

A46 Newark Bypass TR010065/APP/5.2

5.2 Consultation Report Annexes

Annex M: Targeted Statutory Consultation Letters and Materials

APFP Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009

Volume 5

April 2024

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms
and Procedure) Regulations 2009**

A46 Newark Bypass

Development Consent Order 202[x]

CONSULTATION REPORT ANNEXES

**ANNEX M: TARGETED STATUTORY CONSULTATION LETTERS AND
MATERIALS**

Regulation Number:	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010065
Application Document Reference	TR010065/APP/5.2
Author:	A46 Newark Bypass Project Team, National Highways

Version	Date	Status of Version
Rev 1	April 2024	DCO Application

Contents - Annex M

M.1. – Targeted Statutory Consultation Letter and Materials

Our ref: TC/A46NB/Sep/2023

National Highways
2 Colmore Square
Birmingham
B4 6BN

Tel: 0300 123 5000
5 September 2023

Dear 

A46 Newark Bypass – Statutory Consultation 8 September 2023 to 6 October 2023

We are writing to you in relation to the proposed A46 Newark Bypass scheme, which proposes to widen 6.5km of the existing single carriageway to a dual carriageway, to provide two lanes in each direction between Farndon and Winthorpe roundabouts near Newark-on-Trent.

The proposed scheme includes:

- Adding traffic signals to Farndon roundabout to improve traffic flows during peak hours
- A grade separated junction at Cattle Market with the A46 elevated to pass over the roundabout
- A short section of new dual carriageway over the A1, including slip roads to Brownhills roundabout and a new bridge to the north of the existing A46 bridge over the A1
- A new single lane carriageway between Friendly Farmer and Winthorpe roundabouts providing links to the A17, A1 and Newark-on-Trent
- Enlarging and adding traffic signals to Winthorpe roundabout with the mainline passing through the middle to form a through-about junction
- Diversion of utilities
- Environmental mitigation and floodplain compensation
- Application and/or disapplication of legislation relevant to the scheme
- Such ancillary, incidental and consequential provisions, permits or consents as necessary or convenient
- In addition, any necessary rights and powers will be sought to ensure delivery of the scheme, including permanent and temporary compulsory acquisition (if required)

The proposed scheme is identified as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008. This means we are required to make an application for a Development Consent Order (DCO) to get the consent we need to build the scheme.

This application will be made to the Planning Inspectorate who will examine the application on behalf of the Secretary of State, to get consent to construct and operate the scheme. We intend to make our application for a DCO in late 2023.

Why we're writing to you

As you may be aware statutory consultation was previously carried out for the proposed scheme between 26 October and 12 December 2022.

In addition to the statutory consultation in 2022, a further targeted consultation was carried out between 14 March and 16 April 2023. The targeted consultation focused on six changes to the proposed scheme which were made after the original statutory consultation in 2022.

We're writing to you now because it has recently come to our attention that you may/might be entitled to make a relevant claim due to the effects of construction and/or operation of the new road if the DCO were to be made and implemented.

This is because technical studies undertaken indicate that increased noise from traffic in the vicinity of the Pelham Street area could be an impact of the scheme. Should the scheme be built, we propose to monitor the issue after scheme opening to validate impacts and taking appropriate measures to mitigate the impacts if required. Mitigation measures could include traffic signal phasing, speed calming, speed limits and road signage. Nottinghamshire County Council would carry out any works under powers with funding by National Highways.

You may be able to claim compensation under Section 152 of the Planning Act 2008, under Section 10 of the Compulsory Purchase Act 1965 or under Part I of the Land Compensation Act 1973.

A relevant claim is one which either relates to:

- a right that you may have is interfered with by the scheme such as a right of way;
- a reduction in the value of your property where no rights are affected but because of physical factors arising from the scheme such as noise or lighting – often referred to as Part 1 Claims; or
- where a claim in nuisance may arise.

This is part of a precautionary approach that we are taking to potential interests in land or property in the area of the scheme. Any claims relating to these interests will need to be made and substantiated (but only after the scheme if consented is constructed).

It's important to note that being consulted under this category does not confirm entitlement to a future claim. Entitlement to compensation is assessed by our professional valuers at the time that a claim is made. We recommend that you take professional advice before making any claim.

We're required to consult people and organisations who have an interest in land. The statutory consultation will run for 28 days from **8 September 2023 to 6 October 2023**. We're sending this letter to notify you of our consultation, invite you to look at our consultation materials and provide feedback to us by **11.59pm on 6 October 2023**.

This consultation is an important opportunity for you to share your views on our proposals and will enable us to take your views into account when developing and refining our proposals before we submit our DCO application for the scheme.

Please refer to the consultation materials listed below and use the contact details provided near the end of this letter to provide us with a response to our consultation.

2022 Consultation materials

To view our consultation materials from the statutory consultation in 2022, listed below, please visit our scheme webpage at **www.nationalhighways.co.uk/a46-newark-bypass** (see Public Consultation 2022 section on the webpage)

- **Consultation brochure**
- **Preliminary Environmental Information (PEI) Report**
- **Non-Technical Summary of the PEI Report**
- **General Arrangement Drawings**
- **Plan and Profile Drawings Fly-through video**

As noted above, since the statutory consultation in 2022, we carried out a targeted consultation between 14 March and 16 April 2023. Updated information from that targeted consultation showing the changes since statutory consultation in 2022 can be found on the scheme webpage at www.nationalhighways.co.uk/a46-newark-bypass (see Targeted Consultation 2023 section on the webpage):

- **Revised Draft Order Limits Plan**
- **Scheme Design Map**

As the project is an Environmental Impact Assessment (EIA) development as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) we've prepared a PEI Report to help you understand the likely effects of our proposals. We'll also submit an Environmental Statement with the DCO application.

Copies of additional or accessible versions of our statutory consultation 2022 and targeted consultation 2023 materials are available upon request from our project team, there may be a charge applied in certain cases to cover the cost of printing and postage.

Consultation documents relevant to you personally

We've included the **Revised Draft Order Limits Plan** with this letter. It shows the full extent of the scheme boundary so that, if there is land you have an interest in within the boundary but that has not been included on the Land Interest Plan(s), you can use this consultation opportunity to bring that to our attention. If this is the case, you can use / amend the plan(s) to explain that to us and send it back to us as part of your consultation response.

Where you can get more information

The scheme webpage:

Our webpage provides current scheme information as well as historic information and can be accessed using the following web address: www.nationalhighways.co.uk/a46-newark-bypass You can also use the scheme webpage to sign up to receive latest news and updates via email.

Property guidance and compensation information:

We've produced guidance about our road proposals, your property, and compensation. You can view this information on the following webpage:

<https://nationalhighways.co.uk/media/ouwd2a10/your-property-and-our-road-proposals.pdf>

Landowner meetings

To arrange an appointment with the project team, please contact us using the details below to organise a time for us to speak to you directly. Please let us know if you would like to discuss any specific issues.

Responding to the consultation

You can respond to our consultation using one of the following methods:

- **Freepost: Freepost A46 NEWARK BYPASS**

Send us your views by writing to us and posting back to our team using the scheme freepost address. There is no need for a stamp when using this freepost address.

- **Email: A46newarkbypass@nationalhighways.co.uk**

All responses should be submitted by **11.59pm on 6 October 2023**.

When providing any feedback, please include reference **TC/A46NB/Sep/2023** in your response.

The consenting process

To receive development consent to build the scheme, we must make an application for a DCO.

The application will be made to the Planning Inspectorate, who will appoint an Examining Authority to examine the application. After the examination the Examining Authority make a recommendation to the Secretary of State, who will ultimately decide whether the application is granted.

Further information about this process and DCOs can be found on the Planning Inspectorate's National Infrastructure Planning website: <https://infrastructure.planninginspectorate.gov.uk/>

If you have any queries about this correspondence, the proposals or the consultation, please do not hesitate to contact our project team using the details provided below.

Yours sincerely

Philip Boffey
Senior Project Manager for the A46 Newark Bypass
Email: A46newarkbypass@nationalhighways.co.uk
Tel: 0300 123 5000

Your data, your rights

In line with UK Data Protection legislation, National Highways are required to explain to you – consultees, stakeholders and customers – how your personal data will be used and stored.

National Highways adheres to the government's consultation principles, the Planning Act 2008 and the Highways Act 1980 as required, and may collect personal data to help shape development of highways schemes.

Personal data collected by the project team will be processed and retained by National Highways and its appointed contractors until the scheme is complete.

In some instances, consultation responses may also be sent to the Planning Inspectorate. To view the Planning Inspectorate's information relating to Data Protection at Examination events please visit: infrastructure.planninginspectorate.gov.uk/help/privacy-notice/

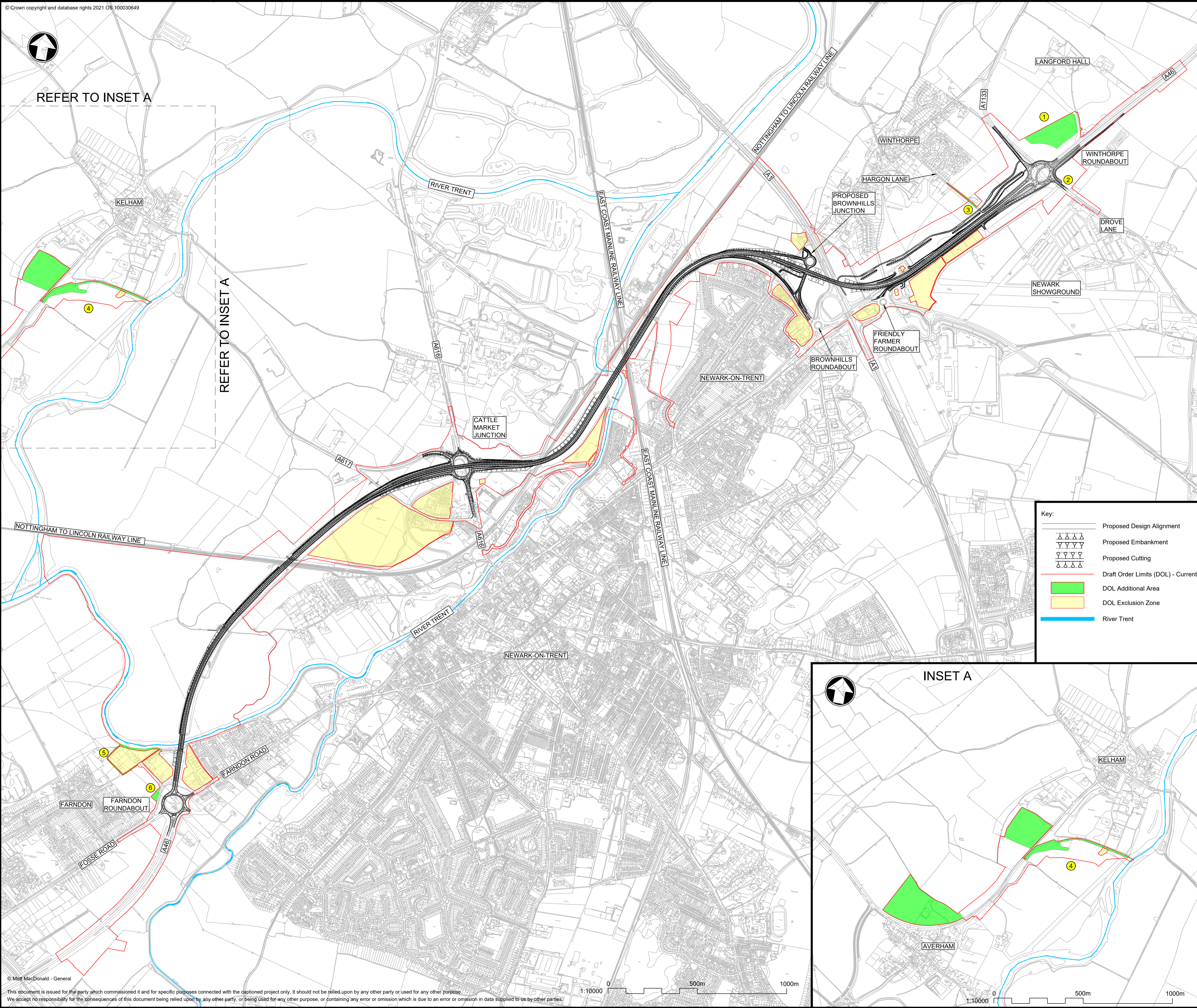
Under the GDPR regulations you have the following rights:

- Right of access to the data (Subject Access Request)
- Right for the rectification of errors
- Right to erasure of personal data – this is not an absolute right under the legislation
- Right to restrict processing or to object to processing
- Right to data portability

If, at any point, National Highways plans to process the personal data we hold for a purpose other than that for which it was originally collected, we will tell you what that other purpose is. We will do this prior to any further processing taking place and we will include any relevant additional information, including your right to object to that further processing.

You have the right to lodge a complaint with the supervisory authority, the Information Commissioners Office.

If you'd like more information about how we manage data, or a copy of our privacy notice, please contact: DataProtectionAdvice@nationalhighways.co.uk

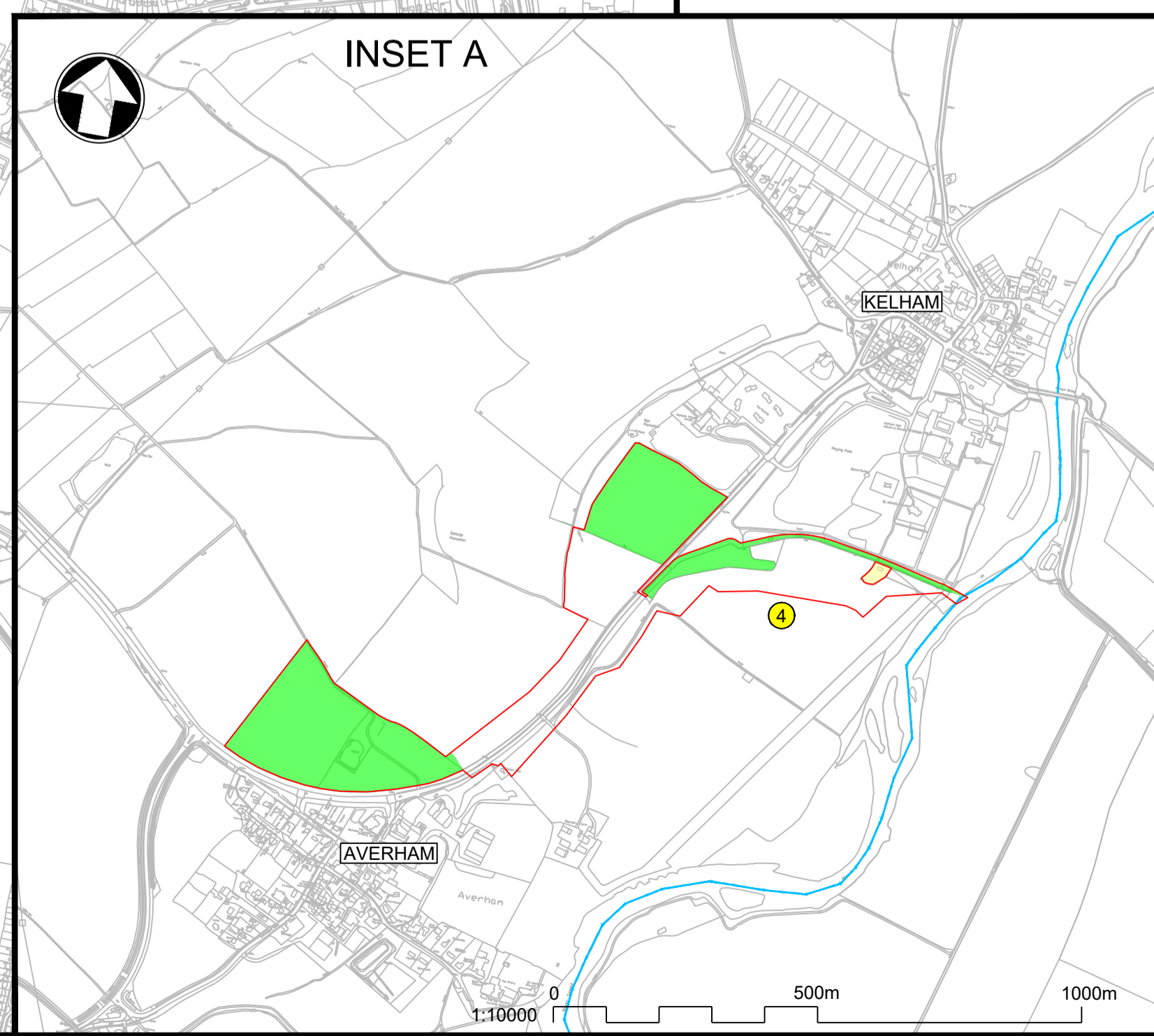


REFER TO INSET A

REFER TO INSET A

Key:

- Proposed Design Alignment
- Proposed Embankment
- Proposed Cutting
- Draft Order Limits (DOL) - Current
- DOL Additional Area
- DOL Exclusion Zone
- River Trent



- Notes**
- Targeted consultation changes:**
- 1 Langford Hall access road**
Following consultation feedback relating to impacted access routes, the proposed scheme boundary (also referred to as the 'draft Order Limits' or 'red line boundary') has been altered near Langford Hall. The design of the proposed access route is still in development, however additional land requirements have been identified.
 - 2 Winthorpe roundabout**
Following consultation feedback and ongoing stakeholder engagement, the Winthorpe roundabout layout has been amended. To improve flows, the A46 traffic would be directed around the roundabout, with the northbound traffic from the Friendly Farmer roundabout passing through the middle. A signalled walking and cycling route would be provided across the junction between the A1133 and Drove Lane.
 - 3 Hargon Lane**
Following consultation feedback, the proposed scheme boundary has been altered along part of Hargon Lane. This would enable any works and/or rights required to connect the current footpath on Hargon Lane with a new walking and cycling route proposed across Winthorpe roundabout between the A1133 and Drove Lane.
 - 4 Kelham/Averham floodplain compensation area**
Following further design development and engagement with local stakeholders, the proposed scheme boundary has been altered to include new land parcels identified for use as floodplain compensation areas, including land within the Kelham Conservation Area.
 - 5 Farndon brideway (BW2) temporary diversion**
Following consultation feedback, the proposed scheme boundary has been altered to enable an alternative route to be used as a temporary brideway diversion during construction.
 - 6 Farndon temporary construction holding area**
Following feedback from local stakeholders, the proposed scheme boundary has been altered to include additional land for temporary use as a vehicle holding area during construction.

- General drawing notes:**
1. All dimensions are in metres unless otherwise stated.
 2. Land proposed to be acquired or used for the scheme permanently or temporarily is shown indicatively at this stage, with an appropriate level of confidence commensurate with the preliminary status of the design.
 3. This plan shows a draft of the preliminary design. Therefore this layout is subject to change.
 4. This plan shows the Draft Order Limits and highways design only. All other information has been omitted for clarity.

P01	10/03/23	FOR TARGETED CONSULTATION	RC	JS	RH
REV.	DATE	AMENDMENT DETAILS	ORIG	CHK'D	APP'D

Project's Promoter

Supported by

Drawing Status: Suitable for Review & Comment | Status: S3

Project Title: A46 Newark Bypass

Drawing Title: Targeted Consultation Revised Draft Order Limits Plan

Scale	1:10000	Designed	JS	Drawn	RC	Checked	JS	Approved	RH
Original Size	A1	Date	10/03/23	Date	10/03/23	Date	10/03/23	Date	10/03/23
Drawing Number	HE PIN	Originator	Volume	Project Ref. No.					
HE551478 - SKAG	- LLO -			HE551478					
CONWI_CONW	- DR - CH -	00002	Revision						
Location	Type	Role	Number	P01					

