

A46 Newark Bypass

TR010065/APP/6.1

6.1 Environmental Statement

Chapter 1 Introduction

APFP Regulation 5(2)(a)

Planning Act 2008

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

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Infrastructure Planning

Planning Act 2008

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

A46 Newark Bypass

Development Consent Order 202[x]

ENVIRONMENTAL STATEMENT

CHAPTER 1 INTRODUCTION

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1 Introduction

1.1 Purpose of the report

- 1.1.1 This Environmental Statement (ES) relates to an application made by National Highways (the Applicant) to the Secretary of State for Transport, via the Planning Inspectorate (the Inspectorate), under section 37 of the Planning Act 2008 (the 2008 Act) for a Development Consent Order (DCO). If made, the DCO would grant consent for the construction, operation and maintenance of the A46 Newark Bypass (the Scheme). A detailed description of the Scheme can be found in Chapter 2 (The Scheme) of this ES.
- 1.1.2 Environmental Impact Assessment (EIA) can be defined as an assessment of those consequences of a major project which affect the natural, built and social environment. The Infrastructure Planning (EIA) Regulations 2017 (as amended) (the EIA Regulations)¹ require an assessment of the effects of certain public and private projects, which are likely to have significant effects on the environment, before development is granted.
- 1.1.3 The principal purpose of this ES is to assess the likely significant effects of the Scheme on the environment, to provide the Examining Authority with sufficient information to enable an informed recommendation to be made to the Secretary of State on whether development consent should be consented.
- 1.1.4 This ES is structured as follows:
- The ES main text setting out the environmental assessment chapters
 - The ES figures, including drawings, photos and other illustrative material **(TR010065/APP/6.2)**
 - The ES technical appendices **(TR010065/APP/6.3)**
 - The ES Non-Technical Summary **(TR010065/APP/6.4)**
- 1.1.5 This ES should be read in conjunction with the following documents:
- First Iteration Environmental Management Plan **(TR010065/APP/6.5)**
 - Habitat Regulations Assessment **(TR010065/APP/6.6)**
 - Statement Relating to Statutory Nuisance **(TR010065/APP/6.7)**
 - Archaeological Management Plan **(TR010065/APP/6.8)**
 - Pre-Commencement Plan **(TR010065/APP/6.9)**
 - Scoping Opinion **(TR010065/APP/6.10)**

¹ Statutory Instrument (2017) The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, No. 572.

1.1.6 Table 1-1 sets out the structure of this ES further and provides a summary description of the chapters.

Table 1-1: Structure of the Environmental Statement

Chapter	Description
<i>ES Main Text</i>	
Chapter 1 (Introduction)	Chapter 1 (Introduction) explains the purpose and structure of the ES, provides an overview of the Scheme, outlines the legislative and policy framework, and provides competent expert evidence in relation to the ES coordinators.
Chapter 2 (The Scheme)	Chapter 2 (The Scheme) of this ES identifies the need for the Scheme and the Scheme objectives, provides a description of the Scheme location, a description of the baseline scenario and its likely evolution due to natural changes, and provides a detailed description of the preliminary Scheme design, construction strategy, and any maintenance and long-term management requirements.
Chapter 3 (Assessment of Alternatives)	Chapter 3 (Assessment of Alternatives) of this ES explains how the Scheme has developed from a number of different route options during the optioneering process, provides an outline of the reasonable alternatives considered, and describes the justification for the chosen option.
Chapter 4 (Environmental Assessment Methodology)	Chapter 4 (Environmental Assessment Methodology) of this ES provides a summary of the environmental impact assessment process undertaken, general assessment assumptions and limitations, an explanation of the significance criteria, provides an overview of the mitigation hierarchy, and provides a summary of the environmental consultation that has been undertaken to date.
Chapter 5 Air Quality	Chapters 5 to 14 of this ES assess and explain the likely significant effects of the Scheme in relation to the environmental factors specified in Schedule 5(2) of the EIA Regulations. Each of the chapters include the following: <ul style="list-style-type: none"> • Introduction • Competent expert evidence • Legislative and policy framework • Consultation • Assessment methodology • Assessment assumptions and limitations • Study area • Baseline conditions • Potential impacts • Design, mitigation and enhancement measures • Assessment of likely significant effects • Monitoring requirements • Conclusions
Chapter 6 Cultural Heritage	
Chapter 7 Landscape and Visual Effects	
Chapter 8 Biodiversity	
Chapter 9 Geology and Soils	
Chapter 10 Material Assets and Waste	
Chapter 11 Noise and Vibration	
Chapter 12 Population and Human Health	
Chapter 13 Road Drainage and the Water Environment	
Chapter 14 Climate	
Chapter 15 Combined and Cumulative Effects	Chapter 15 (Combined and Cumulative Effects) of this ES presents the assessment for combined effects as a result of the Scheme (the interrelationships between different environmental factors) and the cumulative effects from different proposed developments with the Scheme being assessed.
Chapter 16 Summary	Chapter 16 provides a summary of the likely significant effects reported in the ES and any required mitigation. It also provides a summary of any monitoring requirements.

Chapter	Description
Chapter 17 Glossary and Abbreviations	Chapter 17 provides a glossary of the key terms and acronyms used.
<i>ES Figures (TR010065/APP/6.2)</i>	
Figures have been produced to support a number of the above ES chapters.	
<i>ES Technical Appendices (TR010065/APP/6.3)</i>	
Technical appendices support a number of the above ES chapters and have either been produced as part of the ES or comprise previous material referenced to support the ES.	
<i>ES Non-Technical Summary (TR010065/APP/6.4)</i>	
Non-Technical Summary	<p>The Non-Technical Summary provides an overview, in non-technical language, of the main findings of the ES, including the following:</p> <ul style="list-style-type: none"> • The Scheme • Alternatives • EIA process and methodology • Assessment of likely significant effects and a description of mitigation measures • What happens next

1.2 Overview of the Scheme

Existing corridor

- 1.2.1 The existing A46 forms part of National Highways strategic road network (SRN) and forms part of the strategic Trans-Midlands Trade Corridor between the M5 in the south-west and the Humber Ports in the north-east. The A46 Newark Bypass is the last stretch of the corridor that is single carriageway. The Scheme makes a commitment to create a continuous dual carriageway from Lincoln to Warwick.

Existing road

- 1.2.2 The section of the existing A46 that would be upgraded as part of the Scheme commences at the existing Farndon roundabout. Travelling north, the road reaches the Cattle Market junction before bearing north-east to reach Brownhills junction and then continuing northward towards Winthorpe junction. The section of the A46 between Farndon and Brownhills junctions is characterised as a single lane road. The section of the A46 between Brownhills and Winthorpe junctions is characterised as a dual carriageway. There are several priority junctions along the route giving access to the settlements of Farndon to the south, Newark-on-Trent to the east, Winthorpe to the north and Kelham and Averham further afield to the west, as well as several farm accesses and a parking lay-by.

Scheme proposal

- 1.2.3 The section of the existing A46 that would be upgraded is approximately 4 miles or 6.5 kilometres long. The land required for the Scheme is illustrated on the Land Plans (**TR010065/APP/2.2**), the extents of which are contained by the Order Limits.
- 1.2.4 The Scheme would provide widening of the existing single carriageway to a dual carriageway to provide two lanes in each direction between Farndon and Winthorpe roundabouts. The new Farndon roundabout would be partially signalised, the Cattle Market roundabout would be grade separated, a new bridge would be built over the existing A1, and Winthorpe roundabout would be enlarged and partially signalised with the mainline passing through the middle to form a through-about layout.
- 1.2.5 Figure 1.1 (Scheme Order Limits) of the ES Figures (**TR010065/APP/6.2**) shows the Order Limits for the Scheme.

The Scheme Applicant

- 1.2.6 The Applicant for this Scheme is National Highways, the government owned company charged with operating, maintaining and improving England's motorways and major A roads, known as the Strategic Road Network (SRN).

1.3 Legislative and policy framework

Legislative context and the need for EIA

- 1.3.1 The Scheme comprises a Nationally Significant Infrastructure Project (NSIP) under section 14(1)(h) and section 22(1)(b) of the 2008 Act as:
- It comprises the alteration of a highway
 - The highway to be altered is wholly within England
 - The Applicant is the Strategic Highway Authority for the highway
 - The speed limit is 50mph or greater and the Order Limits at 211 hectares is greater than the threshold of 12.5 hectares
- 1.3.2 Council Directive (2014/52/EU)² on the assessment of the effects of certain public and private projects on the environment (the EIA Directive) forms the basis of the legal requirements for EIA and of EIA

² European Parliament and Council. 2014. Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment. OJ. L124:1–18, [online] available at: [Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment \(Text with EEA relevance\) \(legislation.gov.uk\)](https://legislation.gov.uk/eur-lex/dir/2014/52) (last accessed December 2023).

practice in the UK. The EIA Directive has been transposed into UK law through the EIA Regulations.

- 1.3.3 The Scheme falls within paragraph 10(f) of Schedule 2 of the EIA Regulations as the potential for significant environmental effects has been identified. Therefore, an ES has been prepared to accompany the DCO application to the Inspectorate. On 14 September 2022, a Regulation 8(1)(b) notice was submitted to the Inspectorate alongside submission of the EIA Scoping Report.
- 1.3.4 This ES meets the requirements of Regulation 14 of the EIA Regulations, including compliance with the Inspectorate’s Scoping Opinion for this Scheme (**TR010065/APP/6.10**). Further details on compliance with the Scoping Opinion are contained in Section 4.1 of Chapter 4 Environmental Assessment Methodology of this ES.

Location of required information

- 1.3.5 Regulation 14 and Schedule 4 of the EIA Regulations set out the information which is to be included in the ES. Table 1-2 identifies where the information defined by Regulation 14(2) can be found within this ES.

Table 1-2: Location of information defined by Regulation 14(2) in the ES

Specified information	Location within the ES
(2) An environmental statement is a statement which includes at least – a) a description of the proposed development comprising information on the site, design, size and other relevant features of the development.	Chapter 2 (The Scheme) of this ES
b) a description of the likely significant effects of the proposed development on the environment.	Chapters 5 – 15 of this ES
c) a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment.	Chapters 5 – 15 of this ES
d) a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment.	Chapter 3 (Assessment of Alternatives) of this ES
e) non-technical summary of the information referred to in sub-paragraphs (a) to (d).	Non-Technical Summary (TR010065/APP/6.4)
f) any additional information specified in Schedule 4 relevant to the specific characteristics of the particular development or type of development and to the environmental features likely to be significantly affected.	Chapters 1 – 15 of this ES, ES Figures (TR010065/APP/6.2), and ES Technical Appendices (TR010065/APP/6.3)

1.4 Planning policy context

National policy

National Policy Statement for National Networks

- 1.4.1 Section 104 of the 2008 Act states that when deciding the approval of an NSIP, the Secretary of State must consider any National Policy Statements (NPSs) which relate to the development being considered. NPSs are produced by central Government and provide policy on specific aspects of national infrastructure. The National Policy Statement of relevance to this Scheme is the National Policy Statement for National Networks (NPSNN)³.
- 1.4.2 The existing NPSNN sets out the need for, and the Government's policies to deliver development of, NSIPs on the national road network in England and sets out the primary basis for decision making for NSIPs on the national network in England.
- 1.4.3 The existing NPSNN deals predominantly with linear infrastructure; section 4.11 of the existing NPSNN notes that these differ from other types of development covered by the 2008 Act as:
- These networks are designed to link together separate points. Consequently, benefits are heavily dependent on both the location of the network and the improvement to it.
 - Linear infrastructure is connected to a wider network, and any impacts from the development will have an effect on pre-existing sections of the network.
 - Improvements to infrastructure are often connected to pre-existing sections of the network. Where relevant, this may minimise the total impact of development, but may place some limits on the opportunity for alternatives.
- 1.4.4 Section 4.12 of the existing NPSNN notes that “In considering applications for linear infrastructure, decision-makers will need to bear in mind the specific conditions under which such developments must be designed”. Sections 4.15 to 4.21 of the existing NPSNN outline specific requirements in relation to the production of an EIA.
- 1.4.5 The Government recognises in the Appraisal of Sustainability accompanying the existing NPSNN that some developments will have some adverse local impacts on noise, emissions, landscape/visual amenity, biodiversity, cultural heritage and water resources. The significance of these effects and the effectiveness of mitigation is uncertain at the strategic and non-locational specific level of the existing NPSNN. Therefore, whilst applicants should deliver

³ Department for Transport (2014) National Policy Statement for National Networks [online] available at: [National policy statement for national networks - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/282222/national-policy-statement-for-national-networks.pdf) (last accessed December 2023).

developments in accordance with Government policy and in an environmentally sensitive way, including considering opportunities to deliver environmental benefits, it is acknowledged that some adverse local effects of development may remain.

- 1.4.6 Evidence demonstrating compliance of the Scheme with the existing NPSNN has been provided within the Case for the Scheme **(TR010065/APP/7.1)** and the NPSNN Accordance Tables **(TR010065/APP/7.2)**.
- 1.4.7 A draft NPSNN was published for consultation in March 2023. The consultation period ended in June 2023. The draft NPSNN may be subject to change following the consultation and once published in its designated form. Although this is currently in draft it may still be an important consideration for the Secretary of State for Transport when determining whether to consent the DCO for this Scheme. Accordingly, the Draft NPSNN Accordance Tables **(TR010065/APP/7.3)** summarise compliance of the Scheme with the draft NPSNN.

National Planning Policy Framework

- 1.4.8 The National Planning Policy Framework (NPPF)⁴ sets out the Government's economic, environmental and social planning policies for England. These policies articulate a national strategy for sustainable development, with this vision interpreted to meet local aspirations and applied locally through the development of local and neighbourhood plans reflecting the needs and priorities of communities.
- 1.4.9 The existing NPPF promotes a "*presumption in favour of sustainable development*". This presumption requires that economic, social and environmental considerations should be assessed in the determination of development proposals. In addition, the NPPF seeks to promote sustainable transport by encouraging solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 1.4.10 The existing NPPF does not contain specific policies for NSIPs for which particular considerations apply. NSIPs are determined in accordance with the decision-making framework set out in the 2008 Act and relevant NPSs for major infrastructure. For highways, the relevant NPS is the NPSNN, as described above. However, the NPPF may be an important and relevant consideration to the Secretary of State's decision as detailed under Section 104(2)(d) of the 2008 Act.

⁴ Department for Levelling Up, Housing & Communities (December 2023). National Planning Policy Framework [online] available at: [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/128122/nppf-2023.pdf) (last accessed March 2024).

Local Policy

- 1.4.11 The local plans of Newark and Sherwood District Council and Nottinghamshire County Council have been reviewed and where relevant, local planning policies have been included within Chapters 5 to 15 of this ES, and within the Case for the Scheme **(TR010065/APP/7.1)**.
- 1.4.12 As set out by the 2008 Act, the primary policy consideration for a highways scheme classified as an NSIP is the NPSNN. However, Local Plans and other national policy documents, such as the NPPF, can be a relevant consideration when making decisions on DCO applications. Section 104(2) of the 2008 Act states that the relevant Secretary of State must have regard to the relevant NPS, any local impact reports produced by host authorities, prescribed matters, and any other matters that they consider are both important and relevant to the decision. As such, the Case for the Scheme **(TR010065/APP/7.1)** considers and provides an overview of the Scheme's compliance with the relevant national and local planning policies that will guide the decision processes.

National Highways policy, plans and guidance

National Highways Licence

- 1.4.13 The National Highways Licence⁵ sets out the Secretary of State's aims, objectives and conditions for National Highways to meet in accordance with Section 1 of the Infrastructure Act 2015. This maintains the functions of a strategic highways company to make sure the SRN is managed responsibly, in a way that safeguards value for public investment, meeting the needs of road users, securing individual well-being and supporting economic purpose, both today and for future generations.

National Highways Delivery Plan 2020-2025

- 1.4.14 The Delivery Plan⁶ outlines how National Highways will invest their Government funding in the SRN between 2020 to 2025, over the second road investment period. The Delivery Plan identifies that 52 Schemes are planned to be opened during this road period to increase safety, improve reliability and deliver value for money. The Scheme would be open for traffic after the end of the second road investment period. However, progression of this Scheme throughout

⁵ Highways England (2015) Highways England Licence – Secretary of State for Transport statutory directions and guidance to the strategic highways companies [online] available at: [Highways England: licence \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/424842/highways-england-licence.pdf) (last accessed December 2023).

⁶ National Highways (2020) National Highways Delivery Plan 2020-2025 [online] available at: [5-year-delivery-plan-2020-2025-final.pdf \(nationalhighways.co.uk\)](https://www.nationalhighways.co.uk/5-year-delivery-plan-2020-2025-final.pdf) (last accessed December 2023).

this period to enable road-user capacity, connectivity and access to be improved would be complete in the third road period.

National Highways Performance Specification

1.4.15 As part of the Road Investment Strategy 2⁷, the Performance Specification⁸ sets out the expectations for National Highways and the SRN, including metrics and indicators measuring the performance of both National Highways and the network against planned outcomes.

National Highways Net Zero Plan

1.4.16 In addition to the UK Government's Net Zero Strategy, National Highways have outlined their net zero strategy⁹ which contains three core commitments:

- Corporate emissions – net zero by 2030
- Maintenance and construction emissions – net zero by 2040
- Road user emissions – net zero by 2050

National Highways' People, Places and Processes

1.4.17 National Highways' 'People, places and processes: A guide to good design at National Highways'¹⁰ sets out a vision, which aims to put people at the heart of National Highways' work, by designing an inclusive, resilient and sustainable road network. This road network should be appreciated for its usefulness but also its elegance, reflecting in its design the beauty of the natural, built and historic environment through which it passes, and enhancing it where possible. The accompanying set of principles for good road design follow the themes of people, places and processes. The focus on good design seeks to make a difference to both road users and the communities through which the roads pass, while being sensitive to the context of a road's surroundings. The road should contribute to higher quality of life, greater economic vitality and a more efficient use of resources. The Scheme Design Report (**TR010065/APP/7.5**) sets out how the Scheme meets each of the National Highways design principles.

⁷ Department for Transport (2020) Road Investment Strategy 2: for the 2020 to 2025 Road Period [online] available at: [Road Investment Strategy 2: 2020-2025 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874247/road-investment-strategy-2-2020-2025.pdf) (last accessed December 2023).

⁸ Department for Transport (2014) Road Investment Strategy: Performance Specification [online] available at: [Road Investment Strategy: Performance Specification \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/284247/road-investment-strategy-performance-specification.pdf) (last accessed December 2023).

⁹ National Highways (2020) Net zero highways: our 2030/2040/2050 plan available at <https://nationalhighways.co.uk/media/eispcjem/net-zero-highways-our-2030-2040-2050-plan.pdf> (Last accessed December 2023).

¹⁰ National Highways (2022) People Places and Processes: A guide to good design at National Highways [online] available at: [People, places and processes \(nationalhighways.co.uk\)](https://nationalhighways.co.uk/people-places-and-processes/) (last accessed December 2023).

1.5 Competent expert evidence

- 1.5.1 This ES has been coordinated by a Principal Environmental and Sustainability Consultant with a masters level degree in Environmental Science who is also a Chartered Environmentalist and Full Member of the Institution of Environmental Sciences (IES). The Principal Environmental and Sustainability Consultant has over nine years' professional experience in EIA coordination, authoring ES chapters and non-statutory EIA reports, and peer review of ES chapters for highways schemes. This includes schemes that have progressed through the DCO application process, schemes progressed under the Highways Act 1980 and schemes progressed under the Town and Country Planning Act 1990.
- 1.5.2 This ES has been overseen by a Technical Principal with a masters level degree in Environmental Science who is a Chartered Environmentalist and Full Member of the Institution of Environmental Management and Assessment (IEMA). The Technical Principal has over 16 years' professional experience in EIA coordination authoring ES chapters and non-statutory EIA reports, and peer review of ES chapters for highways schemes. This includes schemes that have progressed through the DCO application process, schemes progressed under the Highways Act 1980 and schemes progressed under the Town and Country Planning Act 1990. The Technical Principal has experience of leading and coordinating environmental responses to queries during DCO Examination hearings for previous DCO schemes.
- 1.5.3 Competent expert evidence for each of the environmental specialist leads is provided within Chapters 5 to 15 of this ES.

1.6 References

- ¹ European Parliament and Council. 2014. Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment. OJ. L124:1–18, [online] available at: [Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment \(Text with EEA relevance\) \(legislation.gov.uk\)](#) (last accessed December 2023).
- ² Statutory Instrument (2017) The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, No. 572.
- ³ Department for Transport (2014) National Policy Statement for National Networks [online] available at: [National policy statement for national networks - GOV.UK \(www.gov.uk\)](#) (last accessed December 2023).
- ⁴ Department for Levelling Up, Housing & Communities (December 2023). National Planning Policy Framework [online] available at: [National Planning Policy Framework \(publishing.service.gov.uk\)](#) (last accessed March 2024).
- ⁵ Highways England (2015) Highways England Licence – Secretary of State for Transport statutory directions and guidance to the strategic highways companies [online] available at: [Highways England: licence \(publishing.service.gov.uk\)](#) (last accessed December 2023).
- ⁶ National Highways (2020) National Highways Delivery Plan 2020-2025 [online] available at: [5-year-delivery-plan-2020-2025-final.pdf \(nationalhighways.co.uk\)](#) (last accessed December 2023).
- ⁷ Department for Transport (2020) Road Investment Strategy 2: for the 2020 to 2025 Road Period [online] available at: [Road Investment Strategy 2: 2020-2025 \(publishing.service.gov.uk\)](#) (last accessed December 2023).
- ⁸ Department for Transport (2014) Road Investment Strategy: Performance Specification [online] available at: [Road Investment Strategy: Performance Specification \(publishing.service.gov.uk\)](#) (last accessed December 2023).

⁹ National Highways (2020) Net zero highways: our 2030/2040/2050 plan available at <https://nationalhighways.co.uk/media/eispcjem/net-zero-highways-our-2030-2040-2050-plan.pdf> (last accessed December 2023).

¹⁰ National Highways (2022) People Places and Processes: A guide to good design at National Highways [online] available at: [People, places and processes \(nationalhighways.co.uk\)](https://nationalhighways.co.uk/people-places-and-processes) (last accessed December 2023).