- Lighting Specification and Assessment for Proposed Lighting Scheme by GW Lighting Consultancy dated 19/06/20;
 - Proposed Lighting Layout – DM109 Sheets 1 and 2;
 - Site Boundary Lux Levels;
 - Phillips BCP155 Coreline Bollard Product Specification;
 - Phillips Mini 300 LED Gen 2 Product Specification;
 - Phillips BBP400 Gen2 Range Product Specification;
 - Phillips BVP Floodlight Range Product Specification;
- Noise Assessment by SLR Ref: 424.07867.00002 Version No. 6 dated June 2020;
- Transport Assessment by SLR Ref: 424.07867.00002 Version No. Final dated June 2020 and associated appendices;
- Flood Risk and Assessment and Drainage Appraisal by SLR Ref: 424.07867.00002(00002) Version No. 2 dated June 2020;
 - Proposed New Drainage Channel Route – DWG No. 1.1;
 - Sections 1-1', 2-2' AND 3-3' – DWG No. 2.1;
 - Pipe Cross Section and Example of Scour Protection – DWG No. 2.2;
 - Method Statement relating to the Diversion of Lowfield Drain;
 - Balderton Services, Newark Technical Memo: HEC RAS Model dated June 2020;
- Extended Phase 1 Habitat Survey by CBE Consulting – P2046 / 0620 – 01 V2 dated 04 June 2020;
 - Letter from CBE Consulting Ref: P1849 /L2 – 251119 dated 25 November 2019;
 - Letter from Nottingham City Council dated 9th May 2019;
- Fernwood Business Park Overnight HGV Parking Survey prepared by Alliance GW Ltd dated December 2019;
- Fuel Storage Feasibility Assessment by EPS Strategies – UK19.4466b dated 16th June 2020 Issue 3;
- Phase 1 & II Geo-Environmental Assessment by EPS Strategies UK19.4466 dated 16th June 2020 Issue 3;
- Landscape and Visual Appraisal by Influence – 19/06/20 INF-N0601_R01;
 - Planting Plan – N0601 (96)001 Rev No. B;
 - Planting Schedule & Specification – N0601 (96)002 Rev. No B;
- Waste Management Plan dated June 2020;
- Report on Electric Vehicle Charging Provision dated June 2020;
- Air Quality Assessment by deltasimons – 20-1381.01 dated August 2020;
- Response to Consultation Feedback by Rapleys dated 9th September 2020;
- Archaeological Evaluation dated September 2020 APS Report No: 59/20;
- EHO Comments Response Issued 24th September 2020.

Departure/Public Advertisement Procedure

Occupiers of 17 properties have been individually notified by letter. A site notice has also been displayed near to the site and an advert has been placed in the local press.

Planning Policy Framework

The Development Plan

Fernwood Neighbourhood Plan

NP1: Design Principles for New Development
NP5: Green Spaces, Landscaping and Biodiversity
NP7: Supporting Better Movement and Connections
NP8: Enhancing the Provision of Community Facilities

Newark and Sherwood Amended Core Strategy DPD (adopted March 2019)

Spatial Policy 1 - Settlement Hierarchy
Spatial Policy 2 - Spatial Distribution of Growth
Spatial Policy 3 – Rural Areas
Spatial Policy 5 – Delivering the Strategy
Spatial Policy 6 – Infrastructure for Growth
Spatial Policy 7 - Sustainable Transport
Spatial Policy 8 – Protecting and Promoting Leisure and Community Facilities
Core Policy 6 – Shaping our Employment Profile
Core Policy 8 – Retail & Town Centres
Core Policy 9 -Sustainable Design
Core Policy 10 – Climate Change
Core Policy 11 – Rural Accessibility
Core Policy 12 – Biodiversity and Green Infrastructure
Core Policy 13 – Landscape Character
NAP2A – Land South of Newark
NAP4 – Newark Southern Link Road

Allocations & Development Management DPD

DM3 – Developer Contributions and Planning Obligations
DM4 – Renewable and Low Carbon Energy Generation
DM5 – Design
DM7 – Biodiversity and Green Infrastructure
DM10 – Pollution and Hazardous Substances
DM11 – Retail and Town Centre Uses
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2019
- Planning Practice Guidance (online resource)

- National Design Guide – Planning practice guidance for beautiful, enduring and successful places September 2019
- Government’s Ministerial Statement dated 18th May 2018 – Road Haulage

Consultations

Fernwood Parish Council – Support the proposal (5 support, 1 object, 1 abstain).

The Parish Council is very concerned regarding the road infrastructure around Fernwood. Overall the Council supported this proposal but need NSDC and NCC to seriously consider the traffic implications of all the developments around Fernwood. This development in addition to the 3 large housing developments in the village will significantly increase traffic in future and this needs to be planned for now. A new road is needed. Please see the attached letter.

Please find attached Fernwood Parish Council’s support to planning application 20/01177/FULM for the Petrol filling station at Fernwood.

The Council debated for some time on this application. The benefit of jobs and facilities locally will be appreciated. However, Fernwood Parish Council does believe the development will cause traffic problems in Fernwood. The traffic generation from this development will be significant. There is only 1 road in/out of the village and this will cause access issues with even more traffic using this route. It will also cause safety problems on the B6326 for students attending The Suthers School by bike and on foot.

The B6326 (Great North Road) in Fernwood will be overloaded with the other developments that have already been accepted for the village:

17/01266/OUTM Larkfleet development (350 homes)

18/00526/RMAM Barratt David Wilson Homes development (1050 homes)

In addition to the Persimmon development which is currently being consulted on:

16/00506/OUTM Persimmon development (1800 homes)

The cumulative effect of all these developments will cause traffic problems for local residents, old and new. The Parish Council believe it is essential to plan another access route as a matter of urgency. Please could a meeting be arranged to discuss this to ensure all developments are being considered together when it comes to traffic generation and the effect this will have going forward.

Further to my earlier letter which detailed Fernwood Parish Council’s support to planning application 20/01177/FULM for the Petrol filling station at Fernwood, The Council requests that signage for the village on the A1 be included in the work to deliver this project. There is no signage for Fernwood from the A1; The application includes signage for the services from the A1 so it would make sense to include signage for the village with this work.

Your consideration of how this could be arranged would be appreciated.

Balderton Parish Council – Support proposal.

Whilst supportive in principle to the proposal of a petrol station in the vicinity, members would prefer it be sited on the actual Business Park at Fernwood. There are concerns about the entrance on the sweeping bend of the busy road. The entrance goes across a thoroughfare for pedestrians and cyclists; this is already a well-used route but will be even more so once the Suthers Secondary school opens. Suitable adjustments will be necessary to ensure the safety of those using the pavement and cycle track, along with drivers to the facility. Speed reductions measures will be essential.

Nottinghamshire County Council Highways – This proposal was the subject of lengthy and detailed discussions prior to the formal planning application being submitted. This has included road safety audits and a number of iterations in design before coming to the current scheme. Highway safety and capacity assessments have been carried out and whilst any new proposal will affect traffic conditions, this proposal will not significantly add to delays or prompt serious or reasonable safety concerns. The principle and overall design of the scheme is therefore acceptable in highway terms.

However, the delivery of the access arrangements is complicated by the fact that not only should the access operate with the current highway layout, it should also do likewise with the SLR roundabout in place; situated just to the south of the proposed access.

Added to this complication is the (ongoing?) discussions about the design of the SLR roundabout in terms of the provision of either one or two lane exit, and carrying those lanes through to the London Road roundabout, requiring additional capital outlay.

Three highway layout scenarios have been tested and access arrangement drawings prepared: 1. With the current highway layout (drawing 424.07867.00002.014.H020.1 found at Appendix 14 in the Transport Assessment) 2. With a SLR roundabout having one lane exit northbound (drawing 424.07867.00002.014.H021.2 found at Appendix 16 in the Transport Assessment) 3. With a SLR roundabout having two lane exit and these lanes running through to the London Road roundabout (drawing 424.07867.00002.014.H022.1 found at Appendix 18 of the Transport Assessment)

It is accepted that roundabout designs showing a one lane exit are part of existing planning approvals. The roadside facilities scheme, by virtue of adding a right turn lane

in close proximity to the roundabout, will require a small adjustment to the roundabout design; adding about 65sqm of carriageway, with a maximum width about 2.5m and quickly tapering either side of this (reference: drawing 424.07867.00002.014.H022.0). It is understood (but should be confirmed by the applicant) that this additional work will be paid for by the applicant/developer under a S106 Agreement. Estimates are currently being prepared.

However, the roundabout design showing a two-lane exit with two northbound lanes carrying through to London Road, may not have the same committed planning status. Perhaps this could be confirmed. It is argued that because it lacks status, any adjustments to the roadside facilities access should not be the responsibility of the applicant. In this scenario, the access would need to be modified to provide and 'right turn out only' arrangement for safety reasons. (drawing 424.07867.00002.014.H022.1 found at Appendix 18 of the Transport Assessment).

It could be argued that traffic demand for the two lane exit with two lane northbound link between the two roundabouts is perhaps many years (perhaps decades) away, and that the 'new normal' brought about by Covid-19 will result in less peak time traffic as people increasingly work,

learn and shop from home. Consequently, any detrimental impact of not providing the two northbound lanes may not be realised, at least within a reasonable time period. So, careful consideration needs to be given to any expectation that the developer should cater for such a scenario. Further discussion on this matter may be appropriate particularly in view of the likely delivery timescales of other influential and approved developments to the south of Newark and at Fernwood.

Notwithstanding the above, it is concluded that the proposal could be granted permission on the basis that a S106 Agreement be entered into to provide a mechanism for delivering additional highway works associated with the SLR roundabout as discussed above, and; subject to the following conditions. Please note the wording of the first condition in relation to drawing numbers in relation to the scheme delivery timescale.

No part of the development shall be brought into use unless or until works on B6326 including a right turn lane facility have been provided as shown for indicative purposes only on drawing 424.07867.00002.014.H020.1 to the satisfaction of the Local Planning Authority. Should the SLR roundabout construction pre-date the development then the above drawing number should be replaced by 424.07867.00002.014.H021.2.

Reason: In the interests of highway safety.

No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan. The parking/turning/servicing areas shall not be used for any purpose other than parking/turning/loading and unloading of vehicles.

Reason: To reduce the possibility of on-street parking occurring as a result of the development to the detriment other road users.

Details of measures to prevent the deposit of debris upon the adjacent public highway during the construction period shall be submitted and approved in writing by the LPA prior to any works commencing on site. The approved measures shall be implemented prior to any other works commencing on site.

Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones, mud, etc.).

Notes to applicant:

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact david.albans@nottsc.gov.uk for details.

Highways England – Referring to the planning application referenced above, and consultation dated 7 July 2020, for a proposed single petrol filling station forecourt building with associated drive thru, drive thru kiosk, 6 no. car pump islands, canopy, HGV fuelling, dedicated parking and landscaping, located at a field at Great North Road, Fernwood, notice is hereby given that Highways England's formal recommendation is that we:

b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);

HIGHWAYS ENGLAND (“we”) has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regards to 20/01177/FULM and has been prepared by Steve Freek.

Highways England provided comments regarding this proposed development at the pre-application stage most recently in March 2020, advising on the traffic impact assessment requirements on the adjacent A1. From review of the latest submission of traffic impact assessment work, we do not consider the impacts of the proposed development in the 2022 opening year to be severe. As such, the previously outstanding traffic impact concerns have been addressed.

Highway Signage & RSA1

Highways England’s Road Safety team have previously provided comments regarding the requirement for a RSA1 covering proposed new signage on the A1 identifying the development as a destination for road users. Details should therefore be provided as part of the detailed design process regarding the signage proposals, along with a RSA1 to consider the implications on users of the SRN.

This can however be addressed following planning consent and pre-commencement of the development. As such we recommend the following condition be attached to any grant of planning permission:

Condition: No part of the development hereby permitted shall commence until a RSA1 has been submitted to and approved in writing by the local planning authority in consultation with Highways England. Highways England shall be invited to attend the road safety audit, and all measures recommended upon approval of the RSA1 shall be implemented and completed in full, in accordance with the approved details, prior to the first occupation of the development.

Note to Applicant:

The development surface water will outfall to Lowfield Drain at locations within the site boundary, some of which is adjacent to Highways England land. Lowfield Drain itself is proposed to be redirected from the centre of the site, around the site boundary, from a position close to the outlet of the A1 culvert, to the inlet of a culvert beneath the B6326. This proposal is acceptable to the Highways England Drainage Team however, care should be taken during construction to ensure:

- a. No works are to be undertaken within Highways England’s estate – if works are required within Highways England land at the A1 off-slip, prior agreement is required.

- b. The flow within Lowfield Drain shall be sufficiently maintained during construction so as not to impede the highway drainage flow from Highways England (or the Local Authority) outfalls. The proposed works must not pose a flood risk to the A1 during construction.

*Note - we are duty bound to comply with DfT Circular 02/13, Clause 50, which states the following:

“In order to ensure the integrity of the highway drainage systems, no water run off that may arise due to any change of use will be accepted into the highway drainage systems, and there shall be no new connections into those systems from third party development and drainage systems. Where there is already an existing third-party connection the right for connection may be allowed to continue provided that the input of the contributing catchment to the connection remains unaltered”.

Nottinghamshire County Council Flood – Nottinghamshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the application which was received on the 07 Jul 2020. Based on the submitted information we have no objection to the proposals and can recommend approval of planning subject to the following conditions;

Condition

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved SLR Flood Risk Assessment (FRA) and Drainage Appraisal SLR Ref: 424.07867.00002(0002), has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate as the Internal Drainage Boards requirements.
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term

Reason

A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major

developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

Informative

We ask to be re-consulted with any changes to the submitted and approved details of any FRA or Drainage Strategy which has been provided. Any deviation from the principles agreed in the approved documents may lead to us objecting to the discharge of conditions. We will provide you with bespoke comments within 21 days of receiving a formal consultation.

Severn Trent Water – No comments received.

Trent Valley IDB – We refer to the above application and make the following observations:

The site is within the Trent Valley Internal Drainage Board district.

There are no Board maintained watercourses in close proximity to the site, however, the Environment Agency Lowfield Drain is in close proximity.

The Board have been consulted by the developers and as a result of plans submitted consent has been issued for the diversion of a riparian watercourse on the site and also the increase of discharge into the Board's system.

The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.

Health and Safety Executive – The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period. This advice report has been generated using information supplied by Kathryn Smith at Newark and Sherwood District on 09 July 2020.

Fisher German – *Additional comments received by email dated 6th August 2020:*

I work on behalf of CLH-PS who own and operate a high pressure fuel pipeline through the application area of the proposed development reference 20/01177/FULM. As you'll see from the email chain below, we have agreed the attached layout to ensure the development can go ahead whilst allowing future access to the pipeline and the safety of it. The applicant has also offered to remove all permitted development rights on the site so should any subsequent amendments be required, no matter how small, CLH will be consulted on it through the formal planning process.

Original comments received:

Thank you for your enquiry dated 9 July 2020. We confirm that our client CLH-PS's apparatus will be affected by your proposals as indicated on the attached plan(s). The plan(s) supplied are intended for general guidance only and should not be relied upon for excavation or construction purposes. No guarantee is given regarding the accuracy of the information provided and in order to verify the true location of the pipeline you should contact CLH-PS to arrange a site visit.

When contacting CLH-PS, please quote our unique reference **202132**, which is specific to this enquiry. Please note that you should contact CLH-PS within 28 days of the date of this letter in order to validate this enquiry, otherwise it will become void.

You should note that the interests of the CLH-PS are conserved by means of the Energy Act 2013, in particular Part IV of the Act, and other legislation such as the Pipeline Safety Regulations 1996. It is, however, the Energy Act 2013 that prohibits any development and most intrusive activities within the Easement Strip without specific consent from CLH-PS.

CLH-PS's Easement Strips are 6 metres wide and can incorporate other associated CLH-PS facilities.

CLH-PS will be able to provide guidance on the required procedures for entering into a Works Consent and provide confirmation on permitted development and intrusive activities. The whole process of obtaining a Works Consent can take between four and six weeks depending on circumstances at the time of application.

To reiterate, you should not undertake any work or activity without first contacting CLH-PS for advice and, if required, a Works Consent. For a copy of CLH-PS's Standard Requirements for Crossing or Working in Close Proximity to CLH-PS Pipelines, please visit <https://cdn.linerearchbeforeudig.co.uk/pdfs/lbud-standard-requirement-uk-um.pdf>. This will provide you with practical information regarding the legislation that governs the CLH-PS.

You should also be aware that landowners and third parties have a duty of care not to carry out any works that have the potential to damage CLH-PS apparatus. This duty of care applies even if the works themselves are situated more than 3 metres from the pipeline. Examples of such works are mineral extraction, mining, explosives, piling and windfarms.

Please note that implementation of any unapproved work that affects the CLH-PS Easement Strip may result in serious consequences in terms of health and safety, expense and other attendant liabilities. In such cases it is the perpetrator of the act, together with any other promoting organisation, that shall be held fully accountable for any resulting damage.

NSDC Archaeology – *Additional comments received:*

I've now received the report on the pre-determination trial trenching for the above site and attach a copy for your records.

The evaluation identified several features dating to the post-medieval period which are consistent with agricultural activity and field boundaries. There was no indication that the pre-historic activity noted in the surrounding area extends as far as this site and no evidence of Civil War activity was present either.

Consequently, no further archaeological work is necessary for this site and there would be no objection on archaeological grounds to the proposed development.

Original comments received:

The site lies in an area of archaeological potential associated with pre-historic activity identified through recent excavation work to the north-west at Fernwood and cropmark data to the south and south-east.

The proposed development will necessarily have a significant impact on any surviving buried archaeological remains, especially where underground petrol tanks and the associated buildings are concerned.

The application currently does not contain sufficient evidence to understand the impact of the proposals on subsurface archaeology.

The application requires a detailed Heritage Impact Assessment which should include the results of a geophysical survey, followed by a targeted trial trench evaluation. This should aim to determine the location, extent, significance and character of any surviving archaeological remains within the proposed site boundary and provide an assessment of the.

I believe that this is necessary to allow an informed planning recommendation and should be undertaken prior to determination to meet the requirements of paragraph 189 of the National Planning Policy Framework (NPPF).

- *In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposals on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and where necessary a field evaluation'. Policy 189; National Planning Policy Framework (2019).*

This will help inform the appropriate planning advice and a suitable mitigation strategy for the proposed impact, should it be necessary.

Tree Officer – Additional comments received:

Amended planting plan and schedule are now acceptable.

Recommend any approval has attached condition:

1. The approved landscaping scheme shall be carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest, unless otherwise agreed in writing with the District Planning Authority. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the District Planning Authority

Original comments received:

The proposal contains no information on existing vegetation so it is difficult to assess what appears to be the removal of all internal and boundary green infrastructure.

There is an indication of a few retained trees shown greyed out on the landscape plan but again no details of what these are.

Proposed tree mix is poor providing very little biodiversity:

Betula appears to dominate with 13 trees proposed and will provide very little screening.

Arbutus is highly unlikely to survive in the local climate

Quercus ilex is non-native and is not given sufficient space to fully develop.

Other larger planting sites do not take full advantage of potential use of larger tree species types.

Other opportunities for planting within the hard surfacing utilising structural cells to provide greater rooting volume and increased drainage possibilities have not been investigated.

Drought tolerant species appear not to be considered despite what will be a harsh environment for any new trees.

NSDC Environmental Health (contaminated land) – This application is for a new petrol filling station. This industrial activity is regulated under Environmental Permitting (England and Wales) Regulations 2016. If approval were granted there is the requirement for the applicant to obtain a permit from Environmental Health at Newark & Sherwood District Council. It is an offence to operate without one.

Application forms can be obtained by emailing pollution@nsdc.info

Please note that there is a lead time to obtain a part B permit of up to 3 months.

I have now had the opportunity to review the Phase I & II Geo-Environmental Assessment report submitted by EPS in support of the above planning application.

This includes an environmental screening report, an assessment of potential contaminant sources, a brief history of the site's previous uses and a description of the site walkover.

Following intrusive sampling, the report confirms that there are no elevated contaminants above relevant screening criteria for the proposed site use. However marginally elevated ground gas was identified during the one gas monitoring event, furthermore a credible source is identified in the form of infilled ground nearby.

The report goes on to recommend that further gas monitoring is carried out to better characterise the gas regime.

Given the above, you may wish to condition the consent, as follows:

Part A: Site Characterisation

An investigation must be completed in accordance with a scheme to establish if there is evidence of the migration of ground gases from the nearby source identified in the Phase I & II Geo-Environmental Assessment. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. Ground gas analysis should be carried out in accordance with current guidance using UKAS accredited methods and laboratories. The investigation must be undertaken by competent persons and a written report of the findings, including all technical data must be submitted to the Local Planning Authority.

Part B: Submission of Remediation Scheme

Should the investigation reveal the presence of ground gas, then the applicant must submit for the approval by the Local Planning Authority, a detailed scheme of remedial works to be undertaken to avoid any risk arising when the site is developed or occupied. The scheme must detail the precise methods proposed to prevent the build up of gaseous material within the proposed buildings and under any hard landscaped areas when the site is developed.

Part C: Implementation of Approved Remediation Scheme

The building shall only be constructed in accordance with the scheme as agreed in writing with the Local Planning Authority. Any equipment for the prevention or build up of gaseous conditions must be fully installed and operating before the development hereby permitted is first occupied, and thereafter shall be maintained and monitored.

Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

All remediation should be carried out safely, ensuring that no unacceptable risks remain. On completion of the works the applicant/developer shall provide written statement with confirmation that all works were completed and have been validated, in accordance with the agreed details.

Notes on gas monitoring:

Gas monitoring data must be collected from appropriate locations and collected on a weekly basis over a minimum period of three months. Gas monitoring must be undertaken for methane, carbon dioxide, oxygen, hydrogen sulphide and hydrogen. Details of the quantities and flow rates for any ground gases detected must be submitted to the Local Planning Authority.

Monitoring should be targeted to days when the atmospheric pressure is low and falling, as these are the optimum conditions for gas migration. Prior to the commencement of monitoring, the details of the proposed method of monitoring, location and depth for borehole(s) must be submitted to the Local Planning Authority for approval

If you wish to discuss any of the above, please contact me.

NSDC Environmental Health (air quality) - I have now had the opportunity to review the Air Quality Assessment report submitted by Delta Simons in support of the above application.

The assessment uses IAQM methodology to predict the impacts from the construction and operational phases of the proposed development.

The report determines that there is the potential for particulate (dust) emissions during the construction phase but given appropriate mitigation, monitoring and management (as is detailed in the report recommendations) this can be minimised.

Furthermore the operational phase modelling predicts that the impact on local receptors to be negligible. The residual effects of the development on all pollutants are considered to be not significant.

I generally concur with this assessment and would expect the proposed mitigation measures to be employed during the construction process.

NSDC Environmental Health (noise and lighting) – Additional comments received:

I refer to the above application and have had time to read the response to my comments. The noise report is satisfactory and combined with the clarification of a number of points raised in relation to the noise report I have no objections in principle to the development.

I would be grateful if the following conditions were applied.

1. That Nomad Power electrical charging pedestals for refrigerated goods vehicles to allow continuous cooling via electrical connection (meaning that engines are not required to be running to maintain temperatures and removing the associated noise generation of diesel engines) as detailed in appendix 3 or equipment equivalent are installed to prevent noise for diesel engines. The location of the points should be approved by the LPA.

Reason: To protect the amenity of the locality, especially for people living and/or working.

The correspondence also states:

Site management will prevent the idling of engines between the hours of 20:00 and 08:00 and therefore no adverse acoustic impacts will be generated by refrigerated cooling vehicles on site.

Can the application be conditioned to require this?

Reason: To protect the amenity of the locality, especially for people living and/or working.

I have noted a method and design statement has been submitted but I am not clear whether this just applies to the diversion works relating to the drainage therefore if not could the following condition be applied:

2. No development shall commence on site (including any site clearance/preparation works), until a Construction Method Statement has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the construction period:
 - The parking of vehicles of site operatives and visitors
 - Loading and unloading of plant and materials
 - Storage of oils, fuels, chemicals, plant and materials used in constructing the development
 - The erection and maintenance of security hoarding, including any decorative displays and facilities for public viewing

- Wheel-wash washing facilities and road-cleaning arrangements
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from site preparation and construction works
- Measures for the protection of the natural environment
- Hours of work on site, including deliveries and removal of materials
- Full details of any piling technique to be employed, if relevant
- Location of temporary buildings and associated generators, compounds, structures and enclosures, and
- Routeing of construction traffic.
- Measures to limit noise emissions and vibration levels from the site and from plant machinery

3. Restriction on hours of operation for construction of the site.

The hours of operation on site should be limited to Monday to Friday 08:00 to 18.00hrs, 08:00 to 13.00hrs Saturday and no works on site on Sundays/Bank Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working.

4. Hours of delivery during construction:

No deliveries shall be received or dispatched from the site outside the hours of Monday to Friday 08:00 to 18.00hrs, Saturday 08.00 to 13.00 hrs nor at any time on Sundays and Bank Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working.

5. Limit hours of operation of machinery:

No piling to be undertaken or vibrating rollers to be used on site Saturday, no works Sundays or Bank Holidays. The local Authority should be notified of any Piling technique to be employed on site in advance.

Reason: To protect the amenity of the locality, especially for people living and/or working.

6. Dust:

The development shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site and all access and egress roads has been submitted to and approved in writing by the local planning authority. The agreed scheme shall then be implemented in full before the proposed development is started, including demolition and site clearance.

Reason: To protect the amenity of the locality, especially for people living and/or working.

7. Noise from external cooling fans and air conditioning,

The location of all external air conditioning and cooling plant associated with the buildings on site is approved by the LPA. Where necessary acoustic enclosures must be provided, the design and siting of which must also be approved by the LPA.

Reason: To protect the amenity of the locality, especially for people living and/or working.

Original comments received:

Consultation in relation to lighting and Noise.

I refer to the above application. I have looked at the noise report and documents detailed above I have also undertaken a site visit and have the following comments to make:

1. The writers of the report state they sent a scoping paper to an Environmental Health Officer at NSDC and at the time of writing this Report no response from the Environmental Health department had been received.

Having checked with colleagues no one has received such a consultation and it may be they have sent it to an officer who has recently left the Council.

All enquiries should be directed to environmental.health@newark-sherwooddc.gov.uk

2. The noise assessment makes reference throughout to the nearest receptors being at Biton Close, Balderton. I think this is a typing error and the report actually refers to BILTON CLOSE, therefore I will refer to it by the correct name.
3. The report states that the noise measuring equipment and calibrators chain is traceable but no certificates are provided in the report to show the equipment was within calibration.
4. In 5.1 it states:

There will also be a small number of fixed plant items for refrigeration and air conditioning associated with the development. However, as this plant would typically be located behind fencing at ground level (or recessed into the roofline) it is not expected that the equipment would have a significant noise impact. Furthermore, compared to the movement of HGVs, the sound power level of each item of equipment would be low (Circa 70dB(A) or less).

Looking at the location of the buildings and the proximity of the buildings to Bilton Close I think noise from such equipment should be taken into account and modelled for the impact they may have on tonality, impulsivity and intermittency. It is likely that cooling fans will cut in and out and may be more noticeable during the night.

5. Although the report states the lorry park is located at the most southerly point to avoid disturbance. The noise assessment does not take into account noise levels for vehicles pulling onto and more significantly out of the site. Looking at the proposed entrance it is directly opposite the nearest sensitive receptors. It also looks like the entrance will need to be made up and is likely to be on an incline. This will potentially lead to HGVs needing to rev their engines to pull off site. From the report on page 14 it indicates a HGV travelling at 15MPH makes 93dB. This is in excess of 20dB above the L_{Amax} levels shown within the report during the night time hours. The predictive HGV movements during the night (shown on page 15) range from 19 between 0:00 and 01:00 to 37 at 05:00 to 06:00. This has the potential to wake residents up. WHO Guidelines for Community Noise state for a reasonable standard in bedrooms at night, individual noise events (measured with F time-weighting) should not normally exceed 45 dB L_{Amax}. Therefore it is my view that further modelling is undertaken to ensure residents are not disturbed by HGV movements on and off site.

6. I also suggest that service access road will mean that the trees/bushes currently present will be removed and this will provide a line of site directly to the A1 which may have an impact on noise levels.
7. The plans do not detail what traffic calming measures may be installed. If speed humps are provided this will have further impact on noise levels as large HGVs pass over them.
8. There appears to be no modelling for refrigerated vehicles parked on the lorry park.

In summary I consider that further information is required for Environmental Health to support the application.

NSDC Environmental Services – Informal discussions agreeing Waste Management Plan is adequate.

Environment Agency - Thank you for consulting us on the above application which was received on 7 July 2020. I sincerely apologise for the delay in replying and trust that the Agency's comments, as set out below, will still be taken into consideration.

Environment Agency position

The proposed development will be acceptable if the following conditions are included on the planning permission's decision notice. Without these conditions we would object to the proposal due to its adverse impact on the environment.

GROUNDWATER, CONTAMINATED LAND & WATER QUALITY

We welcome the proposals for sustainable drainage for the disposal of surface water. The applicant intends to provide a sealed sump for the forecourt area. Other drainage includes permeable paving followed by geo-cellular crates and an oil interceptor. A reed bed will follow this in the southern drainage section.

For foul drainage the nearest compatible sewer is 775m from the development. This would require a sewage pumping station and would need to cross major road systems. Therefore a permitted discharge from a sewage treatment plant would be the only option.

Condition

The development hereby permitted may not commence until a foul water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and completed prior to the development being brought into use.

Reason: To ensure that the proposed non-mains drainage system does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

BIODIVERSITY

Water Vole is believed to be present at the proposed development site. This species is identified under England's Biodiversity Strategy (EBS) and is listed under section 41 of the Natural

Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 states that Local Planning Authorities must have regard to biodiversity conservation. The submitted ecological reports states that is likely that water vole are present within the ditch on site which is to be diverted.

The proposed development will therefore only be acceptable if a planning condition is included requiring a scheme to be agreed to ensure that water vole are protected. Without this condition we would object to the proposal because it cannot be guaranteed that the development will not result in significant harm to water vole.

Condition

No development shall take place until a plan for the protection of/mitigation of damage to water vole and its habitat, both during construction works and once the development is complete, has been submitted to and approved in writing by the Local Planning Authority. The water vole protection plan shall be carried out in accordance with a timetable for implementation as approved.

Reason: To protect the water vole and its habitat within the development site and avoid damaging the site's nature conservation value.

This approach is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Without this condition we would object to the proposal because it cannot be guaranteed that the development will not result in significant harm to water vole.

As you are aware, the discharge and enforcement of planning conditions rests with your authority. You must therefore be satisfied that the proposed conditions meet the requirements of the 6 tests in paragraph 55 of the National Planning Policy Framework. Further guidance on the 6 tests is provided in the planning practice guidance (<https://www.gov.uk/guidance/use-of-planning-conditions>).

Please notify us immediately if you are unable to apply our suggested conditions, to allow further consideration and advice.

ADVICE TO LPA

From a flood risk perspective, the development falls within flood zone 1 and our standing advice (FRSA) applies which can be found on the <https://www.gov.uk/guidance/flood-risk-assessment-in-flood-zone-1-and-critical-drainage-areas> pages of the Gov.uk website. It is for the Local Planning Authority to ensure planning submissions adhere to this advice.

The Lead Local Flood Authority, Nottinghamshire County Council, should be consulted on the proposals for their requirements regarding the disposal of surface water arising from the development and the diversion of the ordinary watercourse on site.

In accordance with the Planning Practice Guidance (Reference ID: 7-043-20140306), please notify us by email within 2 weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Nottinghamshire County Council Planning Policy – No comments received.

Nottinghamshire County Council Ecology – No comments received.

Natural England - Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Nottinghamshire Wildlife Trust – No detailed comments to the specific application.

Fernwood Suthers School – I am emailing you to register concern and provide comment on the proposed filling station outlined in planning application 20/01177/FULM.

I represent the Suthers School which has recently moved into its new premises on the Fernwood Business Park. From September 2020 the school will become fully operational in that location with students travelling to the school from Balderton and Middlebeck as well as from Fernwood.

The location of the filling station off the B6326 will result in a significant increase in car and HGV traffic at a number of crossing points that will be used daily by Suthers School students. The B6326 has a single footpath on the southern carriageway with the filling station's proposed entrance and exit routes intersecting the footpath. This creates two additional crossing points on the only pedestrian and cycle route from Balderton and Middlebeck to Fernwood and significantly increases risk to students travelling on foot or bicycle to school.

The toucan crossing at the northern end of the B6326 is a critical crossing for Suthers Students and will see a significant increase in both car and HGV traffic as a result of the proposed filling station.

In addition there will be increased traffic at the southern Fernwood roundabout which is another critical crossing point for Suthers students from Balderton, Middlebeck and Fernwood. This will be exacerbated if VIAs proposal to only allow left turn exits from the filling station is implemented.

If this scheme were to go ahead in its current form, we believe there will be an inevitable increase in traffic which will be detrimental to well-being and safety of our students, creating a significantly increased risk of injury or death through road traffic accidents. We hold that the proposal should not be granted planning permission without the requirement for extensive investment in pedestrian and cyclist road safety infrastructure including, but not limited to, additional toucan crossings at all crossing points identified above.

Fernwood Suthers Schools Head Teacher - I am emailing you to register concern and provide comment on the proposed filling station outlined in planning application 20/01177/FULM.

I am the Executive Headteacher of both The Suthers School situated in Fernwood and Newark Academy. Both schools attract children from the surrounding areas of Balderton, Fernwood and Middlebeck and a significant number of students either walk or cycle to their chosen school each day.

The proposed scheme currently under consideration has raised significant safety concerns regarding the inevitable increase in heavy traffic, including large vehicles including HGVs which pose a significant risk to the safety of students who travel to school from the aforementioned areas.

Furthermore, the proposed plan shows that there is very little (if any) provision for pedestrian safety on the B6326 and on the bridge across the A1; a route that many of our students will use to travel to and from school each day.

As many of our students use the B6326 as their route to and from both schools, the increased traffic and the fact that students will have to pass by the entrance and indeed exit to what is in all intents and purposes a service station for motorists, I felt it important to provide you with a written response to your proposal to ensure that our position is clear.

The safety of our students is of paramount importance and without adequate pedestrian safety in place, I fear that this proposal will increase the risks to both schools and their wider population.

Therefore, we are opposed to permission being granted at this time unless there is significant investment in greater pedestrian access to ensure that the safety of all pedestrians, most notably, the young people of Newark Academy and The Suthers School are catered for so that the risk of accident or death that increases as a result of increased traffic in the area, is eradicated or at least significantly minimised.

Barton Willmore (on behalf of Urban & Civic Plc.):

On behalf of our Client, Urban & Civic Plc, we write to raise concerns about the full planning application 20/01177/FULM. The application is for a proposed Roadside Service Area on land between the B6326 and A1, with access taken from the B6326.

Urban & Civic are the Master Developer delivering the Sustainable Urban Extension at Newark South (now called Middlebeck). Newark South benefits from a strategic site allocation taken

forward in the Newark and Sherwood Amended Core Strategy DPD (adopted March 2019) under Area Policy NAP 2A Land South of Newark. Newark South also benefits from outline planning permission (with means of access in part) under application 14/01978/OUTM. This planning permission is currently being implemented.

The approved means of access in part comprises the Southern Link Road (SLR), providing a link between the A46 and A1 at the B6326. The first phase of the SLR has been substantially completed and is open. The additional works required to complete the first phase include a new roundabout junction to the B6326. This roundabout is to the south of the proposed access to the Roadside Service Area.

Urban & Civic do not object to the proposed Roadside Service Area. However, if permitted, at some point in time the proposed access to the Roadside Service Area and the SLR roundabout to the B6326 will need to dovetail and Urban & Civic raise concern about the timing and coordination of the works.

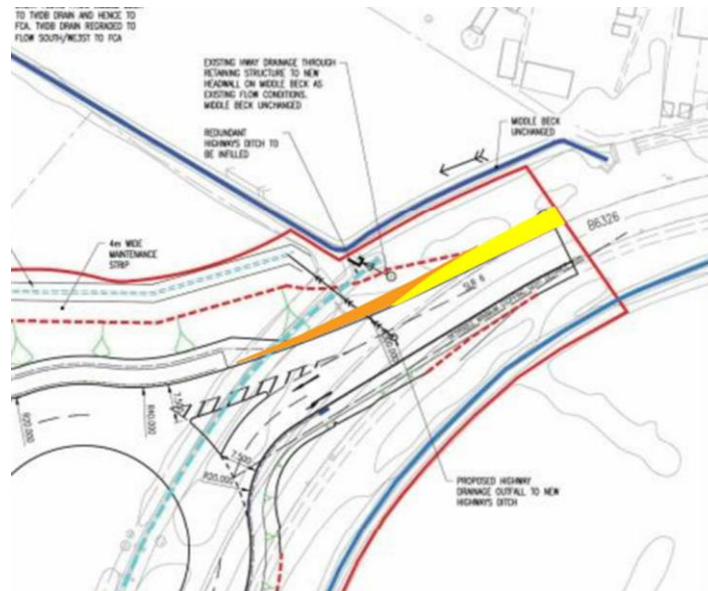
Comments

The application for the Roadside Service Area shows how the proposed access from the B6326 may be delivered before or after the delivery of the SLR roundabout to the B6326. These access arrangements are respectively shown in the Transport Assessment drawings 'Proposed Right Turn Ghost Island Junction Existing Scenario' (Dwg No. 424.07867.00002.014.H020.1) and 'Proposed Right Turn Ghost Island Junction Future Scenario 1 Lane' (Dwg No. 424.07867.00002.014.H021.2). The approved SLR roundabout, WSP drawing 'Option 1 65m Roundabout General Arrangement' (Dwg No. 6704-OP1-001 Rev A), is also included the Transport Assessment.

Roadside Service Area – without SLR roundabout

If the Roadside Service Area comes forward before the SLR roundabout it is proposed that the existing B6326 be widened to incorporate a ghost island right turn access arrangement to the site. The SLR roundabout would then need to tie into this in the future. This would require the construction of additional carriageway over and above the approved SLR roundabout.

To demonstrate the difference between the approved SLR roundabout design and the composite design proposed by the applicant with the Roadside Service Area and SLR roundabout in place, we have overlaid the PDFs of these two drawings from the Transport Assessment:



The yellow area is additional carriageway construction that would have been completed in the delivery of the Roadside Service Area to tie in with the existing B6326. The orange area is the additional carriageway construction that would be required over and above the approved SLR roundabout design and equates to circa 65sqm. Urban & Civic should not have to bear any additional costs associated with design changes brought about as a result of the proposed Roadside Service Area, a third-party site.

Roadside Service Area – with SLR roundabout

If the SLR roundabout was to come forward prior to the Roadside Service Area, then the approved SLR roundabout design could be followed, which ties into existing B6326 alignment, and the Roadside Service Area applicant would then undertake works to tie into the roundabout at a future date.

However, to avoid abortive works on the public highway, County Highways may seek an agreement for the widening works associated with the proposed Roadside Service Area to be incorporated into the SLR roundabout. Again, any additional costs associated with this should not be borne by Urban & Civic.

Conclusion

To summarise, Urban & Civic do not object to the proposed Roadside Service Area but have concerns about the timing and coordination of the works and seek assurance that they will not have to bear additional costs in the delivery of the SLR roundabout associated with changes to the approved design brought about by the proposed Roadside Service Area, a third-party site.

We trust our representations will be taken account in the determination of the application and reserve the right to make additional representations, including on submission of revised plans or additional supporting information.

Urban & Civic would welcome the opportunity to discuss their representations with the District Council and County Highways. Please do not hesitate to contact me to arrange this.

Representations have been received from 34 local residents/interested parties which can be summarised as follows:

Impact on Safety

- People regularly walk to Fernwood which would be much more difficult with added traffic / road crossings;
- The plans do not make it clear if the footpath would actually continue around the existing footpath and bridge;
- The sweeping corner is already an accident hot spot and 1 pedestrian has already been killed in the area;
- Pupils to the new secondary school and the new houses proposed will need to use this link;
- Children will have to navigate through the movement of HGV lorries and vehicles;
- It will be difficult to use the footpath if vehicles are using the entrance / exit 24/7;
- Cyclists use the path as the road is not safe;
- The Prime Minister has announced an attack on obesity yet the pedestrian / cycle routes for the school will be through a high density traffic area;
- The entrances should be equipped with CCTV;
- The safe provision for cyclists and pedestrians has never been addressed fully on the route over the A1;
- The Core Strategy states that development proposals should provide safe, attractive and convenient accesses for all;
- It must be anticipated that parents will not take the risk and choose to drive their children to school increasing traffic further;
- Having recently been involved in a serious accident on this curve I object in the grounds that any additional activity will create even more hazards;
- A car has recently crashed through the fence bordering the field;
- Robert Jenrick, in the Newark Advertiser of August 6, is quoted as saying 'Newark has a long history of being a cycling town'. How will this be achieved if roads such as the B6326 are made completely unsafe for cyclists?;
- The entrance and exit will entail many right hand turns including long slow vehicles and will be on a blind bend;
- Even the current 40mph poses a risk for pedestrians;
- The surveys underestimate the average speeds – cars are often heard racing around the Fernwood Industrial Park late in the evening;
- Within the past four weeks there has been a serious road traffic incident at the location of the proposed entry /exit;

Impact on Highways

- There are no drawings with the new link road showing what it is going to look like;
- The traffic survey should take account of all of the development within and around Fernwood;
- No account has been taken of the relief road planned to join the new bridge;
- There is no indication of the pelican crossing near the entrance to the Balderton roundabout;
- This section of Great North Road is reasonably busy with the weight of the traffic set to increase with the new houses;
- The road remains narrow and the entry point will be on a partial blind bend;

- Additional traffic flow at roundabouts is unwelcomed and not compatible with local school children and young families;
- No consideration appears to have been made to take into account the proposed new layout for the junction of the A46/A1 link road;
- This section of the Great North Road is the direct route to many places since Hollowdyke Lane was closed to traffic;
- The road layout is not prepared for the increased flow for the changes of the relief road;
- The development should not compromise the ability to provide a safe and likely busy junction between the new relief road;
- The road improvements should be completed before this application is considered;
- The current roads are in a poor state of repair and barely support the current traffic;
- Road improvements appear to have been delayed or funding is at threat;
- The forecast traffic numbers are severely flawed;
- A vehicles travelling north will need to use roundabouts on either side of the services entrance, doubling the traffic numbers;
- Traffic counts should be done adjacent to the Lord Ted pub where excessive traffic queues are common;
- The size of the existing roundabout on the eastern side of the A1 do not have a large enough diameter;
- The impact of road widening has not been address in the proposal and will fundamentally change the nature of the Fernwood area;
- Lorry parking is not so much of an issue now that there are double yellows;
- Has the number of new houses to be built been factored into the appraisal;
- There are going to be a number of new roundabouts along the B6326 which will need to accommodate the additional HGVs;
- There are already problems when there is an accident on the A1 and traffic becomes gridlocked;
- School buses wait on the road which already causes problems because the road is not wide enough;
- Developers often complete one less house than the trigger points resulting in half completed schemes;
- Will Councillors seek justification for this lorry park as a means to alleviate traffic that would potentially be displaced from the recently redeveloped lorry park adjacent to the Newark Livestock Market if the proposed International Air and Space Training Institute (IASTI) is approved;
- The footpath should be relocated;
- The speed limit should be reduced to 30mph instead of 40mph;
- The area has suffered with numerous poorly designed and planned road layouts and junctions around the area for nearly 20 years and have to live with the traffic gridlock;
- The current infrastructure was never designed to accommodate a large volume of traffic and has seen no improvement;
- Have the levels of traffic been genuinely assessed in the context of the 3000+ homes to be built;
- The busiest time for lorry parks coincides with the movements of school buses;
- The current condition of the road is very poor;
- The slip road southbound is short and incorporates a tight bend;
- The B6236 is already a very busy road;
- Fernwood and Claypole are at risk of being cut off from safe access to Newark;

- There needs to be a major re-assessment of the future traffic needs in this area and the impact of the Southern Relief Road to allow the expected investment and development to take place safely;
- Traffic has adequate provision for services at the A1 / B1174 junction just north of Grantham;
- The traffic generation has been estimated using data from Gonerby Moor but there are significant differences with this scheme;
- This site will give rise to a much higher HGV usage;
- Underestimating traffic generation calls into question the junction capacity assessment;
- The TA cannot be relied on to demonstrate that the proposals will not have a severe impact in the highways network;
- Given the serious nature of the flawed TA methodology, a decision by the District Council based on the submitted application documentation would be unsafe and would result in the District Council being placed at risk of judicial challenge;

Impact on Amenity

- Added lorries would create noise pollution especially for the houses which back onto the roundabout;
- Flood lighting would impose on neighbouring residents;
- Other service areas nearby don't have residential properties adjacent;
- Flood lighting is not clear;
- The sound report focusses on raw dbi increase but does not take account the sound profile of the area;
- Residents will hear noise from air brakes and various other harsh noises;
- The layout will give clear sight into neighbouring properties;
- The development would be more appropriate by the industrial buildings;
- Any removal of trees would significantly increase noise pollution to the residents of Fernwood;
- Large sample of the baseline data in the noise report were removed due to wind noise;
- No allowance has been made for the increase in noise generated through the operation of the site – the proposed building and catering outlets will all require mechanical plant and equipment;
- The level of pollution will be extremely high and be detrimental to human health;
- The A1 causes a drone of noise all day for residents of Fernwood but this development will cause more random and overnight noise;
- There is potential for anti-social behavior;

Impact on Flood Risk

- This is a flood plain;
- There is a pipe which runs across the field which is not shown on the plan;
- Every time there is heavy rain the pipe backs up and overflows into neighbouring gardens;
- The land is prone to flooding and water held here will have nowhere to go other than on the main A1 carriageway of the roundabout;

Impact on Landscape

- The proposal will destroy the current local area of greenery;

- The Downtown services which are run by the same company are far from an idyllic picture contained within the proposal;

Impact on Ecology

- The protected woodland that forms the wildlife corridor bordering the B6326 is home to an array of endangered wildlife;
- Green space in this area is being built on at an alarming rate;

Other Matters

- Residents who are directly affected have not been notified;
- Will home insurance go up due to storage and active usage of highly flammable liquids;
- Addresses have not been checked on the noise report so the information cannot be trusted as accurate;
- The A1 has numerous service stations both north and south of the proposed site, including those dedicated to the needs of HGVs;
- There is no faith that the planning department is organized as the expiry date for comments keeps changing;
- The proposal will provide much needed resources for the area and should be accepted;
- The site notice was removed the day after it was posted;
- The proposal is not clear that it would provide overnight parking;
- The Planning Committee should visit the site during rush hour to experience the problems already experienced;
- Fernwood is typically inhabited by families and there is a long term risk on eating habits from fast food outlets;

Comments of the Business Manager

Principle of Development

The NPPG acknowledges that Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area, thus providing a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

Following public consultation and independent examination, Newark and Sherwood District Council adopted the Fernwood Neighbourhood Plan. The Neighbourhood Plan now forms part of the development plan for the district and its policies are a material consideration alongside other policies in the development plan and carry weight in the determination of planning applications in Fernwood. In this instance the most relevant policies in the Neighbourhood Plan are listed above and are considered against the relevant aspects of the proposal in the assessment below.

The starting point for development management decision making is S.38(6) of the Planning and Compulsory Purchase Act 2004, which states that determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

The Adopted Development Plan for the District is the Core Strategy DPD (2019) and the Allocations

and Development Management Policies DPD (2013). The settlement hierarchy for the district is set out in Spatial Policy 1, whilst Spatial Policy 2 deals with the distribution of growth for the district. This identifies that the focus of growth will be in the Sub Regional Centre, followed by the Service Centres and Principal Villages. At the bottom of the hierarchy are 'other villages' which do not have defined built up areas in terms of geographically defined village boundaries.

As is confirmed by the Newark South Proposals map in the Allocations and Development Management DPD, the site falls within the Strategic Allocation for Land South. Policy NAP 2A is therefore relevant albeit prior to assessment against this policy it is deemed relevant to provide the latest position in respect to the ongoing development within the wider allocation.

Land South of Newark or Middlebeck as it is now known, first gained Outline Planning consent in 2010 with a revised application having gained permission in 2015. This is a phased development of up to 3150 homes to the south of the Newark Urban Area. Development has commenced with Avant, Bellway Homes and Countryside on site building out the residential element of the scheme, the Urban and Civic office building and a café is also open and work to build the Primary School has just commenced all in Phase 1. The Southern Link Road (SLR), which links the A1 overbridge to the A46 at Farndon, has been fully designed across its entire length and the first phase (closest to Fernwood/Balderton), apart from its junction to the A1 overbridge with a roundabout, has been completed and is open, with the remaining phases 2 and 3 linking to the A46 to be commenced in the future planned stages.



Policy NAP2A does not explicitly envisage the development of a petrol filling station; drive thru or the other associated facilities detailed. However, as is shown by the extract of an overall land south masterplan above, the site (circled in red) is shown void of built form. Other than its association with the new SLR, the site would be some distance from the main bulk of the land

south proposals. The development as proposed would therefore not prejudice the delivery of the land south allocation envisaged by NAP2A.

Notwithstanding the above, Policy NAP2A does identify a need for the provision of new and improved highway infrastructure. Whilst there is no doubt that the policy reference to highways infrastructure would have been made primarily with the new SLR in mind, there is an opportunity that the proposed development in this application will add further enhancements to the operation of the highways network in line with the aspirations of Policy NAP2A. This is explored further below.

Impact on Economy

One of the three overarching objectives of the NPPF 2019 is an economic objective, *‘to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure’* (paragraph 8). Chapter 6 goes on to confirm that planning decisions should help create the conditions in which businesses can invest, expand and adapt (paragraph 80).

The NPPF 2019 at paragraph 104 confirms that planning policies should provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy.

Paragraph 107 goes on to state that planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance.

There is an acknowledgement that the facilities proposed will benefit from the passing trade of the adjacent strategic road network specifically the A1 but also the vehicular traffic which will use the new SLR once fully completed and operational. The Planning Statement details the factors which are considered when acquiring land for a RSA which includes location and access to traffic as well as accessibility and prominence.

The NPPF confirms that LPA’s should apply a sequential test to planning applications for main town centre uses which are not located in an existing centre. The overarching aim is to sustain and enhance the vitality and viability of existing centres. For the avoidance of doubt, the proposal incorporates town centre uses as defined by the glossary of the NPPF (the retail unit and the drive thru facilities).

Core Policy 8 (Retail Hierarchy & Town Centres) has been subject to significant review through the Plan Review process (necessary in acknowledgment that the previous policy referred to the now replaced PPS4). The revised policy now better aligns with the national stance, and indeed the corresponding Allocations and Development Management DPD (specifically Policy DM11 ‘Retail and Town Centre Uses’). The policy details a sequential approach whereby proposals for town centre uses shall firstly be located within a centre, then edge-of-centre and only if no suitable sites are available will consideration be given to out-of-centre locations.

As is explored above, the site is within the policy allocation NAP2A and therefore cannot be considered as open countryside despite its characteristics. Notwithstanding this, I am conscious that Policy DM8 (Development in the Open Countryside), has a specific allowance for the consideration of Roadside Services. In my view, it would be common sense to apply these principles to the current application assessment, specifically whether or not there is a specific and justified need for the particular location proposed and the development is restrained to the minimum necessary to serve this need. If this need can be accepted then the requirement of a Sequential Test would in my view fall away as there would be specific locational requirements as to why the development would not be appropriate in a town centre context.

The application has been accompanied by a 'Report Relating to an Assessment of Need & Related Matters' undertaken by Tim Hancock dated June 2020. A service area is not considered to represent a destination in its own right with services involving a detour from the road network are not providing commercially successful.

The site, whilst primarily being accessible to northbound A1 traffic, could also serve southbound traffic albeit with a slight detour to re-join the A1 southbound. The Needs report assesses available services along the road network stating distances and locations. It is concluded that the site effectively sits within a gap in the provision of roadside facilities of 26.7miles between Grantham Services and Markham Moor Services for northbound traffic. For southbound users of the A1, the site lies within a gap of 38.5miles between Blyth and Grantham facilities. Further assessments are also made for additional routes including traffic leaving the A1 at the A46.

Furthermore, the report details the overnight provision for HGV parking in the area noting the national stance for this to be improved. The applicants undertook a survey in Fernwood of unauthorised HGV parking between 5th and 11th December 2019. Whilst parking was limited over the weekend, the highest count occurred on the Monday evening where 26 vehicles were parked. It is stated that the findings are consistent with the view that there is a significant unsatisfied need in HGV parking on this stretch of the strategic road network. Officers have no evidence to dispute this conclusion. The proposal would also create electric charging facilities which have an increasing strategic need.

The evidence presented is considered sufficiently robust to discount the need for a Sequential Test and it is therefore accepted that there are site specific locational requirements which would accept the main town centre uses in this location. It is also not considered necessary to apply the impact tests required by Core Policy 8 given that the retail facilities would be ancillary to the wider RSA use but would also, at 183m² fall below the relevant threshold of 350m².

At a local policy level, it is necessary to reference Core Policy 6 (Shaping our Employment Profile). CP6 outlines an intention to strengthen and broaden the diverse range of employment opportunities in the District including through '*supporting the economies of our rural communities.*'

Notwithstanding the employment generated by the construction of the site, the application form confirms that the end uses would create an additional 65 full time equivalent jobs. The support to the local economy including in the context of an employment base would therefore weigh positively in the overall planning balance undertaken below.

Impact on Highways Network

Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision. Clearly given the context of the site, the highway safety implications of the proposal are of paramount importance.

Spatial Policy 7 details that the route of the SLR which has not been built will be safeguarded. The proposal is clear that the development has been designed in full acknowledgement of the future delivery of the new SLR adjacent to the site.

The application has been accompanied by a Transport Assessment (TA). This covers numerous issues including accident data over a five year period concluding that there are no issues with road safety which would be exacerbated by vehicle movement associated with the development. As is already identified above, the proposal is not intended to become a destination in itself with the majority of visits anticipated to be association with existing journeys on the road network. In this regard, the site is considered to be safely accessible from the B6326; from the A1 northbound via Balderton Interchange and from the A1 southbound via Fernwood Roundabout and Clay Pole junction.

The TA also includes analysis of swept paths for various vehicle manoeuvres within the site confirming that the circulation and accessibility of the site is safe and suitable. Sustainability benefits within the proposal include the provision of 24 spaces with electric charging points.

This application has been assessed by the relevant expertise at Nottinghamshire County Council as the Highways Authority and Highways England noting the adjacent A1. Both comments are included in full above.

Highways England comments refer to the pre-application discussions that have taken place with the applicant. The traffic impacts are not considered to be severe and subject to a condition requiring a road safety audit for new signage and implications for the users of the southern link road they raise no objections.

NCC as the Highways Authority also refer to pre-application discussions which ultimately lead them to agree that the proposal will not significantly add to delays or prompt serious or reasonable safety concerns. The comments do however go on to discuss the complexities of the site access arrangements given that the access would have to consider the future road network scenario as well as the existing. This is further complicated by the ongoing discussions around the exact design of the southern link road roundabout. As prompted by the comments, Officers have discussed the likely design with the relevant parties. Whilst assumptions have been provided, it has essentially been confirmed that the exact design is not yet known. Nevertheless an associated legal agreement would be reasonable provided it is carefully worded in order to ensure that the costs attributed to the applicant are only those that arise from the changes to the design necessitated by the proposed development.

It is fully appreciated that matters of highways safety form a significant concern in the context of the neighbouring comments submitted for the application. This is also acknowledged by the applicant through their response to consultations received dated 9th September 2020. Ultimately Officers would agree with the applicant that the relevant expertise (i.e. Highways England and NCC Highways) have identified no harm to the highways network arising from the proposal. On this

basis, whilst not palatable to the parties concerned, it would be inappropriate to resist the application on highways safety grounds.

NCC Highways and Highways England have suggested conditions which Officers have carefully considered. The requirement for a Road Safety Audit recommended by Highways England would be better placed in the associated legal agreement. Officers have sought agreement to this from Highways England, the response of which will be reported to Members within the schedule of representation at the Committee Meeting. The conditions by NCC Highways include a condition relating to mud on the highway however this would be covered by the wheel washing requirements of the suggested construction management condition.

Impact on Character and Design

Core Policy 13 (Landscape Character) sets out a framework for assessing landscape character and sets expectations that development proposals should positively address the implications, aims and objectives of each landscape policy zone. The adopted Landscape Character Assessment (LCA) is a district level assessment of landscape character (that sits hand in hand with CP13) and is a useful tool in assessing local landscape character in relation to specific sites.

Policy DM5 refers to the rich local distinctiveness of the District's character of built form requiring new development proposals to reflect their local surroundings. Chapter 12 of the NPPF 2018 provides guidance in respect of achieving well-designed places confirming at paragraph 124 that, *'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'*

The site is within the South Nottinghamshire Farmlands Character Area which extends over a relatively large tract of land between the southern edge of the Greater Nottingham conurbation and the urban edge of Newark. The LCA identifies that the area contains some of the highest quality agricultural land in the District with a very strong arable tradition.

The site itself is within South Nottinghamshire Policy Zone 08: Cotham Village Farmlands. The landscape condition of this area is defined as being very poor identifying that the road network forms many detracting features of the area. The overall landscape sensitivity is also defined as very low. The proposal would meet one of the aspirations for built features in that it would create new development around the existing settlements.

There is clearly a balance to be struck in terms of the landscape impacts of the proposal. For operational purposes, the development must have a degree of visibility in the wider landscape to be commercially successful. The supporting documentation to accompany the application provides a robust base on which to assess the landscape implications of the proposal including a Landscape and Visual Appraisal (LVA) and full landscape plans. Moreover, CGI Imagery has been provided which presents a useful tool in envisaging what the proposed development will look like on the ground.



The LVA undertaken by Influence sets a study area of 750m from the application site. A series of viewpoints were selected representing different types of views and groups of receptors within the immediate area and wider surroundings. Residents at Newark settlement edge were identified as key visual receptors. The majority of the residents in Fernwood do not have visibility of the site due to dense vegetative perimeters. Impacts on residents is discussed further below in the amenity section. Other visual receptors include uses of nearby public rights of way (specifically FP9 and the cycle route).

I would concur with the assessment of the LVA that the landscape has a suburban feel and that the height of the proposed development would be comparable to nearby residential properties (which includes three storey dwellings in the village of Fernwood). The majority of the boundaries will remain intact with additional screening offered through the detailed landscape proposals. Overall, the impact on local landscape receptors of the proposed development on completion is judged as low and the nature of the effects is adverse. I would agree that the landscape impacts of the proposal would be low and in some respects mitigated by proposed additional planting which could be secured by condition. In my view, the proposal has appropriately struck the balance between being visible enough to be functional as a RSA but discrete enough so as not to harm the local landscape character.

Clearly the development would represent a fundamental change from the existing character of the site. Nevertheless I am conscious that the site is bound entirely by a major road network such that the proposed change to hardstanding would be well assimilated within the immediate site surroundings.

In terms of the specific design of the buildings, these would be modern but functional in nature with elements of render and timber cladding. Policy NP1 of the Neighbourhood Plan requires developments to draw upon local character in terms of materials and style to ensure the development enhances the distinctiveness and quality of the village as a whole. It also encourages production of a design standards document for major developments.

Notwithstanding this, I am conscious that the site would be read as a standalone development somewhat departed from the village and better connected to the road network. The submitted Design and Access Statement details that an experienced operator, Welcome Break Services Ltd. have been secured to deliver the site and will operate under the Applegreen brand. The design development process is stated as being a collaboration process between the parties to ensure a deliverable and viable outcome.

There is an acceptance to the corporate design of the buildings and equally an acknowledgment that the varied use of materials will break up the façade and reduce the perceived bulk and scale of the buildings. Whilst the use of materials would align more with the Business Park than the residential development nearby, this is not considered fatal in principle. Overall the design of the development would comply with Policy NP1 and the relevant elements of Policy DM5.

Impact on Trees and Ecology

Core Policy 12 of the Core Strategy seeks to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. Policy DM5 of the DPD states that natural features of importance within or adjacent to development sites should, wherever possible, be protected and enhanced. Policy DM7 states that new development should protect, promote and enhance green infrastructure to deliver multi-functional benefits and contribute to the ecological network.

The NPPF incorporates measures to conserve and enhance the natural and local environment and requires outlines a number of principles towards the contribution and enhancements of the natural and local environment within Chapter 15.

The application has been accompanied by an Extended Phase 1 Habitat Survey based on site visits in April and June of 2019. The survey identified the following habitats within the site area:

- Species poor semi-improved grassland;
- Boundary hedgerows;
- Drainage ditch;
- Cleared ground / hardstanding;
- Small areas of Bramble and Tall ruderals;
- Dead wood piles.

There are no statutory or local ecological designations which affect the site itself. Nevertheless the hedgerows forming the boundaries of the site would be suitable for breeding birds and the southern boundary is adjacent to an area of broadleaved woodland plantation. It is recommended that if works are undertaken during bird breeding season then the hedgerows are surveyed prior to the works. There is considered to be an extremely low / negligible likelihood for the presence of reptiles on the site partially due to its isolation being surrounded by the road network. The drainage ditch has nevertheless been tested for evidence of Great Crested Newts with the results showing no DNA evidence and therefore not requiring further survey works. The site holds the moderate potential to be a habitat for amphibians but low for bats; badgers and larger mammals.

The Environment Agency comments make specific reference to water vole stating that they are believed to be present at the proposed development site. The comments go on to state that the, *“ecological reports states that it is likely that water vole are present within the ditch on site which is to be diverted”*. In reviewing the ecological report, the language used is that it is *“possible that this species may access the drainage ditch crossing the site”* and then actually goes on to suggest

no further survey works are required. Nevertheless, for the avoidance of any doubt, the condition suggested by the Environment Agency for a water vole protection plan is considered reasonable and necessary to the development in the context of the importance of the species. This has been agreed by the agent on behalf of the applicant.

Suggested mitigation measures are set out at Appendix 4 of the Report and could also be reasonably conditioned if permission were to be forthcoming.

The application has not been supported by a specific Tree Survey. However, the positioning of trees and hedgerows are indicated on the existing layout plan and topographical survey. This shows that there are hedgerows internally within the site which would be affected by the proposed development. In addition there are tree specimens close to the existing access point from the B6326 (which would need to be removed to facilitate the development). The landscaping plans show that the majority of the hedgerows around the site boundaries would be retained. These plans (which have been updated during the life of the application) also show detailed proposed planting areas and tree specimens as well as a low maintenance grass mix on an east west transect across the site to allow for the oil pipeline easement. Having assessed the site as existing, it is not considered justifiable to insist on a specific Tree Survey. The trees close to the existing access are set internally within the site and therefore in my view do not contribute significantly to the landscape character of the wider area. The comprehensive landscaping scheme, the delivery of which could be secured by condition, would be sufficient to mitigate the loss of trees and internal hedgerows required to facilitate that development.

The proposal has provided a landscape strategy and assessed the impact of the proposed on local biodiversity, both of which are specific requirements of Policy NP5 of the NP. The proposal would also accord with Core Policy 12 and Policy DM7 such that there would be no reason to resist the application on ecological grounds subject to the imposition of the aforementioned conditions.

Impact on Amenity

Policy DM5 is clear that the layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy. Paragraph 127 of the NPPF confirms that decisions should ensure that developments create places with a high standard of amenity for existing and future uses.

Despite the aforementioned road network which bounds the site there are residential neighbours in relatively close proximity to the site which would be potentially affected by the development. There is a level of tree cover between the site and the nearest neighbouring residents which should ensure that neighbouring properties would not experience a detrimental overbearing impact from the associated built form. The maximum height of the built form would be approximately 8.5m which would not be particularly unusual in a residential context. The distance between the PFS and the nearest property would be around 50m.

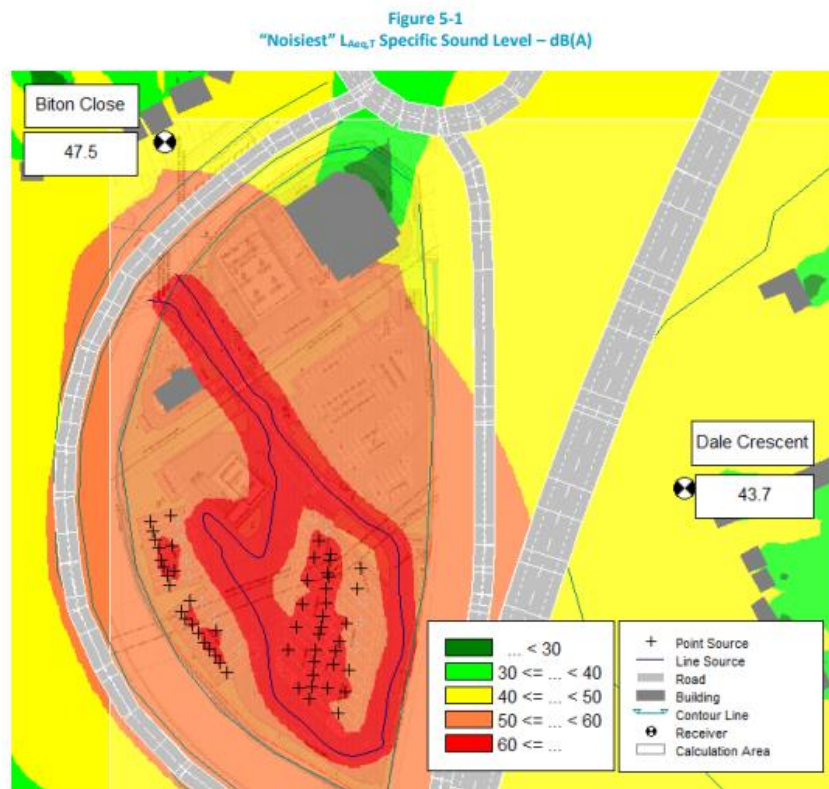
As detailed above, the submitted LVA has taken account in the nearby residential properties in terms of being visual receptors to the landscape impacts of the development. The viewpoints selected identify that upper windows of some properties may have views of the site which would be less filtered during the winter months. It is considered that most of the residents in the area will experience no change or minimal change in their view and are already experiencing a similar circumstance. Whilst properties on Bilton Close would be highly sensitive to the development, in

the context of the above discussion on heights and distances, the physical form of the development is not considered to amount to amenity harm which would warrant concern.

Notwithstanding the above, the proposal clearly imposes potential amenity impacts through an increase in noise and disturbance as well as impacts from any associated lighting. The application has been accompanied by both comprehensive lighting details and a noise assessment.

The Noise report acknowledges that a number of the uses (including the PFS) would operate on a 24 hour basis. Clearly the functionality of the uses warrants this but it does increase likelihood of adverse neighbor impacts occurring at anti-social hours (especially lorry movements). The lorry park has been positioned at the south of the site which is furthest away from the potential sensitive receptors identified.

Noise monitoring was placed to acknowledge baseline data for the residents of Bilton Close and Dale Crescent. Unsurprisingly, the sound climate at both locations was characterized by road traffic. The graphic below shows the estimated 'noisiest' potential sound level:



The conclusions of the report are that, during the daytime the rating level of HGV movements in the Lorry Park would be well below the background sound level at both Bilton Close and Dale Crescent. In accordance with BS4142:2014+A1:2019 the Lorry Park would be unlikely to have an adverse noise impact during the daytime. At nighttime however, the results showed a rating level above the background sound level between the hours of 02:00 and 03:00. This is detailed as being 1dB(A) above the background sound level at Bilton Close.

As for most of the night-time period the rating level of HGV movements in the Lorry Park would be below the background sound level, the author of the report considers that on balance, and in the context that HGV noise would be similar to that existing on the surrounding road network, the Lorry Park would at worst (between 02:00 and 03:00) have a low night-time noise impact, and at

all other times any adverse impact would be unlikely. Reference is also made to the likelihood of the background noise data to change once the already approved SLR is built out in full. No specific mitigation measures are deemed necessary or presented.

The noise report has been assessed by colleagues in Environmental Health. Their original comments (included in full above) raised a number of issues including in respect of night time noises associated with the lorries accessing and leaving the site. Ultimately the comments required further information which has been passed on to the applicant during the life of the application.

A response has been received by the applicants consultants which includes further details of the likely plant to be used (and indeed its positioning). The response also contends that the noise from HGVs entering and existing the site has already been included in the submitted noise assessment and that the access will be designed without an excessive gradient (in line with highways guidance) such that it will not lead to excessive engine revving. The consultant has also addressed likely nighttime noises concluding that inside a room with a partially open window, at a distance of approximately 45m the noise modelling shows a level of 36.9dB(A) which would meet the World Health Organization restrictions.

The EHO has assessed the latest document ultimately concluding no objection in principle. The comments then go on to suggest a number of conditions which have been carefully considered by Officers. The first, in relation to the charging pedestals for refrigerated goods is reasonable although Officers have amended the wording slightly in case an alternative product is ultimately selected. It is considered that this would also cover the second concern given that the charging points mean the engines do not need to run overnight. The majority of the rest of the concerns can be amalgamated into a Construction Management Plan condition and a separate condition seeking the details of plant prior to installation. With these measures in place, it is not considered that the development would create unreasonable noise impacts.

Given the 24 hour nature of the site, the impacts of the associated lighting strategy require careful consideration to ensure that glare from the proposed lighting does not conflict with existing residential properties. Although the lighting strategy is written in the context of the impact on the wider strategic road network (in line with Highway England discussions) Officers consider it also relevant to neighbouring amenity. Notably, it is stated that the lighting design has given particular attention to the onsite traffic routes to reduce night time artificial light contrast in an attempt to remove the risk related to vehicle headlights creating glare beyond the site boundary. The light lux plan shows that the glare from the proposed lights would be largely contained within the site boundary.



Again, the technical details of the lighting documents have been assessed by colleagues in Environmental Health and found to be acceptable. The lighting details could be added to the list of approved plans and therefore there is no requirement for further information.

Concern has been raised during the consultation process regarding the impacts of pollution arising from the development. An Air Quality Assessment has been submitted during the life of the application which acknowledges that the site is in a location where air quality is mainly influenced by road traffic emissions. The proposed development at its operational stage is expected, according to the assessment, to result in an overall negligible impact on nearby receptor and the residual effects are not considered to be significant. Environmental Health colleagues have reviewed this document and agreed with the conclusions albeit have confirmed that suitable mitigation as suggested by the report should be employed during the construction process.

Impact on Flood Risk

The application site is within Flood Zone 1 according to the Environment Agency maps and therefore there is no requirement to apply the Sequential Test for the development.

Given that the proposal forms major development, it has been accompanied by a Flood Risk Assessment and Drainage Appraisal. Specific details have also been provided regarding the diversion of the existing Lowfield Drain within the site. Other constraints which affect the site are a Severn Trent pipeline. The majority of the site is considered as being at a low risk of surface water flooding with the exception of a site specific risk posed by the potential blockage of Lowfield Drain.

As is detailed by the submitted FRA, surface water drainage is proposed to be divided into two drainage catchments separated by the CLH oil pipeline. Discharge from each catchment will be discharged into Lowfield Drain at or below equivalent greenfield rates. Excess flows will be held back on the site within below ground crated storage systems which have been size to accommodate flows for all event up to the 1 in 100 annual probability storm with a 40% uplift to account for potential change in flood severity associated with client change. Foul drainage from the site will be managed via a package treatment works which will provide treatment prior to discharge to Lowfield Drain (subject to agreement through the Environmental Permit discussed further below).

The presence of the Lowfield Drain is referenced by the submitted Design and Access Statement and acknowledged as transversing the northern section of the site and flows from east to west although is largely overgrown and is not visually prominent. The drain requires diversion around the northern boundary of the site to facilitate the development.

The application has been considered by relevant consultees as detailed in the consultation section above. Neither the Environment Agency nor NCC as the Lead Local Flood Authority have raised any concerns from a flooding / drainage perspective. Both parties have suggested conditions which require further details of foul drainage and surface water drainage schemes. These are considered reasonable and could be attached to any forthcoming permission.

Land Constraints and Ground Conditions

Paragraph 178 of the NPPF 2019 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

The submitted geo-environmental assessment did identify some ground gas as discussed in the comments of Environmental Health (contaminated land) above. The comments do not object to the development but rather suggest a bespoke condition should be imposed to further monitor the gas regime. This has been agreed in principle by the applicant.

As is discussed above, the site is subject to constraints including a fuel pipe from west to east in a diagonal direct which has an associated 6m easement. The easement means that no structures, hard standing, planting or development is permitted within the easement (other than the pre-agreed vehicular, pedestrian and services crossing points which have been designed to a minimum).

Owing to the presence of the pipeline, Officers have undertaken a PADHI+ assessment using the Health and Safety Executive tools. As is detailed above, the tool identifies that the site does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline therefore no formal consultation with HSE is required.

Consultation has also been undertaken with Fisher German with their response letter confirming the presence of a pipeline crossing the site. The applicant is clearly aware of this constraint and indeed the development has been laid out accordingly to allow for the necessary easements. The letter also confirms that landowners and third parties have a duty of care not to carry out any works that have the potential to damage the apparatus. This would be outside of the planning process and the presence of the pipeline is not considered to be a barrier to development in

principle. Further correspondence has suggested that the applicant has been working with Fisher German and made an agreement that they would be satisfied with the removal of permitted development rights on the site to ensure that any further changes were subject to further consultations. Officers consider that this condition would meet the necessary tests and therefore it is suggested that it should be attached to any forthcoming positive decision.

As is detailed by the comments of Environmental Health, the petrol storage tanks are an industrial activity which would require a permit under the Environmental Permitting (England and Wales) Regulations 2016. This is separate to Planning Legislation and does not require further consideration through this assessment. A permit would be required prior to the operation of the site even if planning permission is granted.

Other Matters

The application has been accompanied by details of boundary treatments and bin storage areas. The bin storage would be fully enclosed within a 2.5m high close boarded fence structure which would assist in the escape of odour and likelihood of pests and vermin. A wash down tap would also be provided to allow regular cleaning and maintenance of the area. An associated Waste Management Plan has also been submitted to an attempt to reduce waste sent to landfill. This document has been assessed by colleagues in Environmental Services and found to be appropriate. The agent has confirmed that the Plan includes details for litter collection in the form of regular emptying of bins on site.

The original comments of the Archeological officer requested the submission of further works during the life of the application. These have been submitted and subsequently reviewed as detailed by the updated comments included above. Essentially it is agreed that no further archeological work is necessary on the site.

Comments received during consultation make reference to the original site notice being removed from the site. As soon as this was brought to Officer's attention the site notice was replaced and thus Officers are confident that the statutory requirements for consultation have taken place. Equally another comment states that the proposal description is not clear the intention is for overnight parking of lorries but Officers consider this is covered through the element 'dedicated parking' and in any case is implicit in the detail of the application.

Overall Planning Balance and Conclusion

The site is within the land allocated as NAP2A land south of Newark. The comprehensive site allocation did not envisage the nature of the development proposed albeit as explored above does require provision of necessary infrastructure and the provision of new and improved highway infrastructure. The justification submitted to accompany the application demonstrates a robust need for the mixed use site proposed namely due to an existing 'gap' in provision for service stations along this stretch of the A1 but also national requirement for overnight lorry parking. The development would not prejudice the overall delivery of the land south allocation and therefore can be supported in principle.

The site specific locational requirements of the development render it inappropriate to apply the Sequential test ordinarily required for town centre uses outside of Main Town Centres.

Benefits of the proposal include the aforementioned benefits to lorry parking provision but also the sustainability benefits of a significant level of parking spaces with electric charging points. The proposed development would also create 65 FTE jobs which is welcomed in support of the local economy.

The design is modern and contemporary whilst also being functional to the end commercial uses. All other matters, including landscaping; ecology and amenity impacts could be appropriately mitigated through condition. The constraints of the site are noted (including the presence of pipelines and a drainage ditch) but again the proposal demonstrates the ability to sufficiently mitigate the development against harmful impacts arising through these constraints.

The site is in a sensitive location in respect to the strategic highways network which has been subject to discussion with the relevant consultees. Clearly, the location of the site adjacent to the highways network is fundamental to the commercial success of the proposal. Both NCC Highways and Highways England have accepted that the proposal would be appropriate in highways safety terms.

Overall, subject to the conditions outlined below, no demonstrable harm has been identified which would outweigh the benefits of the development and therefore the recommendation is one of approval.

RECOMMENDATION

That planning permission is approved subject to the conditions and reasons shown below and a Section 106 agreement securing off-site highways works and the road safety audit required by Highways England:

Conditions

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The development hereby permitted shall not be carried out except in complete accordance with the following approved plan references:

- Proposed Layout – 160862-PLNG3R;
- Proposed Layout 200 Scale Sheet 1 – 160862-PLNG4P;
- Proposed Layout 200 Scale Sheet 2 – 160862-PLNG5P;
- Proposed Layout 200 Scale Sheet 3 – 160862-PLNG6M;
- Proposed Layout 200 Scale Sheet 4 – 160862-PLNG7J;
- Proposed Site Sections – 160862-PLNG8F;
- Proposed CLH Sections – 160862-PLNG9C;
- Proposed Service Road Sections – 160862-PLNG11A;

- Proposed Petrol Filling Station Building Layout– 160862-PLNG12C;
- Proposed Petrol Filling Station Roof Plan– 160862- PLNG13A;
- Proposed Petrol Filling Station Building Elevations– 160862- PLNG14A;
- Drive Thru' Coffee Shop Elevations, Internal Layout & Roof Plan – 160862-PLNG15B;
- Site Elevations– 160862-PLNG16A;
- Ancillary Details. – 160862-PLNG17B;
- Bin / Delivery Compound Detail – 160862-PLNG18;
- Typical Sub Station Detail – 160862-PLNG19;
- Lighting Specification and Assessment for Proposed Lighting Scheme by GW Lighting Consultancy dated 19/06/20;
 - Proposed Lighting Layout – DM109 Sheets 1 and 2;
 - Site Boundary Lux Levels;

Reason: So as to define this permission.

03

No development above damp proof course shall take place until manufacturers details (and samples upon request) of the external facing materials (including colour/finish) have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out and retained in accordance with the approved details.

Reason: In the interests of visual amenity.

04

Prior to first use of the development hereby approved, full details of any proposed air conditioning equipment, ventilation extraction system or other external plant including fans shall be submitted to and approved in writing by the Local Planning Authority. The approved equipment and plant shall only be installed and maintained strictly in accordance with the approved details.

Reason: In the interests of visual and residential amenity.

05

No part of the development shall be commenced or until works on B6326 including a right turn lane facility have been provided as shown for indicative purposes only on drawing 424.07867.00002.014.H020.1 to the satisfaction of the Local Planning Authority. Should the SLR roundabout construction pre-date the development then the above drawing number should be replaced by 424.07867.00002.014.H021.2.

Reason: In the interests of highway safety.

06

No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan. The parking/turning/servicing areas shall not be used for any purpose other than parking/turning/loading and unloading of vehicles.

Reason: To reduce the possibility of on-street parking occurring as a result of the development to the detriment other road users.

07

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved SLR Flood Risk Assessment (FRA) and Drainage Appraisal SLR Ref: 424.07867.00002(0002), has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate as the Internal Drainage Boards requirements.
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

08

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (and any order revoking, re-enacting or modifying that Order), no development (either temporary or permanent) other than that approved by plan reference Proposed Layout – 160862-PLNG3R shall take place in the area annotated as “CLH PIPE WITH 6M EASEMENT” on plan reference Proposed Layout – 160862-PLNG3R.

Reason: In acknowledgement of the high pressure fuel pipeline which exists on the site and to ensure that any further development is considered in this context.

09

The approved landscaping scheme as shown on plan reference Planting Plan – N0601 (96)001 Rev No. B and supported by the Planting Schedule & Specification – N0601 (96)002 Rev. No B shall be

carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest, unless otherwise agreed in writing with the District Planning Authority. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the District Planning Authority.

Reason: In the interests of biodiversity.

10

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until Parts A to C of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.

Part A: Site Characterisation

An investigation must be completed in accordance with a scheme to establish if there is evidence of the migration of ground gases from the nearby source identified in the Phase I & II Geo-Environmental Assessment. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. Ground gas analysis should be carried out in accordance with current guidance using UKAS accredited methods and laboratories. The investigation must be undertaken by competent persons and a written report of the findings, including all technical data must be submitted to the Local Planning Authority.

Part B: Submission of Remediation Scheme

Should the investigation reveal the presence of ground gas, then the applicant must submit for the approval by the Local Planning Authority, a detailed scheme of remedial works to be undertaken to avoid any risk arising when the site is developed or occupied. The scheme must detail the precise methods proposed to prevent the build up of gaseous material within the proposed buildings and under any hard landscaped areas when the site is developed.

Part C: Implementation of Approved Remediation Scheme

The building shall only be constructed in accordance with the scheme as agreed in writing with the Local Planning Authority. Any equipment for the prevention or build up of gaseous conditions must be fully installed and operating before the development hereby permitted is first occupied, and thereafter shall be maintained and monitored.

Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

All remediation should be carried out safely, ensuring that no unacceptable risks remain. On completion of the works the applicant/developer shall provide written statement with confirmation that all works were completed and have been validated, in accordance with the agreed details.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11

The development hereby permitted shall not commence until a foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and completed prior to the development being brought into use.

Reason: To ensure that the proposed non-mains drainage system does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

12

No development shall take place until a plan for the protection of/mitigation of damage to water vole and its habitat, both during construction works and once the development is complete, has been submitted to and approved in writing by the Local Planning Authority. The water vole protection plan shall be carried out in accordance with a timetable for implementation as approved.

Reason: To protect the water vole and its habitat within the development site and avoid damaging the site's nature conservation value.

13

Vegetation clearance shall take place in accordance with Appendix 4 of the Extended Phase 1 Habitat Survey by CBE Consulting – P2046 / 0620 – 01 V2 dated 04 June 2020. For clarity this includes a requirement for a pre-clearance amphibian check by a suitably qualified ecologist. In addition any vegetation being trimmed or removed during bird nesting season shall be preceded by an inspection by a suitably qualified ecologist. Any nests identified shall be marked and identified so that they can be avoided during works and suffer no significant disturbance until any chicks have fledged and left the nest.

Reason: To protect the ecological value of the site.

14

No external storage shall take place until a plan showing the external storage area and means of demarcation have been submitted to and approved in writing by the Local Planning Authority. No external storage shall thereafter take place outside of any agreed area.

Reason: In the interests of residential and visual amenity.

15

The construction of the development hereby approved shall be carried out in accordance with the Mitigation and Residual Effects Section 6.1 of the document Air Quality Assessment by

deltasimons – 20-1381.01 dated August 2020. For clarity this requires site management and monitoring as well as preparing and maintaining the site.

Reason: To protect the amenity of neighbouring land uses.

16

The development hereby approved shall be carried out in accordance with the principles of Section 5 'Construction Waste and Recycling Management' and Section 6 'Operational Waste and Recycling Management' of the document Waste Management Plan dated June 2020. The development shall not be brought into use until the positioning and number of bins (notwithstanding the bin and delivery compound shown on plan reference Proposed Layout – 160862-PLNG3R) have been provided in accordance with design, siting and materials details, which have been first submitted to and approved in writing by the Local Planning Authority. The bin storage facilities shall be provided prior to the development being brought into use in accordance with the approved details and retained thereafter.

Reason: In the interests of appropriate amenity provision.

17

Notwithstanding the details shown at Appendix 3 of the EHO Officer response document received 24th September 2020, prior to the development being brought into use, the position; specification and number of electrical charging pedestals to be provided on site shall be submitted and agreed in writing by the Local Planning Authority. The charging points shall be installed prior to the development being brought into use in accordance with the approved details and retained for the lifetime of the development.

Reason: In the interests of residential amenity.

18

No development shall take place until a Construction Methodology and Management Plan (CMMP) has been submitted to and approved in writing by, the Local Planning Authority. The approved CMMP shall be adhered to throughout the construction period. The CMMP shall comprise the following:

- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of oils, fuels, chemicals, plant and materials used in constructing the development
- The erection and maintenance of security hoarding, including any decorative displays and facilities for public viewing
- Wheel-wash washing facilities and road-cleaning arrangements
- Measures to control the emission of dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from site preparation and construction works
- Measures for the protection of the natural environment
- Full details of any piling technique to be employed, if relevant
- Location of temporary buildings and associated generators, compounds, structures and enclosures, and

- Routeing of construction traffic.
- Measures to limit noise emissions and vibration levels from the site and from plant machinery

Reason: To protect the amenity of the surrounding area

19

The hours of operation for construction on site shall be limited to Monday to Friday 08:00 to 18.00hrs, 08:00 to 13.00hrs Saturday and no works on site on Sundays/Bank Holidays.

No deliveries shall be received or dispatched from the site outside the hours of Monday to Friday 08:00 to 18.00hrs, Saturday 08.00 to 13.00 hrs nor at any time on Sundays and Bank Holidays.

No piling shall be undertaken or vibrating rollers used on site on Saturdays, Sundays or Bank Holidays. The local Authority shall be notified of any Piling technique to be employed on site in advance for approval in writing. The approved details shall then be implemented.

Reason: In the interests of residential amenity.

Notes to Applicant

01

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.newark-sherwooddc.gov.uk

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website: www.newark-sherwooddc.gov.uk/cil/ or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

02

This application has been the subject of discussions during the application process to ensure that the proposal is acceptable. The District Planning Authority has accordingly worked positively and pro-actively, seeking solutions to problems arising in coming to its decision. This is fully in accord Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

03

This grant of permission does not convey consent for the display of any advertisement on the application site.

04

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact david.albans@nottsc.gov.uk for details.

05

The development surface water will outfall to Lowfield Drain at locations within the site boundary, some of which is adjacent to Highways England land. Lowfield Drain itself is proposed to be redirected from the centre of the site, around the site boundary, from a position close to the outlet of the A1 culvert, to the inlet of a culvert beneath the B6326. This proposal is acceptable to the Highways England Drainage Team however, care should be taken during construction to ensure:

- a. No works are to be undertaken within Highways England's estate – if works are required within Highways England land at the A1 off-slip, prior agreement is required.
- b. The flow within Lowfield Drain shall be sufficiently maintained during construction so as not to impede the highway drainage flow from Highways England (or the Local Authority) outfalls. The proposed works must not pose a flood risk to the A1 during construction.

06

Notes on gas monitoring:

Gas monitoring data must be collected from appropriate locations and collected on a weekly basis over a minimum period of three months. Gas monitoring must be undertaken for methane, carbon dioxide, oxygen, hydrogen sulphide and hydrogen. Details of the quantities and flow rates for any ground gases detected must be submitted to the Local Planning Authority.

Monitoring should be targeted to days when the atmospheric pressure is low and falling, as these are the optimum conditions for gas migration. Prior to the commencement of monitoring, the details of the proposed method of monitoring, location and depth for borehole(s) must be submitted to the Local Planning Authority for approval

BACKGROUND PAPERS

Application case file.

For further information, please contact Laura Gardner on extension 5907.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Lisa Hughes
Business Manager – Planning Development

Committee Plan - 20/001177/FULM

