A46 Newark Bypass

Scheme Number: TR010065

7.10 Applicant's Response to Relevant Representations

Rule 8(1)(c)(i)

Planning Act 2008
Infrastructure Planning (Examination Procedure) Regulations 2010

October 2024

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Regulations 2010

The A46 Newark Bypass
Development Consent Order 202[#]

Applicant's Response to Relevant Representations

Regulation Number:	Rule 8(1)(c)(i)
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Author:	A46 Newark Bypass Project Team, National Highways

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Contents

1. Introduction

1.1. The Development Consent Order (DCO) application for the A46 Newark Bypass (the “Scheme”) was submitted by National Highways (the “Applicant”) to the Secretary of State for Transport via the Planning Inspectorate on 26 April 2024 and accepted for Examination on 23 May 2024.

The section of the A46 that would be upgraded is approximately 6.5 kilometres (approximately 4 miles) in length. The Scheme comprises on-line widening for the majority of its length between Farndon Roundabout and the A1. A new section of off-line dual carriageway would be provided between the western and eastern sides of the A1 before the new dual carriageway ties into the existing A46 to the west of Winthorpe Roundabout. The widening works include earthwork widening along the existing embankments, and new structures where the route crosses the Nottingham to Lincoln and ECML railway lines, River Trent, Brownhills link and the A1. A detailed description of the Scheme can be found in Chapter 2, The Scheme of the Environmental Statement [APP-046]

2. Purpose of this Document

2.1. The purpose of this document is to set out the Applicant’s response to the Relevant Representations (RR) from the interested parties. A total of 79 responses were received during the RR period and published on 23 July 2024 on the Planning Inspectorate’s website.

1 List of Relevant Representations

Ref No.	Representation By:
RR-001	Adam Sharpe
RR-002	Adrian Peter Hatton 1
RR-003	Adrian Peter Hatton 2
RR-004	Aldergate Properties Limited
RR-005	Edmund Thornhill
RR-006	Andrew Leary (Occupant of Pine Cottage on Hargon Lane)
RR-007	Anthony Peter Aspbury
RR-008	British Sugar PLC
RR-009	Canals and Rivers Trust
RR-010	Challenge Ltd
RR-011	Chris Gillham
RR-012	Climate Emergency Planning and Policy (Andrew Boswell)
RR-013	Colin Paterson (Low Wood)
RR-014	Collingham Parish Council
RR-015	Councillors against dualling (5 local councillors)
RR-016	David Charles Lally
RR-017	David Greenwood
RR-018	David Pendle
RR-019	Diane Ledger
RR-020	Environment Agency
RR-021	Extinction Rebellion Newark and Sherwood
RR-022	Farndon Parish Council
RR-023	Forestry Commission
RR-024	Gerard Hadyn Davies
RR-025	Greg Geissler
RR-027	GTC Pipelines ltd
RR-028	Historic England
RR-029	Howard Pack
RR-030	Ian Thomson
RR-031	Irene Brown

Ref No.	Representation By:
RR-032	James and Beth Sumsion
RR-033	James Miller (Kelham) Ltd
RR-034	James Miller
RR-035	Judith Griffiths
RR-036	Lincolnshire County Council
RR-037	Lindum Group
RR-038	Louise Paterson-Blyth
RR-039	Mair Bain
RR-040	Mary Alexis Heath
RR-041	Motor Fuel Group
RR-042	Nadia Ming
RR-043	National Grid Distribution (East Midlands) plc
RR-044	Natural England
RR-045	Network Rail Infrastructure Limited
RR-046	Newark and Notts Agricultural Society
RR-047	Newark A46 Active Travel Partnership
RR-048	Newark and Sherwood District Council
RR-049	Newark Branch Line (Aldergate Properties)
RR-050	Newark Bypass Environment Group
RR-051	Newark Rugby Union Football Club
RR-052	Newark Town Council
RR-053	Nichola Ann Gray
RR-054	Nicholas Roulstone
RR-055	North Kesteven District Council
RR-056	North Muskham Parish Council
RR-057	Nottinghamshire County Council
RR-058	Peridot Solar Ltd (AAS2)
RR-059	Phillip Freer
RR-060	Protect Newark's Green Spaces
RR-061	Richard Barnes
RR-062	Robert Palgrave

Ref No.	Representation By:
RR-063	RWE Generation UK PLC
AS-092	RWE Generation UK PLC
RR-064	Sarah-Jane Page
RR-065	Shell U.K. LTD
RR-066	Simon Tilley
RR-067	South Muskham and Little Carlton Parish Council
RR-068	Stewart Codd
RR-069	The Charity of Thomas Brewer
RR-070	The Right Honourable Francis Michael Earl of Listowel
RR-071	Think Again Winthorpe Action Group
RR-072	Town-planning.co.uk
RR-073	Transport Action Network
RR-074	UK Health Security Agency
RR-075	W A Rainbow & Sons Ltd
RR-076	Wendy Catherine Greenwood
RR-077	Winthorpe Family Settlement 1990
RR-078	Winthorpe Primary School
RR-079	Winthorpe and Langford Parish Council
RR-080	Trustees of Newark Ransome and Marles Cricket Club
AS-101	Castlegate Pension Administration

2 Applicant's Response to the Relevant Representations

Ref No.	Representation by	Representation recorded comments	Applicant's Response
RR-001	Adam Sharpe	I object to the proposed A46 Newark Bypass scheme. It would increase traffic, air pollution and carbon emissions. National Highways state that air pollution will worsen with the scheme: "The results indicate there is a net worsening in air quality as a result of the Scheme in the opening year and forecast year. The worsening is primarily due to an increase in annual traffic movements due to increased capacity delivered by the Scheme, and an overall increase in vehicle kilometres travelled." (5.5.5 of the Case for the Scheme) The construction alone would increase carbon emissions by 143,887 tCO2 in the crucial 5th Carbon Budget, when we have to make the fastest and most significant cuts. The operation of the scheme would increase carbon by an additional 539,312 tCO2e over its 60 year lifetime. The scheme would cost £686 million but delivers low value for money. National Highways estimate it will only generate £1.20 of benefits for every £1 spent.	The Applicant acknowledges that there would be an overall increase in traffic, however, when the Scheme is introduced, journey times along the A46 are forecast to improve as outlined in the Transport Assessment [APP-193] demonstrating the benefits of the Scheme. It is notable that traffic modelling shows that levels of traffic on the A46 around Newark-on-Trent are forecast to increase even if the Scheme is not built. In line with Department for Transport's Transport Analysis Guidance (TAG), traffic flows have been forecast up to 2061. This modelling demonstrates that if the Scheme is implemented, the A46 is not forecast to be over capacity within these timescales. Traffic modelling shows that most of the forecast traffic increase is associated with trips travelling along the A46 to bypass Newark-on-Trent. The Scheme's implementation would therefore lead to a better flow of traffic and a reduction in congestion on both the A46 and on local roads within Newark-on-Trent. While traffic modelling indicates an increase in traffic on the A46 because of the Scheme, it also shows that a significant component of this increase is attributable to strategic through traffic that is effectively removed from the centre of Newark-on-Trent by the Scheme. These trips currently divert off the A46 and go through the town centre to avoid congestion. With the implementation of the Scheme, this through traffic is forecast to remain on the strategic road network, where it is more appropriate for it to be. The Applicant notes the Interested Party's quote indicating a net worsening of air quality has been extracted from paragraph 5.5.5 of the Case for the Scheme [APP-190]. The economic appraisal for the Scheme set out within Chapter 5 of the Case for the Scheme [APP-190] follows the Department for Transport's TAG. The TAG appraisal calculates the monetised impact of air quality from the Scheme by considering the total change in mass emissions from vehicles based on distance travelled. Overall, there is an increase in vehicle kilometres travelled generally caused by the increased distance travelled when using the strategic road network (A46 and A1) as opposed to the shorter (by distance) route using local roads. This causes a net increase in emissions. The TAG appraisal does not consider pollutant concentrations at sensitive receptor locations. The Scheme's air quality impacts and effects at sensitive receptor locations, based on predicted concentrations, are assessed as part of the environmental assessment for the Scheme and are presented in Chapter 5 (Air Quality) of the Environmental Statement (AS-021). Therefore, the analysis presented in the Case for the Scheme [APP-190] is not appropriate for determining the change in air quality at sensitive receptor locations or the significance of air quality effects. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] concludes there are no predicted exceedances of the NO_2, PM_{10} or $PM_{2.5}$ air quality objectives at any of the human health receptors within the study area during operation of the Scheme. As such, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the NO_2, PM_{10} and $PM_{2.5}$ air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. In accordance with paragraph 2.80 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] also concludes that the Scheme would not affect the UK's reported ability to comply with the Air Quality Directive (2008) in the shortest timescales possible. Overall, the Scheme is predicted to reduce traffic movements within Newark-on-Trent where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. The Applicant confirms the greenhouse gas emissions assessment reported in Chapter 14 (Climate) of the Environmental Statement [APP-058] concludes no likely significant effect. This assessment is based on National Highways' Design Manual for Roads and Bridges LA 114 – Climate, which states: 'assessment of projects on climate shall only report significant effects where increases in greenhouse gas emissions will have a material impact on the ability of Government to meet its carbon reduction targets'. The DMRB advice aligns with paragraph 5.17 of the 2015 National Policy Statement for National Networks (NPSNN), which states that "It is very unlikely that the impact of a

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			road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets.". The 2015 NPSNN is the National Policy Statement (NPS) against which the Secretary of State will make their decision whether to consent the application for development consent. Although an updated version of the NPSNN was designated on 24 May 2024, and the gov.uk website states that "The 2015 NNNPS has effect for any applications for development consent accepted for examination prior to 24 May 2024.", as the Scheme was accepted for examination before the designation date it will be assessed and decided against the 2015 NPSNN. However, for completeness the Applicant notes that the 2024 NPSNN includes the following statement in Paragraph 5.42, "Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. Therefore, approval of schemes with residual carbon emissions is allowable and can be consistent with meeting net zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent". Chapter 14 (Climate) of the Environmental Statement [APP-058], describes the climate assessment, setting out any likely significant climate effects for both construction and operation. This assessment includes predicted emissions (tCO_2e) during construction and operation. Construction of the Scheme, which is spread across carbon budget 4 and 5, is estimated to result in 143,887 tCO_2e, which is a 44% reduction in emissions compared to the initial baseline assessment (254,536 tCO_2e) as presented in Section 14.8 of the Chapter 14 (Climate) of the Environmental Statement [APP-058]. This reduction is the result of significant efforts to minimise the greenhouse gas emissions associated with the Scheme design and identify opportunities to improve resource efficiency and reduce carbon, such as reuse of existing carriageway infrastructure, use of precast materials where possible and provision of renewable energy for the site compound. The carbon management and mitigation approach for the Scheme aligns with PAS 2080 best practice, via an iterative system which repeatedly evaluates the Scheme, for example, the use of low carbon solutions or techniques that reduce resource consumption. The output is a Scheme which is optimised as far as reasonably practicable. The operational assessment includes the emissions from road users (sometimes referred to as tailpipe emissions). The road user assessment captures the impacts from the change in traffic flows caused by the Scheme. This assessment, as described in Section 14.5 Chapter 14 (Climate) of the Environmental Statement [APP-058], compares the baseline without Scheme scenario to the with Scheme scenario, known as the do minimum and do something respectively. This comparison gives an estimate of the impact on traffic flows, and this is used to estimate the impact on carbon emissions. The operational emissions, as presented in Section 14.11 of Chapter 14 (Climate) of the Environmental Statement [APP-058], over the 60-year assessment period result in 539,312 tCO2e, with the largest contributor, being 523,019 tCO2e from the road user emissions, summarised in Table 14.19 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The road user assessment presents a worst-case scenario, as the assumptions of electric vehicle uptake are likely underestimated within the assessment as the policy commitments within the Department for Transport's Transport Decarbonisation Plan (TDP) (published July 2021) are not included within the version of the Emission Factor Toolkit (v11) that was used for the assessment.t. As detailed earlier in the response, the assessment of significance is based on a comparison to the impact on the UK Government in meeting its carbon commitments. The estimated emissions for the relevant carbon budgets from the Scheme (including construction and operation) are 107,915 tCO_2e for carbon budget 4, 76,573 tCO_2e for carbon budget 5 and 41,991 tCO_2e for carbon budget 6. The assessment has identified that the emissions arising from the Scheme represent less than 0.007% of the total emissions in any five-year UK legally binding carbon budget during which they would arise. Therefore, the assessment concludes that the greenhouse gas emissions impact of the Scheme would not have a material impact on the Government's ability to meet its carbon reduction targets in any of

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			the carbon budgets within which the scheme falls. The Applicant confirms the need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190]. The benefits and costs are combined and produce an overall Value for Money assessment. This is presented in the Analysis of Monetised Costs and Benefits table in Chapter 5 of the Case for the Scheme [APP-190]. While the Value for Money statement places the Scheme in the low value for money category, the forecast return of £1.20 for every £1 spent still represents a significant level of economic benefit, particularly given the complexity of the works and structures associated with the Scheme. As detailed within Chapter 3 of the Case for the Scheme [APP-190], the Scheme would help to unlock employment growth within Newark by facilitating the delivery of regional and local business developments. For example, the Newark Business Park concentrates a significant part of Newark's growth but is currently limited in its development by the lack of capacity at Brownhills Roundabout, as set out in the Newark and Sherwood Infrastructure Delivery Plan (2017). The Scheme would fulfil the economic objective of sustainable development by increasing capacity and reducing congestion on the strategic road network. This could help to facilitate the growth of a number of economic sectors, such as food and logistics, which are reliant on journey time reliability. As well as the economic benefits detailed in Chapter 5 of the Case for the Scheme [APP-190], the Scheme will result in journey time savings and improved safety as detailed in the Transport Assessment [APP-193]. The Scheme would also result in a number of environmental benefits, including improved habitat connectivity through newly created habitats as well as increased accessibility via the new walking and cycling routes.
RR-002	Adrian Peter Hatton 1	I am the landowner of (redacted), on which it is proposed by National Highways to take land and lower surface to bring it within flooding levels as part of Flood Compensation in relation to the A46 bypass project. I consider this to be a poorly though out solution to flood compensation due to the location of the proposed works and the fact that my affected land is not within the fluvial flood plain - it is proposed to lower the land level and to feed flood water onto and off my land via a culvert beneath the A617 to create a holding volume, rather than facilitating discharge of the flood water from the Newark area by increasing river flow rates.	The Applicant confirms that the Floodplain Compensation Areas (FCAs) are required to be at ground levels that correspond to the elevations of the Scheme embankments where flooding is predicted. Floodplain compensation is required at levels between 8.6mAOD and 13.0mAOD. Section 3.3 of Appendix 13.2 (Flood Risk Assessment) of the Environmental Statement [APP-177] describes how 29 potential sites were screened for floodplain compensation. From the screening process, two broad areas were identified to be taken forward in the design: the Kelham & Averham area for higher elevation compensation between 10.6-13.0mAOD, and the Farndon area for compensation at lower elevations. The Kelham & Averham FCA site is to compensate for the more extreme flood events and in these events the land needs to be at an elevated location to replace the volumes lost at higher levels due to the upper levels of the widened A46 embankments. Therefore, the land for compensation needs to be located at the edge of the existing floodplain. The Applicant has worked closely with this Interested Party over an extended period to mitigate the impacts on their property including participation of both parties in discussions where the Applicant considered 29 alternative sites for flood compensation including within the Interested Party's own holdings, on adjacent properties and more remote sites. Over the course of the extensive engagement with the Interested Party the quantity of land required for flood compensation in the Kelham & Averham area has reduced from circa 400 acres to less than 60 acres. Areas considered as alternatives included areas to the east of the A617 that would have reduced the requirement further to the west of the A617, at the request of the Interested Party, the land to the east of the A617 was not further considered due to indications from the Interested Party that the higher-level land was a refuge for wildlife in times of flooding to this area. When considering options the Interested Party themselves proposed the areas now being progressed as the most preferable solution minimising the impacts on the proposed solar farm development on the Interested Party's property. The Applicant has tailored the design significantly during the pre-application stage to suit the Interested Party's requirements and minimise the impact on their property and operations. Increasing the river flow rates would not be a viable solution as this would result in greater third-party impacts, causing additional flooding away from the Scheme location.

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RR-003	Adrian Peter Hatton 2	Comments submitted by Lucie Muddiman (Savills (UK) Ltd) 'Savills' on behalf of Adrian Hatton to: "Register to have your say about a national infrastructure project due by 14 July 2024" Land Parcels 7/2d, 7/2i, 7/4a, 7/4b, 7/4c, 7/4d, 7/4e Previously fed into the consultation in response to a letter from Mr Philip Boffey dated 15 March 2023 (TR010065/S42(1)(d)Cat1&2/March/2023) seeking comments on the Targeted Consultation on the A46 Newark Bypass. **1.0** Preamble **1.1** Skanska and Mott Mac first approached my client Adrian Hatton in late 2022 to discuss the inclusion of his land within the A46 flood compensation Red Line Boundary Area. Since then Mott Mac, Skanska and National Highways 'The Project Team' have had regular meetings (often weekly meetings for the first part of 2023), together with the Mr Hatton, Lucie Muddiman (Savills), the solar developers Assured Asset Solar 2 Ltd (AAS2) (who have an Option (dated 12 April 2021) over Mr Hatton's land) to arrive at a Flood Compensation Solution within the first iteration of the A46 Project Red Line Boundary. Having reviewed the documents submitted for the DCO Examination and in light of our discussions, our main points are set out below with detailed comments relating to each point set out further in this document:- **2.0** Main Points **2.1** The choice of Flood Compensation Area (FCA) and impact on potential solar scheme: we do not believe Mr Hatton's land is the most suitable site, given the proposed solar project on the land (planning application number 23/01837/FULM). We do not believe this has been fully considered as part of the site selection process. The FCA could result in a viable solar scheme becoming unviable. **2.2** Redline DCO boundary and colour categorisation of land parcels: Areas included within the Red Line Boundary do not reflect the requirements of the FCA part of the Scheme (or our discussions with the Project Team); e.g. parcel's coloured pink for permanent acquisition but discussions have been for a temporary acquisition and should therefore be blue. **2.3** Location of Access points: These are incorrectly shown on the plans both for FCA creation and maintenance. **2.4** Lack of Consultation: Whilst there have been ongoing discussions, once the Project Team arrived at their technical solution there was very little engagement thereafter; it took almost 1 year for the Project Team to supply their comments (16/5/24) on the Heads of Terms for the FCA returned by agent Savills (22/6/23). **2.5** Impact on Drainage: Lack of clarity in the DCO documents regarding future drainage of the FCA. **2.6** Sand and Gravel: Extraction of sand and grave to create FCA – lack of commercial agreement **2.7** Detail around flooding events, volumes of soil removed: Further clarity is sought regarding frequency, duration and depth of flooding at Kelham along with input and output volumes of soil to be removed. **3**. Choice of Flood Compensation Area (FCA) (7/4e) **3.1** Lack of consideration of alternative sites and future land use of 7/4e **3.1.1** Within Document APP 047 – 6.1 Environmental Statement Chapter 3 Assessment of Alternatives, there is reference to other sites having been considered. 3.3.96 of this document states that in choosing the site, one of the considerations was existing land usage	The Applicant acknowledges the ongoing discussions that have been had with the Interested Party regarding the inclusion of his land within the Scheme's Floodplain Compensation Areas (FCAs). The FCAs are required to be at ground levels that correspond to the elevations of the Scheme embankments where flooding is predicted. Floodplain compensation is required at levels between 8.6mAOD and 13.0mAOD. Section 3.3 of Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177] describes how 29 potential sites were screened for floodplain compensation. From the screening process, two broad areas were identified to be taken forward in the design: the Kelham & Averham area for higher elevation compensation between 10.6-13.0mAOD, and the Farndon area for compensation at lower elevations. The Kelham & Averham FCA site is to compensate for the more extreme flood events and in these events the land needs to be at an elevated location to replace the higher levels lost by the upper levels of the widened A46 embankments. Therefore, the land for compensation needs to be located at the edge of the existing floodplain. Throughout the period of extensive engagement with the Interested Party and with Assured Asset Solar 2 Ltd (AAS2), the Applicant has worked closely with all parties to minimise the impact of the flood compensation works on both the land owned by the Interested Party and the AAS2 Solar Farm Development. The extent of this collaboration is best demonstrated by the integration of the Red House Field area of flood compensation which was initially outside the Order Limits but was offered by the Interested Party as an alternative. This was subsequently assessed for technical capacity and environmental impacts and then incorporated to the Scheme design. The incorporation into the Scheme design of this new area outside the Order Limits required a further targeted statutory consultation to be undertaken between 8 September and 6 October 2023. The Interested Party indicates that the proposed solar development is now unviable, however, with the Applicant's full knowledge of the Solar Farm Development proposals having influenced the Scheme design, AAS2 have confirmed the site is viable and are progressing their planning application. The Applicant has assisted AAS2 with discussions with the Environment Agency which have confirmed that solar panels can be installed on zone 3 flood land with appropriate risk assessments undertaken which are now the responsibility of AAS2 as part of their continuing development of the solar farm opportunity. The Applicant recognises that the original proposals for the FCA which indicated approximately 400 acres of land owned by the Interested Party and the adjacent landowner would have had greater impacts on the solar farm development and the Applicant has worked closely with all parties to develop a design which meets the technical needs of the Scheme whilst mitigating as far as practicable the impacts on the land and proposed solar farm development. The Applicant is continuing productive dialogue with the Interested Party and AAS2 to coordinate the respective works and develop an installation methodology which meets the needs of AAS2 for the earliest possible installation of the solar panels on the affected land including the potential for temporary installation measures for which the Applicant has indicated that compensation for additional cost could be applied for and considered by the Applicant. The Applicant has advised the Interested Party that the Applicant is not empowered to approve any combined use of the FCA for the Solar Development, this being the role of the Environment Agency as the organisation responsible for the approval of such matters. The Applicant has however engaged with the Environment Agency in parallel with the discussions with the Interested Party and secured correspondence from the Environment Agency confirming that dual use of the land is permissible subject to completion by the developer of the required assessments. A copy of the correspondence has been passed to AAS2 for action accordingly. The Applicant is continuing negotiations for a land agreement with the Interested Party to remove the requirement for the Applicant to exercise compulsory acquisition powers. At the time of submission of the application for development consent the negotiations were ongoing with Heads of Terms and a full legal agreement in discussion. Details of these

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		and future planning applications. However, despite their involvement, the developer AAS2 are not listed in APP – 059 in the Combined and Cumulative Effects Study, our concern is that National Highways have not sufficiently considered the proposed solar scheme for which a planning application was submitted (23/01837/FULM) to Newark and Sherwood District Council (NSDC) on 17 October 2023. **3.1.2** During our meetings with the Project Team we highlighted another possible site for the FCA which isn't shown in APP 47 - 6.1 Environmental Statement Chapter 3 Assessment of Alternatives. **3.1.3** APP-170 6.3 Environmental Statement Appendix 9.3 Agricultural Land Classification Report identifies land at Kelham as mainly Grade 2 with a small area of Grade 3. This land grows high value crops including root crops, we believe that creating a temporary flood plain will limit the versatility of crops grown in this location and if the scheme proceeds with the work to create FCA it will affect the lands value. **4.0** Solar Project Application (7/4e) **4.1** Impact on AAS2 planning application and deliverability of the solar scheme **4.1.1** Mr Hatton and AAS2 have worked with the Project Team to look for suitable locations for the FCA - both within and outside the first iteration of the project red line boundary and within and outside of Mr Hatton's land - thus limiting the impact on the AAS2 Ltd Solar Project. AAS2 Planning Application (23/01837/FULM) includes 176 acres in total. The Option Agreement for solar on Mr Hatton's land includes 42.03 acres. Following all-party discussions, AAS2 Ltd removed Mr Hatton's 'Red House Field' (8.55 acres (easterly section of 7/4e)) from their planning design to accommodate the FCA reducing the area of Mr Hatton's land included in AAS2 planning application (23/01837/FULM) to 33.48 acres. However, approximately 5.27 acres of parcel 7/4e (the westerly section of 7/4e) included in solar planning application 23/01837/FULM is also included in the project redline boundary for flood compensation. If the FCA renders this 5.27 acres of the solar scheme unviable/ undevelopable, it is likely to render the whole scheme unviable. On a national level this will affect the deliverability of decarbonising the electricity system by 2035 and on a local level impact Mr Hatton as well as other landowners within the scheme. **4.1.2** Mr Hatton and AAS2 have been assured that a program will be put together to ensure that if planning consent for the solar scheme and the A46 Scheme are granted, the two schemes can work together in terms of being built and future land use. Whilst National Highways supplied a letter that was submitted with AAS2's planning application confirming they would not object to AAS2's planning application provided it did not conflict and it complied with the technical and land boundary requirements of their (A46) scheme, with the exception of A46- A46 Newark Bypass 6.1 Chapter 2 The Scheme (2.5.76) where it states that the EA have provided agreement in principal to the dual use of this land for the scheme, there has been no written assurance from National Highways that solar panels are viable on the land following construction of the FCA and in the event of the land flooding, or evidence within App-059 Combined and Cumulative Effects Study that AAS2's solar project has been considered as part of the design process. **4.1.3** Drawing Title: GENERAL ARRANGEMENT PLANS REGULATION 5(2)(o) SHEET 7 OF 7 (Revision C02). The section of parcel 7/4e (the thinner section) that runs alongside the A617 is to form a drainage channel and bund, the bund will then form an access track for the solar. We do not believe land to the north of this (north of the purple hedgerow line) is required as part of the construction work and should not be included in the DCO Red Line Boundary, we	negotiations are set out at in the Land Rights Tracker submitted at Deadline 1[7.16]. Should a legal agreement be executed, it can be a term of that agreement that any compulsory acquisition powers it may have been granted will not be exercised in connection with this land. However, as no legal agreement is currently in place, an application for development consent has been submitted seeking compulsory acquisition powers of the land referred to by this Interested Party. Therefore, the land sought to be acquired by the Applicant is that necessary for the construction and operation of the Scheme and no change to the land plans is required. Following general agreement of the Heads of Terms, the Applicant's legal team were engaged and progressed the legal aspects of the negotiation including the Legal Team's response to the negotiated Heads of Terms. The Applicant apologises for any inconvenience caused but notes that the Interested Party was advised at multiple points during the ongoing dialogue that the submission of the application for development consent had been delayed by a number of factors outside the control of the Applicant. At this time, the negotiations are ongoing with the Interested Party, the District Valuer and the Applicant including the form of land agreement to be entered into between the parties. The legal agreement being negotiated between the Applicant and the Interested Party includes arrangements for compensation for materials which can be beneficially incorporated into the Scheme and obligations on the Applicant for the disposal of materials which are not able to be incorporated in beneficial use into the Scheme for reasons of lack of suitability or programme incompatibility at no cost to the Interested Party. These arrangements will be concluded with the executed agreement. In relation to volumes of soil, it is not anticipated that any soil will be imported into the area. Topsoil will be temporarily removed and reinstalled upon completion of the works. The volume of subsoil and general excavated material is yet to be fully determined through the development of the detailed design which is progressing in parallel with the application for development consent. The indications from the preliminary design are that a volume of approximately 38,000m3 of material will be removed from the land owned by this Interested Party to achieve the levels required for the flood compensation. The Applicant has acknowledged the Interested Party's comments regarding the cumulative effects assessment and developments assessed as part of this in Chapter 15 (Assessment of Combined and Cumulative Effects) of the Environmental Statement [APP-059]. The Applicant understands that the proposed solar park has come forwards after the cut-off date of the original assessment (31 May 2023) contained in Chapter 15 (Assessment of Combined and Cumulative Effects) of the Environmental Statement [APP-059]. The Applicant has undertaken a review of any new or approved developments since those identified in the assessment submitted as part of the application. This review has identified new developments, as well as identifying any changes to the developments already included in the list for cumulative assessment, up to 1 October 2024. This is to ensure that the cumulative effects assessment for the Scheme is up to date and reflective of the anticipated cumulative effects associated with the Scheme and other developments. The Applicant is currently reviewing the details of the proposed solar park and will document the findings of the updated cumulative effects assessment in a Cumulative Effects Technical Note that will be submitted at Deadline 2. In relation to the site for an additional FCA referred to by the Interested Party, the Applicant can provide an explanation on its position if its specific footprint is provided on a map to the Applicant. To the Applicant's knowledge, all reasonably suitable sites discussed with the Interested Party have been included within the site screening process. The Applicant confirms the land at the Kelham & Averham FCA includes Agricultural Land Classification (ALC) grades 2, 3a and 3b. Flood modelling indicates that there is no likelihood of flooding of the Kelham & Averham FCA in a 20-year period and in a 1 in 30-year flood event only in a small portion of agricultural land, running along a ditch as a result of the

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		consider the drainage channel and bund can be constructed from within the proposed grassland area (shown on the above drawing). **4.1.4** The red boundary line to the north of the purple hedgerow line overlaps the solar project design (planning application 23/01837/FULM) where the photovoltaic panels are to be sited, we have requested previously that this red line boundary is altered to minimize any potential impact on the solar scheme deliverability. **5.0** Land shown as Permanently Acquired and Land Shown as Temporarily Acquired within LAND PLANS REGULATION 5(2)(i) SHEET 7 OF 7 HE551478 RevC02 (Parcels 7/2i, 7/4c, and 7/4e). **5.1** Incorrect labelling of parcels based on discussions with the Project Team **5.1.1** 7/4e - Land identified in pink to be permanently acquired on the LAND PLANS REGULATION 5(2)(i) SHEET 7 OF 7 HE551478 RevC02). There is provisional agreement (DV has returned Heads of Terms for a Lease/Licence – see 7.0 below) and reference is made in the Statement of Reasons to the negotiation for temporary acquisition, the Pink colour in the Land Plans should be changed to blue and reference to the acquisition changed to temporary with permanent rights. There is no requirement for permanent acquisition. **5.1.2** Land to be used Temporarily (7/2i and westerly section of 7/4c) in blue. This should be green as it is only to be used temporarily for initial mobilization, all access for ongoing maintenance should be through the access furthest east on the A617 planning consent 22/02437/AGR with no permanent rights acquired over 7/2i and the western section of 7/4c. **5.1.3** 7/4c to the southeast of 7/2i should only be used temporarily for construction / widening of the drain and should be shown in green. A smaller, narrower section of this parcel running alongside 7/3b, 7/4d, 7/2d, 7/4a and 7/4b should be shown in blue for access and maintenance, we do not believe an area of almost 50 metres in width needs rights over it for ongoing maintenance. 7/4c should be reconfigured to reflect what is actually required for maintenance. **6.0** Access points to the FCA and supporting drains and infrastructure (Parcels 7/4e, 7/2i, 7/4c, 7/4d) **6.1** Location of access points 6.1.1 GENERAL ARRANGEMENT PLANS REGULATION 5(2)(o) SHEET 7 OF 7 includes access points into the FCA, these are incorrectly located and do not reflect discussions with the Project Team or plans supplied on email from Skanska (that are not yet in the A46 DCO library). The access points need relocating in accordance with the em dated 11 June 2024 to XXXXXSkanska. **7.0** Agreement for temporary access to construct FCA (Heads of Terms for an Option and Lease / Licence with permanent rights) (Parcels 7/2d, 7/2i, 7/4a, 7/4b, 7/4c, 7/4d, 7/4e) **7.1** Summary of negotiations 7.1.1 Mr Hatton and Savills have worked with the Project Team to provide solutions for the FCA. We were initially told that Heads of Terms needed agreeing by December 2022 but only received a first draft of these - which were skeletal in form - from NH solicitors on the 21/4/2023, these were considerably added to and returned by agent Lucie Muddiman (Savills) 22/6/2023, we did not receive a response until 16/5/2024 despite ongoing chasing. We require a commercial agreement for the work to be reached. **8.0** Drainage solutions for 7/4e, 7/4d, 7/3b, 7/2d, 7/4a, 7/4b, 7/2a 7/3a and 7/1a (FCA and channel through to the River Trent) and pre and post construction land drainage plans for land affected by the FCA and Mr Hatton's retained land.	Scheme. The land would therefore remain in the same flood risk category as the current baseline, as assessed using Tables 2 and 3 of the ALC guidelines (1988). Appendix 9.3 Agricultural Land Classification Report [APP-170] within Chapter 9 (Geology and Soil) of the Environmental Statement [APP-053] states that the land ALC was not downgraded due to flood risk as the land is not considered to be more limited by flooding after the Scheme compared with before. We would therefore suggest that the range of crop types, as defined within the ALC guidelines for each land grade, could continue to be successfully grown within the Kelham & Averham FCA. Neither the Applicant nor the Environment Agency (the regulatory body for flood risk) object to the dual use of floodplain compensation sites, provided that the development complies with national flood risk policy. The Order Limits include areas required for installation and removal of temporary fencing and if required, temporary access to facilitate the delivery of the works. The working areas, nature of the land agreement and any further comments or limitations can be negotiated as part of the ongoing legal agreement with the Interested Party. The FCA is designed to sit below the profile of the surrounding land which the Interested Party owns. Fluvial hydraulic modelling evidence in Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177] demonstrates that in the 1 in 100-year fluvial flood event, with allowance for climate change, the increased extent of flooding at the Kelham & Averham FCA is contained to the FCA. Flood water will drain through culverts beneath the A617 into the field drainage ditch that discharges into the River Trent. This replicates and extends the existing mechanism for the flood receding across the field to the east of the A617. In relation to the frequency of flooding to the FCA, as the area at Kelham is at the highest levels of the required flood compensation, during the 1 in 100 year with climate change extreme flood event, the two fields utilised by the Kelham & Averham FCA will be flooded for approximately 8 days (exclusive of the interconnecting ditch). The Applicant confirms in the 100-year plus 39% climate change allowance event there is flooding in the entire extent of the FCA; this does not flood (except for the connecting ditch) during the 30-year event. Flood depths in the south FCA area are approximately 0.25m in this event, and flood depths in the north FCA area are approximately 0.65m in this event. Appendix 13.4 of the Drainage Strategy of the Environmental Statement [APP-179] states discharge rates will be 5 litres per second (minimum flow required to minimize the risk of blockage from debris). The Drainage Strategy only applies to highway drainage along the A46 carriageway and its interaction with local roads. The 600mm pipes will be maintained to prevent blockages of the culverts. A maintenance plan for the culverts and all floodplain compensation areas is required by Requirement 14 of the draft Development Consent Order [APP-021], which secures the maintenance. As part of the mobilisation of the Scheme, the Applicant will work with the Interested Party to secure and record details of any existing land drainage in the affected land parcels and during construction of the Scheme the Applicant will maintain and reinstate any drainage affected by the works. The Applicant will also provide details of as-built records associated with the land to the Interested Party upon completion of the works. In relation to The Interested Party's representation regarding the run-off period, the Applicant will discuss this as part of the negotiation of the legal agreement. The Applicant confirms the detailed Soil Management Plan which will form an accompanying plan to the Second Iteration Environmental Management Plan is to be designed in keeping with the principles of Defra's Construction Code of Practice for the Sustainable use of Soils on Construction Sites and Institute of Quarrying Good Practice Guide for Soil Handling. The Applicant confirms Chapter 10 (Material Assets and Waste) of the Environmental Statement [APP-054] covers the mineral safeguarding areas (MSA) as defined in the Nottinghamshire Local Mineral Plan, adopted in 2021. It is acknowledged that parcels 7/2d, 7/2i, 7/4a, 7/4b, 7/4c, 7/4d, 7/4e as shown on the Land Plans [AS-004] are located

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		8.1 Further information on drainage required **8.1.1** Evidence to show that the FCA has been sufficiently designed so water flows back to the River Trent having flooded 7/4e (and 7/6a) and will not flood Mr Hatton's retained land or leave it wetter for longer periods. **8.1.2** We require details of Land Drainage, pre and post construction, to mitigate any effects created by the FCA and associated channels and reserve the right to a run-off period to assess longer term impacts. **9.0** Landscaping and reinstatement of FCA (7/2d, 7/2i, 7/4a, 7/4b, 7/4c, 7/4d, 7/4e) **9.1** Reinstatement **9.1.1** APP – 051 TR010065/APP/6.1 Environmental Statement Chapter 7 Landscape and Visual Effects comments that the creation of a FCA will affect land at Kelham which will affect Parcels 7/2d, 7/2i, 7/4a, 7/4b, 7/4c, 7/4d, 7/4e, creating a depression in the local topography, top soil will be reinstated across the area and hedgerow removing; we do not believe any new gateways need to be created and hedgerow removed along the A617, access should be as discussed and referred to in 6.1. The above document also states that the land would be returned to agriculture, the SMP as part of the second iteration should be designed through consultation with Mr Hatton to ensure reinstatement enables this future use should the solar scheme not go ahead. **10.0** Sand and Gravel Minerals 7/2d, 7/2i, 7/4a, 7/4b, 7/4c, 7/4d, 7/4e **10.1** Treatment of sand and gravel owned Mr Hatton 10.1.1 APP – 184 6.5 Environmental Statement First Iteration Environmental Management Plan highlights existing sand and gravel at 7/2d, 7/2i, 7/4a, 7/4b, 7/4c, 7/4d, 7/4e. The creation of a FCA will require this material to be removed from site to remove the overburden prior to construction of the rest of the scheme. The majority of this sand and gravel is owned by Mr Hatton who should be paid for the material excavated. **11.0** Flooding, duration and depths 7/2d, 7/2i, 7/4a, 7/4b, 7/4c, 7/4d, 7/4e **11.1** Further detail required regarding frequency and duration of flooding, the volume of soil to be removed and replaced after the FCA has been created. **11.1.1** App-046 A46 Newark Bypass 6.1 Chapter 2 The Scheme states at 2.5.76 that the Kelham and Averham FCA covers an area of 125,000m2; At App-177 6.3 APP-13 Flood Risk Assessment 8.2.10 it states that in the 3.33% Annual Exceedance Probability (AEP) the flood compensation fills to a depth of 1.05m. Reviewing the documents App 179 - 6.3 Environmental Statement Appendix 13.4 Drainage Strategy Report 3.3.2 states (in relation to Farndon East and Farndon West) that these areas will be used as flood compensation in the event of extreme rainfall (1:100 years) and 1:30-year storm), however I have been unable to locate or confirm that this would be the frequency of use at Kelham and Averham. **11.1.2** APP 179 – 6.3 Environmental Statement Appendix 13.4 Drainage Strategy states discharge rates will be 5 litres per second (minimum flow required to minimize the risk of blockage from debris) APP – 194 7.5 Scheme Design Report states that it will use 5 600mm pipes to transfer floodwater. There is further discussion in the Flood Risk Assessment documents regarding blockages. Our concern is that with flood waters going through 5 600mm pipes there is bound to be blockages and a regular maintenance plan needs to be put in place to minimize this happening and the FCA taking longer to clear, or the water escaping elsewhere. **11.1.3** Whilst we know the total area of FCA required at Kelham (125,000m2) and the total volume of compensation for the displacement floodplain storage being 184,497m3 (APP-	within a MSA for sand and gravel. The Applicant can confirm that commercial proposals for compensation for extracted materials that can be beneficially incorporated into the Scheme in structural applications is included within the Heads of Terms for the legal agreement being negotiated with the Interested Party. In the event that the negotiations of a legal agreement are not concluded, the Applicant will seek to negotiate the value of any suitable materials as part of the compulsory acquisition process. Whilst the detailed design will be finalised prior to construction commencing, pending the conclusion of the design, the Applicant can advise that the preliminary design indicated that approximately 38,000m3 of material needs to be removed from the land owned by the Interested Party to achieve the levels required for the FCA. The Applicant can confirm that the identified land boundary for 7/4c (as shown on the Land Plans [AS-005]) includes an area of woodland which covers most of the area with the limit of the land boundary providing typically only 12m of access width between the woodland and the edge of the cropped field. The boundary indicated has been selected to reduce risk to the woodland and to avoid encroachment onto the worked agricultural field so as not to disrupt the Interested Parties farming operations. The application for development consent includes possession of land on a temporary basis to construct the Scheme and the acquisition of the permanent rights for future maintenance of the Scheme. The Applicant can confirm, as indicated by the Interested Party in their relevant representation that negotiations are ongoing to secure the land by agreement. The Applicant can confirm that the details on depths of soil to be removed and the final profile will be provided to the Interested Party upon completion of the detailed design. Pending completion of the detailed design, the Applicant can advise that in general the areas of land owned by the Interested Party which will form part of the FCA will be lowered to a final level of approximately 11.6m Above Ordnance Datum. The Applicant does not anticipate that any significant materials will be imported into the FCA as a result of the works. The access shown on the General Arrangement Plans [AS-007] has been positioned to coincide with the existing access. However, the Applicant will discuss and agree final position in negotiation with the Interested Party. This will also include temporary access points as identified in Location of Temporary Works Areas [AS-027].

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		177 6.3 Environmental Statement - Appendix 13.2 Flood Risk Assessment 3.3.4), we do not know the volume of soil to be removed from Kelham and Averham, the volume to be returned or the duration of the flooding periods. **12.0** Recommendations **12.1** Realign redline boundary alongside the A617 to remove the overlap with AAS2 planning application. **12.2** Confirmation that AAS2 solar scheme will viable with the change of land use to a FCA. **12.3** Realign 7/4c (alongside 7/4d and 7/3b) to reflect the area actually required for maintenance. **12.4** Revise the categorisation of Land Parcel and amend colours as set out above in 5.0 **12.5** Update GENERAL ARRANGEMENT PLANS REGULATION 5(2)(o) SHEET 7 OF 7 (and all other documents with access points) to show agreed access points as per the email dated 11 June 2024. **12.6** Pre and post construction drainage plans required. **12.7** Commercial agreement in place for the disposal of sand and gravel. **12.8** Continued engagement to agree Heads of Terms for the temporary acquisition of Mr Hatton's land. **12.9** Clarify landowners understanding regarding depth, frequency and duration of flooding events and input and output volumes of soil.	
RR-004	Aldergate Properties Limited	**1.** I am not satisfied that all avenues have been explored such that the effect on our land is avoided. **2.** If it is absolutely essential that our land and its rights are affected then we need to know what those effects are. It is impossible to find the information within the thousands of plans and there seems to be no information on what is proposed except a tiny plan.	The Applicant has been in contact with the Interested Party following the submission of their Relevant Representation and has confirmed that RR-004 and RR049 relates to the same land plot (shown as Plot 4/3a of the Land Plans [AS-004] and as such much of the information provided in this response is also included in response to RR049. The Applicant has identified that the land plot referred to in this Relevant Representation is Plot 4/3a forms part of the old Newark branch line. Within Plot 4/3a there is an existing stone access track which passes under a single span bridge that once formed part of the historic branch line. The Applicant is seeking temporary possession to use the current access track between the Kings Marina and the hydroelectric power station at Nether Lock Wier during the construction of the works at Nether Lock viaduct. The Applicant is also seeking permanent rights on the access track to provide for future maintenance access to the Nether Lock Viaduct (shown as Works No 64 on the Works Plans [AS-005], the north abutment of the Nottingham to Lincoln Railway Line East Crossing (Works No 58), the retaining wall (Works No 60) and the associated drainage infrastructure and landscaping in this area. The access track will be used to access the southern side of the Nether Lock Viaduct during the pre-commencement works to enable a temporary bridge (Works No 63) to be constructed across the River Trent. The temporary bridge would be used to facilitate the construction of the new viaduct and embankment widening to the A46. The existing access track is the only means of access to this section of the works area prior to the temporary bridge becoming operational. Details of the pre-commencement works are provided in Table 2-4 in Chapter 2 (the Scheme) of the Environmental Statement [APP-046] and the Pre-Commencement Plan [APP-188]. The existing bridge on the Newark Branch Line that crosses the access track will not be modified by the Scheme. Further details on the use of the access track required by the Scheme is set out at section 2.6.33 to section 2.6.35 of Chapter 2 (The Scheme) of the Environmental Statement [APP-046] and Figure 2.4 Locations of Temporary Works Required during Construction of the Environmental Statement Figures [AS-027].

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RR-005	Edmund Thornhill	Comments submitted by Lucie Muddiman (Savills (UK) Ltd) on behalf of Edward George William Thornhill 'Edward Thornhill' to: "Register to have your say about a national infrastructure project due by 14 July 2024" Land Parcels 5/8a1, 5/8a and 5/8b. **1.0** Preamble **1.1** My client brought The Grove to market in Autumn 2020, the Property consisted of a large house with grounds, swimming pool and paddock, in total 11.50 acres or thereabouts. At the time of marketing the A46 pre-consultation had begun and it had a negative impact on the marketing of property; potential buyers fed back concerns over the impact of the road scheme on the Property and on the paddock and having to deal with the Scheme. A sale for the whole was agreed at £1,150.000 (November 2020) but that buyer pulled out because of the potential road scheme. To prevent the sale being held up any further, the paddock of 7.219 acres (2.921 ha) (impacted by the scheme) was removed from the market, the property later sold without the paddock for £995,000. This has left the 7.219 acre paddock in my client's ownership. **1.2** There have been two meetings between Savills, National Highways, Skanska, Mott Mac and the District Valuer 'DV' to discuss the acquisition of the remaining 7.219 acres land (14/12/22 and 29/11/23), Lucie Muddiman has also had Without Prejudice discussions with the DV separately. Following receipt of letter dated 25 October 2023 from National Highways 'Invitation to Treat' and our meetings above, we received the offer of an Option to purchase the additional land to the north of 5/8a1, 5/8a and 5/8b (in addition to these parcels) by agreement; we are progressing these discussions. Having reviewed the documents submitted for the DCO Examination our main points of concern are listed below. **2.0** Land to the North (2.29 acres / 0.926 ha) of 5/8a1, 5/8a and 5/8b not included in DCO Red Line Boundary **2.1** 4.929 acres (1.99 ha) is included in the redline boundary for the scheme with 2.29 acres (0.93 ha) of the 7.219 acre (2.921 ha) paddock excluded. During our meetings National Highways indicated that they would acquire the 2.29 acres for Environmental Mitigation and we had expected to see it within the Red Line Boundary which it isn't. **2.2** The 2.29 acres (0.93 ha) has not been included and whilst an offer has been received, it does not reflect the losses experienced from being unable to sell the paddock with The Grove. **2.3** My client does not have any other land in the area, it would be uneconomical for him to retain such a small paddock. If a sale by agreement cannot be reached we would look to compel National Highways to acquire. **2.4** As a result of the A46 the paddock would lose its road frontage, GENERAL ARRANGEMENT PLANS REGULATION 5(2)(o) SHEET 5 OF 7 shows the 2.29 acres of retained land being accessed by a newly created access track off Hargon Lane or from the old A46 at The Friendly farmer roundabout. If a suitable commercial agreement is not reached for the acquisition, my client would require an access (designed and agreed in conjunction with them) creating off the slip road to the Esso Service Station into their land. **3.0** Recommendation **3.1** Enter into commercial agreement for the acquisition of the 2.29 acres of land along with the land included in the Red Line boundary (4.929 acres), in total 7.219 acres of land.	Discussions have taken place between the Applicant and the Interested Party's Valuer, and it was agreed that the area of severed land referred to in this Relevant Representation, which falls outside of the Order Limits, would be permanently acquired by the Applicant. The value of the land including the severed area has been provisionally agreed and it is not considered that there are any significant outstanding matters that would prevent agreement and purchase of the land via an option agreement of which the purchase will be subject to receiving successful consent of the draft Development Consent Order [APP-021]. The Applicant expects that provisional agreement will be reached shortly.

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RR-006	Andrew Leary	**1)**Impact on Pine Cottage, Hargon Lane. Can I see specific landscaping, noise and vibration reduction plans along with light pollution reduction measures to prevent vehicle headlights and street lights from illuminating bedrooms in the house from the proposed new Winthorpe roundabout and modifications to the A46 from the Friendly Farmer to Winthopre roundabout? **2)**What are the plans for Hargon Lane? Mention is made of passing points. Where will these be placed? Why are these needed? I disagree with vehicular access proposals for farm traffic and maintenance vehicles from the bottom of Hargon Lane. A better option would be to provide access from the slip road to the ESSO service station. I am not sure heavy plant will be able to access Hargon Lane from Gainsborough Road in Winthorpe given the current level of parking, particularly double parking. **3)**Footpath proposal.Personally I think you will be opening up a social nuisance and crime route to that part of the village. What reassurance can you give that you will restrict motorcycle access to this path?	Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] indicates the provision of a landscape bund located alongside the northbound carriageway of the A46 from the Friendly Farmer Roundabout to Winthorpe Roundabout, which would provide immediate screening to Pine Cottage from the time of implementation to a height of 2 metres. Where space is constrained, a combined bund/acoustic fence solution would be provided, again providing immediate screening up to a height of 2 metres, aiding reduction of night-time glare from the headlights of passing vehicles. Tree and shrub planting on and either side of the landscape bunds would aid landscape integration of the Scheme and landscape bunds and add further screening for Pine Cottage as trees and shrubs mature to a greater height. The environmental design is shown on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Requirement 6 of the draft Development Consent Order [APP-021] ensures that the landscaping principles set out in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] are secured. The Applicant confirms Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] shows the operational noise mitigation in the form of barriers and earthworks. In addition, low noise surfacing will be used that will further attenuate noise levels. Operational noise impacts of the Scheme are adverse in some areas and beneficial in others but none of these are predicted to be significant. Sheet 6 of Figure 11.9 (Short-term Noise Change) [AS-063] and Figure 11.10 (Long-term Noise Change) of the Environmental Statement Figures [AS-064] shows the noise impact along Hargon Lane ranges from Negligible Beneficial to Major Beneficial in the short-term and from Minor Beneficial to Moderate Beneficial in the long-term. The Applicant confirms the lighting on the new Winthorpe Roundabout will be 12 metres tall, reduced in height from standard 14-metre-tall columns in order to reduce visual impact. The lighting provision will include cut off lanterns which provide directional lighting, focusing the light onto the junction itself and thereby limiting glare towards Hargon Lane. The details of the highway lighting are secured by Requirement 18 of the draft Development Consent Order [APP-021]. The Applicant confirms that, during detailed design, it will consult on the necessity and location of passing places on Hargon Lane with the residents of Hargon Lane, the Parish Council and local service providers such as the Post Office prior to determining where and/or if these will be provided. The Applicant is aware that farm vehicles currently use Hargon Lane to access the area, these vehicles will continue to use the field access to the north of Pine Cottage as well as the new access road. Maintenance vehicles will generally consist of lightweight vans with occasional larger vehicles needed to remove debris and waste from the balancing ponds – the new access track alignment will cater for these. Providing access from the Esso service station would require slow moving farm vehicles to travel southbound along the new A46 to Cattle Market Junction and then return back along the northbound A46. This introduces road safety issues and would not be acceptable to the Applicant. In relation to the footpath referred to by the Interested Party, the Applicant confirms that motorcycle anti-access barriers will be provided at the end of the access track at the A1133, Hargon Lane and the access point at the Friendly Farmer Roundabout. Details and exact locations will be developed during detailed design and agreed with Nottinghamshire County Council.
RR-007	Anthony Peter Aspbury	Local resident, presently experiencing direct environmental impacts (including noise, air quality, visual detriment) from traffic diverting through the Town Centre due to capacity issues on the existing A46T around Newark. Also severe disruption to access/egress to and from my property/the Town centre and circulation around the Town from displaced congestion.	The Applicant confirms, as set out in the Transport Assessment [APP-193], the Scheme will provide more capacity on the existing A46 route, resulting in shorter and more reliable journey times. When the Scheme is introduced, the main extent of the A46, between Lodge Lane (south of Farndon roundabout) and Brough Lane (north of Winthorpe roundabout), is forecast to bring journey time savings of between two to seven minutes in each direction during peak periods by 2043 (15 years after the Scheme's opening). This will make using the existing A46 a more attractive route for road users rather than Newark Town Centre and will encourage a higher proportion of road users to remain on the strategic road network, as opposed to using local roads to rat-run through Newark-on-Trent.

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			Current traffic model forecasts as shown in the Transport Assessment [APP-193] predict that the Scheme will also reduce traffic flow on most local roads through Newark-on-Trent including B6326 London Road, Barnaby Road, Beacon Hill Road, Beckingham Road, Drove Lane, Farndon Road and Fosse Road. The Applicant confirms Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] sets out the noise and vibration assessment for both the construction and operational phases of the Scheme and shows that there are some beneficial impacts and some adverse impacts for noise although none are predicted to be significant. Noise mitigation embedded in the Scheme design includes a combination of bunds, barriers and low noise surfacing. This mitigation is detailed in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] and shown on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [APP-026]. Requirement 16 of the draft Development Consent Order (APP-021) secures the provision of the noise mitigation measures presented within Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055]. Sheet 7 of Figure 11.9 (Short-term Noise Change) of the Environmental Statement Figures [AS-063] shows the short-term operational noise impact on Newark Town Centre; much of this is shown as green in the Figure, indicating where Negligible impacts are predicted, with some areas shown yellow, indicating where Minor Adverse impacts are predicted, although some areas along the major routes are shown in blue, indicating where Minor Beneficial impacts are predicted. An exception is Pelham Street where there is an increased traffic flow leading to increased noise levels. Figure 11.10 (Long-term Noise Change) of the Environmental Statement Figures [AS-064] shows the long-term noise impact, which is similar, although the area affected by Negligible impact is considerably greater and there are no Minor Adverse impacts except on Pelham Street and Boundary Road. The Applicant confirms the operational assessment undertaken for the Scheme, presented in Chapter 5 (Air Quality) of the Environmental Statement [AS-021], uses predictions from the Scheme's strategic traffic model detailed in the Transport Assessment [APP-193]. Overall, the Scheme is predicted to reduce traffic movements within Newark-on-Trent where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent.
RR-008	British Sugar PLC	British Sugar's site at Newark relies on efficient access to the surrounding road networks for significant in- and out-bound logistics associated with sugar beet processing. In order to maintain efficient operations we will need to establish excellent lines of communication with the project team during planning and construction phases of the project.	The Applicant recognises the importance of regular and clear communication with the Interested Party during the construction stage of the Scheme regarding the impact of the proposed construction phasing and temporary traffic management. The Outline Traffic Management Plan [APP-196] details the traffic management strategy for the Scheme. British Sugar PLC are identified in Table 2-1 of the Outline Traffic Management Plan [APP-196] as a key customer group, that the Applicant will provide advanced notification of road closures and diversions to. The Applicant will provide the Interested Party with regular communications on the Scheme which will include traffic management updates. This is detailed in section 2.17 of the Outline Traffic Management Plan [APP-196]. The Outline Traffic Management Plan [APP-196] will be developed into the Traffic Management Plan for implementation during construction and secured by Requirement 11 of the draft Development Consent Order [APP-021].
RR-009	Canals and Rivers Trust	The Trust is the charity who look after and bring to life 2000 miles of canals & rivers. Its waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. The Trust is a charitable organisation and is the navigation authority for the River Trent within the red line boundary of the application. The Trust own parts of the river and river bank. The Trust has a duty under s105 Transport Act 1968 to maintain commercial waterways in a suitable condition for use and this applies to the relevant part of the River Trent. The Trust also has a duty under the Trust Agreement with the Secretary of State for Environment, Food and Rural Affairs (28 June 2012) (the "Trust Agreement") to operate and manage the waterways for public use and enjoyment. The Trust's charitable objects include, for the public benefit, the preservation, protection, operation and management of inland waterways for navigation and conservation, protection and improvement of the natural environment and landscape of	The Applicant describes the construction methodology for the Windmill Viaduct and Nether Lock Viaduct which span over the River Trent in paragraphs 2.6.81 to 2.6.92 and 2.6.123 to 2.6.139 of Chapter 2, (The Scheme) of the Environmental Statement [APP-046]. The Applicant will be seeking to temporarily suspend navigation rights on the river during specific operations where lifting operations for the construction of Nether Lock Viaduct and Windmill Viaduct are required over the navigable river. The lifting of the steel bridge beams would be undertaken during night shifts where there will be minimal impact to river traffic, however there would still need to be measures to suspend or manage navigational rights. The Applicant is in discussions with the Canal and River Trust as to specific methodology to be used including the use of marshals along the river to alert the construction teams in the event that nighttime river traffic is identified on the river. It may be necessary to post marshals, along with appropriate signage at the locks either side of the operations such that the risk of craft entering the river channel can be further mitigated. The construction of the bridge deck, including the installation of permanent participating formwork, temporary cantilever formwork for the bridge string courses and the concreting of the bridge deck will also need to be undertaken over the River Trent. These

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		inland waterways. The Trust also has environmental and recreational duties under s22 British Waterways Act 1995 when considering proposals relating to its functions. These include considerations of effects on flora and fauna and preserving access to towing paths for the public. The Trust is a statutory party for the purposes of s88(3) of the Planning Act 2009 as the application is likely to have an impact on the River Trent, or land adjacent to the river, which is an inland waterway in England. The Trust is a statutory undertaker for purposes of s127 of the 2008 Act. It is **landowner** of several parcels of land which would be affected by National Highway's proposals. The proposals include the construction of two new viaduct structures, which will cross the River Trent parallel to existing crossings. The works also include the use of Trust land to form attenuation basin(s) (work no 67), south of the crossing at Nether Weir (north of Fiddlers Elbow Bridge), in addition to the use of Trust land to provide access to different parts of the scheme. With respect to the Relevant Representation, the Trust wish to make comments on the following parts of the scheme: - **Draft DCO – Part 7 Article 58 - Temporary suspension of navigation in connection with the authorised development** The River Trent is a major river, providing passage for leisure and commercial craft. It is the primary waterway providing access between the Midlands and the River Witham (including Lincoln). No practical diversionary route exists for waterway users. Day time closures with limited notice of that closure could have a significant impact on the passage of vessels, impacting several different types of user, including local pleasure craft, hired holiday boats, commercial vessels and recreational paddle craft. Leisure and commercial vessel users do typically plan routes many months in advance, and appropriate notice is required to ensure that any closure does not inadvertently impact commercial movements on the network. Examples of users that could be affected include Kings Marina in Newark, Torksey Lock Moorings, and touring boats from Newark. Unplanned closures could impact these users and affect traffic and visits in Lincoln and other places downstream. It is essential that any works to install the new roadways are co-ordinated with the Trust in accordance with its established Code of Practice for Works Affecting the Canal & River Trust to allow it to appropriately manage vessel passage and maintenance activities on the river, in accordance with its responsibilities. The Trust engineers and National Highways are discussing the mechanisms to enable delivery of the scheme without the need to close the river at all or without the need to close the river during the day. These discussions are ongoing. We understand that arrangements including the use of night time operations (where closures would not impact day time boat movements), and/or the use of spotters/marshalls (not requiring closure of the river channel to boat movements) are feasible to allow for the works sought. If these arrangements are feasible, then the powers sought under Article 58 of the draft DCO (explained below) would not be needed in their full form, if at all. Article 58 of the draft DCO, as submitted, grants a broad power to National Highways to close the river during periods of construction and maintenance. We have a significant concern that could allow for works to interrupt river traffic or maintenance access with limited co-ordination with the Trust. The proposed powers sought in the DCO for the "temporary suspension of navigation in connection with the authorised development", as worded, could prevent the Trust from carrying out its duties. No controls exist within the current wording of the draft DCO to allow for co-ordination between both parties over the timings of the works. The only stipulation	works would be undertaken in the daytime with lifting operations controlled to prevent lifting taking place when river traffic is passing under the works area. This would be controlled by the use of marshals located at the locks either side of the works area, and prior to the works area. Temporary traffic signals could be used to provide traffic control during the daytime operations and manage the movement of river traffic under the bridge deck works area. The Applicant is in the process of negotiating protective provisions with the Interested Party with the expectation that agreed protective provisions will be included in the draft Development Consent Order [APP-021]. The Applicant confirms that the temporary bridge structure will be designed such that it does not impede navigational rights along the River Trent. The Applicant is in discussions with the Interested Party about the terms of the protective provisions which will set out how the Applicant must engage with the Interested Party in relation to any temporary or permanent works. The Applicant confirms that there is an error within Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]. Table 12-12 within Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] should state that the path at the end of Newark BW5 leads to a dead end at the Nottingham to Lincoln Railway Line and is not an official public right of way. The survey data does indicate that this path is used frequently by recreational users. Construction activities at the Nether Lock Viaduct will temporarily restrict access to the path for the duration of the construction period. During this time, the path will be closed and inaccessible for all users, except those authorised to operate and maintain the hydroelectric power station at Nether Weir and their access will be arranged through agreement with the Applicant. While this point is under discussion with the Interested Party, it is anticipated that the process of agreeing access will be set out in the protective provisions. The magnitude of this impact has been recognised as negligible (previously identified as no change) due to the fact that while the path will be inaccessible throughout the construction period, there is an alternative walking route (namely BW5) in the vicinity offering longer walking routes for recreational users. The significance of this effect remains as neutral (not significant). The Applicant confirms that the error identified above will be corrected in the Environmental Statement. The Applicant can confirm that it is aware of the presence of the cable which runs along the access track between the Kings Marina and the hydroelectric power station at Nether Weir. The Applicant has undertaken surveys in this area to locate the cable and survey its alignment. Section 2.6.128 of Chapter 2 (The Scheme) of the Environmental Statement [APP-046] states that a temporary diversion will be required for the cable during the construction of the works. The temporary route will be protected during the construction period with defined plant crossing routes and protect slabs. The Applicant has assessed the impact of reduced access to the fishing pegs along the River Trent in Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]. In Table 12-15 of Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056], it has been concluded there is a neutral effect on users of the fishing pegs due to the construction activities at Nether Lock Viaduct. The effect is not expected to be significant as access will be maintained to all fishing pegs on the eastern bank of the River Trent, with medium-term disruption to a limited number of fishing pegs on the western bank near Nether Lock during construction. The Applicant has been in contact with the local piscatorial federation who use the fishing pegs along the western bank of the River Trent between the Fiddlers Elbow Bridge and the Nether Lock Viaduct to discuss temporary loss of use of these pegs during the construction period. As noted by the Interested Party, the Applicant has included pollution control measures in the Register of Environmental Actions and Commitments contained within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]

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		being that 21 days' notice is provided to the Trust that the closure is to take place, and that any closures do not exceed 12 hours and do not occur for more than 25 occasions. The draft wording could therefore allow for unscheduled closures of the River Trent during times when craft passage is necessary for use of the waterway and for maintenance. No Protective Provisions have been provided for the Trust within the draft DCO. We welcome National Highways' commitment in the draft Explanatory Memorandum to providing protective provisions for the Trust. The Trust provided a set of acceptable Protective Provisions to National Highways before the submission of the application. Where the Trust's Protective Provisions are referred to in this relevant representation, this refers to the set of Provisions provided by the Trust. The Trust's Protective Provisions would secure the proposed works with potential to impact the river as a navigable waterway and/or impact the Trust as navigation authority to be carried out in accordance with the Trust's Code of Practice for Third Party Works. The Code of Practice is designed to safeguard the Trust's assets and to deal with the nuances of works affecting navigable waterways. In the event that Trust engineers and the National Highways project team agree that the delivery of the scheme will necessitate the closure of the river, then the Trust will work with National Highways to agree revised wording for Article 58 which is acceptable to the Trust, together with associated additional protective provisions referred to above. **Temporary Bridge Crossing of the River Trent** Paragraph 9.1.18 from the Scheme Design Report highlights that a temporary bridge crossing of the River Trent will be incorporated to allow for construction access (work number 63). We note that this is described as single span, and that it will be designed to ensure that the navigational rights along the River Trent are not impeded. We agree with this wording, and wish for this detail to be retained and secured in any final determination. The Trust would need to review full details of the proposed crossing to ensure that the final design will be appropriate to allow for safe boat passage below. This could be secured via the Trust's Protective Provisions. **Public Access to the River During and Post Construction** The WCHAR report (Chapter 12, appendix C of the Environment Statement) identifies the presence of a footpath/trail next to the river Trent on the north west side north of Fiddlers Elbow Bridge (connecting with BW5 next to the bridge). This path provides local access to the riverside for leisure (notably to access fishing pegs) and essential access to the Nether Weir Hydro Electric Power Station. Due to the location of the proposed compound and proposed bridge construction associated with work nos 62 and 63 we understand that it is highly likely that this route will be impacted during the construction scheme. We assume this relates to the 'footpath at end of BW5' within table 12-12 within Chapter 12 of the Environmental Statement. We agree with the statement within the report that the path is used primarily for recreational purposes, and note that this corresponds with the higher level of use during the weekend period. Table 12-12 states that access on this path will be maintained throughout construction during the development. We do question, however, whether this would be the case as it conflicts with the statement in table 12-15, which identifies that access to the fishing pegs on the west bank of the Trent between Fiddlers Elbow Bridge and Nether Rail BR27 will be inaccessible for a 30 month period as a result of bridge deck construction works. We would therefore welcome further clarity from the National Highways upon this. Elsewhere, we note that BW2 and BW6, both bridleways proving access for leisure users to	The Applicant confirms the monitoring requirements for the grade II* listed Concrete Footbridge across the River Trent, known locally as 'Fiddlers Elbow Bridge' are secured within Commitment CH2 of Table 3.2 Register of Environmental Actions and Commitments of the First Iteration Environmental Management Plan [APP-184]. The scope for the vibration monitoring is outlined within Section 6.4 of the Archaeological Management Plan [APP-187], which states that the Principal Contractor will be responsible for ensuring that a monitoring plan containing the detailed monitoring methodology will be produced in consultation with the Interested Party and relevant heritage stakeholders, prior to work commencing. The Applicant confirms Outfall 01, 09and 09a are existing outfalls and the outfall rate will be limited to the greatest of the existing flow rate or 5l/s where the 5 l/s needs to be a minimum rate to provide a self-cleaning velocity through a flow control device. Outfall locations are shown on the Engineering Plans and Sections Part 5 - Drainage Engineering Plans [AS-012]. The outfall flow rates, as set out in Appendix 13.4 (Drainage Strategy) of the Environment Statement Appendices [APP-179], are therefore at existing or limited to 5l/s which will not change the existing safety risk to passing craft or present a high flow if increased to 5l/s. The Applicant confirms that the archaeological research and walkover survey undertaken and set out in Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the Environmental Statement Appendices [APP-132], identified limited archaeological potential within the area south of Nether Weir (MM688), beyond the presence of the weir and its associated culvert. As set out in Appendix 6.3 (Assessment of Cultural Heritage Effects During Construction of the Scheme) of the Environmental Statement Appendices [APP-134], this area was assessed as having a Minor Adverse impact due to the level of previous ground disturbance, associated with the construction of the existing A46 bridge and groundworks related to the building of the hydro-electric power plant at Nether Weir. Satellite imagery and photographic evidence show heavy disturbance of the whole area, down to and beyond probable archaeological horizons. While it is not clear whether the culvert itself was disturbed the outflow was altered during these works and it was considered that any archaeological remains which may have been present within this area will have been removed or heavily truncated. The works in the area south of Nether Weir will include the creation of a platform for a large crane and temporary access routes, as detailed on Sheet 4 of the Works Plans [AS-005]. These works will not impact depths lower than the previous disturbance. Piling will be undertaken to create the new bridge columns alongside the existing bridge. The piling will not take place in direct proximity to the weir and struts will avoid any existing service including the culvert as detailed on Sheet 8 of the Engineering Plans and Sections Part 6 - Structures General Arrangements) [APP-014]. Consultation with Cultural Heritage Stakeholders as set out within the Statements of Common Grounds with Nottinghamshire County Council, Newark and Sherwood District Council and Historic England have agreed every phase of archaeological works required for the Scheme and the decision to not undertake further archaeological works in this location. This decision is in line with both the 2015 and the 2024 National Policy Statement (designated in May 2024) for National Networks (NPSNN) with guidance on proportionality outlined in Paragraph5.140 and 5.213 respectively, which states "Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State should require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the importance and the impact." The Applicant had specified the Canal & River Trust as an occupier, within a number of plots in the Book of Reference Version 2 [AS-096], as the navigation authority for the River Trent. After reviewing comments made within the relevant representations for the Canal & River Trust, the Applicant will remove reference to Canal & River Trust as the occupier of the land/river for specified plots 7/1a and 7/3a within the Book of Reference Version 2 [AS-096].

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		the River Trent, will be impacted by construction activities. We note that the use of a diversionary route and the use of marshals are proposed to manage access during the construction phase, which the Trust take no significant issue with. **Safeguarding of the Cable from the Hydroelectric Power Station** The access track to Nether Weir would be crossed by the new road. The Submitted Streets, Rights of Way and Access Plans identify that the existing track (identified as 4A on the plans) will be stopped up, and a new access track (between points P-4B and P-4C) will be created to provide access to the plant. Paragraph 2.6.129 from chapter 2 of the Environmental Statement states that a temporary access to the hydroelectric station will be provided to maintain access. We wish to highlight that an existing cable exists connecting the Hydroelectric Power Station at Nether Weir to Newark, which travels below the access track between the site and Fiddlers Elbow bridge, continuing under the path to Kings Marina. Works to divert the path and to install a new road viaduct could impact this connection. The promotor should ensure that they undertake the relevant prior investigations to ensure that this cable route is appropriately protected and diverted if necessary. The Trust need to fully assess our agreements with the hydro electric plant operator for the cable on our land, and will provide additional comment should we identify any issues that need to be addressed. **Impact on Fishing Rights** Chapter 12 from the Environment Statement confirms that access to fishing pegs on the River Trent will be restricted during the construction phase of the development. Notably, table 12-15 identifies that fishing pegs on the west bank of the River Trent, between Fiddlers Elbow Bridge and Nether Rail BR27 will be inaccessible for a 30 month period as a result of bridge deck construction works. We also note that the installation of a temporary bridge crossing at Nether Lock will temporarily disrupt access on the eastern bank, between Fiddlers Elbow Bridge BR25 and Nether Rail BR27 for a period of ten weeks. The promotor should ensure that they have liaised fully with Fishing Clubs and organisations who utilise these pegs. The Trust need to fully assess our agreements with the Fishing Clubs, and will provide additional comment should we identify any issues that need to be addressed. **Measures to Protect the River Trent from Pollution** During the Construction Phase of the Development 9.11.9 from the Environmental Statement identifies that potential effects during construction on the River Trent include risks of surface water runoff to become entrained with sediment and resulting in pollution of the river. Mitigation against these risks are discussed in the First Iteration Environmental Management Plan (EMP) (TR010065/APP/6.5). We consider the measures within references GS3 and GS5 within table 2-1 of the document to be pertinent. These identify measures including the use of cut off ditches to collect runoff, the use of drip trays and precautions over the storage of fuels and refuelling of plant and equipment. These measures are considered appropriate. We note that the document confirms that more detail will be provided within the Second Iteration EMP. Any necessary environmental mitigation specific to the Trust's assets not already covered in the Second Iteration EMP would be covered by the Trust's Protective Provisions. **Measures to Protect Fiddlers Elbow Bridge** During the Construction Phase Fiddlers Elbow Footbridge is a grade II* listed asset, and lies within the red line boundary of the project proposals. Appendix 6.3 of the Environment Statement 'Assessment of Cultural Heritage Effects During Construction of the Scheme'	The Applicant has engaged with the Canal and River Trust and has advised that individual land plans are in development to allow the more detailed land negotiations to commence progress. Updates on the progression of the negotiations will be provided to the Examining Authority during the course of the examination.

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		(TR010065/APP/6.3) identifies that Fiddlers Elbow Bridge (described in the document as 'Concrete Footbridge across River Trent' reference MM038) has the potential to be damaged from the works due to potential vibration issues from the presence of construction compounds and the temporary gantry bridge and associated machinery. Mitigation against this risk identified in the First Iteration Management Plan, where reference CH2 states that structural monitoring will be required before, during and after construction. The document states that the contractor will be responsible for ensuring that a monitoring plan is prepared as part of the Phase 3 AMP (Archaeological Management Plan). The Trust would wish to review this monitoring plan to ensure that our bridge is appropriately protected. This could be secured within the Trust's Protective Provisions. **Surface Water Drainage Proposals** The submitted Drainage Strategy Report (6.3, Appendix 13.4) identifies that the proposals seek to discharge water to the River Trent, utilising three existing outfalls to the river (labelled as 01, 09 and 09a.) The Trust only has records of outfall 09a being present. We cannot identify from the document whether all of the discharge points are in use, and whether the peak velocity or discharge rate from them would change compared to the existing situation. High rates of discharge flow or velocity could have the potential to impact negatively on the safe passage of craft on the river. We understand that the intention is for full drainage details to be developed as part of the detailed design of the scheme. Within the submitted draft DCO, schedule 2 13 (1) requires the submission to, and the approval by, the Secretary of State of full written drainage details prior to commencement. To enable the Trust to assess whether the discharge could impact navigational safety, we would need to understand existing and proposed peak flows and peak velocities from the outfalls affected. The Trust would wish to review these details during the examination to ensure that the principle of the discharges sought are acceptable. **Impact on Archaeological Assets** Within our pre-application correspondence with National Highways, including our feedback on the PEIR, the Trust have highlighted that archaeological remnants associated with past use of Nether Weir may be present on site and could be impacted by the new road and any construction compounds associated with the construction works proposed. We therefore suggested that the desk based assessment proposed in the PEIR should consider for the presence of assets in this area. The submitted Archaeological Management Plan (TR010065/APP/6.8), which seeks to outline the archaeological potential for archaeological remains within the Order Limits, does not fully explore the potential for Archaeological Assets within the area close to the proposed River Trent Crossing in proximity Nether Weir. This area is not discussed in the Management Plan. We note that, within TR010065 - 6.3 Environmental Statement - Appendix 6.3, table 1-2 identifies that photographic evidence of the construction of the original A46, as well as recent work on the weir itself shown on Google earth imagery demonstrates heavy disturbance in the area of Nether Weir. The document states that it is assumed that potential archaeological remains associated with the original Weir will have been removed or truncated alongside this disturbance. The examining authority may wish to ensure that they are fully satisfied that this statement provides appropriate justification for this area not being considered in the Management Plan. Currently, no mitigation for any impact on assets in this area, should they be present, is identified. Should it be considered that there is potential for assets to be present here, an evaluation or watching brief may be appropriate	

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		for works in this area to avoid any irretrievable loss to assets associated with the historic use of the river corridor. **Comments on the Book of Reference and Land Ownership** The Trust have reviewed the Book of Reference and the Land Plots identified as being of interest to the Trust. The Trust is identified as 'occupier' of both plots 7/1a and 7/3a. The Trust do not, however, occupy this land (it relates to land parcels alongside a section of the River Trent upon which the Trust have no direct responsibilities). The Book of Reference may therefore need to be amended to account for this to avoid confusion. We are also identified as landowner and/or occupier of other plots within the Book of Reference. These statements, to our knowledge, are correct. The Trust is continuing to review its land interest in the context of the Book of Reference and the Land Plots, and in the event any further discrepancies are identifies the Trust will notify National Highways and the Examining Authority at the earliest opportunity. Proposed compulsory acquisition of the Trust's property Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects and should only be made where there is a compelling case in the public interest. We understand that the confirming authority will expect the acquiring authority to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement as opposed to Compulsory purchase. The Trust is willing to engage with National Highways to enter into an agreement in respect of the rights which it requires to deliver the Project. As such National Highways cannot currently demonstrate that compulsory purchase powers are being sought as a matter of last resort and their approach is in conflict with the Planning Act 2008 Guidance related to the Compulsory Acquisition of Land (DCLG September 2013). Discussions with National Highways on this matter commenced in September 2022. The Trust has emphasised the need to ensure the negotiations are commenced at as early stage as possible. As of 21st May 2024, National Highways have promised to introduce the Trust's lead negotiator to the District Valuer. We are still awaiting this, and have chased the promoter on this issue by email on 20th June 2024.	
RR-010	Challenge Ltd	As owners of the property (redacted), we feel it is prudent to list some of our concerns both during works and the long-term effects when the works are completed on the new A46 Newark bypass. We were not informed of these works so we did not have the opportunity to attend the consultation events. We are particularly concerned about Works 62 thru 67 but have not been given specifics about the impact including but not limited to. • Access limitations • Noise • Air quality • Environmental impact • Visual effect • Risk of flood • Risk of subsidence • Loss of rental income and rental opportunity • Accidental damage	The Applicant can confirm that access to the property will be maintained during the construction phase and during the operation of the Scheme. The Applicant confirms the estimates of construction noise and vibration levels and the measures to control construction noise are set out in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] for each construction phase. Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] shows operational noise mitigation in the form of barriers and earthworks. In addition, low noise surfacing will be used that will further attenuate noise levels. Operational noise impacts of the Scheme are adverse in some areas and beneficial in others but none of these are anticipated to be significant. Sheet 5 of Figure 11.9 (Short-term Noise Change) [AS-063] and Figure 11.10 (Long-term Noise Change) of the Environmental Statement Figures [AS-064] shows the impact in the short-term and long-term respectively is either negligible or minor, depending upon the exact location in relation to the Scheme. Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation measures presented within Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] which includes the measures shown on Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [AS-026]. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] confirms that the impact of emissions from construction traffic is not considered to have the potential to result in significant air quality effects as the predicted

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			change in construction traffic is temporary, not programmed to last more than two years and there are no locations within the study area at risk of exceeding air quality objectives. Modelled base year (2022) concentrations presented in Table 1-1 of Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement Appendices [APP-128] also show that modelled pollutant concentrations are well below the air quality objectives. Therefore existing and modelled concentrations in the study area comply with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007. The assessment also confirms that temporary traffic management measures used during the construction period will not have a significant effect on air quality. This is due to the temporary nature of overnight road closures and temporary reductions in speed limits not significantly affecting emissions. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] assesses the impacts from construction dust within 200 metres of the construction site boundary in accordance with National Highways' Design Manual for Roads and Bridges LA 105 Air Quality and concludes that the construction dust risk is considered to be 'high', based on the 'large' construction dust risk potential of the Scheme and the presence of human health and ecological receptors within 100 metres of the Scheme. However, works would be carried out in accordance with best practicable means, such as wetting down and minimising the height of stockpiles, to minimise the risk of construction dust effects so that they are unlikely to result in significant effects at nearby sensitive receptors. Dust control measures are included in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. Dispersion modelling was undertaken for the operational phase of the Scheme using ADMS-Roads, which is a computer-based model of dispersion in the atmosphere of pollutants released from road traffic sources, to predict NO_2 and PM_{10} concentrations in the base year (2022) and NO_2 concentrations in the opening year (2028). Overall, the modelling demonstrated that there are not predicted to be any exceedances of the NO_2, PM_{10} or $PM_{2.5}$ air quality objectives at any of the human health receptors within the study area during operation of the Scheme. As such, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the NO_2, PM_{10} and $PM_{2.5}$ air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement Appendices [APP-128] presents the predicted pollutant concentrations at modelled receptor locations and Figure 5.1 (Air Quality Receptors) of the Environmental Statement Figures [AS-028] shows the locations of the modelled receptors. The property of the Interested Party has been included as a sensitive receptor (R44) in the dispersion model. Annual mean NO_2 concentrations in the opening year are predicted to increase by 0.2µg/m^3 from 16.3µg/m^3 without the Scheme to 16.5µg/m^3 with the Scheme, due to the predicted increase in traffic flow along the A46 which is located approximately 110m to the east of the property. The 'with Scheme' predicted concentration at the property is well below the NO_2 air quality objective of 40µg/m^3 and the change in air quality is considered to be 'imperceptible' in accordance with National Highways' Design Manual for Road and Bridges LA 105 Air Quality. The Applicant can confirm the environmental impact of the Scheme has been assessed as part of the application for development consent and is documented in the Environmental Statement. The property referenced by the Interested Party sits alongside the River Trent, with a primary open outlook across the river in a westerly direction towards British Sugar PLC beyond. The remaining boundaries are characterised by mature established vegetation including large trees which enclose the property. Beyond the property boundary, the Nottingham to Lincoln Railway line further restricts views. Given the enclosed and orientation of view significant effects were not deemed likely and as such this property was scoped out from further assessment.

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			The Applicant confirms Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177] has been developed in accordance with National Highways' Design Manual for Roads and Bridges (DRMB), LA113, Road Drainage and the Water Environment, to document the assessment and management of associated impacts of the highway on the water environment. The Flood Risk Assessment complies with the 2015 NPSNN and the National Planning Policy Framework (NPPF) policy on flood risk. Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177] considers flood risk both to and from the Scheme during construction and operation. Flood risk during the construction phase of the Scheme is discussed in Chapter 9 of Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177]. Section 9.1 of the Flood Risk Assessment [APP-177] conservatively considers the flood risk for a very limited timeframe in which both temporary and permanent works would simultaneously be in place, which is likely to occur only towards the end of the construction period. As shown in Figure 9-1 and described in paragraph 9.1.12 of the Flood Risk Assessment [APP-177] , the Scheme plus temporary works may lead to changes in flood depths in the floodplain, which may have a minor impact to a small number of residential receptors, none of which are located in the vicinity of Works 62 to 67 as shown on the Works Plans [AS-005]. Flood risk impacts, magnitude of impact and significance of effect are considered in Table 13-9 and Table 13-10 of Chapter 13 (Road Drainage and Water Environment) of the Environmental Statement [APP-057]. This indicates an overall negligible long-term (operational) impact to residential receptors, including those in the vicinity of Works 62 to 67 as shown on the Works Plans [AS-005]. 'Negligible' for flood risk is defined within National Highways' Design Manual for Roads and Bridges LA113 guidance as 'negligible change to peak flood levels (<= +/- 10mm)'. The Applicant has undertaken an assessment of potential geotechnical hazards and land stability and this is provided in Appendix 9.1 (A46 Newark Northern Bypass Preliminary Sources Study Report) Part 1 [APP-161] Part 2 [APP-162] and Part 3 [APP-163]) of the Environmental Statement Appendices and Appendix 9.2 (Contaminated Land Risk Assessment - Appendix G Ground Investigation Report) of the Environmental Statement Appendices [APP-169]. Risks have been assessed in accordance with CD 662 'Managing Geotechnical Risk'. Subsidence risks are associated with natural Karst and gypsum dissolution cavities and historical mining activities. The Scheme is not in a 'Development High Risk Area', is not in a 'Coal Mining Reporting Area' and is not in an area with a history of natural subsidence such as karstic limestone, chalk of gypsum dissolution. Therefore, the risk of subsidence from the Scheme is considered to be low. In terms of the potential loss of rental income or rental opportunity, the Interested Party is encouraged to get in touch with the Applicant if they do experience either of these impacts as a result of the Scheme. The Applicant will guide the Interested Party through any claim for compensation. The Applicant contacted the Interested Party following the submission of the relevant representation to confirm the details of the consultation process. The Applicant provided the contact names and an outline of the type of engagement recorded (phone calls, emails and postal correspondence) between the Applicant and the Interested Party to date and they confirmed that they understood the process of consultation. The Applicant has also offered a specific contact who can answer any additional questions that the Interested Party may have.
RR-011	Chris Gillham	We are at one minute to the midnight of global catastrophe and the government continues to deliberately pour oil on the planetary fire. The government knows this cannot be consistent with its Net Zero promises and yet it carries on rregardless. The government has never demonstrated that there is an economic benefit from road building; indeed it has never countered the evidence that road building correlates with a negative GDP change. The government continues to poison the air, even though it knows more than 40,000 people a year	The Applicant confirms the potential impact of the Scheme on emissions of greenhouse gases (GHGs) has been assessed within Chapter 14 (Climate) of the Environmental Statement [APP-058]. This assessment concluded that the magnitude of GHG emissions from the Scheme in isolation would not have a material impact on the ability of the UK Government to meet its carbon budgets, and therefore is not anticipated to give rise to a significant effect on Climate. This is in line with the position set out within paragraph 5.18 of the 2015 NPSNN which states "…any increase in carbon emissions is not a reason to refuse development consent, unless the increase in carbon emissions resulting

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		die from it. The new government cant word was "CHANGE". It seems that nothing is going to change - the same lack of joined-up transport thinking and the same environmental hypocrisy.	from the proposed scheme are so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets.". To note the Scheme has been assessed against the 2015 NPSNN, as this was the relevant NPS at the time of the assessment. An updated version of the NPSNN was designated in May 2024, however the timing is such that this is not deemed the relevant NPSNN for the Scheme to be assessed against. However, for completeness it is noted that the 2024 NPSNN includes the following statement in Paragraph 5.42, "approval of schemes with residual carbon emissions is allowable and can be consistent with meeting net zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent". Considering this, and the conclusion of the assessment in Chapter 14 (Climate) of the Environmental Statement [APP-058] that the emissions associated with the Scheme would not have a material impact on the ability of the Government to achieve its carbon targets, an assessment against the 2024 NPSNN would result in the same conclusion of no significant effects. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] concludes that there are not predicted to be any exceedances of the NO_2, PM_{10} or $PM_{2.5}$ air quality objectives at any of the human health receptors within the study area during operation of the Scheme. As such, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the NO_2, PM_{10} and $PM_{2.5}$ air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. In accordance with paragraph 2.80 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] also concludes that the Scheme would not affect the UK's reported ability to comply with the Air Quality Directive (2008) in the shortest timescales possible. Also, as indicated by the modelled results for NO_2, the Scheme would have a beneficial effect within Newark-on-Trent by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent.
RR-012	Climate Emergency Planning and Policy	Dr Andrew Boswell, Climate Emergency Planning and Policy Independent environmental consultant specialising in climate science, policy, and law. The environmental statement for the scheme, including Chapter 14 on Climate Change, does not identify and describe : - the full science-based impacts of the development on the global climate system - a "worst case" description of the likely significant impacts - the impacts on meeting the UK's commitments under the Paris agreement - the impacts on the delivery the UK Climate plan ("the Carbon Budget Delivery Plan")co	The assessment as detailed in Chapter 14 (Climate) of the Environmental Statement [APP-058], is based on Design Manual for Roads and Bridges LA 114 – Climate Table 3.11.1 which includes both construction and operational impacts, capturing the relevant impact of the Scheme. Construction impacts include the embodied carbon emissions of materials, transport of materials to site and the use of construction plant. Operational impacts include road user (tailpipe) emissions, land use change, maintenance and operational energy. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (IEIA Regulations) require a decision maker to assess the likely significant effects of a scheme in "an appropriate manner". The assessment methodology to adopt when considering the likely significance of an effect is a matter of judgment for the Secretary of State that is only challengeable on rationality grounds. In R(Boswell) v Secretary of State for Transport [2024] EWCA Civ 145 the Court of Appeal found that the Secretary of State had acted rationally in adopting the DMRB methodology utilised by National Highways to identify and assess the likely significant effects of proposed highway DCO projects on the climate. Dr Boswell is now seeking to challenge the use of the DMRB methodology. It is relevant to refer to the judgment of the Court of Appeal, which records that: • "it is important to appreciate that" no challenge was being made by Dr Boswell to the methodology used to quantify the likely increase in carbon emissions that would be generated, in isolation and in combination (para 17). • Dr Boswell's advocate confirmed for Dr Boswell that it was accepted it was in principle open to the Secretary of State to satisfy the requirements in the IEIA Regulations for an assessment of the GHG emissions from each of the relevant DCO schemes by means of a comparison between the probable future emissions from the relevant Affected Road Network on the Do Minimum basis and the Do Something basis, with the resulting figures then being compared with the fourth, fifth and sixth national carbon budgets down to 2037 (para 48).

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			In accordance with the IEIA Regulations, the environmental statement provides clear, concise information to support the Secretary of State in reaching a reasoned conclusion on the likely effects of the Scheme on the environment based on current knowledge and established methods of assessment, It is neither necessary or feasible to estimate the impact of changes in greenhouse gas (GHG) emissions associated with a particular development or project on the global climate system. **"a "worst case" description of the likely significant impacts"** The changes in GHG emissions presented in Chapter 14 (Climate) of the Environmental Statement [APP-058] (i.e. the impacts of the Scheme on climate) is based on currently known design information and assumptions of plant and material as described within Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Assumptions were necessary to ensure the aspects can be assessed. Where relevant the worst-case scenario was selected. These assumptions are considered to be conservative (that is, they present a greater than "worst case"), for the following reasons: • The assessment applied a contingency factor of 2% to the material quantities used to estimate embodied carbon emissions to account for uncertainty in material quantities and to provide a more conservative assessment. • The road user GHG emissions estimated presented in Chapter 14 (Climate) of the Environmental Statement [APP-058] were produced using emission factors derived from Version 11.0 of Defra's Emission Factors Toolkit (EFTv11). Whilst these emission factors accounted for the latest vehicle composition projections available at that time, they did not account for the impact of policies within the Transport Decarbonisation Plan, for example, which was published by the Department for Transport in 2021. As such, the proportion of cars and LGVs within EFTv11 which were projected to be electric in future years (and therefore have zero GHG exhaust emissions) are much lower than more recent projections (for example those within the latest version of the Transport Analysis Guidance (TAG) data book (v1.23)). • No allowance has been made for the impact of the potential carbon reduction opportunities identified in paragraph 14.10.5 of Chapter 14 (Climate) of the Environmental Statement [APP-058], which are currently being investigated as part of the ongoing carbon management process. • Embodied carbon emissions associated with raw materials have been estimated using embodied carbon factors derived from the Inventory of Carbon and Energy Version 3.0 (also known as the ICE V3 database), which were published in 2019. No allowance has therefore been made for any decarbonisation of material manufacturing industries (e.g. the steel and cement industries) since this point, or which is likely to occur in the future as a result of government policy (e.g. the UK Industrial Decarbonisation Strategy). **"the impacts on meeting the UK's commitments under the Paris agreement"** The UK has set a legally binding GHG reduction target for 2050, with interim five-yearly carbon budgets and a Nationally Determined Contribution (set in line with Article 4 of the Paris Agreement) which define a trajectory towards net zero. The 2050 target (and interim budgets and Nationally Determined Contribution set to date) are, according to the Climate Change Committee, compatible with the required magnitude and rate of GHG emissions reductions required in the UK to meet the goals of the Paris Agreement. As stated by paragraph 5.39 of the 2024 NPSNN "Where an applicant assesses the carbon impacts of its scheme against carbon budget 6, and later carbon budgets, it is to be taken also to have assessed the carbon impacts of the scheme against the net zero target in the Climate Change Act 2008, as they are in line with this target". On the basis of the above, the assessment presented in Section 14.10 of Chapter 14 (Climate) of the Environmental Statement [APP-058] provides an assessment of the potential impact of the Scheme on the UK's commitments under the Paris agreement.

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			"the impacts on the delivery the UK Climate plan ("the Carbon Budget Delivery Plan")" As stated in paragraph 5.38 of the 2024 NPSNN "The Secretary of State for Energy Security and Net Zero regularly assesses whether the UK has sufficient policies and proposals overall to meet the UK carbon budgets, with a view to meeting the net zero target, in line with the duties under section 13 of the Climate Change Act 2008. It would not be feasible or sensible for such an assessment to be done at the time of taking individual development decisions, and there is no legal requirement to do so". There is therefore no specific policy requirement to consider potential impacts on the delivery of the Carbon Budget Delivery Plan. Instead, and as advised by DMRB LA 114 and the both the 2015 and 2024 NPSNN, an assessment is required of whether the increase in carbon emissions resulting from the Scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets. The greenhouse gas emissions assessment reported in Chapter 14 (Climate) of the Environmental Statement (APP-058) is based on the requirements of National Highways' Design Manual for Roads and Bridges LA 114 – Climate which states: 'assessment of projects on climate shall only report significant effects where increases in greenhouse gas emissions will have a material impact on the ability of Government to meet its carbon reduction targets'. This also aligns with paragraph 5.17 of the 2015 NPSNN. The assessment has identified that the emissions arising from the Scheme represent less than 0.007% of the total emissions in any five-year UK legally binding carbon budget during which they would arise. As such, the assessment concludes that the greenhouse gas emissions as a result of the Scheme would not have a material impact on the Government's ability to meet its carbon reduction targets. Therefore, the Scheme is not predicted to impact the Government's ability to deliver the Carbon Budget Delivery Plan or the commitments under the Paris Agreement. To note the Scheme has been assessed against the 2015 NPSNN, as this was the relevant NPS at the time of the assessment. An updated version of the NPSNN was designated in May 2024, however the timing is such that this is not deemed the relevant NPSNN for the Scheme to be assessed against. However, for completeness it is noted that the 2024 NPSNN includes the following statement in Paragraph 5.42, "approval of schemes with residual carbon emissions is allowable and can be consistent with meeting net zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent". Considering this, and the conclusion of the assessment in Chapter 14 (Climate) of the Environmental Statement (APP-058) that the emissions associated with the Scheme would not have a material impact on the ability of the Government to achieve its carbon targets, an assessment against the 2024 NPSNN would result in the same conclusion of no significant effects.
RR-013	Colin Paterson	My wife and I are the landowners and residents of (redacted), Winthorpe. Our home is a Grade II listed building- dating back to 1787. We are referred to as both MM053 and 126649 in the National Highways reports. The significance of the building as a heritage site, as well as the financial value of our property will be adversely impacted by the A46 dualling. THE SCHEME The element of road design which will most adversely impact Lowwood, is the height of the bridge over the A1. The impingement on the property will be through the four key areas of visual changes, light pollution, noise and vibration. We do not believe that the impact on the property has been correctly quantified and communicated in the documents produced by National Highways, which are confusing and misleading for residents. For a start, our home is referred to by two different reference numbers (MM053 and 126649) in the documents. This was very unhelpful and made it much harder for us to see what directly affected us. Please could there by continuity in any documents going forward? CULTURAL HERITAGE, LANDSCAPE AND VISUAL EFFECTS The documents make it clear that (redacted)(MM053) will be adversely affected by the road. In 6.1 Environmental	The Applicant confirms within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the Environmental Statement Appendices [AS-099], reference MM053 is the unique heritage asset identifier assigned to the property for the purposes of assessment, for ease of cross reference within the cultural heritage assessment documents and figures. With regards to the Interested Party's comments concerning adverse effects to the setting of their property it should be understood that the setting of a listed building is *'the surroundings in which a listed building is experienced'*. The setting of a listed building can encompass the experience of noise, dust, lighting, smell, vibration, land use, as well as views. Setting is understood to evolve, and can make a positive, neutral or negative contribution to the heritage value of a listed building or the ability to appreciate that value. The impact on setting is just one of several considerations when assessing effects upon a listed building. The contribution of setting to the heritage value of the Interested Party's property, as part of the assessment of cultural heritage impacts and resulting effects upon the property have been considered within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050]. Tables 6-7 and 6-8 within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] summarise the likely significant effects to the property and its setting during construction and

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		Statement, Chapter 6 Cultural Heritage, it states that during the construction section of the scheme: "An adverse effect is predicted. There is potential for development within the Order Limits to have an adverse impact on the value of the asset, through alteration to its setting." (6.3 Environmental Statement Appendix 6.3 Assessment of Cultural Heritage Effects During Construction of the Scheme). In the same section we are informed: "The presence of construction machinery close to the asset will increase the level of noise and affect the ability to appreciate the private garden setting of the asset. This will adversely impact on the heritage value of the asset." Despite these two clear statements, Lowood is not listed as a key visual receptor in 6.2 Environmental Statement - Figure 7.4 - Visual Receptor Location. The dog kennels (point 41 on the figure) and The Spinney (point 42) are listed, but the church, The Grove and (redacted) are all listed buildings and have all been missed off. (redacted) is also not included in Appendix 7.3 Key Visual Receptor Photographs and Photomontages. The residence will stare directly at the new A1 overbridge. The height of the bridge will fundamentally change the aspect from the house, which a grade II listed building, that was originally constructed to be in the line of sight of historic views of the area. We would like to understand how (redacted) has not been listed as a key visual receptor. Why has a property of such cultural significance been discounted by the scheme in this way? National Highways say that they have used a digital zone of theoretical visibility (ZTV) to inform the selection of viewpoints, where the scheme will be visible from viewer heights of 1.6 metres and above. (6.1 Environmental Statement, Chapter 7: Landscape and Visual Effects, 7.5.5). A ZTV based on the operational Scheme has been produced, but (redacted) is completely absent from this. Why has a grade II listed building, that has already been flagged as being "adversely affected" not been included in in this? The bridge will clearly be seen from our property during the wintertime, when there is no tree cover. Our request would be for the significant planting of both mature and new trees in this area before the major construction phase of this project begins. Details around planting and mitigation are extremely vague for people who live here and who will be directly impacted by the proposals. NOISE AND VIBRATION Noise maps and other documents claim neutral change to (redacted), (6.1 Environmental statement, Chapter 11 Noise and Vibration, Table 11-15. We are listed as 126649) which makes no sense, given the proximity of the new road to our property. We have never had it explained to us how this figure was reached. We requested this information as residents and were simply told to log a complaint to PINS, which was a very unsatisfactory response. We took photos of the receptor used for these studies being placed at least 100m from our property. Why is the receptor not placed where the building is, rather than at the edge of our land? This study is of huge importance to us and how the results were reached has never been communicated. Furthermore, because the A46 bridge is so high near our house (approximately 10m higher than ground level) the sound will travel far. It will be combining with existing A1 noise levels and is likely to elevate noise levels still further. Currently we have been informed by National Highways that we are not in a noise important area (we have emails that show this) and that they are unable to request assistance in sound-proofing our property. Night-time noise levels at our property ALREADY exceed the SOAEL by more than 5db meaning significant effects are already likely to affect our health and wellbeing. We would like to understand why (redacted) isn't already classified as a noise important area and what National Highways will do to assist us in managing noise levels at this listed property? This will not be a straightforward 'double glazing' fix as some of our windows date	operation of the Scheme. The assessment states that the presence of construction machinery has the potential to increase the level of noise, dust and lighting experienced within the setting of the heritage asset, thereby affecting the ability to appreciate its heritage value. Embedded mitigation, including limited working hours are unlikely to reduce the impacts to a non-significant effect. During operation (when then the road construction is completed and in use) the perception of increased noise experienced within the setting of the heritage asset may impact the ability to appreciate the heritage value of the asset. However, the noise assessment states that any change in noise effects will in fact be negligible beneficial in both the short-term and long-term. The effects of noise at the Interested Party's location are discussed further below. Mitigation measures which will be adopted to reduce impacts to the Interested Parties property are set out in Tables 6-7 and 6-8 within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050]. These mitigation measures were agreed in consultation with Cultural Heritage Stakeholders. Mitigation that will benefit the property of this Interested Party (amongst others) includes low noise road surfacing, earthwork design and noise barriers. This mitigation can be seen on Figure 2.3 (Environmental Masterplan) of the Environmental Statement [AS-023]. The Applicant confirms key visual receptor locations as presented in Figure 7.4 (Visual Receptor Plan) of the Environmental Statement Figures [AS-040] and explained in paragraph 1.1.2 of Appendix 7.3 (Key Visual Receptor Photographs and Photomontages Part 1) of the Environmental Statement Appendices [APP-138] have been chosen to show a representative sample of existing conditions and provide a visual representation of the scale of the Scheme within its setting, rather than an indication of the value of a specific receptor or how it may be affected by the Scheme. The impact upon listed properties as a cultural heritage asset has been addressed within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] and in preceding paragraphs of this response. As noted by the Interested Party, paragraph 7.5.5 of Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051] confirms that the Zone of Theoretical Visibility (ZTV) is produced to help inform the selection of viewpoints to be included within the assessment of visual effects. The Applicant can confirm that potential visual impacts and resulting effects upon the residence of the interested party, has been captured as part of the assessment of receptor number 42, as shown on Figure 7.4 (Visual Receptor Plan) of the Environmental Statement Figures [AS-040], and a description of existing baseline and future views during construction and operation presented within Appendix 7.2 (Visual Baseline and Visual Impact Schedules) of the Environmental Statement Appendices [APP-137]. The assessment accounts for the presence of existing screening planting along the boundary of the property and the Scheme to the south. The additional planting proposed as part of the Scheme, including the location of landscape bunds is presented on the Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. This includes the location and type of planting proposed as well as an indicative plant species listed. Key environmental functions are provided for each planting plot to understand the intended function of each proposal. The Applicant refers the Interested Party to the area of proposed woodland planting located between the A1 and the property, which in addition to existing mature screening planting, would further aid screening of the existing A1 to the west and A1 crossing to the south of the property, which would also be heavily wooded to provide screening of the embankments and elevated section of the A46 from this viewpoint. The environmental design shown on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] will be refined during detailed design Requirement 6 of the draft Development Consent Order [APP-021] secures the provision of the planting proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. The 2m high noise barrier / bunds that extend from the start of the northbound off slip to Brownhills Junction and continue to Winthorpe Roundabout will minimise light pollution to the property by blocking the headlights from vehicles travelling on the A46. The location of the noise barrier / bunds can be seen on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. The provision of the noise barrier / bund is secured by Requirement 16 of the draft Development Consent Order [APP-021].

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		back to 1787 and are historically preserved under strict conservation orders. We find it utterly baffling that a noise and vibration management plan has not yet been prepared and a scheme of this magnitude can gain traction without this. We would like to understand this plan in detail now. CONCLUSION We have been engaging with National Highways throughout the consultation phase of this scheme. However, we still feel, that as impacted residents, we are not being given enough information or assistance. Our questions are going unanswered. We are frustrated by the vague way that plans for mitigation are being described. In document 6.3 Environmental Statement Appendix 7.2 Visual Baseline and Impact Schedules, when it comes to what will be done in Winthorpe, there are a lot of references to "proposed planting plans" but we need specifics, both for planting and bunding. The documents detail the serious impacts the schemes will have on our property, but then omit Lowwood, a home listed by Historic England, as a visual receptor.	The new Brownhills Junction is lit and this has been done with 10m high columns (normal height is 14m) and have cut off lanterns to minimise light projecting backwards away from the carriageway. This detail is secured by Requirement 18 of the draft Development Consent Order [APP-021]. The Applicant confirms that specific reference numbers have been allocated to all relevant receptors within the study area, however engineering disciplines may use different naming conventions to refer to additional reference points for the purposes of the assessment in each case (e.g. LT1 to refer to a long-term noise measurement location that may be at or near an existing relevant receptor). This does not have an impact on the results presented to support the findings of each engineering discipline. It is noted that 126649 refers to a representative noise assessment location which is different to the noise monitoring locations where noise monitoring equipment has been deployed (as may have been witnessed by local residents). Noise monitoring was undertaken to inform the process of establishing baseline levels. The noise and vibration assessment methodology as per National Highways' Design Manual for Roads and Bridges LA-111, and impacts of the Scheme are set out in detail in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] for both construction noise and vibration and for operational noise. Construction noise impacts are detailed in Section 11.11 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] for affected representative receptors, which are shown on Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065]. The nearest representative noise sensitive receptor for which construction noise calculations have been carried out is 126649 as shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) [AS-065] which is slightly closer to the works than the Interested Party. Tables 11-14, 11-15, 11-17, 11-18, 11-19, 11-22, 11-23, 11-25, and 11-29 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] present daytime construction noise levels relevant to this representative receptor, indicating that the baseline noise level of 65dB(A) is not exceeded by construction works throughout the construction period. Tables 11-20 and 11-24 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] present night-time construction noise levels relevant to this representative receptor, indicating that the baseline noise level of 57dB(A) is only exceeded during the roadworks construction phase, with highest predicted level of 60dB(A) during the resurfacing work activity which would be classified as a Moderate impact. This noise level is unlikely to be disruptive as resurfacing works are by definition linear suggesting any potential impacts would only be for a short period of time. Operational noise impacts of the Scheme are adverse in some areas and beneficial in others but none of these are significant (impact at the Interested Party's property is beneficial as later described). It is acknowledged that noise from the A46 will continue to be added to noise from the A1 for properties close to the A1. This may be seen in Figure 11.8 (Noise levels in the Do Something Design Year) of the Environmental Statement Figures [AS-062] which shows expected Do Something (with the Scheme) noise levels in the Design Year, that is, noise levels with the Scheme 15 years after opening. It shows that noise levels increase in proximity to the two highways with smaller noise contributions from other roads. The noise levels for Do Something can be compared with Do Minimum (without the Scheme) for the same period as shown in Figure 11.6 (Noise levels in the Do Minimum Design Year) of the Environmental Statement Figures [AS-060]. However, the impact of the Scheme itself may be seen in Sheet 5 of Figure 11.9 (Short-term Noise Change) of the Environmental Statement Figures [AS-063] and Figure 11.10 (Long-term Noise Change) of the Environmental Statement Figures [AS-064] which shows the noise impact at the Interested Party's property is negligible beneficial in both the short-term and long-term. In addition to low noise surfacing that will be used to control noise levels, Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] shows the proposed operational noise mitigation in the form of barriers and earthworks. Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation measures presented within in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] which are also shown on the Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026].

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			It is noted that 'noise important areas' refers to the explicit definition within DEFRA Noise Action Plan: Roads (2019). Characterising an area as such does not entail excluding other areas from the noise assessment i.e. the noise assessment covers all relevant areas. The noise assessment presented in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] includes all address base points (whether in a noise important area or otherwise) within the assessment area and assesses these in line with the methodology defined within Section 11.5 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055]. The Applicant has engaged with the Interested Party regularly since the Statutory Consultation, visiting the residence on three occasions to provide more detail on a number of topics, including those highlighted above. During correspondence ahead of the close of relevant representation, the Applicant outlined the examination process and encouraged the Interested Party to make a representation to ensure they had their concerns included.
RR-014	Collingham Parish Council	We're registering because many residents use the road regularly and we want to be able to put forward their views.	The Applicant notes the relevant representation made by Collingham Parish Council.
RR-015	Councillors against dualling (5 local councillors)	We are five local councillors who are against the dualling of the A46. We all live in Newark. We are writing as an informal group of individuals. We see the proposed dualling scheme as being too costly, with serious problems caused by construction and ongoing negative impacts on Newark. It is also likely to increase traffic long-term (and associated pollution) rather than addressing public transport and planning around affordable housing near work and education, which would reduce demands on the road and the environment long term. We hold a number of concerns relating to the scheme which we would ask that the examiner carefully considers. We have detailed our concerns below and would ask the examination process seeks to ensure that all reasonable and relevant steps will be taken to address concerns. Southern Link Road. Road South of Newark linking A46 to A1 This road is under construction but no plan appears to be publicly available for the new roundabout to join the new road South of Newark to the A46. No public consultation appears to have been held by the National Highways Authority (NHA) on creating a new roundabout rather than joining the Southern link road to the existing roundabout. The impact of this construction and post construction on the A46 is not known. If it creates huge congestion on the approach and between the two roundabouts it may negate the need for the A46 dualling by impeding any time savings currently suggested if the A46 is widened past Newark. It is unclear what impact the new second roundabout South of Newark will have on traffic queues on the A46 in both directions. It is understood that the work on the dualling will not start until the new roundabout is complete so that the new road South of Newark can relieve some of the traffic congestion caused by the planned years of road works to complete the new scheme. It would seem to make sense to give the new road and new roundabout time to bed in for up to two years before starting the work on the road past Newark. 1) We request that the NHA waits until the new Southern Link Road roundabout on the A46 South of Newark has been operational for 2 years before deciding whether to go ahead with the dualling work past Newark. Acute Problem Not Chronic Problem Some of the day on some days of the year there is traffic congestion on the A46 Bypass next to Newark. This happens for obvious reasons: A) Road Traffic Accidents (RTA) B) rush hours C) holiday times when people travelling to the East Coast D) When large events are being held at the show ground. Apart from RTA most of these are predictable. When there are RTA on the current A1 (which is dualled past Newark) there are long queues on the A1 and traffic often diverts through the Town. Dualling of the A46 would not prevent delays and congestion caused by	The Applicant confirms the Southern Link Road on its own would not deliver the Scheme objectives as it does not provide connectivity and capacity through to the A46 and A17, to the east of the A1, and does not remove congestion at the existing Cattle Market Roundabout. While the Southern Link Road does relieve some traffic from the A46 this has been accounted for in the traffic modelling work detailed in the Transport Assessment [APP-193]. In particular, the Southern Link Road is included within the Do Minimum (without the Scheme) scenario traffic forecasts. The modelling demonstrates that without improvements to the A46, even with the development of the Southern Link Road, there would still be significant delays on the A46, especially at the Cattle Market Junction. The Southern Link Road roundabout will join the A46 to the south of Farndon Roundabout. The traffic modelling detailed in the Transport Assessment [APP-193] shows that the two roundabouts operate well, despite the close proximity, and that the A46 arms of the two roundabouts were forecast to have delays of under 30 seconds in 2043 (15 years after the Scheme is open to traffic). As outlined in the Case for the Scheme [APP-190] the operational performance of the A46 single carriageway around Newark is at odds with other sections, where the road is a dual carriageway. This manifests itself in a bottleneck with higher levels of congestion and lower average speeds (typically between 22 and 45 mph in contrast to 60 mph elsewhere). The key issues are: • Poor time reliability – with variances expected to increase in the future. • High level of low-speed shunts – which impact on turning lanes at junctions. • High traffic flows, which exceed the design capacity. • Congestion on the A1/A46 junction which results in mainline queuing on the A1. • The lack of a grade separated junction at Cattle Market junction, which is being compounded by queuing on the main B-road because of frequent rail level crossing downtimes. • It forms part of a major freight route, and an alternative to the M1 corridor particularly to / from the Humber ports. Congestion on the A46 is naturally periodic with day-to-day variations in the level of delays experienced by users. However, significant congestion is regularly observed due to the level of traffic flow, particularly around peak hours, but also outside of these times too. In addition to the chronic problems that users experience on a daily basis, the impact of incidents on the network regularly exacerbates the problems. In the future, the trend of underlying traffic growth is forecast to continue, leading to significant further deterioration in the conditions experienced by users on both this section of the A46 and the local roads adjacent to it onto which traffic problems are already being displaced.

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		accidents and some of these would still occur. The rush hours would still have queues of traffic. Would people be happy if they had to queue for half the time they queue now? Would it be worth all the years of road works and the additional delays they will cause, for dualling to make no difference at all to people who travel outside rush hours (when there is rarely congestion) and only an insignificant difference to those who choose to travel during them? We make similar points for C and D. There will still be queues of traffic on the bypass at the busiest times. 2) We request that, as the traffic surveys are now out of date by years, they should be repeated before deciding whether or not to go ahead with the dualling of the A46 past Newark. We request that surveys are completed throughout 24/7 to evidence how many minutes per day conditions are congested and how many hours per day traffic flow is unhindered on the current system. Since the pandemic and the rise of the use of new technology, many more people are working from home so demands upon our roads are less. 3) What can be done to encourage road users to travel at times when the roads are less busy? To use times for travel both earlier or later than the current rush hours? Could NHA advertise using Apps like Google Maps or AA Route Planner to find out when roads are expected to be quieter? 4) We suggest NHA could look for alternative options to the dualling scheme which would have less impact on the town and the environment, and be more cost effective e.g. resurface the current bypass to make the road quieter for local residents in the Bridge ward; put traffic lights on current roundabouts, which could operate at times of day when there is congestion associated with rush hour etc. Traffic Congestion in the town and on surrounding roads Evidence from the NHA suggests that traffic issues in Newark and the surrounding areas would become permanently worse if the bypass was built. The entrances to and exits from the proposed bypass would increase, rather than alleviate, the issues for drivers trying to leave the town Newark already suffers with regular periods of significant traffic congestion through the town centre and beyond. Arterial roads linking to the A46 regularly see long queues of stationary traffic. There can be particular difficulty during the frequent closure of the level crossing on the Great North Road at Newark Castle Station. It is essential that if the dualling work goes ahead the construction phase in the area around the Cattle Market Roundabout does nothing to add to the congestion challenges already created by the level crossing. Lincoln Road in Newark on its approach to the Brownhills roundabout also suffers heavily with serious congestion caused by difficulty for cars heading out of Newark to get onto the roundabout due to traffic already on the A46 navigating the roundabout. Traffic control measures during any construction to regulate the flow of traffic and ensure a regular movement of traffic from Lincoln Road onto the A46 will be critical to avoid a complete standstill of traffic on Lincoln Road. As we have been told that the construction phase could last for up to 8 years and that the long term impact on traffic in Newark and on surrounding roads will be to make the traffic permanently worse we have grave concerns that this scheme, although widely supported in the town, is supported without understanding or awareness that it will not solve the problems most people face. If construction goes ahead we are concerned about permanently worse traffic in Newark and on local roads in the area. The scheme seems likely to make it permanently harder to get out of Newark and onto the A46 and A1. Our understanding of the research carried out by the NHA is that it evidences this. Impacts on the Town Newark Castle is an important historic building that is at least 1,000 years old. It is waiting for a big project funded by a variety of bodies and managed by	The Applicant disagrees with the assertion that the traffic issues in Newark and the surrounding areas would become permanently worse as a result of the proposed Scheme. On the contrary, in the absence of the Scheme, the future deterioration in conditions for both users of the A46 and those affected by the environmental impacts of traffic congestion would be significant. The existing problems would worsen due to ongoing growth in the demand for travel, with increases to both the extent and duration of day-to-day traffic congestion. Additionally, the acute problems that are triggered by breakdowns/collisions on the wider network would get significantly worse than they are at present due to the lack of resilience that would otherwise be provided by the dual carriageway Scheme. The Applicant acknowledges that there would be an overall increase in traffic, however, when the Scheme is introduced, journey times along the A46 are forecast to improve as outlined in the Transport Assessment [APP-193], demonstrating the benefits of the Scheme. It is notable that traffic modelling shows that levels of traffic on the A46 around Newark-on-Trent are forecast to increase even if the Scheme is not built. In line with Department for Transport's Transport Analysis Guidance (TAG) modelling guidance, traffic flows have been forecast up to 2061. This modelling demonstrates that if the Scheme is implemented, the A46 is not forecast to be over capacity within these timescales. Traffic modelling shows that most of the forecast traffic increase is associated with trips travelling along the A46 to bypass Newark-on-Trent. The Scheme's implementation would therefore lead to a better flow of traffic and a reduction in congestion on both the A46 and on local roads within Newark-on-Trent. While traffic modelling indicates an increase in traffic on the A46 because of the Scheme, it also shows that a significant component of this increase is attributable to strategic through traffic that is effectively removed from the centre of Newark-on-Trent by the Scheme. These trips currently divert off the A46 and go through the town centre to avoid congestion. With the Scheme, this through traffic is forecast to remain on the strategic road network, where it is more appropriate for it to be. In particular, forecasts undertaken with the traffic model show that the Scheme would reduce traffic flows on most local roads through Newark-on-Trent, including the B6326 London Road, Barnaby Road, Beacon Hill Road, Beckingham Road, Drove Lane, Farndon Road and Fosse Road. More details on the volume of flow decreases are available in the Transport Assessment [APP-193]. The design of the Scheme has been developed to minimise congestion at the junctions of the A46 for both the local road approaches and the main carriageway of the A46. In turn, the reduction in congestion would alleviate the current blocking-back issues seen on the local road network within Newark-on-Trent. The Applicant acknowledges the congestion issues that arise from closures of the Newark Castle level crossing and can confirm that these have been accounted for in the traffic modelling undertaken for the Scheme. Through discussions with Nottinghamshire County Council (the local highway authority) and based on the results from traffic modelling, the existing Great North Road would be widened to two lanes for southbound traffic from Cattle Market Roundabout towards the Kelham Road junction as part of the Scheme. Improving Newark Castle level crossing is not required, as the Scheme would not worsen or change the existing situation in relation to crossing operation and safety. Newark and Sherwood District Council have advised the Applicant that they are discussing improvements to the crossing with Network Rail. The traffic modelling indicates an improvement in conditions on Great North Road as a result of the upgrade to the Cattle Market Junction and the provision of additional southbound queuing capacity, which alleviates the effects of level crossing closures on Cattle Market Junction. Further information on traffic forecasts and modelling is detailed in the Transport Assessment [APP-193]. The Scheme will tackle the current issues on the A46 by addressing the delays and congestion; improving journey time reliability; improving safety; supporting and helping to unlock local economic aspirations; boosting strategic connectivity; achieving better environmental outcome and supporting local transport networks.

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		the district council. It will be very sad for this to be overshadowed by the grade difference at Newark Cattle Market Roundabout and for people visiting to be constantly plagued by the noise of passing lorries, high up on the bridge above the Cattle market Roundabout. The widening of the A46 will incur the loss of the Lorry Park at Newark Cattle market. Currently there is insufficient money available to the district council to fund a land purchase for a new lorry park in the area. It is valuable to businesses in the town to have customers from the lorry park using their services in the evenings. 5) We ask that before work can begin on the widening of the A46 at the Cattle Market location the money to fund relocating the lorry park needs to be found. Is it possible that a location near the new Southern relief road could be found for the lorry park or would that be too likely to cause flooding? Local Economy There is a genuine fear that the any construction process will, despite mitigation efforts, result in many people being deterred from visiting Newark due to the potential difficulties navigating eight years of construction phase roadworks. Several years ago Severn Trent work on the sewage system in Newark had a big impact on businesses in Newark including the market. Alongside other strains on local businesses it is feared that if the bypass work goes ahead it could cause the permanent closure of many of the remaining independent businesses and shops. Newark is an economic centre that serves a wide rural hinterland of villages and settlements. Residents of those settlements may opt to use neighbouring towns and cities for the provision of goods and services if there are actual or perceived challenges travelling into Newark (as occurred during the work on the sewers a few years ago). This could have a devastating impact on the town's many independent businesses. 6) During what is already an incredibly difficult fiscal environment for those businesses we hope that meaningful compensation schemes are available for businesses that suffer a clear loss as a consequence of the construction process. Compensation schemes should be fair, easy for businesses to access, and with payments made in a way that ensures that businesses are not forced to wait long periods for payments to be made. Cashflow challenges for businesses are such that any delays in payment could mean the business being unable to survive until receipt of payment. Biodiversity, Environment and Ecology Surely it is time to start putting the environment and the local population first? The loss of hedgerows, verges and some agricultural land would be unavoidable in delivering the scheme. We do not support this loss as the benefits of the scheme are marginal and the harms are apparent including in this area. 7) If NRT go ahead with the work we would wish to see that the scheme can demonstrate a clear biodiversity net gain by way of a range of on and off-site mitigation measures being employed within the Newark area. It would be essential that works to remove and destroy existing habitat is done in such a way that existing wildlife is professionally relocated with assistance where necessary or given chance to do so by itself. There is a large colony of birds that lives on the A46 roundabout North of the Show Ground that links the A1133 and Drove lane with the A46 that will be demolished if the works go ahead. New trees planted should be locally sourced native species that require little support to become established. Flooding Locally the harms of climate change are all too apparent, with the worst flooding happening far too often. Newark has seen significant and unprecedented flooding events in the last 12 months. The route of the A46 is in the very heart of areas that have been devastatingly impacted by flooding. We are concerned that the planned road works near the	The Applicant rejects the suggestion that the traffic surveys are out of date. As documented in the Transport Assessment [APP-193], the Applicant undertook a significant data collection exercise in 2022 to underpin the traffic modelling for the Scheme. The data collection included two-week volumetric link counts on a number of roads in Newark and the surrounding area, as well as classified turning counts at six key locations, queue length surveys, journey time surveys and level crossing surveys. Details of the traffic data used in the development of the Scheme are provided in the Transport Assessment [APP-193]. While spreading the demand for travel more evenly across the day would make better use of the available capacity it is not in the Applicant's gift to be able to particularly influence this fundamental aspect of travel behaviour, particularly if existing road users are not already deterred from travelling in the peak hours by the levels of congestion that they currently experience. With regard to more cost-effective alternatives to the proposed Scheme, the Applicant notes that the purpose of the dualling is to provide sufficient capacity to accommodate the forecast levels of traffic growth that are expected (with, or without the proposed Scheme), and to improve road safety. The Applicant also notes that the existing roundabouts other than Farndon are not large enough to allow traffic signals to be added. The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190] and National Policy Statement for National Networks Accordance Tables [AS-090], which set out how the Scheme complies with national and local policy. An Alternative Transport Modes Assessment was carried out which suggested that the existing public transport network does not generally offer comparable alternatives to cars for most movements. Small traffic flows were distributed over a large area and therefore are not suited to be catered for by public transport. A review of the largest public transport flows (represented by local bus services) suggested that there was no obvious non-highways intervention that could cater to any substantial proportion of these flows. Possible solutions for the Scheme were identified by the Applicant through collating evidence relating to network performance issues and engaging with local stakeholders. Further information on the assessment of alternatives is provided within Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047]. The Scheme is included within the Government's Road Investment Strategy 2: 2020 to 2025 programme of works which sets out the long-term strategic vision for the network. The Road Investment Strategy 2: 2020 to 2025 aims to make the network safer and more reliable with a strong focus on the differing needs of road users whilst supporting the Government's wider plans for decarbonising road transport. The Applicant confirms the Lorry Park does not need to be re-located due to the Scheme and can remain operational during the construction of the works. The Applicant advises that the construction period will be approximately three years. Temporary traffic management solutions will be implemented to facilitate the proposed construction phasing which will maintain existing traffic movements at the junctions. Nighttime road closures will be needed for specific construction and maintenance activities, these will be limited to where undertaking the work during the day would cause considerable disruption to road users, the railway or navigable River Trent. Examples include lifting new bridge beams over live carriageways and road surfacing at tie-ins with existing highways / junctions. Several roads within the areas have also been designated as no construction traffic areas. The details of the temporary traffic management proposals are detailed within the Outline Traffic Management Plan [APP-196]. The operational traffic model has been used to assess the impact of construction activity associated with the Scheme on the strategic and local road network. Details of this assessment are presented in Chapter 8 of the Transport Assessment [APP-193]. The analysis indicates that there is forecast to be no material change to the performance of the Farndon, Brownhills, Friendly Farmer and Winthorpe roundabouts as a result of the proposed construction activity. However, construction activity is expected to result in some deterioration to the performance of the Cattle Market

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		Cattle Market Roundabout will make matters worse for the homes in Old Kelham Road and other areas near Newark Castle Station. 8) We ask that, if construction goes ahead, consideration is given to making use of the construction phase to incorporate additional or enhanced flooding mitigation infrastructure in the construction area. We are not experts in highway construction, hydrology or flood mitigation, however if the scheme can be considered not only for highway purposes but how its design and integration into the landscape can help with flood mitigation it would seem sensible to take the opportunity to incorporate appropriate flood mitigation works during the construction phase to avoid further disruption at a later date. Costs The cost of the scheme is prohibitive for a scheme which will not benefit local people, in fact it will disadvantage them. Nationally, regionally and locally there are a number of alternative options for the likely £1 billion or more the scheme will cost by the time it is built. We have been told that NSDC staff and politicians and members of the Towns Fund Board are aware of other projects that need money and investment in the area which would have clearer and greater benefits for the town. For instance £1 billion is needed to create a safe and efficient bridge crossing for the two train lines that pass through Newark (the East Coast Mainline through Newark Northgate and the East Midlands Nottingham to Lincoln Line through Newark Castle). This would be a much better use of the money in terms of improving national transport infrastructure because currently many delays and cancellations of trains are caused by the issues with the current crossing of the train tracks. For another example The Canals and Rivers Trust which has lost a lot of funding under the last government has a project to create a new dry dock and leisure area by the river. The river could be a good way for many goods to travel from the Humber estuary along the Trent and Severn rivers. The last government cancelled the HS2 new train line after many years of work, property and land purchases, and cutting down ancient trees, so how can the British people afford such an expensive road widening scheme without clear benefits and with clear harms at this time when so much of Britain's infrastructure is broken and in desperate need of renewal? The pot holes in our town and district and county are terrible. Notts County Council is responsible for filling the pot holes and has a contract which is awful. The contractors throw a heap of stuff in a hole and disappear. They do not take time to properly squash the filler or make sure it adheres to the hole and they rarely properly fill around the hole and seal the edges. The holes in Newark which have been well filled have been filled by Severn Trent after the sewage works. If the government intends to carry out its pledge to fill a million pot holes a year then these need to be well filled and sealed which will cost more and money will be needed for this and other scheme to improve the driving experience in the UK including Notts. Investment could be made in more and better public transport. We would benefit from more buses and trains. There is no Sunday bus service in Newark for instance so when there are events in the centre of town on a Sunday many local people are unable to attend. Investment could be made in more routes and support for cyclists. Cyclists Country lanes are very narrow and many motorists drive on them very fast because the national speed limit applies. It cannot be right for such a modern scheme to be executed without properly considering the needs of cyclists attempting to carry out local and long distance journeys safely. 9) Cycle maps with safe cycle routes need to be made available on line and on paper to encourage safe use of this form of transport in a flat rural area where it should be pleasant to	roundabout, which is expected to be operating at capacity during the peak of the construction phase. For context, it is notable that Cattle Market roundabout is forecast to be operating close to capacity by this time in any case. The Applicant does not expect to directly impact any local businesses, as routes or suitable diversions will be available, as detailed within the Outline Traffic Management Plan [APP-196]. In terms of compensation for any affective business, any Interested Party is encouraged to get in touch with the Applicant if they do experience an impact as a result of the Scheme. The Applicant will guide any Interested Party through a claim for compensation. The section of the A46 covered by this Scheme is currently an incident black spot and the worst length for congestion, impacting the surrounding area. This Scheme has been designed to meet the needs of the local population and the surrounding area: to improve safety and journey times, support economic growth and improve the environment, whilst minimising the impact on the local area. Regarding biodiversity, the Scheme design integrates the mitigation hierarchy principles: first avoidance of impacts, then mitigation of unavoidable impacts, followed by provision of compensation to ensure a gain in biodiversity. As with any transport development of this scale, the focus is on improvement and expansion of existing infrastructure to reduce adverse impacts on the environment such as large-scale habitat loss and landscape scale severance causing habitat fragmentation. The Scheme route was selected as the preferred option having assessed the least adverse residual effects of the Scheme across multiple disciplines, whilst ensuring the Scheme is financially viable after the implementation of proportionate mitigation and compensation measures (as detailed in the Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]) and having considered the climate resilience for the lifetime of the infrastructure. Species specific mitigation and compensation measures are set out in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan EMP [APP-184], to reduce construction and post-construction impacts. The First Iteration Environmental Management Plan [APP-184] will be developed into the Second Iteration Environmental Management Plan for implementation during construction and secured through Requirement 3 of the draft Development Consent Order [APP-021]. The Scheme is anticipated to result in a residual significant effect on only one Biodiversity receptor during construction as detailed in Chapter 8 (Biodiversity) of the Environmental Statement [APP-052], due to the permanent loss of 56% of Great North Road Grasslands Local Wildlife Site (LWS). However, this permanent loss includes habitats which are not the reason for the LWSs designation (such as grassland and standing water). The proposed landscape planting detailed in Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [AS-026] would deliver a greater area of continuous like-for-like habitat (in type and condition, as a minimum) than that lost from construction, and would be located as close to the LWS as possible. Consultees (Natural England, Newark and Sherwood District Council and Nottinghamshire County Council) agreed this approach would compensate for the loss of the LWS, once habitat established and in the long-term, could achieve LWS designation if appropriately managed. No residual significant effects on biodiversity are anticipated during operation of the Scheme. Monitoring during both construction and operation (detailed within the First Iteration Environmental Management Plan [APP-184]) will aim to record changes from the ecological baseline, determine whether the mitigation/compensation measures are successful, and inform whether remedial actions are required. In accordance with Requirement 3 of the draft Development Consent Order [APP-021], a Second Iteration Environmental Management Plan will secure the monitoring requirements and procedures to reduce or eliminate impacts on the environment, prior to construction commencing. Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [AS-026] details habitat creation (such as the landscaping and planting to enhance biodiversity), which will maintain and enhance habitat connectivity to the surrounding landscape. Appendix 7.4 (Arboricultural Impact Assessment) of the Environmental Statement Appendices [AS-089] outlines trees to be retained and associated protection measures during construction, as well as those trees suggested for removal to accommodate the Scheme. A mix of mature and smaller stock native tree species of local provenance would be considered as part of the planting specification to deliver a climate resilient planting design.

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		cycle.It is very dangerous for cyclists to use most roads in the Newark area. It is almost impossible to get to Mansfield or Ollerton safely by bicycle from Newark. There is no safe way to cycle to Lincoln along the current A46 because at various key points the cycle path disappears, this is worst around the current double roundabout near the A17 and A46. There are paths and bridges to get from Newark to the large businesses near the roundabouts but then there's no easy way to get to Winthorpe, Lincoln or Coddington from that roundabout. The cycle route that goes under the bypass is not clearly sign posted at that point. Pedestrians Clear thinking about how to prioritise pedestrians and walkers needs to be made at all junctions. The current long distance Newark to Mansfield footpath route which goes out along the old Kelham Road and across the current bypass would be lost if the dualling scheme went ahead as there is no proposal to retain this. Pedestrians would have to walk along the B6326 Great North Road and A617 to join it at the Rugby ground. This and other routes would benefit from clear sign posts and publicity online and on paper. Local Suppliers We do not want this scheme to go ahead but any schemes that do go ahead e.g. resurfacing should, to the fullest extent possible, ensure that the project employs the services of local businesses within the project supply chain and provides local employment opportunities within the project workforce. Noise and Light Pollution There are many residential properties that are located close to the A46. Whilst we appreciate that noise and light pollution especially during overnight construction work is unavoidable, we wish to be assured that every reasonable measure is being taken to minimise the negative impact on nearby properties. The scale of the project is such that construction will continue for at least three years and therefore it is essential that residents are not forced to unreasonably suffer over such long periods. Dust and Air Pollution The construction process will likely generate significant amounts of construction dust and debris. It is essential that all reasonable steps are taken to mitigate the impact of this on the nearby community.	Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] details a net gain in habitat units resulting from the implementation of mitigation and compensation measures detailed in Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. The Natural England Biodiversity Metric 3.1 has been applied to the Scheme, with the aim to achieve a net gain in biodiversity value. The Natural England Biodiversity Metric 3.1 includes trading rules for priority habitats such as woodland, wood pasture, coastal and floodplain grazing marsh, lowland meadow and lowland fen in order to achieve a net gain. Some of this would be achieved through habitat creation on site, but there is insufficient space to fully compensate specifically for woodland habitat within the Scheme Order Limits (after implementing the mitigation hierarchy) and therefore it has been necessary to consider other off-site options. The Applicant is seeking to enhance an area of existing woodland, with a landowner willing to enter a voluntary long-term agreement. The intention is to carry this out at Doddington Hall, which is outside the district but within the same National Character Area. A benefit of this element of the proposals is that these woodlands sit within an extensive network of woodland habitat and their enhancement would contribute to improved habitat quality and connectivity. The trapping and relocation of any protected species is not required based on the data assessed within Chapter 8 (Biodiversity) of the environmental Statement [APP-052]. A precautionary approach will be taken whereby a bat licenced surveyor will undertake an internal inspection prior to the soft stripping of materials from buildings to be demolished (where evidence of a bat roost has been recorded to date or a building offers suitability for roosting bats). Soft stripping will be undertaken in March to April and/or October to November inclusive, where possible, outside of the active bat season (subject to weather conditions at the time) to reduce the risk of injuring or killing a bat. In the unlikely situation common bat species of low numbers are found, they will be safely placed in a bat box already installed in a suitable location close by. Indicative locations for bat boxes are detailed in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]). The impacts on rooks have been assessed as part of the assessment for breeding birds found within Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]). With reference to the mitigation hierarchy, the latest roundabout design has evolved throughout the iterative design process to minimise impacts on the rookery at Winthorpe and much of this habitat would now be retained. The Scheme would result in the unavoidable loss of the rookery located north-west of Friendly Farmer Roundabout only. There would not be a significant effect on the rookery, but a slight adverse effect based on the implementation of mitigation measures detailed in the Register of Environmental Actions and Commitments which is within the First Iteration Environmental Management Plan [APP-184]. These mitigation measures include, but are not limited to, removal of suitable habitat outside of the core breeding season. Removal of the rookery specifically would be between September and February inclusive, outside of the core nesting period. It is anticipated that birds disturbed from the rookery during woodland clearance would be displaced into existing woodland across the Scheme, for which there is adequate alternative nesting provision. The planting of new woodland (as shown in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]) would support the rookery once established. The Applicant proposes the use of native species of local provenance, albeit on the condition that suitable plant stock is available within the region. A provision will be made for this matter within the Series 3000 Landscape and Ecology Specification produced at detailed design. Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177] Table 11.1 with the Flood Risk Assessment [APP-177] shows that the baseline (existing) fluvial flood risk is high in the vicinity of the Scheme, as evidenced by recent flood events. However, during operation of the Scheme, the fluvial flood risk from the Scheme is considered Low and has been mitigated by the incorporation of FFCAs into the Scheme design to accommodate lost floodplain volume. The Scheme will therefore have a negligible impact on flood water displacement. Operational flood impacts resulting from works at Cattle Market Roundabout are considered in detail within Appendix A (Fluvial Hydraulic Modelling Report) within Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177]. Figure 8-1 of the Flood Risk Assessment [APP-177] indicates that the area south of Cattle Market

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			Roundabout may see flood depth increases of up to 0.01m (10mm) in the 1% Annual Exceedance Probability (AEP) plus climate change event, compared to the baseline. Table 4.2 of the Flood Risk Assessment [APP-177] reproduces National Highways' the Design Manual for Roads and Bridges Table 3.71 magnitude of impact, whereby flood depth differences of up to 0.01m are considered negligible. Significance of effects during operation are considered in Table 13-10 of Chapter 13 Road Drainage and Water Environment of the Environmental Statement [APP-057], which shows that the magnitude of impact to more vulnerable residential receptors during operation of the Scheme in the 1% AEP plus climate change event, is considered negligible, leading to a 'slight' adverse effect. As described in Chapter 2 (The Scheme) of the Environmental Statement [APP-046], paragraphs 2.5.74-2.5.78 discuss the implementation of enhanced flood mitigation measures, in the form of FCAs. Table 2-3 and paragraphs 2.6.200 to 2.6.202 of Chapter 2 (The Scheme) of the Environmental Statement [APP-046], describe construction phasing, whereby the FCAs will be excavated early in the construction sequence to perform the dual purpose of providing fill for earthworks, whilst also providing compensatory storage for flood events. The FCAs are located at Kelham & Averham, Farndon East and Farndon West. The purpose of the FCAs is to provide an equivalent volume of floodplain storage by excavating land at similar elevations to the floodplain which would be displaced by the Scheme. These areas are designed to integrate into the landscape, with Farndon East FCA including a permanent lake, and Farndon West FCA incorporating residual ponds. The Scheme has considered the provision of walking, cycling and horse-riding routes within the Scheme constraints and objectives as recorded within Appendix C of the Transport Assessment [APP-193]. The Applicant confirms that, where the Scheme impacts on an existing walking or cycling route either during construction or within the completed Scheme, the Applicant has provided replacement facilities alongside or crossing the new highway alignment. Improved facilities have been provided at the following locations (as detailed in the General Arrangement Plans [AS-007]): • Cattle Market Roundabout – 3-metre-wide route around the junction with signal-controlled crossings at all crossing points. • Great North Road – Signalised crossing of the new lorry park entrance. • Winthorpe connectivity – 3.0m wide walking and cycling route from Hargon Lane with southern connection to Newark and existing severed routes to the south of the A46. Also northern route to the A1133 and around Winthorpe Roundabout. Showground entrance – 3.0m wide walking and cycling route between the A17 crossing and Winthorpe Roundabout extended to the first Showground entrance on Drove Lane. The wider access to Lincoln and Coddington cannot be addressed by the Scheme as it is outside the constraints and objectives highlighted above. Direction signage that is impacted by the Scheme will be considered during the detailed design and agreed with Nottinghamshire County Council. Appropriate crossing measures for pedestrians and cyclists at all junctions and highways crossings have been assessed and where necessary signal-controlled crossings have been proposed. The Newark to Mansfield route is retained through Cattle Market Junction and removes a little used existing uncontrolled crossing of the A46 which is not safe and the new route provides signalised crossings through Cattle Market to improve safety of the route. The noise impacts as a result of the Scheme are set out in detail in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] including construction noise and vibration and operational noise. Construction noise impacts are detailed in Section 11.11 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] for affected representative receptors which are shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065]. The assessment presents relevant control measures, indicating no significant effects from noise or vibration are expected as a result of the construction works. Paragraph 11.3.4 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] acknowledges that there will be some disturbance and paragraph 11.10.15 of the Chapter commits to the use of best practicable

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			means to control noise and vibration during construction. The Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184] details noise mitigation measures to be provided during construction. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the Draft Development Consent Order [APP-021]. Operational noise impacts of the Scheme are adverse in some areas and beneficial in others, however none of these are predicted to be significant. Figure 11.9 (Short-term Noise Change) [AS-063] and Figure 11.10 (Long-term Noise Change) [AS-064] of the Environmental Statement Figures show the impact in the short-term and long-term respectively. Noise mitigation embedded in the design includes a combination of bunds, barriers, and low noise surfacing, as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-023]. Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Task lighting will be required during nighttime works to provide a safe working environment. This lighting will be directed at the work areas and where possible positioned to minimise light spill across to adjacent properties. Where possible works will be undertaken during the day. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] assesses the impacts from construction dust within 200 metres of the construction site boundary in accordance with National Highways' Design Manual for Roads and Bridges LA 105 Air Quality and concludes that the construction dust risk is considered to be 'high', based on the 'large' construction dust risk potential of the Scheme and the presence of human health and ecological receptors within 100 metres of the Scheme. However, works would be carried out in accordance with best practicable means, such as wetting down and minimising the height of stockpiles, to minimise the risk of construction dust effects so that they are unlikely to result in significant effects at nearby receptors. Dust control measures are included in the Register of Environmental Actions and Commitments in the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the Draft Development Consent Order [APP-021]. The Applicant has assessed Newark Castle for impacts arising from both construction and operational elements of the Scheme. It is concluded that due to the presence of existing road infrastructure and the distance of the Scheme from the asset, that only permanent Slight Adverse construction effects would be experienced on the value of the heritage asset. Embedded mitigation such as landscape planting, as shown on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] is likely to reduce the visual impact of the Scheme further still. No change to the value of the heritage asset has been predicted as a result of the operational use of the road, due to any change in traffic noise or vehicle movement. Details of the assessment are reported in Appendix 6.3 (Assessment of Cultural Heritage Effects During Construction) of the Environmental Statement Appendices [APP-134] and Appendix 6.4 (Assessment of Cultural Heritage Effects During Operation) of the Environmental Statement Appendices [APP-135].
RR-016	David Charles Lally	I have in the past used the A46 around Newark quite frequently and at many different days and times including workday rush hours and busy holiday weekends. While I have frequently experienced some heavy and slow moving traffic this has never been a major inconvenience. I therefore object to the proposed A46 Newark Bypass scheme. It would increase traffic, air pollution and carbon emissions. National Highways state that air pollution will worsen with the scheme: "The results indicate there is a net worsening in air quality as a result of the Scheme in the opening year and forecast year. The worsening is primarily due to an increase in annual traffic movements due to increased capacity delivered by the Scheme, and an overall increase in vehicle kilometres travelled." (5.5.5 of the Case for the Scheme) The	The Applicant acknowledges that there would be an overall increase in traffic, however, when the Scheme is operational, journey times along the A46 are forecast to improve as outlined in the Transport Assessment [APP-193] demonstrating the benefits of the Scheme. It is notable that traffic modelling shows that levels of traffic on the A46 around Newark-on-Trent are forecast to increase even if the Scheme is not built. In line with Department for Transport's Transport Analysis Guidance (TAG), traffic flows have been forecast up to 2061. This modelling demonstrates that if the Scheme is implemented the A46 is not forecast to be over capacity within these timescales.

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		construction alone would increase carbon emissions by 143,887 tCO2 in the crucial 5th Carbon Budget, when we have to make the fastest and most significant cuts. The operation of the scheme would increase carbon by an additional 539,312 tCO2e over its 60 year lifetime. The scheme would cost £686 million but delivers low value for money. National Highways estimate it will only generate £1.20 of benefits for every £1 spent.	Traffic modelling shows that most of the forecast traffic increase is associated with trips travelling along the A46 to bypass Newark-on-Trent. The Scheme's implementation would therefore lead to a better flow of traffic and a reduction in congestion on both the A46 and on local roads within Newark-on-Trent. While traffic modelling indicates an increase in traffic on the A46 because of the Scheme, it also shows that a significant component of this increase is attributable to strategic through traffic that is effectively removed from the centre of Newark-on-Trent by the Scheme. These trips currently divert off the A46 and go through the town centre to avoid congestion. With the Scheme this through traffic is forecast to remain on the strategic road network, where it is more appropriate for it to be. The Applicant notes the Interested Party's quote indicating a net worsening of air quality has been extracted from paragraph 5.5.5 of the Case for the Scheme [APP-190]. The economic appraisal for the Scheme set out within Chapter 5 of the Case for the Scheme [APP-190] follows the Department for Transport's TAG. The TAG appraisal calculates the monetised impact of air quality from the Scheme by considering the total change in mass emissions from vehicles based on distance travelled. Overall, there is an increase in vehicle kilometres travelled generally caused by the increased distance travelled when using the strategic road network (A46 and A1) as opposed to the shorter (by distance) route using local roads. This causes a net increase in emissions. The TAG appraisal does not consider pollutant concentrations at sensitive receptor locations. The Scheme's air quality impacts and effects at sensitive receptor locations, based on predicted concentrations, are assessed as part of the environmental assessment for the Scheme and are presented in Chapter 5 (Air Quality) of the Environmental Statement (AS-021). Therefore, the analysis presented in the Case for the Scheme [APP-190] is not appropriate for determining the change in air quality at sensitive receptor locations or the significance of air quality effects. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] concludes there are no predicted exceedances of the NO2, PM10 or PM2.5 air quality objectives at any of the human health receptors within the study area during operation of the Scheme. As such, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the NO2, PM10 and PM2.5 air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. In accordance with paragraph 2.80 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] also concludes that the Scheme would not affect the UK's reported ability to comply with the Air Quality Directive (2008) in the shortest timescales possible. Overall, the Scheme is predicted to reduce traffic movements within Newark-on-Trent where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. The Applicant confirms the greenhouse gas emissions assessment reported in Chapter 14 (Climate) of the Environmental Statement [APP-058] concludes no likely significant effect. This assessment is based on National Highways' Design Manual for Roads and Bridges LA 114 – Climate which states: 'assessment of projects on climate shall only report significant effects where increases in greenhouse gas emissions will have a material impact on the ability of Government to meet its carbon reduction targets'. This also aligns with paragraph 5.17 of the 2015 NPSNN, which states that "It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets". The 2015 NPSNN is the NPS against which the Secretary of State will make their decision whether to consent the application for development consent. Although an updated version of the NPSNN was designated on 24 May 2024, and the gov.uk website states that "The 2015 NNNPS has effect for any applications for development consent accepted for examination prior to 24 May 2024." As the Scheme was accepted for examination before the designation date it will be assessed and decided against the 2015 NPSNN. However, for completeness the Applicant notes that the 2024 NPSNN includes the following statement in Paragraph 5.42, "Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. Therefore, approval of schemes with residual carbon emissions is allowable and can be consistent with meeting net

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			zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent". Chapter 14 (Climate) of the Environmental Statement [APP-058], describes the climate assessment, setting out any likely significant climate effects for both construction and operation. This assessment includes predicted emissions (tCO2e) during construction and operation. Construction of the Scheme, which is spread across carbon budget 4 and 5, is estimated to result in 143,887 tCO2e, which is a 44% reduction in emissions compared to the initial baseline assessment (254,536 tCO2e) as presented in Section 14.8 of the Chapter 14 (Climate) of the Environmental Statement [APP-058]. This reduction is the result of significant efforts to minimise the greenhouse gas emissions associated with the Scheme design and identifying opportunities to improve resource efficiency and reduce carbon, such as reuse of existing carriageway infrastructure, use of precast materials where possible and provision of renewable energy for the site compound. The carbon management and mitigation approach for the Scheme aligns with PAS 2080 best practice, via an iterative system which repeatedly evaluates the Scheme, for example, the use of low carbon solutions or techniques that reduce resource consumption. The output is a Scheme which is optimised as far as reasonably practicable. The operational assessment includes the emissions from road users (sometimes referred to as tailpipe emissions). The road user assessment captures the impacts from the change in traffic flows caused by the Scheme. This assessment, as described in Section 14.5 Chapter 14 (Climate) of the Environmental Statement [APP-058], compares the baseline without Scheme scenario (Do Minimum) to the with Scheme scenario (Do Something). This comparison gives an estimate of the impact on traffic flows, and this is used to estimate impact on carbon emissions. The operational emissions, as presented in Section 14.11 of Chapter 14 (Climate) of the Environmental Statement [APP-058], over the 60-year assessment period result in 539,312 tCO2e, with the largest contributor, being 523,019 tCO2e from the road user emissions summarised in Table 14.19 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The road user assessment presents a worst-case scenario, as the assumptions of electric vehicle uptake are likely underestimated with the assessment as the policy commitments within the Department for Transport's Transport Decarbonisation Plan (TDP) (published July 2021) are not included within the version of the Emission Factor Toolkit (v11) that was used for the assessment. As detailed earlier in the response, the assessment of significance is based on a comparison to the impact on the UK Government in meeting its carbon commitments. The estimated emissions for the relevant carbon budgets from the Scheme (including construction and operation) are 107,915 tCO2e for carbon budget 4, 76,573 tCO2e for carbon budget 5 and 41,991 tCO2e for carbon budget 6. The assessment has identified that the emissions arising from the Scheme represent less than 0.007% of the total emissions in any five-year UK legally binding carbon budget during which they would arise. Therefore, the assessment concludes that the greenhouse gas emissions impact of the Scheme would not have a material impact on the Government's ability to meet its carbon reduction targets in any of the carbon budgets within which the scheme falls. The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190]. The benefits and costs are combined and produce an overall Value for Money assessment. This is presented in the Analysis of Monetised Costs and Benefits table in Chapter 5 (Economic Case for the Scheme) of the Case for the Scheme [APP-190]. While the Value for Money statement places the Scheme in the low value for money category, the forecast return of £1.20 for every £1 spent still represents a significant level of economic benefit, particularly given the complexity of the works and structures associated with the Scheme. The Value for Money statement also does not capture all the benefits the Scheme would deliver such as supporting economic growth in the area. As detailed within Chapter 3 (The Need for the Scheme) of the Case for the Scheme [APP-190], the Scheme would help to unlock employment growth within Newark by facilitating the delivery of regional and local business developments. For example, the Newark Business Park concentrates a significant part of Newark's growth but is currently limited in its

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			development by the lack of capacity at Brownhills Roundabout, as set out in the Newark and Sherwood Infrastructure Delivery Plan (2017). The Scheme would fulfil the economic objective of sustainable development by increasing capacity and reducing congestion on the strategic road network. This could help to facilitate the growth of a number of economic sectors, such as food and logistics, which are reliant on journey time reliability. As well as the economic benefits detailed in Chapter 5 (Economic Case for the Scheme) of the Case for the Scheme [APP-190], the Scheme will result in journey time savings and improved safety as detailed in the Transport Assessment [APP-193]. The Scheme would also result in a number of environmental benefits, including improved habitat connectivity through newly created habitats as well as increased accessibility via the new walking and cycling routes.
RR-017	David Greenwood	I am concerned about the amount of land that will be needed to compensate for flooding. This seems to have been underrated and will need more consideration. This is particularly so considering the flooding issues over recent years, and particularly last winter. It is also a massively expensive undertaking all round and I feel that the money could be better spent considering the state of the nation's finances and other priorities. Surely the southern link road will also enable traffic to go from the A46 to the A1 and lessen the need to use the bypass.	The Applicant confirms the Scheme passes through the floodplain of the River Trent and widening the existing carriageway requires the compensation of floodplain lost where the embankment would otherwise reduce floodplain capacity. The amount of floodplain compensation required is assessed within the Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177]. The locations for Floodplain Compensation Areas (FCAs) are shown in the Flood Risk Assessment [APP-177], and on the General Arrangement Plans [AS-007]. It is intended that the FCAs will perform multiple functions. The FCAs are sized to cater for the 1 in 100 year plus climate change storm event. The recent storms in December 2023 and January 2024 such as Storm Henk (which is considered to be a 1 in 15-year event) that resulted in flooding are smaller events than the FCAs are sized to accommodate. During future events of a similar size to Storm Henk, the Farndon FCAs shall provide floodplain mitigation. Hydraulic modelling to assess the effect the Scheme has upon flood risk in the area, considers major storm events in recent history up until 1st of December 2022, using gauge data gathered at river gauges over several decades. Details of the Hydraulic Modelling are provided in Appendix 13.2 (Flood Risk Assessment) of the Environmental Statement Appendices [APP-177]. The Southern Link Road on its own would not deliver the Scheme objectives as it does not provide connectivity and capacity through to the A46 and A17, to the east of the A1, and does not remove congestion at the existing Cattle Market Roundabout. The Southern Link Road is included within the Do Minimum (without the Scheme) scenario traffic forecasts and does relieve some traffic from the A46. However, the modelling also demonstrates that without the Scheme, even with the development of the Southern Link Road, there would still be significant delays on the A46, especially at the Cattle Market Junction. This traffic modelling work is detailed in the Transport Assessment (APP-193). Chapter 5 of the Case for the Scheme [APP-190] outlines the economic case for the scheme. The Scheme demonstrates a significant number of benefits, building upon previous improvements to the A46 between Nottingham and Lincoln and contributing to wider economic benefits along the wider A46 corridor. These include: • Large level of user benefits of £248.5m over a 60-year appraisal period, of which the bulk are travel time savings as well as reduction in vehicle operating costs. • Journey time reliability benefits of approximately £29.4m over the same period as well as accident savings of £29.3m over the same period • In terms of wider economic benefits, the Scheme is likely to result in a £67.5m gain, with agglomeration improvements arising from improved connectivity. • In terms of non-monetised impacts, the Scheme will provide: • Benefits in terms of changes to physical activity, journey quality, severance • Disbenefits (ranging from slight adverse to moderate adverse) for landscape, townscape, historic environment and biodiversity.

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			The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190]. The benefits and costs are combined and produce an overall Value for Money assessment. This is presented in the Analysis of Monetised Costs and Benefits table in Chapter 5 (Economic Case for the Scheme) of the Case for the Scheme [APP-190]. While the Value for Money statement places the Scheme in the low value for money category, the forecast return of £1.20 for every £1 spent still represents a significant level of economic benefit, particularly given the complexity of the works and structures associated with the Scheme. The Value for Money statement also does not capture all the benefits the Scheme would deliver such as supporting economic growth in the area.
RR-018	David Pendle	Concern over residential impact on property adjacent to scheme inc traffic congestion impacts, surface water flood risk, drainage solutions, compulsory purchase. Prolonged noise, vibration and dust during construction period. Operating impacts including noise and queuing traffic outside property.	The Applicant confirms the highway infrastructure along Fosse Road and the majority of Farndon Roundabout remain as they are now with the slight widening of Farndon Roundabout to the north. Assessments during the preliminary design showed that there was no increase in the risk of surface water flooding due to the drainage solutions provided. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] assesses the impacts from construction dust within 200 metres of the construction dust boundary in accordance with National Highways' Design Manual for Roads and Bridges LA 105 Air Quality and concludes that the construction dust risk is considered to be 'high', based on the 'large' construction dust risk potential of the Scheme and the presence of human health and ecological receptors within 100 metres of the Scheme. However, works would be carried out in accordance with best practicable means, such as wetting down and minimising the height of stockpiles, to minimise the risk of construction dust effects so that they are unlikely to result in significant effects at nearby receptors. Dust control measures are secured in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the Draft Development Consent Order [APP-021]. The surface water flood risk referenced by the Interested Party may also refer to fluvial flood risk during construction, which is discussed in Chapter 9 of Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177]. Chapter 9 of the Flood Risk Assessment [APP-117] conservatively considers the flood risk for the short period towards the end of the Scheme, when both temporary and permanent works may simultaneously be in place. In a 3.33% Annual Exceedance Probability (AEP) flood event, the Scheme plus temporary works may increase flood depths by up to 0.02m, which is considered a minor impact, at a small number of residential properties which are not in the vicinity of the Interested Party's property. Flood hazard classification at these receptors would not change in this event. During operation of the Scheme, the impact to residential properties would be negligible. Land subject to powers of acquisition of all rights and interests; temporary possession and permanent acquisition of rights are shown on the Land Plans [APP-2.2] and detailed in the Book of Reference Version 2 [AS-096]. The Applicant can confirm that there is no intention to compulsory acquire the property, land or roadway fronting the Interested Party's property. The Applicant is required under section 44 of the Planning Act 2008 to identify those parties who may be able to make a relevant claim under Part 1 of the Land Compensation Act 1973. These are known as Category 3 Land Interests and are listed in Part 2 of the Book of Reference Version 2 [AS-096]. The Applicant has identified the Interested Party may be able to make a relevant claim under Part 1 of the Land Compensation Act 1973. By way of compensation for the impact that construction works can have on properties or individuals, the Applicant has a series of booklets which explain and provide information regarding the potential effects of construction and the operation of the Scheme on your property. These booklets are available on the Applicant's website. The booklet called 'Your property and compensation or mitigation for the effects of our road proposals' sets out the types of compensation that may be available to affected property owners. The additional booklets in the series go into more detail about the various provisions outlined in 'Your property and our road proposals'. Where no land is to be acquired, landowners may be able to make a claim for compensation for any proven depreciation in the value of

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			their property in accordance with Part 1 of the Land Compensation Act 1973 one year and one day following the opening of the Scheme. Forecasts undertaken with the traffic model show that the Scheme would reduce traffic flows on most local roads through Newark-on-Trent, including the B6326 London Road, Barnaby Road, Beacon Hill Road, Beckingham Road, Drove Lane, Farndon Road and Fosse Road. More details on the volume of flow decreases are available in the Transport Assessment [APP-193]. The design of the Scheme has been developed to minimise congestion at the junctions of the A46 for both the local road approaches and the main carriageway of the A46. In turn, the reduction in congestion would alleviate the current blocking-back issues seen on the local road network within Newark-on-Trent. Traffic lights and additional lanes have been included as part of the Scheme design at Farndon Roundabout. Signals would be full time on the A46 approaches to Farndon Roundabout and lane sensors would be used as appropriate to help manage traffic flows during peak and off-peak times. The inclusion of signal control would allow flows to be consistently controlled both through and onto the roundabout. Signals on the A46 arms would generate gaps in the circulatory flow allowing traffic to enter the roundabout from the unsignalised Farndon Road and Fosse Road. Paragraph 11.7.3 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] explains that National Highways' Design Manual for Roads and Bridges LA111 notes that a study area of 300 metres from construction activity is normally sufficient to encompass sensitive receptors that may be affected by construction noise. In this case, the Interested Party lies within the construction noise study area as shown in Figure 11.2 (Construction Noise Study Area) of the Environmental Statement Figures [AS-056]. The nearest representative noise sensitive receptor for which construction noise calculations have been carried out is 94254 as shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065] which is slightly closer to the works than the Interested Party. Tables 11-14, 11-15, 11-21, 11-23, 11-25, and 11-27 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] present daytime construction noise levels relevant to this representative receptor, indicating that the baseline noise level of 64dB(A) is only exceeded during the pre-commencement phase, with a predicted construction noise level of 68dB(A) during the site clearance work activity which would be classified as a minor impact. Impacts relevant to site clearance works are not considered significant as relevant works would be limited in duration at any given location. Table 11-24 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] presents night-time construction noise levels relevant to this representative receptor, indicating that the baseline noise level of 55dB(A) is only exceeded during the roadworks construction phase, with highest predicted level of 56dB(A) during the resurfacing work activity which would be classified as a minor impact. This noise level is unlikely to be disruptive as resurfacing works are by definition linear suggesting any potential impacts would only be for a short period of time. Table 11.31 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] presents daytime construction vibration levels relevant to this representative receptor, indicating no impacts above Negligible. Low noise surfacing as well as the infilled parapets along Windmill viaduct (existing eastern and new western parapet would have a solid infill panel to mitigate noise) will be used to mitigate the effect of operational noise on the Interested Party. While operational noise impacts of the Scheme are adverse in some areas and beneficial in others, none of these are predicted to be significant and in particular the estimated noise level change at the Interested Party is assessed as Negligible in both the short-term and long-term, as shown in Figure 11.9 (Short-term Noise Change) [AS-063] and Figure 11.10 (Long-term Noise Change) [AS-064] of the Environmental Statement Figures shows the impact in the short-term and long-term respectively. Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation measures presented within Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055].

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RR-019	Diane Ledger	I fully support the proposed dualling of the A46 at Newark. Newark is currently gridlocked daily, and not just at peak times, dualling must surely relieve the pressure with Newark, making it easier for residents to get around. I think dualling would improve the economy within Newark as it would attract people to come into the town, without fear of being stuck in traffic for hours. I don't think dualling would increase CO2 emissions as traffic would be free flowing, rather than idling and stood still in traffic jams. I live near Lincoln Road and the amount of times I've seen that road blocked due to the interchange at the A1/A46/A17 all trying to get onto the Bypass is ridiculous. The queues on the A1 back up every day at this interchange which is dangerous and accidents do happen due to this. I've also seen drivers overtaking on the single carriageway A46 bypass by driving straight down the middle without consideration of other motorists, which also causes accidents, dualling would reduce this. I think more work needs to be done to look at the grade separation at the A617/A616/A46 roundabout, due to the level crossing at the Castle Station, but overall I support the dualling of the A46.	The Applicant notes the positive comments on the impacts the Scheme will have. The traffic modelling undertaken for the Scheme takes account of the Newark Castle level crossing. Through discussions with Nottinghamshire County Council (the local highway authority) and based on the results from traffic modelling, the existing Great North Road would be widened to two lanes for southbound traffic from Cattle Market Roundabout towards the Kelham Road junction as part of the Scheme. The traffic modelling indicates an improvement in conditions on Great North Road as a result of the upgrade to the Cattle Market Junction and the provision of additional southbound queuing capacity to mitigate the effects of level crossing closures. Further information on traffic forecasts and modelling is detailed in the Transport Assessment [APP-193]. Improving Newark Castle level crossing is not required by the Scheme, as the Scheme would not worsen or change the existing situation in relation to crossing operation and safety. Newark and Sherwood District Council have advised the Applicant that they are discussing improvements to the crossing with Network Rail.
RR-020	Environment Agency	[Summary only - full response submitted to PINS via email due to comments box character restriction] Planning Inspectorate [via Planning Inspectorate website] | Our ref: XA/2024/100105/01-L01 | Your ref: TR010065 | Date: 12 July 2024 Dear Sir/Madam, A46 Newark Bypass – Development Consent Order Application | A46 from Farndon Roundabout to Winthorpe Roundabout, near Newark-On-Trent | Registration as Interested Party and Submission of Relevant Representations We are advised that on 23 May 2024 an application (reference: TR010065) for a Development Consent Order (DCO) was accepted by the Planning Inspectorate for examination. These Relevant Representations contain an overview of the project issues which fall within our remit. They are given without prejudice to any future detailed representations that we may make throughout the examination process. We may also have further representations to make when supplementary information becomes available in relation to the project. We have reviewed the draft DCO, Environmental Statement (ES) and supporting documents submitted to the Planning Inspectorate as part of the above-mentioned application. Summary of Environment Agency position:- 1) The flood risk has not been appropriately assessed. Therefore, there is a risk that the proposed mitigation measures are not appropriate. As proposed, the development is shown to increase flood risk elsewhere. 2) Insufficient information has been submitted in relation to the realignment of Slough Dyke (main river). 3) Insufficient information has been submitted in relation to the Scheme's interaction with Environment Agency flood defences. 4) There are missed opportunities for environmental and ecological improvements in relation to the aquatic environment, including biodiversity net gain for watercourses. 5) There is insufficient commitment to addressing invasive species impacting the aquatic environment, principally Himalayan Balsam. 6) Water quality matters have not been adequately addressed. The Water Framework Directive Compliance Assessment has not been satisfactorily carried out. There is a risk that surface water run-off associated with diffuse highways run-off, combined with other sources, is not adequately addressed. Further mitigation for water quality and watercourses is likely to be required. 7) Surface water and groundwater quality monitoring requirements are not adequate.	The Applicant's response to RR-020 is in document number [APP-7.11].

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		8) The presence of the British Sugar authorised landfill site in relation to the development has not been adequately assessed. 9) Further commitment and additional plans are required in relation to the Environmental Management Plan. This includes the requirement for a Dewatering Management Plan, securing site-specific piling risk assessments and method statements, and surface water and groundwater monitoring commitments. Further information is also needed in relation to waste disposal options. 10) Consumptive water usage has not been adequately considered. 11) Several DCO Requirements need to be amended, and the Environment Agency included as a consultee. We have also requested an additional Requirement in relation to piling. 12) The legislation for Environment Agency permits and licences is not being disapplied in the DCO. However, we acknowledge the Applicant's intention to pursue the disapplication of the Environmental Permitting Regulations in relation to flood risk activities, which if agreed by us will require a protective provision for our benefit to be included in the DCO. We will continue to work with the Applicant to address the issues we have identified as we move towards the Examination stage. Appendix 1 – Environmental Statement and supporting documents - key issues and advice (sent to PINS via email) Appendix 2 – Draft Development Consent Order and other documents - key issues and advice (sent to PINS via email) Appendix 3 – Supplementary advice to the Applicant (sent to PINS via email) Yours faithfully Mr Alex Hazel Planning Specialist – National Infrastructure Team Email: NITeam@environment-agency.gov.uk	
RR-021	Extinction Rebellion Newark and Sherwood	I am concerned following the recent Supreme Court ruling that scope 3 emissions do not appear to have been taken into consideration for this infrastructure project. ie the projected increase in CO2 emissions attributed to increased traffic flow as a result of the new road. I am also concerned about the health impacts of the "dust corridor" during construction. The most recent report from NSDC on air quality highlighted a mortality rate of 5.3% attributable to air pollution. I am concerned that the health impacts have not been modelled in relation to the "dust corridor" and that subsequently Newark residents are largely unaware of the issue. Relatedly, I am concerned about any likely impact from increased traffic and traffic speed around Newark of the smallest particulates (pm2.5 and below). An additional concern I have relates to increased flood risk following the experience of Newark residents with exposure to flooding (autumn 23 through spring 24). Finally, I am concerned about biodiversity loss given the urgent need to protect nature in light of the most recent State of Nature report.	The Applicant's assessment as detailed in Chapter 14 (Climate) of the Environmental Statement [APP-058] is based on National Highways' Design Manual for Roads and Bridges LA 114 - Climate Table 3.11.1 which includes both construction and operational impacts, capturing the relevant impact of the Scheme. Construction impacts include the embodied carbon emissions of materials, transport of materials to site and the use of construction plant. Operational impacts include road users, or tailpipe, emissions, land use change, maintenance and operational energy. The operational assessment does include the emissions from road user (sometimes referred to as tailpipe). The road user assessment is capturing the impacts from the change of the traffic flows caused by the Scheme. This assessment, as described in Section 14.5 Chapter 14 (Climate) of the Environmental Statement [APP-058], compares the baseline, without Scheme scenario (Do Minimum) to the with Scheme scenario (Do Something) This comparison gives an estimate of the impact of the Scheme on traffic flows, and this is used to estimate impact on carbon emissions. The operational emissions, as presented in Section 14.11 of Chapter 14 (Climate) of the Environmental Statement [(APP-058]), over the 60-year assessment period result in 539,312 tCO2e, with the largest contributor, being 523,019 tCO2e from the road user emissions, summarised in Table 14.19 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The road user assessment presents a worst-case scenario, as the assumptions of electric vehicle uptake are likely underestimated with the assessment as the policy commitments within the Department of Transport's Transport Decarbonisation Plan (TDP) (published July 2021) are not included within the version of the Emission Factor Toolkit (v11) that was used for the assessment. Air quality Chapter 5 (Air Quality) of the Environmental Statement [AS-021] assesses the impacts from construction dust within 200 metres of the construction site boundary in accordance with National Highways' Design Manual for Roads and Bridges LA 105 Air Quality and concludes that the construction dust risk is considered to be 'high', based on the 'large' construction dust risk potential of the Scheme and the presence of human health and ecological receptors within 100 metres of the Scheme. However, works would be carried out in accordance with best practicable means, such as wetting

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			down and minimising the height of stockpiles, to minimise the risk of construction dust effects so that they are unlikely to result in significant effects at nearby receptors. Dust control measures are secured in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184 will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of draft Development Consent Order [APP-021]. It is assumed that the Interested Party's comments on increased traffic and traffic speed is in relation to the operational phase. Dispersion modelling was undertaken for the operational phase of the Scheme using ADMS-Roads, which is a computer-based model of dispersion in the atmosphere of pollutants released from road traffic sources, to predict NO2 and PM10 concentrations in the base year (2022) and NO2 concentrations in the opening year (2028). The dispersion modelling was undertaken using traffic data and speeds from the traffic model developed for the Scheme. Overall, the modelling demonstrated that there are not predicted to be any exceedances of the NO2, PM10 or PM2.5 air quality objectives at any of the human health receptors within the study area during operation of the Scheme. As such, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the NO2, PM10 and PM2.5 air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021]) has concluded no likely significant effect for human health. Also, as indicated by the modelled results for NO2, the Scheme would have a beneficial effect within Newark-on-Trent by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. With regard to the 'smallest particles (PM2.5 and below)', Section 5.5 of Chapter 5 (Air Quality) of the Environmental Statement [AS-021] provides detail on why PM2.5 has not been considered further within the operational phase of the local air quality assessment. In summary, National Highways' Design Manual for Roads and Bridges LA 105 – Air quality states that 'there should be no need to model PM2.5 as the UK currently meets its legal requirements for the achievement of the PM2.5 air quality thresholds and modelling of particulates (PM10) can be used to demonstrate that the Scheme does not impact on the PM2.5 air quality threshold'. For this assessment, when the maximum modelled road contribution of PM10 of 4.5 µg/m3 from existing traffic in the base year at modelled receptors is combined with the maximum PM2.5 background concentration of 9.7 µg/m3 across the study area, the PM2.5 threshold of 20 µg/m3 is not exceeded. Considering PM2.5 is also a constituent part of PM10, vehicles emission factors, and therefore the existing road contributions, for PM2.5 would be even lower than those for PM10. Further to this, the greatest change in annual mean NO2 concentrations at modelled receptors in the opening year of the Scheme is predicted to be 3.9 µg/m3 between the Do Something (with the Scheme) and Do Minimum (without the Scheme) scenarios. Changes in PM2.5 would therefore be even lower in the opening year of the Scheme, as PM2.5 is a constituent part of PM10 and PM10 emissions are an order of magnitude lower than nitrogen oxide (NOx) emissions which are primarily made up of nitric oxide (NO) and NO2. PM2.5 background concentrations are also expected to continue falling in the future, due to existing and future measures set out within the 25 Year Environment Plan to reduce PM2.5 emissions with the aim of meeting future targets at relevant monitoring stations by 2040. For example, the maximum PM2.5 background concentration from Defra's background maps across the human health receptors assessed is 9.7 µg/m3 in the base year of 2022, compared to 9.3 µg/m3 in the opening year of 2028. In summary, it can be concluded that the current and future PM2.5 concentrations are lower than the current threshold of 20 µg/m3 and future target value of 10 µg/m3. The Scheme will also not impact on the PM2.5 air quality threshold at any of the human health receptors considered and no further assessment is required. Therefore, no significant air quality effects are anticipated as a result of the Scheme and no mitigation measures are proposed. Table 11.1 of Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177] shows that the baseline (existing) fluvial flood risk is high in the vicinity of the Scheme, as evidenced by recent flooding events. The

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			Scheme however incorporates three Floodplain Compensation Areas (FCAs) at Kelham and Averham, Farndon East and Farndon West. The purpose of the FCAs is to provide an equivalent volume of floodplain storage by excavating land at similar elevations to that which would be displaced by the Scheme. The Scheme during operation will therefore have a negligible impact on flood water displacement. The Scheme has been designed by implementing the mitigation hierarchy to minimise habitat loss, with a focus on avoiding high value and/or irreplaceable habitat present (where possible) as detailed in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Where habitat loss has been unavoidable, replacement habitats have been created as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Following the mitigation hierarchy, the quantity (area) of each habitat type required to compensate for the unavoidable permanent loss of habitats of ecological value have been informed by the Natural England Biodiversity Metric 3.1, as reported in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] and Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. This approach was agreed with Natural England, Nottinghamshire County Council and Nottinghamshire Wildlife Trust and would achieve a greater than 1:1 compensation of habitat of the equivalent condition for Habitats of Principal Importance (HPI) or of greater ecological value for Non-Habitats of Principal Importance where possible (for example, species-rich grassland would compensate for the loss of poor semi-improved grassland). Requirement 6 of the draft Development Consent Order [APP-021] ensures that the principles of the planting proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] are secured. The Applicant has worked to maximise biodiversity improvements across the Scheme in collaboration with environmental stakeholders including, but not limited to, the local authority county ecologists and landscape architects, the Environment Agency, Natural England and Nottinghamshire Wildlife Trust. The Scheme would achieve a net gain in habitat units within the Order Limits except for the areas of impact and compensation for lowland meadow. The biodiversity net gain assessment contained in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] has sought to align with local priorities set out in the Biodiversity Opportunity Map (produced for the Trent Valley through Nottinghamshire, highlighting opportunities for habitat creation, enhancement and linkages for woodland, acid grassland and heathland, grassland, and wetland) where possible. Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] provides a detailed summary of the biodiversity net gain assessment to date and the methodology used. The habitat creation and provision associated with the Scheme would result in a predicted overall net gain. In addition to minimising and mitigating habitat loss, throughout the evolution of the design, opportunities to enhance biodiversity have been included in the Scheme. Proposals shown in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] include permanently wet ponds and associated reedbeds within attenuation areas, the sowing of species rich grassland adjacent to ponds and the addition of log and brash piles around ponds, to act as refugia/hibernacula. When considering compensatory grassland creation for losses around Cattle Market Roundabout, this has been located as close as possible to habitats affected. This aligns with Opportunity 374 of the Biodiversity Opportunity Map (BOM) (Nottinghamshire Biodiversity Action Group (Notts BAG) and Nottinghamshire County Council (NCC), 2022. Newark & Sherwood BOM Report) to link grasslands in the Kelham/British Sugar area. The BOM was produced for the Trent Valley through Nottinghamshire, highlighting opportunities for habitat creation, enhancement and linkages for woodland, acid grassland and heathland, grassland, and wetland. Other habitat creation would contribute to Opportunities 346 (wetland creation on the floodplain) and 347 (wetland creation linked to dualling of the A46 at Newark-on-Trent) by involving new wetland creation in the Trent floodplain and along the road corridor. This would include new grazing marsh, ponds and reedbed as well as the drainage network which has been designed to maximise its ecological value. A variety of pond sizes would be provided and opportunities for varied pond depths and shapes would be explored further at the detailed design stage.

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			The Scheme would also involve new woodland creation along the Scheme route to compliment Opportunity 525 (relating to urban tree planting in Newark-on-Trent). Some of this would be achieved through woodland creation on site but given the high area ratios of loss in comparison to the compensation areas required, it has been necessary to consider other off-site options. The Applicant is seeking to enhance an area of existing woodland, with a landowner willing to enter a voluntary long-term agreement. The current intention is to carry this out at Doddington Hall which is outside the district but within the same National Character Area. Appendix 7.4 (Arboricultural Impact Assessment) of the Environmental Statement Appendices [AS-089] provides an assessment of the potential Arboricultural impacts associated with the Scheme. Whilst Scheme design iterations have resulted in the retention of all veteran trees, there would be an unavoidable permanent adverse impact to three veteran trees due to the direct impact to their root protection areas and the proximity of one of these veteran trees to the Order Limits, which would require a minor crown lift (0.5m). Appendix 7.4 (Arboricultural Impact Assessment) of the Environmental Statement Appendices [AS-089] outlines trees to be retained and associated protection measures during construction, as well as those trees suggested for removal to accommodate the Scheme. Some mature tree planting would be considered as part of the planting specification. However, smaller stock has greater resilience to transplanting, often establishing more successfully than mature planting. It also tends to grow quicker and can outgrow larger stock if growing conditions are favourable.
RR-022	Farndon Parish Council	My Council will be interested in the following issues: Access to Newark and the impact of the work to the A46 roundabout. Noise Flood Compensation Areas and the potential impact on flooding in the wider area. The impact of the Southern Link Road that is currently under construction. To consider the Parish Council's response to the A46 Dualling Consultation The Clerk referred to the documents circulated to Members covering the areas that it was considered of significance to the village: · Noise · Traffic Control · Public Footpaths · Flooding Noise Members noted that noise monitoring locations were included on document TR010065. This showed long term monitoring at reference LT3, and short term monitoring at ST2. Given the potential impact of noise on the village Members would want to see long term monitoring at location ST2, in addition to LT3. This would ensure closer monitoring of noise impact on the whole of the village. A major source of noise on the current bypass was from the expansion strips used on the bridge over the Nottingham to Lincoln railway. National Highways were asked to consider the type and use of expansion strips to lessen this noise, and to also consider a noise reducing surface to minimise tyre noise. Members queried what the proposed speed limit would be once the bypass was open. The Clerk presumed this would be 70mph in line with national speed limits. It was noted that the current speed limit reduced to 40mph as traffic approached the Farndon Road roundabout. Members considered that the speed limit should be 50mph on the new bypass once complete. It was noted that a storage site would be constructed on land adjacent to Crees Lane. Members requested confirmation that the residents on Crees Lane had been consulted on this usage and asked the Clerk to obtain a copy of any correspondence issued to those residents. Members also sought confirmation of operating times for this site due to the potential impact on adjacent residents, and the proposed layout of the site. As part of noise abatement measures at the end of the construction of the A46 bypass, Members asked that consideration be given to gifting the land at Crees Lane to the Parish Council as compensation for the upheaval to the community. Flooding Members noted the Floodplain Compensation Areas Farndon FCA (East) and Farndon FCA (West) as outlined on TR010065, Appendix C.3. Clarification was sought on the following in relation to flooding: • What is the operation life in terms of management and maintenance of the flood	The Applicant confirms the Southern Link Road is included in the forecast modelling in both the Do Minimum (without the Scheme) scenario and Do-Something (with the Scheme) traffic forecasts. The Southern Link Road is shown to relieve some traffic from the A46 though the modelling also demonstrates that without improvements to the A46, even with the development of the Southern Link Road, there would still be significant delays on the A46, especially at the Cattle Market Junction. This traffic modelling work is detailed in the Transport Assessment [APP-193]. The Southern Link Road roundabout will join the A46 to the south of Farndon Roundabout. The traffic modelling detailed in the Transport Assessment [APP-193] shows that the two roundabouts operate well, despite their close proximity, and that the A46 arms of the two roundabouts were forecast to have delays of under 30 seconds in 2043 (15 years after the Scheme is open to traffic). The operational life of the FCAs is the same as the operational life of the Scheme as a whole. The FCAs will be maintained for the entirety of this period. Appendix C.7 of Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177] which is referred to by the Interested Party, shows the Environment Agency's Reservoir Flood Risk mapping, in the location of the Scheme. This mapping relates to existing flood risk with regards to reservoirs already within the River Trent floodplain and does not assess the impact of the Scheme. No reservoirs will be created by the Scheme. The FCAs are free draining. The Farndon East and Farndon West FCAs are already part of the floodplain, which is intentional, to limit the impact that the Scheme has upon agricultural land. The earth from the FCA excavations will be used, where suitable, to construct the road embankments. The FCAs are designed to require minimal/no maintenance. They are free draining and designed to mimic the existing floodplain. The Kelham and Averham FCA is connected to the floodplain by culverts beneath the A617, which will require clearance of debris on an annual basis, and after each significant flood event. The Kelham & Averham FCA provides higher elevation compensation between 10.6-13.0mAOD, and the Farndon area provides compensation at lower elevations. They are not, and do not need to be, directly adjacent to perform the function of providing floodplain compensation. Existing groundwater levels have been considered. As discussed at paragraph 13.6.1 of in Chapter 13 (Road Drainage and Water Environment) of the Environmental Statement [APP-057], baseline groundwater level monitoring commenced January 2023. Preliminary geotechnical investigations (August to September 2021) also provided information on

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		compensation areas? • At what point would the assimilation of water shown on Appendix C.7 'Reservoir Flood Risk' become live given the projected impact shown on the whole of the village. The areas proposed for the Flood Compensation Areas are already part of the flood plain: • Where will the earth go that will be excavated for the Flood Compensation Areas, will it be used for the embankments? • How often with the Flood Compensation Areas be maintained? • How do the Farndon Flood Compensation Areas feed into the Averham Flood Compensation Areas? • Has the level of the water table been taken into consideration? The areas outlined for the Flood Compensation Areas had water pooling in them before there was any fluvial flooding from the River Trent. • What security measures will be put in place around the areas to prevent unlawful access? • When would the Farndon Flood Compensation Areas be constructed in the timeline for the project? • In Appendix C 10 of document number TR010065-000267 the risk is shown as an increase from 'Significant Hazard' to 'Extreme Hazard' at the Farndon Flood Compensation Areas. Members would like an explanation of what this means and what the impact would be on the village. Traffic In paragraph 2.17.5 in TR010065-000138 it outlines that monthly Traffic management meetings will be held with specific stakeholders including the LHA (Nottinghamshire and Lincolnshire County Councils), Newark and Sherwood District Council, emergency services and representatives from adjacent schemes to discuss the detailed design, TTM details, diversions routes and interface with adjacent developers and their schemes. Members considered that affected parishes should be included as stakeholders and invited to management meetings. With Crees Lane being used as a primary site for storage, and the requirement for heavy goods vehicles to access, Members sought reassurance that there would be adequate protection for pedestrians, cyclists, mobility scooters, etc, who would have to cross the access to Crees Lane in order to use the footpath and underpass. No construction traffic to gain access onto Crees Lane via Fosse Road in the village of Farndon. All construction traffic to come in off the A46 roundabout. Members noted that, where road closures were required, they would be between 9pm and 5am. When road closures were in place, it was acknowledged that local traffic would use local routes, especially through Hawton. Flooding at Hawton would compromise this diversion route. Members requested that a road and footpath condition survey be undertaken of Fosse Road and Crees Lane prior to any work commencing, with National Highways to undertake to make good any damage undertaken during the construction period. In conclusion, Members considered it was important that National Highways engaged with the local community to ensure they were fully informed of the scope of work and the impact it would have during the construction phase and beyond.	groundwater levels. Potential groundwater ingress into FCAs has been considered within Section 8.4 of Appendix 13.2 (Flood Risk Assessment) of the Environmental Statement [APP-177] The requirement for security measures is dependent on the frequency and depth of flooding experienced at the FCAs sites, which are different depending on the site. For instance, much of the Kelham and Averham FCA is intended to return to agricultural land use and will not require additional access restriction. The Farndon FCAs are intended to provide additional environmental mitigations and the land may be fenced to restrict access. The Farndon FCAs will be constructed as the Scheme progresses to ensure that the available compensation is matching that of the embankment being constructed. The Farndon FCA, will, by design, become deep bodies of water during a flood event, and therefore have a flood hazard classification of 'Extreme Hazard'. The classifications come from DEFRA guidance document FD2321/TR2. As they will always be wet, with pools in Farndon West FCA and a lake forming Farndon East FCA, the hazard will be apparent to site visitors, and signage will be required. This will have no impact upon the village itself, as the change in flood risk hazard designation only applies to the floodplain compensation areas. The Southern Link Road has floodplain compensation within its design, and therefore the Scheme and the Southern Link Road project can be treated as hydraulically separate for flood risk purposes. Although monitoring of the extant noise levels was carried out at selected locations as reported in Appendix 11.2 (Baseline Noise Survey Results) of the Environmental Statement [APP-173] to inform the assessment of construction and operational noise, the predominant method to determine potential impacts of the Scheme was done by calculation. This enables impact to be assessed for the whole area (rather than at a smaller number of selected points) without the influence of weather or variations in traffic that may affect levels over the relatively short duration of a noise survey and is the method established as set out in' the Design Manual for Roads and Bridges LA-111 and is reported in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055]. The noise created by joints for bridge structures arises as vehicles traverse these but is usually confined to the local area of the structure. Operational noise mitigation embedded in the Scheme design includes a combination of bunds, barriers and low noise surfacing. As implied, noise levels do increase with speed but journey times decrease and so noise is rarely a controlling factor to influence speed limits. Operational noise impacts of the Scheme are adverse in some areas and beneficial in others but none of these are predicted to be significant. Figure 11.9 Short-term Noise Change) of the Environmental Statement [AS-063] and Figure 11.10 Long-term Noise Change of the Environmental Statement Figures [AS-064] show the impact in the short-term and long-term respectively. The site operating times are described within Requirement 5 of the draft Development Consent Order [APP-021]. The works near Cress Lane will generally be 07:00 to 18:00 however specific works outside these hours will be required for the construction of the Windmill Viaduct night works will be required for the construction of the Windmill Viaduct, Work No 7 as shown on Sheet 1 of the Works Plans [AS-005]. The nighttime works will include the installation of the bridge beams to the new bridge which will require closures of the A46. These works are described in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] identifies a number of receptors which may be impacted by temporary or permanent changes in access as a result of the construction or operation of the Scheme, including the proposed changes at Farndon Roundabout. Receptors in and close to Farndon village which are assessed are as follows: • Residential properties accessed via Fosse Road and Crees Lane • Businesses accessed via Fosse Road and Crees Lane • Community services and green space around Farndon Roundabout and Fosse Road As set out in Table 12-12 and Table 12-13 of Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056], the assessment concludes that the enlargement of Farndon Roundabout will temporarily impact 300 metres of Fosse Road for approximately 42 months. However, as access to all receptors will be maintained and delays are

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			expected to be minimal, there is expected to be no significant adverse impacts during the construction phase. The Applicant is committed to ongoing engagement with the local community, including thorough communication of plans during construction. In accordance with Requirement 11 of the draft Development Consent Order [APP-021], the Applicant will produce a Traffic Management Plan developed from the Outline Traffic Management Plan [APP-196] (as secured by Requirement 11 of the draft DCO [APP-021]) and Construction Communications Management Plan (as secured by Requirement 3 of the draft DCO [APP-021]) to further minimise disruption.
RR-023	Forestry Commission	Thank you for consulting the Forestry Commission on this project. As the Governments forestry experts, we endeavour to provide as much relevant information to enable the project to reduce any impact on irreplaceable habitat such as Ancient semi natural Woodland as well as other woodland. We have assessed the route map of the proposed order limits and can confirm there is no ancient woodland within the order limit. However we do note the presence of a number of veteran trees located within the order limits, as highlighted in the Environmental Statement. Ancient and veteran trees are irreplaceable habitats. As stated in the National Networks National Policy Statement (March 2024): Para 5.62: "Ancient woodland and ancient and veteran trees are irreplaceable habitats. England's ancient woodlands and ancient and veteran trees support high levels of biodiversity. They are home to a quarter of England's priority species for conservation and once lost they cannot be recreated. They also deliver many ecosystem services including clean water and healthy soils, carbon storage, support for people's wellbeing and their long-standing cultural values. The Keepers of Time published in 2022 updates the government's policy to recognise the value of England's ancient and native woodlands and ancient and veteran trees. It restates the government's commitment to evaluate the threats facing these habitats and sets out updated principles and objectives to protect and improve these habitats for future generations." Para 5.63: "The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and ancient and veteran trees unless there are wholly exceptional reasons (for example, where the public benefit would clearly outweigh the loss or deterioration of habitat) and a suitable compensation strategy exists." We do note the relatively small incursion areas into the Root Protection Zones of veteran trees T038, T136 & T139, together with the planned Construction Exclusion Zone fencing and ground protection. However, given the small level of incursion, together with the potential to cause loss or deterioration to the veteran trees, is it not possible to avoid the root protection areas completely? There are several areas of Lowland Mixed Deciduous woodland within the site area. Lowland Mixed Deciduous woodlands are on the National Forest Inventory and the Priority Habitat Inventory (England). They were recognized under the UK Biodiversity Action Plan as being the most threatened, requiring conservation action. The UK Biodiversity Action Plan has now been superseded but this priority status remains under the Natural Environment & Rural Communities Act 2006. (NERC) Sect 40 "Duty to conserve and enhance biodiversity" and Sect 41 – "List of habitats and species of principle importance in England". Lowland Mixed Deciduous Woodland Identified within the Order limits: 1.86ha – Approximate location SK 8218 5664 0.35ha - Approximate location SK 8147 5601 0.28ha - Approximate location SK 8140 5593 0.62ha - Approximate location SK 8127 5582 0.63ha - Approximate location SK 8103 5589 1.14ha - Approximate location SK 8048 5592 0.73ha - Approximate location SK 8030 5576 0.65ha – Approximate location SK 8022 5558 2.07ha - Approximate location SK 7998 5498 1.75ha - Approximate location SK 7998 5498 1.57ha - Approximate location	Appendix 7.4 (Arboricultural Impact Assessment - Part 5) of the Environmental Statement Appendices [AS-089] provides an assessment of the potential arboricultural impacts associated with the Scheme. Whilst the Scheme design iterations have resulted in the retention of all veteran trees, it is currently considered that, as a worst case, there may be permanent adverse impacts to three veteran trees due to the direct impact to their root protection areas and the proximity of one of these veteran trees to the Order Limits, which would require a minor crown lift (0.5m). Appendix 7.4 (Arboricultural Impact Assessment) of the Environmental Statement Appendices [AS-089] outlines trees to be retained and associated protection measures during construction, as well as those trees suggested for removal to accommodate the Scheme. With respect to the Interested Party's question regarding complete avoidance of the root protection areas of the veteran trees referenced as T038, T136 and T139 presented in the Complete Tree Protection Plans - Part 1 [AS-019]; the Applicant can confirm the design process has carefully considered the construction requirements in proximity to these trees. With regards to trees T136 and T139, the design has been developed to limit incursions as far as practicable, steepening proposed earthworks to limit the footprint of the Scheme with the provision of 70-degree slopes to the widened embankment to reduce the neighbouring access track corridor from 5.0 metres to 3.0 metres in order to avoid removal of the trees. Unfortunately, there is no scope to reduce this further. In relation to tree T038, the Scheme elements that infringe on the edge of the Root Protection Area (RPA) of this tree in the current design proposals will be reviewed at the detailed design stage. It is anticipated that the initial gradient of the proposed earth bund to the west of the tree as presented in the Complete Tree Protection Plans - Part 2 [AS-020] can potentially be revised during detailed design, locally steepening the slope profile to 1:2 to reduce the footprint of the bund. The alignment of the access road and swale to the west/southwest of the tree will be further reviewed with the objective of removing the minor incursion into the RPA if possible. Similarly, it is anticipated that the footprint of the headwall to the north of the tree can be adapted during detailed design to remove the minor incursion into the section of the RPA currently identified. The Applicant acknowledges and agrees with the Interested Party's comments in regard to taking Root Protection Zones into account for any woodland within the development boundary, land required for temporary use or land where rights are required for the diversion of utilities. Appendix 7.4 (Arboricultural Impact Assessment – Part 5) of the Environmental Statement Appendices [AS-089] outlines the protection measures to be employed during construction for the trees to be retained. All measures have been specified in accordance with British Standard 5837. This provision would be secured by the production of an Arboricultural Method Statement produced as part of the Second Iteration Environmental Management Plan developed from the First Iteration Environmental Management Plan [APP-184] for implementation during construction and secured through Requirement 3 of the draft Development Consent Order [APP-021]. The Scheme has been designed to minimise habitat loss, with a focus on avoiding high value and/or irreplaceable habitat present (where possible) as detailed in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Where habitat loss has been unavoidable, replacement habitats are proposed to be created as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Following the mitigation hierarchy, the quantity (area) of each habitat type required to compensate for the unavoidable permanent loss of habitats of ecological value have been informed by the Natural England Biodiversity Metric 3.1, as reported in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] and Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. This approach was agreed with Natural England, Nottinghamshire County Council

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		SK 7814 5319 0.62ha - Approximate location SK 7699 5521 Fragmentation is one of the greatest threats to lowland mixed deciduous woodland. Even if parts of the woodlands were to be retained, woodlands can suffer loss or deterioration from nearby development through damage to soils, roots and vegetation and changes to drainage and air pollution from an increase in traffic, particularly during the construction phase of a development. A scheme that bisects any woodland will not only result in significant loss of woodland cover but will also reduce the ecological value and natural heritage impacts due to habitat fragmentation, and have a huge negative impact on the ability of the biodiversity (flora and fauna) to respond to the impacts of climate change. For any woodland within the development boundary, land required for temporary use or land where rights are required for the diversion of utilities you must take into consideration the Root Protection Zone. The Root Protection Zone (as specified in British Standard 5837) is there to protect the roots of trees, which often spread out further than the tree canopy. Protection measures include taking care not to cut tree roots (e.g., by trenching) or causing soil compaction around trees (e.g., through vehicle movements or stacking heavy equipment) or contamination from poisons (e.g., site stored fuel or chemicals). We note the plans for the planting of native woodland belts together with the enhancement of the offsite plantation woodland. With the Government aspiration to increase tree and canopy cover to 16.5% of land area in England by 2050. The Forestry Commission is seeking to ensure that tree planting is a consideration in every development not just as compensation for loss. There may be the opportunity to create some larger woodland blocks to increase connectivity and biodiversity across the wider site area, especially in the areas adjacent to the retained lowland mixed deciduous woodland blocks. The biosecurity of all planting stock needs to be considered to avoid the introduction of pests and diseases. Woodlands need to be climate, pest and disease resilient. Plans should also be in place for the long term management and maintenance of any new woodland, with access needing to be considered for future management. We hope these comments have been useful to you. If you require any further information, please do not hesitate to contact me. Yours sincerely Sandra Squire Local Partnership Advisor	and Nottinghamshire Wildlife Trust and would achieve a greater than 1:1 compensation of habitat of the equivalent condition for Habitats of Principal Importance (HPI) or of greater ecological value for Non-Habitats of Principal Importance where possible (for example, species-rich grassland would compensate for the loss of poor semi-improved grassland). Requirement 6 of the draft Development Consent Order [APP-021] ensures that the principles of the planting proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] are secured. The permanent loss of lowland mixed deciduous woodland across the Scheme during construction would result in a slight adverse effect. Therefore, no significant effect are predicted in relation to HPI. The loss of any habitat of conservation value would be replaced like-for-like (in condition) as a minimum requirement providing a greater area than was lost to mitigate for these losses. Replacement habitat would be located as close to the impacted receptor (or other receptors of the same type), wherever possible. The Applicant has worked to maximise biodiversity improvements across the Scheme and has worked in collaboration with stakeholders to develop the habitat provision. Such stakeholders include, but are not limited to, the local authority county ecologists and landscape architects, the Environment Agency, Natural England and Nottinghamshire Wildlife Trust. The Natural England Biodiversity Metric 3.1 includes trading rules for woodland, specifically the need to compensate for loss of lowland mixed deciduous woodland in order to achieve a net gain. Some of this would be achieved through habitat creation on site, but there is insufficient space to fully compensate specifically for woodland habitat within the Order Limits (after implementing the mitigation hierarchy) and therefore it has been necessary to consider other off-site options. The Applicant is seeking to enhance an area of existing woodland, with a landowner willing to enter a voluntary long-term agreement. The current intention is to carry this out at Doddington Hall, which is outside the district but within the same National Character Area. A benefit of this element of the proposals is that these woodlands sit within an extensive network of woodland habitat and their enhancement would contribute to improved habitat quality and connectivity. The Scheme would achieve a net gain in habitat units within the Order Limits except for the areas of impact and compensation for lowland meadow. The biodiversity net gain assessment contained in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] has sought to align with local priorities set out in the Biodiversity Opportunity Map (produced for the Trent Valley through Nottinghamshire, highlighting opportunities for habitat creation, enhancement and linkages for woodland, acid grassland and heathland, grassland, and wetland) where possible. Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] provides a detailed summary of the biodiversity net gain assessment to date and the methodology used. The habitat creation and provision associated with the Scheme would result in a predicted overall net gain. The Applicant acknowledges and agrees with the Interested Party's comments in regard to biosecurity of all planting stock needing to be considered to avoid the introduction of pests and diseases. The Applicant will ensure a suitable provision for this action within the Series 3000 Landscape and Ecology specification, to be produced during detailed design. Table 3-2 Register of Environmental Actions and Commitments will be updated to include this commitment, and the First Iteration Environmental Management Plan [APP-184] will be re-submitted during the Examination with this update. With respect to the Interested Party's comment regarding woodlands needing to be climate, pest and disease resilient, consideration of this matter has informed the indicative planting list produced as part of the environmental design as presented on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] and would be considered further in the refinement of species selection during detailed design. Access to planting plots proposed within the Order Limits have been catered for within the preliminary design to ensure safe access for maintenance and management of planting plots, including areas of woodland planting. The Series 3000 Landscape and Ecology Specification that will be produced during the detailed design would set out the initial aftercare

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			maintenance for planting areas, prior to the Scheme being managed as part of the Applicant's regular cyclical maintenance and management of the Strategic Road Network and associated soft estate (landscaped areas).
RR-024	Gerard Hadyn Davies	I wish to comment on environmental, economic and flood protection issues	The Applicant notes the relevant representation.
RR-025	Greg Geissler	Noise from the new bypass will add onto the levels currently seen/heard from the A1. Which is another National Highways property. The A1 noise currently exceeds the recommended limit, the projected noise from their current project will only make this worse.	While the Interested Party does not specify what is being referred to as the recommended limit, the Applicant acknowledges that noise from the A46 will continue to be added to noise from the A1 for properties close to the A1. This can be seen in Figure 11.8 (Noise levels in the Do Something Design Year) of the Environmental Statement Figures [AS-062] which shows expected Do Something (with the Scheme) noise levels in the Design Year, that is, noise levels with the Scheme 15 years after opening. It shows that noise levels increase in proximity to the two highways with smaller noise contributions from other roads. The noise levels for Do Something can be compared with Do Minimum (without the Scheme) for the same period as shown in Figure 11.6 (Noise levels in the Do Minimum Design Year) of the Environmental Statement Figures [AS-060]. However, the impact of the Scheme itself may be seen in Figure 11.10 (Long-term Noise Change) of the Environmental Statement Figures [AS-064] that shows the change in level in the Design year with and without the Scheme. In the vicinity of the A1 the colour shading is green indicating that the effect is Negligible.
RR-027	GTC Pipelines ltd	I can confirm there are 2 areas within the entire order limits of the plan that may affect existing GTC infrastructure; the order limits red line boundary, as showing in the attached documents on the website, are close by to the GTC network boundaries, should you require these plans please contact us with an email address that we can forward them to on. Yours Sincerely, William Price	The Applicant has reviewed the three plans provided by the Interested Party and can confirm that the assets shown will not be affected by the Scheme. The section of 90mm LP gas main which runs between Maltkins Lane and Kings Scone Avenue passes under the existing concrete access road which is located within plot 4/9b, refer to sheet 4 of the Land Plans [AS-004]. This is the only part of this asset that is within the Order Limits for the Scheme. The Applicant will use the access road for access provision only with no construction works being undertaken. The 125mm gas main along Robert Dukeson Avenue and Winthorpe Road is outside of the Order Limits for the Scheme as shown on sheet 5 of the General Arrangement Drawings [AS-007]. Required for the construction of the A46 dual carriageway, retaining wall, attenuation basins and associated drainage; diversion of gas mains, water pipes and low voltage cables and electronic communications equipment; and for environmental mitigation, maintenance and monitoring commitments to (1/5d, 3/5a and 4/9b plots) A right of access land for the purposes of inspecting and maintaining cables, ducts, apparatus and structures on adjoining land including rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery. To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult. To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable a pipeline for the distribution or storage of gas or other ancillary materials, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery. To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried water pipes, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery. Information regarding the interested party has been analysed by information provided by the utilities team, requesting plans from the interested party as specified will ensure The Applicant has the most up to date copy.
RR-028	Historic England	Historic England Advice - Our ref PL00790102 A46 Newark Bypass. The Historic Buildings and Monuments Commission for England (HBMCE) is better known as Historic England, and we are the Government's adviser on all aspects of the historic environment in England, including historic buildings and areas, archaeology and historic landscapes. We have a duty to promote conservation, public understanding and enjoyment of the historic environment. We are an executive Non-Departmental public body and we answer to Parliament through the Secretary of State for Culture, Media and Sport (DCMS). Proposal The scheme is for the construction,	The Applicant confirms as recorded within Section 6.4 of Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050], thorough consultation with Historic England and other Cultural Heritage Stakeholders has been undertaken to discuss the assessed impacts and effects of the Scheme upon archaeological remains and the measures required to reduce and avoid these impacts where possible. To date the Scheme has been subject to two phases of archaeological investigation, the scope of which has been agreed by Historic England and other Cultural Heritage Stakeholders. These phases include a programme of preliminary survey (field walking, metal detector, geophysical survey and geoarchaeological desk-based assessment) and a programme of

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		operation and maintenance of the A46 Newark Bypass. viz. "The scheme comprises on-line widening, to the north of the existing route, for most of its length between Farndon roundabout and the A1 followed by a new section of offline dual carriageway proposed between the A1 and Winthorpe roundabout, where the new dual carriageway ties into the existing A46 to the west of Winthorpe roundabout. The widening works include earthwork widening along the existing embankments, and new structures where the route crosses the Nottingham to Lincoln and East Coast main railway lines, River Trent and the A1. The roundabouts at Farndon and Winthorpe will be enlarged and partially signalised, while the Cattle Market roundabout will be grade separated by elevating the A46. Access to the A1 to / from A46 will also be improved by upgrading the Brownhill and Friendly Farmer roundabouts." Representation Historic England has engaged in constructive preapplication discussions with the applicant as set out in the submitted ES Volume 6.1 Chapter 6 Cultural Heritage / 6.4 Consultation. These discussions have included the applicant's principal contractors, heritage advisors and the local authorities' archaeological curators. We have advised broadly on the need for a robust and timely programme of archaeological investigation so that where possible impacts upon buried remains can be avoided. Or, if not avoidable then archaeological mitigation can be planned and budgeted for in an efficient and effective manner leading to the optimum return of information and understanding in the public interest. Our discussions continue as work progresses, it will be important to continue to make best use of the time between now and determination to maximise understanding and information. Where possible focussing first on areas of greatest archaeological and engineering risk. We have particularly highlighted the importance and sensitivity of the landscape of the seventeenth century Civil War (around Newark) including the setting of scheduled monuments, and the late Upper Palaeolithic – Ice Age landscape (by Farndon). We welcome the positive response of the scheme in terms of the location of temporary facilities near Farndon. The landscape around the rivers Trent and Devon has been highly dynamic and as such we have stressed the importance of deposit modelling to inform a structured understanding of archaeological risk and opportunity. Later prehistoric and early medieval remains have also been attended to through the process of archaeological evaluation and the iterative detailing of the scheme, we welcome this attention to our advice as it will assist both in the positive curation of the archaeological resource and the timely and efficient delivery of the scheme. Our ongoing discussions will also continue to include (amongst other relevant matters) the articulation of the scheme in relation to the setting of highly graded listed assets at Winthorpe. The applicants are we understand in continuing constructive discussions with the local authority's conservation team as regards the grade ii listed Smeaton's Arches on the Great North Road. Please copy future correspondence to e-midlands@HistoricEngland.org.uk	archaeological evaluation (trial trenching and test pitting, geoarchaeological coring and archaeological monitoring of Ground Investigation Works). The agreed scope for these works is detailed within Chapters 4 and 5 of the Archaeological Management Plan of the Environmental Statement [APP- 187] and the results of these surveys are detailed within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the Environmental Statement Appendices [AS-099]. Where areas of significant archaeology have been identified through preliminary survey and archaeological evaluation, discussions with Historic England and other Cultural Heritage Stakeholders have enabled the reduction of the construction areas to preserve as much of these sensitive areas in situ. Examples include the avoidance of impacts to internationally important Late Upper Palaeolithic remains at Farndon and the reduction of impacts to late Prehistoric, Roman and Anglo-Saxon settlement remains identified south-west of Winthorpe. Where avoidance is not possible a robust archaeological mitigation strategy for the pre-commencement and construction stages of the Scheme is being developed accordance with Requirement 9 of the draft Development Consent Order [APP-021]. This detailed strategy is being developed in consultation with Historic England and other Cultural Heritage Stakeholders and will form part of a future iteration of the Archaeological Management Plan [APP- 187] which will be submitted during examination. The Applicant acknowledges the Interested Party's comments in relation to built heritage. Engagement will continue with Newark and Sherwood District Council and Nottinghamshire County Council Conservation Officers and Historic England as required.
RR-029	Howard Pack	Dear Planning Inspectorate, I am pleased to raise objections to the A46 Bypass scheme as currently proposed, viz: - 1) In the applicant's document TR010065/APP/4.1 Statement of Reasons Page 49 section 5.4 Compelling Case in the Public Interest it mentions in paragraph 5.4.4: - "In particular, as set out in Chapter 6 of the Case for the Scheme (TR010065/APP/7.1), paragraph 2.2 of the NPSNN identifies a "critical need" to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and resilient networks that better support social and economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth. It goes on to state that	The Applicant notes the comments from the Interested Party relating to the role the railway network might play in reducing the demand for road transport. However, in this case local circumstances do not lend themselves to a non-highway solution that would meet the stated aims and objectives of the Scheme. Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047] provides information on an Alternative Modes Assessment that was carried out on the Scheme, which confirmed that other modes have constraints, or are significantly limited to address the need for the Scheme. Specifically in relation to rail, it is noted that the Lincoln to Nottingham railway line has an at-grade crossing with the East Coast Main Line, which constrains capacity. This capacity constraint is compounded by other level crossings with the local highway network and public roads. Passenger services from Newark are split between two stations serving

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		improvements may also be required to address the impacts of the national networks on quality of life and environmental factors." There does not appear to be any consideration of wider environmental objectives, including the Government's commitment to de-carbonisation of transport and how this objective is supported by this scheme. In particular examining how the use of the railway network may reduce the growth in road vehicle usage. The completion of the A46 dual carriageway on the Leicester, Nottingham and Lincoln corridor will adversely affect passenger patronage on the parallel Nottingham and Lincoln Railway that offers a lower carbon alternative. The Government's target is to double rail freight's tonnage. The Humber ports to the Midlands corridor over the Lincoln to Nottingham line is a main rail freight route. Trains of up to 3,000 tonnes in the westerly direction and 2,200 tonnes in the easterly direction traverse this route. There is a potential to expand this traffic and relieve the strain on the A46. This has not been considered by the applicant. In previous major road schemes such as the A14 upgrade, or the Southampton to West Midlands route a multimodal corridor approach was undertaken. 2) In the applicant's document TR010065/APP/7.4 Transport Assessment it mentions in Section 7.3: - "7.3.3 North of these two stations is the Newark Flat Crossing which is the point where the Nottingham to Lincoln line intersects with the East Coast Main Line. It is the last remaining flat railway crossing in the UK." "7.3.4 The flat crossing is to the immediate north of the existing A46 and may be impacted by the Scheme. The Applicant has worked with Network Rail and the Department for Transport (DfT) to identify and understand any conflicts between the Scheme and the potential grade separation of the railway lines, and to discuss opportunities for working together. The Applicant worked with the DfT designer to respond to each of the identified areas to provide confidence that the Scheme did not preclude a future grade separated rail scheme from being delivered in the future. Further details of the engagement can be found in the Consultation Report (TR010065/APP/5.1)." In document TR010065/APP/5.1, page 17: - Newark flat rail crossing "Respondents highlighted the need for the Scheme to consider Network Rail's aspirations to separate the levels of the existing flat crossing between the Nottingham to Lincoln line and the East Coast mainline at Newark-on-Trent." In document TR010065/APP/5.1, page 27: - Network Rail "The Applicant has held regular meetings with Network Rail, including their asset protection team. Discussions focused on potential Scheme impacts on Network Rail land and assets, including structures over the East Coast Mainline and Nottingham to Lincoln Railway Line. Asset protection agreement and SoCG documents were also discussed. Further meetings held with the Department for Transport and Network Rail regarding the potential future grade separation of the Nottingham to Lincoln Railway Line and the East Coast Main Line and the interface with the Scheme design. The Department for Transport commissioned a design consultant to undertake a feasibility design for the grade separation scheme and to identify potential clashes with the Option 2 modified design option for the Scheme." The Design Consultant's report on the effect on the Newark Flat Crossing has not been supplied in the evidence, so it is not possible to comment on the outcome of work on the Newark Flat Crossing. 3) There is a previous concern over the feasibility of the grade separation of a flyover for the Nottingham to Lincoln Line over the East Coast Main Line. This relates to the steepness of the proposed gradients particularly on the approach from Newark Castle. It would be sensible to raise the soffit of the A46 road over the railway east of the Cattle Market roundabout to ease the gradient on the railway.	north-south and east-west movements respectively. Freight movements are largely restrained by the flat-crossing and interface with passenger services. The Alternative Modes Assessment suggested that the existing public transport network does not generally offer comparable alternatives to cars for most movements. Small traffic flows were distributed over a large area and therefore are not suited to be catered for by public transport. From this, the Applicant recommended dualling and bypass solutions which fed into the Government's Road Investment Strategy 2: 2020 to 2025 and National Highways' Delivery Plan 2022 to 2025. Additionally, while the Scheme is forecast to carry a significant proportion of freight traffic (in the Scheme opening year (approximately 13% of vehicles will be HGVs), the vast majority of traffic on this section of the A46 is formed of other vehicle types. As a result, even if it were possible to remove all HGV traffic from the section of the A46 around Newark, the anticipated underlying growth in car traffic would still lead to considerable delays for users and the need for the Scheme would remain. Notwithstanding the above, the alleviation of traffic in Newark-on-Trent brought about by the implementation of the Scheme (through traffic currently travelling through the Town Centre is forecast to reroute onto the A46 as a result of the Scheme) would allow bus operators to be able to deliver more efficient and reliable services on both the strategic and local road network. Additionally, the reduction in traffic within the town will also help to support the encouragement of walking and cycling within Newark-on-Trent. The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190] and the National Policy Statement for National Networks Accordance Tables [AS-090], which sets out how the Scheme complies with national and local policy. The Scheme is included within the Government's Investment Strategy 2: 2020-2025 programme of works which sets out the long-term strategic vision for the network. Road Investment Strategy 2: 2020-2025 aims to make the network safer and more reliable with a strong focus on the differing needs of road users whilst supporting the Government's wider plans for decarbonising road transport. The Government is also investing in several rail schemes across the country. These will improve rail links and provide more capacity for rail freight. The Applicant has consulted with Network Rail and the Department for Transport to review feasibility designs for a proposed grade separation of the Nottingham to Lincoln Railway Line and the East Coast Main Line at the Newark Flat Crossing. The Applicant is not aware of any proposals in the pipeline of work for Network Rail, however the opportunity was taken to ensure that any such future improvements would not be precluded by the design for the Scheme. This work was undertaken between the relevant parties and has been agreed within the Statement of Common Ground between National Highways and Network Rail [APP-7.29]. The level of the bridge deck for the eastern crossing of the Nottingham to Lincoln railway line has been agreed with Network Rail. The levels have been reviewed as part of the feasibility design for a grade separation of the Nottingham to Lincoln Railway Line and the East Coast Mainline undertaken by the Department for Transport. The level of the bridge deck for the eastern crossing of the Nottingham to Lincoln railway line has been agreed with Network Rail. The levels have been reviewed as part of the feasibility design for a grade separation of the Nottingham to Lincoln Railway and the East Coast Mainline undertaken by the Department for Transport. The Scheme is proposing to retain the existing levels of the A46 and not fully reconstruct the existing carriageway in order to raise the level of the existing bridge over the Lincoln line railway and instead this bridge is being widened online to the north. Raising the level of the entire structure would increase the gradients on the proposed A46 slip roads from Cattle Market Roundabout and require the raising of the existing embankment supporting the existing A46. As explained in Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047], an Alternative Modes Assessment was carried out by the Applicant in 2021 which suggested that the existing public transport network does

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		4) Furthermore the lack of a multimodal approach to the corridor means that the A46 scheme and the railway grade separation scheme are considered and constructed separately. It is my contention that a multimodal approach should be taken and the two schemes should be progressed as one scheme and constructed together. Yours faithfully, Howard Pack 14th July 2024	not generally offer comparable alternatives to car for most movements. Small traffic flows were distributed over a large area and therefore are not suited to be catered for by public transport, such as rail. Local demand in aggregate accounts for a sizeable proportion of traffic using the A46 at Newark. Therefore, a review of the largest public transport flows (represented by local bus services) suggested that there was no obvious non-highways intervention that could cater to any substantial proportion of these flows. Whilst the future grade separation of the Nottingham to Lincoln Railway Line is aspirational, there is currently no committed scheme for this work. The Applicant has worked with Network Rail and DFT to ensure that the Scheme does not preclude a future grade separation scheme from being delivered.
RR-030	Ian Thomson	I am particularly concerned about: 1. Pollution caused by construction works and due to increased traffic flow following completion and the direct affect of this on the the health and wellbeing of the Newark population. 2. Loss of the natural environment including habitat, trees and biodiversity both during building works and due to the increase in width due to the unnecessary dualling the existing road on a sensitive flood plain. 3. The disingenuous nature of the way this development is being presented to the people of Newark suggests that the basic premise of the scheme, which is designed primarily to speed lorries to the Humberside ports, is not really in our interests. It will not deal with congestion in and around Newark and, in fact, will increase it many times over during an extended construction period. 4. As no meaningful consideration is given to Newark as the intersection of north/south traffic in the A1 and north west/south east traffic on the A1/A17 Newark will be left with an ugly dangerous compromise at the three way crossing point. Future local traffic will be disadvantaged for a long time to come. 5. If the real needs of Newark are meaningfully considered a much simpler, less environmentally damaging & less expensive way of dealing with our needs would be possible. 6. The scale of the development and the protracted nature of such schemes nowadays will take a disproportionate length of time during which businesses will be put in jeopardy as people living outside of the town are discouraged from travelling into Newark. 7. In a climate and biodiversity crisis huge road developments are increasingly coming under scrutiny. The money would be better spent on improved public transport, cycling schemes and infrastructure which would enhance a sustainable future environment. This scheme is rooted in old ways of thinking which are inappropriate for the current times. 8. In addition the size of the development is totally out of proportion to the scale of a historic market town.	Chapter 5 (Air Quality) of the Environmental Statement [AS-021] confirms that the impact of emissions from construction traffic is not considered to have the potential to result in significant air quality effects as the predicted change in construction traffic is temporary, not programmed to last more than two years and there are no locations within the study area at risk of exceeding air quality objectives. Modelled base year (2022) concentrations presented in Table 1-1 of Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement Appendices [APP-128] also show that modelled pollutant concentrations are well below the air quality objectives. Therefore existing and modelled concentrations in the study area comply with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007. The assessment also confirms that temporary traffic management measures used during the construction period will not have a significant effect on air quality. This is due to the temporary nature of overnight road closures and temporary reductions in speed limits not significantly affecting emissions. Impacts from construction dust will be mitigated using best practicable means, such as wetting down and minimising the height of stockpile, and effects are not predicted to be significant. The mitigation measures are set out in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]). Chapter 5 (Air Quality) of the Environmental Statement [AS-021] presents the results of the operation phase dispersion modelling and concludes that there are not predicted to be any exceedances of the NO2, PM10 or PM2.5 air quality objectives at any of the human health receptors within the study area during operation of the Scheme. As such, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the NO2, PM10 and PM2.5 air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. Also, as indicated by the modelled results for NO2, the Scheme would have a beneficial effect, albeit not significant when following National Highways' Design Manual for Roads and Bridges LA 105 Air Quality guidance, within Newark-on-Trent by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] draws upon the Chapter 5 (Air Quality) of the Environmental Statement [AS-021] to identify the impacts on amenity. Changes in amenity result from a combination of significant residual (post-mitigation) effects reported in other topics, specifically noise, vibration, air quality and visual effects. For an amenity effect to be identified, at least two residual effects must combine at the same location. As no significant residual noise or air quality impacts were reported, Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] concludes that there is no significant effect on amenity, and therefore human health, during construction or operation of the Scheme. The Scheme has been designed to minimise habitat loss, with a focus on avoiding high value and/or irreplaceable habitat present (where possible) as detailed in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Where habitat loss has been unavoidable, replacement habitats are proposed to be created as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Following the mitigation hierarchy, the quantity (area) of each habitat type required to compensate for the unavoidable permanent loss of habitats of ecological

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			value have been informed by the Natural England Biodiversity Metric 3.1, as reported in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] and Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. This approach was agreed with Natural England, Nottinghamshire County Council and Nottinghamshire Wildlife Trust and would achieve a greater than 1:1 compensation of habitat of the equivalent condition for Habitats of Principal Importance (HPI) or of greater ecological value for Non-Habitats of Principal Importance where possible (for example, species-rich grassland would compensate for the loss of poor semi-improved grassland). Requirement 6 of the draft Development Consent Order [APP-021] secures the provision of the planting proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. The Applicant has worked to maximise biodiversity improvements across the Scheme in collaboration with environmental stakeholders including, but not limited to, the local authority county ecologists and landscape architects, the Environment Agency, Natural England and Nottinghamshire Wildlife Trust. The Scheme would achieve a net gain in habitat units within the Order Limits except for the areas of impact and compensation for lowland meadow. The biodiversity net gain assessment contained in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] has sought to align with local priorities set out in the Biodiversity Opportunity Map (produced for the Trent Valley through Nottinghamshire, highlighting opportunities for habitat creation, enhancement and linkages for woodland, acid grassland and heathland, grassland, and wetland) where possible. Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] provides a detailed summary of the biodiversity net gain assessment to date and the methodology used. The habitat creation and provision associated with the Scheme would result in a predicted overall net gain. In addition to minimising and mitigating habitat loss, throughout the evolution of the design, opportunities to enhance biodiversity have been included in the Scheme. Proposals shown in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] include permanently wet ponds and associated reedbeds within attenuation areas, the sowing of species rich grassland adjacent to ponds and the addition of log and brash piles around ponds, to act as refugia/hibernacula. In addition to the function of waterbodies in Farndon west Floodplain Compensation Areas (FCA) and the lake in Farndon east FCA to control the storage and discharge of flood water, they have been designed to have a benefit to wildlife. This includes the retention of sufficient water levels to conserve wildlife in periods of drought, as far is reasonably practicable, and provision of a diverse assemblage of riparian plant species, which will create shelter and foraging opportunities for wildlife and contribute to the reduction of evapotranspiration (a design consideration for climate resilience). These measures are presented in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. When considering compensatory grassland creation for losses around Cattle Market Roundabout, this has been located as close as possible to habitats affected. This aligns with Opportunity 374 of the Biodiversity Opportunity Map (BOM) (Nottinghamshire Biodiversity Action Group (Notts BAG) and Nottinghamshire County Council (NCC), 2022. Newark & Sherwood BOM Report) to link grasslands in the Kelham/British Sugar area. The BOM was produced for the Trent Valley through Nottinghamshire, highlighting opportunities for habitat creation, enhancement and linkages for woodland, acid grassland and heathland, grassland, and wetland. Other habitat creation would contribute to Opportunities 346 (wetland creation on the floodplain) and 347 (wetland creation linked to dualling of the A46 at Newark-on-Trent) by involving new wetland creation in the Trent floodplain and along the road corridor. This would include new grazing marsh, ponds and reedbed as well as the drainage network which has been designed to maximise its ecological value. A variety of pond sizes would be provided and opportunities for varied pond depths and shapes would be explored further at the detailed design stage. The Scheme would also involve new woodland creation along the Scheme route to compliment Opportunity 525 (relating to urban tree planting in Newark-on-Trent). Some of this would be achieved through woodland creation on site but given the high area ratios of loss in comparison to the compensation areas required, it has been necessary to consider other off-site options. The Applicant is seeking to enhance an area of existing woodland, with a landowner willing to enter a

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			voluntary long-term agreement. The intention is to carry this out at Doddington Hall which is outside the district but within the same National Character Area. Appendix 7.4 (Arboricultural Impact Assessment – Part 5) of the Environmental Statement Appendices [AS-089] outlines trees to be retained and associated protection measures during construction, as well as those trees suggested for removal to accommodate the Scheme. The arboricultural impact assessment process has included close collaboration between designers and arboriculturists to adapt and amend elements of the Scheme design to minimise tree loss and arboricultural impacts. Arboricultural impacts will continue to be reviewed during the detailed design stage of the Scheme and further measures implemented to reduce impacts where possible. The arboricultural impact assessment has also been considered in the development of the environmental design presented in Figure 2.3 (Environmental Masterplan) of the Environmental Statement [AS-026] to aid effective mitigation for the loss of any existing tree stock. In March 2020, the Government's Road Investment Strategy 2: 2020 to 2025 included a commitment to improve the A46 'Trans-Midlands Trade Corridor' between the M5 and the Humber Ports, as a mechanism for underpinning the wider economic transformation of the country. The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190] and the National Policy Statement for National Networks Accordance Tables [AS-090], which sets out how the Scheme complies with national and local policy. In line with Department for Transport's Transport Analysis Guidance (TAG), traffic flows have been forecast up to 2061. This modelling demonstrates that the A46 is not forecast to be over capacity within these timescales if the Scheme is implemented. The existing Brownhills Roundabout and Friendly Farmer Roundabout are retained as part of the Scheme. Removing the A46 through traffic from these roundabouts will improve the intersection of north/south traffic in the A1 and northwest/southeast traffic on the A1/A17 Newark due to increased capacity. Traffic modelling shows that most of the forecast traffic increase is associated with trips travelling along the A46 to bypass Newark-on-Trent. The Scheme's implementation would therefore lead to a better flow of traffic and a reduction in congestion. While traffic modelling indicates an increase in traffic on the A46 because of the Scheme it also shows that a significant component of this increase is attributable to strategic through traffic that is effectively removed from the centre of Newark-on-Trent by the Scheme. These trips currently divert off the A46 and go through the town centre to avoid congestion. With the Scheme this through traffic is forecast to remain on the strategic road network, where it is more appropriate for it to be. The NPSNN (both the version designated in 2015 and the updated version in 2024) sets out the Government's policies for the development and delivery of Nationally Significant Infrastructure Project (NSIPs) on the national road and rail networks in England. The NPSNN provides the Government's overarching support for NSIPs which contribute towards improvements to the SRN, such as those that the Scheme has been designed to deliver. NPSNN paragraph 2.2 states that: "There is a critical need to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and resilient networks that better support social and economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth. Improvements may also be required to address the impact of the national networks on quality of life and environmental factors." Chapter 6 of the Case for the Scheme [APP-190] provides an appraisal of the Scheme's conformity with the relevant national policies that will guide the decision processes and outlines how the Applicant is assessing the Scheme against key policies, local and national. Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] considers the impact of the Scheme on businesses during construction and operation. No significant adverse impacts have been identified on businesses during the construction or operation period. The Applicant confirms that, during the construction phase, a

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			Traffic Management Plan will be implemented to ensure that access is maintained and disruption is minimised. The Traffic Management Plan will be developed from the Outline Traffic Management Plan [APP-196] and secured through Requirement 11 of the draft Development Consent Order [APP-021]. Local people and businesses will be engaged with through the use of a Construction Communication Management Plan about how construction may impact them, for example through road diversions. The Construction Communication Management Plan will be an accompanying plan to the Second Iteration Environmental Management Plan, to be developed from the First Iteration Environmental Management Plan [APP-184] (as secured by Requirement 3 of the draft DCO [APP-021]). There is considered to be a slight beneficial (nonsignificant) effect on access to businesses once the Scheme is operational due to improved journey time and reliability. Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047] provides information on an Alternative Transport Modes Assessment that was carried out on the Scheme, which confirmed that the existing public transport network does not generally offer comparable alternatives to cars for most movements. Small traffic flows were distributed over a large area and therefore are not suited to be catered for by public transport. In addition, alternative transport modes would not address the congestion and capacity issues experienced on the A46. Notwithstanding the above, the alleviation of traffic in Newark-on-Trent brought about by the implementation of the Scheme (through traffic currently travelling through the Town Centre is forecast to reroute onto the A46 as a result of the Scheme) would allow bus operators to be able to deliver more efficient and reliable services on both the strategic and local road network. Additionally, the reduction in traffic within the town will also help to support the encouragement of walking and cycling within Newark-on-Trent. The Applicant disagrees, the size of the Scheme is not related to the size of Newark-on-Trent. The Scheme has been developed based on the need to increase capacity and reduce congestion as well as improving safety along this stretch of the A46.
RR-031	Irene Brown	I support it because it will help ease congestion in and around Newark and hopefully bring more business into the town.	The Applicant notes the representation and welcomes the support of the Interested Party.
RR-032	James and Beth Sumsion	A46 NEWARK BYPASS DEVELOPMENT CONSENT ORDER 202[x] RELEVANT REPRESENTATION OF JAMES AND BETH SUMSION, RE LAND AT LANGFORD HALL This relevant representation is submitted by BDB Pitmans LLP on behalf of James and Beth Sumsion (together 'our client'), freehold owners of (redacted) and its land holdings. (redacted) lies to the north-east of Winthorpe Roundabout, north of the A46 and east of the A1133. The full extent of our client's freehold interest comprises the (redacted) (situated at the current entrance off the A46) and various other residential, commercial, Airbnb and grassland lets. Access to (redacted) and associated buildings is currently provided by means of a private drive, accessed from the A46 eastbound carriageway, which runs north, past the Lodge, to the (redacted) itself. 1. SUMMARY OF IMPACT National Highways (referred to as 'NH' or 'The Applicant' below) seeks to permanently acquire part of our client's land for the purposes of the project and to temporarily occupy certain other parts of our client's land for the purposes of carrying out works to construct the project. The Applicant proposes to close the existing access point to our client's private drive from the A46 eastbound carriageway and, in its place, provide a new access and drive from the realigned A1133. With reference to the Sheet 6 of 7 of the Applicant's submitted Regulation 5(2)(i) Land Plans (APP005), the plot numbers affecting our client's land are 6/6a, 6/6a1, 6/6b, 6/6c, 6/6c1, 6/6d, 6/6d1 and 6/6e. The plots underlined are identified as to be permanently acquired (i.e. coloured pink); the remaining plots are to be used temporarily for the purposes of the works (i.e. coloured green).The relevant works are Work Nos. 109 to 113, as shown on Sheet 6 of 7	The Applicant confirms that Annex A of the Statement of Reasons [APP-025] explains why each plot of land as shown on the Land Plans [AS-004] is required to construct, operate and maintain the Scheme with reference to Schedule 1 of the draft Development Consent Order [APP-021] and the Works Plans [AS-005]. The Applicant's compelling case for the compulsory acquisition of all land sought for the Scheme is provided in the Statement of Reasons [APP-025] and the strategic case was presented in CAH1 [7.14].The Applicant confirms that Annex A of the Statement of Reasons [APP-025] explains why each plot of land as shown on the Land Plans [AS-004] is required to construct, operate and maintain the Scheme with reference to Schedule 1 of the draft Development Consent Order [APP-021] and the Works Plans [AS-005]. The Applicant's compelling case for the compulsory acquisition of all land sought for the Scheme is provided in the Statement of Reasons [APP-025]. The Applicant confirms that they will provide a new access road to Langford Hall as shown as Works No 110 on the Works Plans [AS-005] and Schedule 1 of the draft Development Consent Order [APP-021] along with associated landscaping as shown on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. The new access road will be consistent with the existing access road and will be constructed and opened for use prior to the stopping up of the existing access road. The detailed specification will be agreed with the Interested Party during the development of the detailed design. The Applicant confirms that once the existing access road is stopped up, the bellmouth will be re-profiled and landscaped. The Applicant proposes that the detail for the gate between Works No 110 and the new alignment for the A1133 (Works No 109) is designed using materials and details which create a foretaste of the pallet of materials that represent the main building of Langford Hall. The Applicant will develop the specification and detail of the gated access with the landowner during the detail design of the Scheme. The design of the access road and gate has been discussed with representatives from Historic England and is referred to within Item 13 of the Statement of Common Ground with Historic England [APP-7.22]. The Applicant will provide an equivalent electric gate, intercom and

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		of the Applicant's submitted Works Plans (APP-006): • Work No. 109: realigned A1133 • Work No. 110: new "access track" to our client's property from the realigned A1133, proposed to replace the existing driveway which provides access from the A46 • Work No. 111: temporary area for material lay-down and soil stockpiling • Work No. 112A: construction of an embankment north-west of the new Winthorpe Roundabout (Work No. 108) • Work No. 112B: construction of an embankment north of the realigned A1133 (Work No. 109) • Work No. 113: construction of attenuation basins, access track and associated drainage infrastructure, north of the new Winthorpe Roundabout (Work No. 108)The Applicant's proposals will have a detrimental impact on our client's interests. Land would be lost as a consequence of the proposed permanent acquisition. There would be disruption and inconvenience due to the temporary occupation of land for the purposes of the works. The closure of the access to the existing historic drive, and the creation of the new access and drive, would modify the historic grounds at (redacted), which the Applicant recognises as a key non-designated historic landscape asset (MM829) impacted by the Scheme (APP-132, 6.3 Environmental Statement - Appendix 6.1 Cultural Heritage Desk Based Assessment). 2. ENGAGEMENT WITH APPLICANT Since the publication of the initial options and subsequent revisions for the proposed bypass, our client has engaged with NH and their consultants, Skanska, in respect of the proposals for this project and the impacts on our client's property. Without prejudice to these representations, we confirm that discussions with NH and Skanska on a proposed agreement to address our client's concerns and requirements for mitigation are continuing. In that respect, draft Heads of Terms were prepared and submitted to NH in November 2022, the last revision of which was dated 30 November 2023. On our client's behalf, our discussions have now been referred to the Valuation Office Agency ('VOA') acting on behalf of NH and at the time of submitting these representations, we await a formal response from the VOA. It is our client's view that agreement with the Applicant is possible but until such time as agreement has been reached, our client reserves their right to make further submissions in respect of the Applicant's DCO application and throughout the DCO Examination (including attendance at a relevant hearings). To assist the Examination, we are content to enter into a Statement of Common Ground with the Applicant, to record the Applicant's response to the issues raised in our client's consultation submissions and this summary representation including but not limited to the necessary accommodation works to mitigate the impact of the scheme on the historic landscape and setting of (redacted).Notwithstanding our client's intention to seek agreement with NH, we would request that, in so far as necessary and appropriate, any undertakings to deal with the matters raised in this representation and any other undertakings in respect of our client's property are secured within the DCO to ensure there is a legal 'backstop' in respect of NH's obligations to our client. 3. EXTENT OF COMPULSORY ACQUISTION As shown on the Applicant's submitted Regulation 5(2)(o) General Arrangement Plan Sheet 6 of 7, a new access drive (Work No. 110) to our client's property has been proposed from a new access point on the realigned A1133 (Work No. 109) to mitigate the closure of the existing access to the (redacted) from the A46 eastbound carriageway. To the south of this	security arrangements as per the existing access gate. Details and specification will be agreed with the Interested Party during the detailed design. The Applicant will reinstate the land as shown on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. The development of the detailed design with both the landowner and Historic England is sufficient to ensure that an appropriate design which is sympathetic to the Hall and land can be achieved without the need for a third-party architect. A number of meetings have been held between the Applicant's valuer and the landowner's agent to discuss the key issues and to seek to progress a voluntary agreement to secure the land and rights in land required by the Scheme. The Applicant is hopeful that agreement can be reached before the end of the Examination based on these discussions. Initial Heads of Terms have been drafted and these will be progressed alongside the detailed design to reach an outline agreement before the end of the Examination. The Examining Authority will be updated on progress during the course of the examination. The land currently has no known mineral allocation, proposals or planning consents for mineral extraction. To the extent that there is any viable sand and gravel deposits, these would be dealt with in accordance with the statutory compensation code and reflected in the compensation. The Applicant will continue to discuss the future land boundaries as requested. The Applicant would advise the Interested Party that the areas in question will include a statutory undertakers' service corridor as identified as shown on the Utilities Works Plans [AS-016]. The Applicant confirms the lighting on the new Winthorpe Roundabout will be 12 metres tall, reduced in height from standard 14-metre-tall columns in order to reduce visual impact. The lighting provision will include cut off lanterns which provide directional lighting, focusing the light onto the junction itself and thereby limiting glare towards the Interested Party's property. The details of the highway lighting are secured by Requirement 18 of the draft Development Consent Order [APP-021]. The Applicant discussed the speed limit along the A1133 as part of the consultation process with Nottinghamshire County Council as they are responsible for speed limits along the route and required the national speed limit to be retained as they could not see any justification to restrict the speed limit in this area. The footpath could be extended along eastern verge of the A1133 to the new proposed access to Langford Hall. This would be 1.5m wide to distinguish it from the main 3.0m wide walking and cycling route that crosses the A1133 and heads south alongside the A46. Construction noise and vibration impacts can be seen in Section 11.11 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] for affected representative receptors shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065]. The nearest representative noise sensitive receptor to the Interested Party for which construction noise and vibration calculations have been carried out is 126728 which is closer to the works than the Interested Party. Tables 11-14, 11-15, 11-17, 11-22, 11-23, and 11-28 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] present daytime construction noise levels relevant to this representative receptor, indicating where the significant observable adverse effect level (SOAEL), which may indicate a potentially significant effect, is exceeded. To avoid significant effects, temporary acoustic barriers that are constructed for mitigation of noise where it is possible to obstruct the line of sight and limiting active construction within 300 metres of representative receptor 126728 to fewer than 10 days in any 15 consecutive days and a total number of days fewer than 40 in any 6 consecutive months, has been included in the mitigation strategy to mitigate the effects at this location. Table 11-24 in Chapter 11 (Noise and Vibration) of the Environmental Statement [PP-055] presents night-time construction noise levels relevant to this representative receptor, indicating there are no instances where the significant observable adverse effect level (SOAEL) is exceeded and thus no significant effect is anticipated. Table 11.31 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] presents daytime construction vibration levels relevant to this representative receptor, indicating the significant observable adverse effect level (SOAEL) is matched during the road works and earthworks construction activities at receptor 126728 (to avoid significant effects at this receptor, active construction works within 100 metres would be reduced to

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		new access drive, the Applicant seeks to permanently acquire part of our client's land for the purposes of the project and to temporarily occupy certain other parts of our client's land for the purposes of carrying out works to construct the project. Our client objects to the extent of compulsory acquisition of land for the purposes It is well-established law and policy that the compulsory acquisition of land should not be made or confirmed unless there is a compelling case in the public interest to do so. There must be clear evidence that the public benefit of a compulsory acquisition will outweigh the private loss. The onus of proof is on the acquiring authority – in this case the Applicant – to demonstrate that a compelling public interest case exists. That is the case irrespective of which power of compulsory acquisition is used, and extends to all land which is the subject of the Order, whether the land itself, or rights over the land, are to be acquired compulsorily. That compelling case cannot be made out if the acquiring authority cannot demonstrate that compulsory acquisition is necessary, such as if the land/rights which are sought to be acquired can be secured voluntarily, or exceed those required for the scheme. In this case, while our client does not oppose the Scheme in principle, it does object to the extent of compulsory acquisition of land proposed on the basis that there is no compelling public interest case to justify the acquisition of all land included within the DCO as applied for. Specifically, our client objects to the proposed compulsory acquisition of Plot 6/6a, Plot 6/6d1 and certain parts of Plot 6/6b to enable to the Applicant to (a) construct the new access track across our client's property (Work No. 110); and (b) construct two landscape bunds (Work Nos. 112A and 112B) on our client's property. The compulsory acquisition of this land is not justified, first, because in respect of the new access (Work No. 110), it is being provided for our client's benefit in mitigation for the closure of the existing access, and is intended to be a private access for our client across its own land. Given that, the permanent acquisition of this land by the Applicant is not appropriate or justified. Second, our client is willing (in principle and without prejudice to the particular terms), by means of an agreement, to— • provide the Applicant with the land and rights required temporarily for the purposes of conducting these works (in so far as they lie within our client's ownership); • undertake, following construction, the landscaping establishment and maintenance of the landscape bunds, and the ongoing maintenance etc of the new access drive; and • grant to the Applicant (or third parties) such permanent rights as may be reasonably required across its land in connection with the constructed works, e.g. access to the attenuation basin (Work No. 113) for maintenance or inspection purposes, rights for utility apparatus. In any event, our client submits that so much of Plots 6/6a, 6/6b and Plot 6/6d1 as are required for the purposes of Work Nos. 110, 112A and 112B should be reclassified from permanent acquisition (i.e. shown coloured pink) to temporary land (i.e. shown coloured green). For the reasons set out above, the permanent acquisition of this land is not justified. 4. IMPLEMENTATION OF NEW ACCESS DRIVE TO LANGFORD HALL Our client is in agreement to the general location of the new access drive (Work No. 110) but in principle points remain to be agreed in relation to the layout and design of the new access and implementation of those works, including but not limited to agreement on: (i) a standard and design which is consistent with historic and architectural significance of the Grade II* listing of (redacted), the Grade II listing of associated buildings and the historic landscape of the estate, including landscaping, gating, estate fencing to all new boundaries,	fewer than 10 days in any 15 consecutive days and a total number of days fewer than 40 in any 6 consecutive months). It is noted receptor 126728 is located adjacent to relevant construction works whereas the Interested Party is located 300m away. A significant adverse effect is accordingly not anticipated. Noise and vibration control measures are included in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [PP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. Operational noise impacts of the Scheme are adverse in some areas and beneficial in others, however none of these is significant. Noise mitigation embedded in the Scheme design includes a combination of bunds, barriers and low noise surfacing. This mitigation is detailed in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] and shown on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [APP-026]. The proposed mitigation results in the estimated noise level change at the Interested Party being assessed as Negligible in both the short-term and long-term as shown in Sheet 6 of Figure 11.9 (Short-term Noise Change) [AS-063] and Figure 11.10 (Long-term Noise Change) of the Environmental Statement Figures [S-064] that show the impact in the short-term and long-term respectively. Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation measures presented within Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [AS-026].

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		and avenue tree planting which is consistent with the existing access drive and estate fencing; (ii) utilities and service media connections along the new drive to provide for an equivalent electric gate, intercom and security arrangements as existing; (iii) full land remediation to include topsoil and re-seeding following construction of the new drive (Work No. 110) and all other proposed temporary use of our client's land (including Work No. 111 and, we submit, Work Nos. 112A and 112B); (iv) as set out above, retention of the land proposed for the landscape bunds (Work Nos. 112A and 112B) within our client's freehold ownership (these are currently shown as permanent acquisition (pink)) and the basis of landscaping establishment and future maintenance obligations; (v) a drainage scheme design – both during and post construction - given the modifications proposed to, and adjacent to, our client's land; and(vi) remodelling of the Lodge area prior to closure of the Lodge's current entrance, to allow for continuous resident access and service vehicles notwithstanding the changes proposed. Our client also seeks agreement with the Applicant on the future ownership of land between our client's current freehold boundary and the realigned A1133. Our client considers that, as a minimum, it should own all land comprised in the new access drive (Work No. 110), including any of that land which lies within Plots 6/3c, 6/4c and 6/2a. 5. LANDSCAPE AND HISTORIC ADVICE In April 2023, our clients submitted to NH proposals to instruct their own landscape/architectural/heritage consultants to prepare and agree those relevant parts of the Schedule of Works with NH; the cost of which we consider should be met by NH. To date NH have failed to undertake to meet these costs and despite many requests, this unwillingness to meet the costs was only shared on 10th May 2024, some 13 months after the original request. It is our client's view that with NH undertaking to meet these costs, our client and NH together with the local authority/Historic England could seek an agreement on an appropriate Schedule of Works, appropriately taking into account the impact of the works and the proposed new access on the listed buildings and historic grounds, which would potentially avoid the need to raise issues in the Examination and the additional cost of doing so. Our client maintains that this remains possible but this requires an undertaking from NH to meet these costs. 6. OTHER GENERAL ISSUES Below is an outline of other issues, on which our client may wish to make further representations to the Inspectorate during examination: (i) Provisions for dealing with any viable sand and gravel deposits arising from the project works on their land. (ii) Appropriate light and noise attenuation and mitigation measures in respect of (redacted). (iii) Continuity of access to (redacted) and its properties during the construction phase of the Scheme, including the implementation of the proposed new access drive from the A1133 in advance of the main A1133 and A46 works being carried out in order to minimise the impact of those main works on our client. (iv) The proposed A1133 speed limit zones of 50mph and National Speed limit (Permanent Speed Limit Plans Regulation 5(2)(o) Sheet 6 of 7) should be revised so that a 40mph zone is introduced from the Winthorpe roundabout to the entrance to the current 40mph limit at the	

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		entrance to Langford village. This would ensure safe and convenient access to and egress from the new private means of access proposed. (v) Footway F-6C to F6-E (as shown on APP-007 Streets, Rights of Way and Access Plans – Sheet 6) should be extended to meet with the proposed new access drive entrance point to enable access/egress on foot	
RR-033	James Miller (Kelham) Ltd	Comments submitted by Lucie Muddiman (Savills (UK) Ltd) on behalf of James Miller (Kelham) Ltd owned by John Miller to: "Register to have your say about a national infrastructure project due by 14 July 2024" Land Parcels 1/1r, 1/5l, 1/5m, 1/5n, 1/5o, 1/5p, 1/19a, 1/19b, 2/1a, 2/2a and 2/5b 1.0 Preamble 1.1 Skanska and Mott Mac first approached my client John Miller in late 2022 to discuss inclusion of my client's land within the A46 flood compensation Red Line Boundary Area. Since then there have been regular meetings (often weekly meetings for the first part of 2023), in partnership with Adrian Hatton at Kelham who is also subject to land affected by the Flood Compensation Area (FCA), to agree a solution with National Highways for flood compensation as well as discussions for the ongoing management of this area. Having reviewed the documents submitted for the DCO Examination our main points of concern are listed below and covered individually in more detail further in this text: 1.1.1 Choice of Flood Compensation Area – my client will lose almost 10% of his farm 1.1.2 Biodiversity Net Gain 'BNG' – Use of terminology and impact of lost BNG on my client 1.1.3 Flood Compensation Area and removal of minerals 1.1.4 Legally document a right of access to severed land 1.1.5 Pre and Post construction drainage plans to be provided 2.0 Choice of Flood Compensation Area (FCA) (2/1a, 2/5b, 1/19a and 19/b) 2.1 Within Document APP 047 – 6.1 Environmental Statement Chapter 3 Assessment of Alternatives, there is reference to other sites having been considered. 3.3.96 of this document states that in choosing the site, one of the considerations was existing land usage. This land is productive Grade 3 agricultural land amounting to 110.69 acres in total, loosing this farmland along with Parcel 3/15a (5.32 acres) - which my client occupies under an Agricultural Holdings Act 1986 tenancy – constitutes a significant proportion of his 1600 acres (666ha) holding, the loss of this acreage will significantly impact the profitability of his commercial operation. 3.0 Future ownership and ongoing Management 2/1a, 2/5b, 1/19a and 1/19b - Environmental Mitigation and Biodiversity Net Gain (BNG). 3.1 Land Plans Regulation 5(2)(i) Sheet 2 of 7 shows Parcels 2/1a, 2/5b, 19/1a and 1/19b in Pink - land to be permanently acquired. The Statement of Reasons references ongoing discussions with the interest (my client) to agree a permanent / temporary ownership / hand back with rights / covenants to maintain environmental mitigation associated with Flood Compensation measures. 3.2 App 052 - A46 Newark Bypass_6.1 Chapter 8 Biodiversity (8.3.8) states that it is unlikely that BNG requirements as set out in The Environment Act 2021 will be in force prior to determination of this Act, however our discussions with the Project Team have always been that this scheme would be a test pilot, also there is continued reference throughout the DCO documents to BNG. 3.3 APP – 177 6.3 Environmental Statement - Appendix 13.2 Flood Risk Assessment states in s 3.3.18 (Farndon West FCA) and 3.3.19 (Farndon East FCA) that the maintenance of	FCAs are required to be at ground levels that correspond to the elevations of the Scheme embankments where flooding is predicted. Floodplain compensation is required at levels between 8.6mAOD and 13.0mAOD. Section 3.3 of Appendix 13.2 (Flood Risk Assessment) of the Environmental Statement Appendices [APP-177] describes how 29 potential sites were screened for floodplain compensation. From the screening process, two broad areas were identified to be taken forward in the design: the Kelham & Averham area for higher elevation compensation between 10.6-13.0mAOD, and the Farndon area for compensation at lower elevations. The Kelham & Averham FCA site is to compensate for the more extreme flood events and in these events the land needs to be at an elevated location to replace the volumes lost at higher levels due to the upper levels of the widened A46 embankments. Therefore, the land for compensation needs to be located at the edge of the existing floodplain, and the Kelham & Averham FCA site was selected in preference to other sites screened. The implementation of an FCA will increase predicted flooding to land parcels 1/19a and 1/19b. As indicated in the Book of Reference Version 2 [AS-096] and on pages one and two of the Land Plans, plots 1/19a and 1/19b are classified as subject to permanent compulsory acquisition. However, discussions are currently on going between the Interested Party and the Applicant regarding this land and whether it can be retained for farming once the Scheme has been completed. The Applicant will provide the landowner with the as-built drainage, and other accommodation works, plans associated with their retained land parcel upon completion of the works. Whilst the delivery of Biodiversity Net Gain is not a mandatory requirement for Nationally Significant Infrastructure Projects, such as this Scheme, at this date, the Applicant is committing to delivering a net gain in biodiversity as part of the Scheme. The Scheme environmental design has sought to create a range of habitats similar to those already present on site and affected by the Scheme so that habitats created provide essential mitigation (those to offset the impacts of the Scheme) as well as contributing to biodiversity net gain. This includes habitats of higher biodiversity where possible, for example a species rich grassland is proposed where much of the existing grassland is species poor. The highway drainage has also been designed to provide swales and ponds of value to nature. The FCA at Farndon have also been designed to provide essential mitigation in the form of habitat creation, enabling multiple ecological benefits. The design principles for these areas are to create habitats that complement local biodiversity whilst also being appropriate to floodplain conditions and allow high confidence in successful establishment. The environmental design for these areas can be seen on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. The Scheme Order Limits identify the minimum land required to deliver essential mitigation and therefore land acquisition cannot be, and has not been, used to achieve BNG. Whilst it is not mandatory for the Scheme to deliver BNG, opportunities have been sought where possible to achieve a net gain in biodiversity within the Scheme Order Limits. For example, net gain will be achieved through the creation and enhancement of habitats to a better condition than pre-construction, over and above that required for the delivery of essential mitigation measures (e.g. habitat loss in designated sites or protected species habitat licence provision) in order to count towards a net gain. This holistic approach to design has resulted in a net gain in habitat units as detailed in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159]. The Applicant has been in discussion with the Interested Party's agent. The Applicant is progressing discussions to acquire the land required to construct, operate and maintain the Scheme by agreement as requested by the Interested Party

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		these FCA's and all of its features will be ensured by the Applicant for the operational life of the Scheme. 3.4 3.1, 3.2 and 3.3 above show a lack of consistency for what is proposed in terms of ongoing ownership / management of the land and despite early engagement by my client with discussions between him (and his Biodiversity Net Gain (BNG) advisor), National Highways and their contractors Scanska and Mott Mac, the form of this agreement is still unknown. 3.5 My client has shown a willingness to retain ownership and manage this land through a commercial BNG agreement, however with a lack of clarity over what is involved discussions ceased some time ago leaving my client in an uncertain position. 3.6 If the Scheme continues to make reference to BNG and that it is striding towards hitting future requirements for BNG and outwardly promoting itself by using the term 'BNG' in its examination documents, then a payment that reflects what would be paid for a BNG scheme needs to be included in any compensation payment to my client for land that is used for BNG. 3.7 If the land is to be permanently acquired by the acquiring authority for BNG / Environmental Mitigation the Market Value my client receives for this land should reflect the BNG income forgone. My Client has included land adjoining Parcel 1/19a in Newark and Sherwood District Council (NSDC) BNG: Call for Sites. 4.0 Excavated Minerals for the Purpose of Creating a FCA (Parcels: 1/19a, 1/19b, 2/1a and 2/5b) 4.1 My client worked with National Highways, Skanska and Mott Mac to resolve National Highway's FCA requirement and identified a section of their own land in the western section of 1/19a which would be suitable; the whole of 1/19a (Farndon West FCA) and 1/19b (Farndon East FCA) is to be acquired for FCA. We had been advised (in our weekly meetings) by XXXXX of Skanska that the minerals here are not suitable for construction purposes. 4.2 App – 052 6.1 Environmental Statement - Chapter 8 Biodiversity (8.10.44) To contribute towards compensation for the loss of non-priority habitats, a wetland area will be created 10 metres from the River Trent, which will comprise residual ponds formed in post-borrow pit excavations at Farndon West FCA. A total of approximately 97,450 square metres of reedbeds will be created as part of this wetland area. This will also contribute to achieving the Scheme's BNG objective. 4.3 In APP – 57 A46 Newark Bypass_6.1 Chapter 13 Road Drainage and Water Environment where it discusses the Flood Compensation Areas it states at 13.11.33 Farndon West FCA would be less than 1.4 metres deep. However, ground lowering for wetlands and ponds within Farndon West FCA may be up to 3 metres below ground level. 4.4 In App – 046 A46 Newark Bypass_6.1 Chapter 2 The Scheme Embedded mitigation measures for resource efficiency it states 2.5.136 Floodplain compensation is required to mitigate the loss of existing floodplain along the western side of the Scheme. This requires existing land to be lowered through the excavation of material which would ordinarily be sent to landfill. This has been mitigated by identifying some areas of land that can be used as a borrow pit to provide the structural fill to the widened embankments thus reducing the need to send material to landfill and import material from other locations. 4.5 The minerals are owned by my client, sand and gravel extracted from my client's land to form ponds or FCA should be paid for through a commercial agreement. This principal has already been established thorough Heads of Terms under negotiation for land at Kelham	The Applicant has been in discussion with the landowner's agent and put forward a proposal on 25 September 2024 in respect of acquisition by agreement based on the DCO land requirements. This was assessed in accordance with the statutory compensation code. The value of the land has been assessed applying the no-scheme principle and therefore any increases or decreases in value caused by the Scheme or the prospect of the scheme have been disregarded. Where affected by the Scheme, access will be provided to retained land and any impact on the value of the retained holding will be reflected. The Applicant will continue to engage and work with the landowner to reach agreement. The Applicant confirms that Chapter 10 (Material Assets and Waste) of the Environmental Statement [APP-054] covers the mineral safeguarding areas (MSA) as defined in the Nottinghamshire Local Mineral Plan, adopted in 2021. It is acknowledged that parcels 1/19a, 1/19b, 2/1a and 2/5b are located within a MSA for sand and gravel. Note for Logistics Team: the matter queried in this reference is not a technical query for materials assets and waste and should be responded to by National Highways please. Access to the retained land in NT342330 located to the north of plot 1/19a as shown on sheet 2 of the Land Plans [AS-004], is provided by the maintenance access track from the south bound A46. This is identified as Work No 16 on sheet 2 of the Works Plans [AS-005]. The maintenance access track ties into the existing field access track at location P-2B as shown on sheet 2 of the Streets, Rights of Way and Access Plans [AS-006]. The access to the maintenance access track from the A46 southbound carriageway (point P-2A on sheet 2 of the Streets, Rights of way and Access Plans) will be secured with a suitable gate accessible by the Applicant and the Landowner in the operation of the Scheme. The Applicant will agree access arrangements with the Landowner during the construction phase and these will be detailed in the Traffic Management Plan. The Water vole Species Action Plan (SAP), which is as part of the Nottinghamshire Local Biodiversity Action Plan, provides that, if it is deemed to be appropriate, mink control should be encouraged where this mitigation will increase water vole abundance or range. Though surveys recorded field signs of water vole and American mink along Old Trent Dyke, these field signs were both located outside of the Order Limits. The temporary or permanent loss of vegetation along watercourses as part of the Scheme does not require displacement of water vole under licence, as water vole were considered to be likely absent within the Order Limits at the time of surveys, as detailed in Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. Therefore, the Applicant confirms it is not appropriate to undertake mink control at this time. Water vole are however a mobile species, and there are seasonal fluctuations in population size and distribution could alter due to numerous factors. Therefore, pre-construction surveys of areas to be cleared of vegetation along Old Trent Dyke will be undertaken by an ecologist who holds a water vole displacement licence (or is accredited under one), within 24 hours of works commencing. These mitigation measures are included in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. Compensation will be paid in line with the statutory compensation code, this will reflect any commercial impact on the retained holding subject to an evidenced claim setting out the nature of the issues and a quantification of any loss. The Applicant is content to enter into an agreement with the interested party, either to acquire the land by agreement in line with the requirements identified in the DCO land plans in respect of which an offer was made on 25 September 2024 or to explore alternative options if the landowner wishes to retain ownership of the essential mitigation land subject to a management agreement. The Applicant notes that any agreement should fully reflect the losses incurred by the interested party in line with the statutory compensation code. This would include the loss of any mineral value, and this was reflected in the offer made on 25 September 2024. It is understood that the interested party is going to undertake their own assessment in respect of any mineral value and the Applicant welcomes further discussion to agree this element as part of an overarching agreement.

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		FCA. 5.0 Ongoing access to retained land NT342330 (Parcels: 1/19a, 1/19b, 2/1a, 2/5b, 1/5l, 1/5m, 1/5n, 1/5o and 1/5p) 5.1 Access to remainder of land at NT342330 north of Farndon West FCA needs legally documenting through 1/19a and 19/b if Parcel 1/19a and 1/19b are permanently acquired. The access needs to be adequate for existing and future advances in farm machinery and connect the retained land with the public highway; STREETS, RIGHTS OF WAY AND ACCESS PLANS REGULATION 5(2)(k) SHEET 2 shows the improved access falling short of the retained land. 5.2 The access onto the A46 from the access shown brown in GENERAL ARRANGEMENT PLANS REGULATION 5(2)(o) SHEET 2 OF 7 and green in STREETS, RIGHTS OF WAY AND ACCESS PLANS REGULATION 5(2)(k) SHEET 2 from and to my client's retained land at NT342330 and NT389694 (including Parcels 1/5l, 1/5m, 1/5n, 1/5p and 1/5o) requires designing so it is safe for farm vehicles to access the A46 dual carriage way with a safe visibility splay. It also needs to be secure to prevent trespass, fly-tipping and anti-social behaviour with suitable and suitably placed gates; both of which need to be designed in conjunction with John Miller. 6.0 Severed land parcels: 1/5l, 1/5m, 1/5n, 1/5o and 1/5p forming part of Title NT389694 and the remainder of NT389694 Profit a Prendre 6.1 Parcels 1/5l, 1/5p form the River Trent, Parcels 1/5m, 1/5n and 1/5o forms the road which overflies the section of River Trent my client owns. If 1/19a and 1/19b are permanently acquired parcels 1/5l, 1/5m, 1/5n, 1/5p and 1/5o will be severed from my client's land, the proposed access in green in STREETS, RIGHTS OF WAY AND ACCESS PLANS REGULATION 5(2)(k) SHEET 2 does not reach these parcels. If parcels 1/19a and 1/19b are permanently acquired, Parcels 1/5l, 1/5m, 1/5n, 1/5p and 1/5o and the remainder of this Title NT389694 will be detached from the retained land and we require a right of access to them for all purposes legally documenting. The access also needs to be secure to prevent trespass, fly-tipping and anti-social behaviour with suitable and suitably placed gates; both of which need to be designed in conjunction with John Miller. 7.0 Pre and post construction land drainage plans 7.1 As part of the second iteration of design we require full disclosure and approval of the Land Drainage plans and assurance that my client's retained land (land to the north of NT342330) will not be impacted in the long term by increased flooding of 1/19a and 1/19b. 8.0 Control of Mink (Parcels: Parcels: 1/19a, 1/19b, 2/1a, 2/5b, 1/5l, 1/5m, 1/5n, 1/5o and 1/5p) 8.1 Whilst referenced in App-157 A46 Newark Bypass_6.3 Appendix 8.12 Water Vole Technical Report, we want to further reiterate the need for mink control in areas where habitat creation will enhance water vole population. 9.0 Recommendations 9.1 Compensation paid to my client to reflect commercial impact of losing almost 10% of his holding. 9.2 Commercial terms to be agreed for use of my clients land for BNG 9.3 Commercial terms to be agreed for minerals extracted from FCA and creation of ponds 9.4 A right of access to be agreed in partnership with my client to their severed land.	

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		9.5 Pre and post construction drainage plans to be provided to my client and reviewed by their drainage consultant prior to implementation of any scheme.	
RR-034	John James Miller	Comments submitted by Lucie Muddiman (Savills (UK) Ltd) on behalf of John James Miller ' John Miller' to: "Register to have your say about a national infrastructure project due by 14 July 2024" Land Parcels 1/1r, 1/5l, 1/5m, 1/5n, 1/5o, 1/5p, 1/19a, 1/19b, 2/1a, 2/2a and 2/5b 1.0 Preamble 1.1 Skanska and Mott Mac first approached my client John Miller in late 2022 to discuss inclusion of my client's land within the A46 flood compensation Red Line Boundary Area. Since then there have been regular meetings (often weekly meetings for the first part of 2023), in partnership with Adrian Hatton at Kelham who is also subject to land affected by the Flood Compensation Area (FCA), to agree a solution with National Highways for flood compensation as well as discussions for the ongoing management of this area. Having reviewed the documents submitted for the DCO Examination our main points of concern are listed below and covered individually in more detail further in this text: 1.1.1 Choice of Flood Compensation Area – my client will lose almost 10% of his farm 1.1.2 Biodiversity Net Gain 'BNG' – Use of terminology and impact of lost BNG on my client 1.1.3 Flood Compensation Area and removal of minerals 1.1.4 Legally document a right of access to severed land 1.1.5 Pre and Post construction drainage plans to be provided 2.0 Choice of Flood Compensation Area (FCA) (2/1a, 2/5b, 1/19a and 19/b) 2.1 Within Document APP 047 – 6.1 Environmental Statement Chapter 3 Assessment of Alternatives, there is reference to other sites having been considered. 3.3.96 of this document states that in choosing the site, one of the considerations was existing land usage. This land is productive Grade 3 agricultural land amounting to 110.69 acres in total, loosing this farmland along with Parcel 3/15a (5.32 acres) - which my client occupies under an Agricultural Holdings Act 1986 tenancy – constitutes a significant proportion of his 1600 acres (666ha) holding, the loss of this acreage will significantly impact the profitability of his commercial operation. 3.0 Future ownership and ongoing Management 2/1a, 2/5b, 1/19a and 1/19b - Environmental Mitigation and Biodiversity Net Gain (BNG). 3.1 Land Plans Regulation 5(2)(i) Sheet 2 of 7 shows Parcels 2/1a, 2/5b, 19/1a and 1/19b in Pink - land to be permanently acquired. The Statement of Reasons references ongoing discussions with the interest (my client) to agree a permanent / temporary ownership / hand back with rights / covenants to maintain environmental mitigation associated with Flood Compensation measures. 3.2 App 052 - A46 Newark Bypass_6.1 Chapter 8 Biodiversity (8.3.8) states that it is unlikely that BNG requirements as set out in The Environment Act 2021 will be in force prior to determination of this Act, however our discussions with the Project Team have always been that this scheme would be a test pilot, also there is continued reference throughout the DCO documents to BNG. 3.3 APP – 177 6.3 Environmental Statement - Appendix 13.2 Flood Risk Assessment states in 3.3.18 (Farndon West FCA) and 3.3.19 (Farndon East FCA) that the maintenance of these FCA's and all of its features will be ensured by the Applicant for the operational life of the Scheme. 3.4 3.1, 3.2 and 3.3 above show a lack of consistency for what is proposed in terms of ongoing ownership / management of the land and despite early engagement by my client	FCAs are required to be at ground levels that correspond to the elevations of the Scheme embankments where flooding is predicted. Floodplain compensation is required at levels between 8.6mAOD and 13.0mAOD. Section 3.3 of Appendix 13.2 (Flood Risk Assessment) of the Environmental Statement Appendices [APP-177] describes how 29 potential sites were screened for floodplain compensation. From the screening process, two broad areas were identified to be taken forward in the design: the Kelham & Averham area for higher elevation compensation between 10.6-13.0mAOD, and the Farndon area for compensation at lower elevations. The Kelham & Averham FCA site is to compensate for the more extreme flood events and in these events the land needs to be at an elevated location to replace the volumes lost at higher levels due to the upper levels of the widened A46 embankments. Therefore, the land for compensation needs to be located at the edge of the existing floodplain, and the Kelham & Averham FCA site was selected in preference to other sites screened. The implementation of an FCA will increase predicted flooding to land parcels 1/19a and 1/19b. As indicated in the Book of Reference Version 2 [AS-096] and on pages one and two of the Land Plans, plots 1/19a and 1/19b are classified as subject to permanent compulsory acquisition. However, discussions are currently on going between the Interested Party and the Applicant regarding this land and whether it can be retained for farming once the Scheme has been completed. The Applicant will provide the landowner with the as-built drainage, and other accommodation works, plans associated with their retained land parcel upon completion of the works. Whilst the delivery of Biodiversity Net Gain is not a mandatory requirement for Nationally Significant Infrastructure Projects, such as this Scheme, at this date, the Applicant is committing to delivering a net gain in biodiversity as part of the Scheme. The Scheme environmental design has sought to create a range of habitats similar to those already present on site and affected by the Scheme so that habitats created provide essential mitigation (those to offset the impacts of the Scheme) as well as contributing to biodiversity net gain. This includes habitats of higher biodiversity where possible, for example a species rich grassland is proposed where much of the existing grassland is species poor. The highway drainage has also been designed to provide swales and ponds of value to nature. The FCA at Farndon have also been designed to provide essential mitigation in the form of habitat creation, enabling multiple ecological benefits. The design principles for these areas are to create habitats that complement local biodiversity whilst also being appropriate to floodplain conditions and allow high confidence in successful establishment. The environmental design for these areas can be seen on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. The Scheme Order Limits identify the minimum land required to deliver essential mitigation and therefore land acquisition cannot be, and has not been, used to achieve BNG. Whilst it is not mandatory for the Scheme to deliver BNG, opportunities have been sought where possible to achieve a net gain in biodiversity within the Scheme Order Limits. For example, net gain will be achieved through the creation and enhancement of habitats to a better condition than pre-construction, over and above that required for the delivery of essential mitigation measures (e.g. habitat loss in designated sites or protected species habitat licence provision) in order to count towards a net gain. This holistic approach to design has resulted in a net gain in habitat units as detailed in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159]. The Applicant has been in discussion with the Interested Party's agent. The Applicant is progressing discussions to acquire the land required to construct, operate and maintain the Scheme by agreement as requested by the Interested Party The Applicant has been in discussion with the landowner's agent and put forward a proposal on 25 September 2024 in respect of acquisition by agreement based on the DCO land requirements. This was assessed in accordance with the statutory compensation code. The value of the land has been assessed applying the no-scheme principle and therefore any increases or decreases in value caused by the Scheme or the prospect of the scheme have been disregarded. Where

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		with discussions between him (and his Biodiversity Net Gain (BNG) advisor), National Highways and their contractors Scanska and Mott Mac, the form of this agreement is still unknown. 3.5 My client has shown a willingness to retain ownership and manage this land through a commercial BNG agreement, however with a lack of clarity over what is involved discussions ceased some time ago leaving my client in an uncertain position. 3.6 If the Scheme continues to make reference to BNG and that it is striding towards hitting future requirements for BNG and outwardly promoting itself by using the term 'BNG' in its examination documents, then a payment that reflects what would be paid for a BNG scheme needs to be included in any compensation payment to my client for land that is used for BNG. 3.7 If the land is to be permanently acquired by the acquiring authority for BNG / Environmental Mitigation the Market Value my client receives for this land should reflect the BNG income forgone. My Client has included land adjoining Parcel 1/19a in Newark and Sherwood District Council (NSDC) BNG: Call for Sites. 4.0 Excavated Minerals for the Purpose of Creating a FCA (Parcels: 1/19a, 1/19b, 2/1a and 2/5b) 4.1 My client worked with National Highways, Skanska and Mott Mac to resolve National Highway's FCA requirement and identified a section of their own land in the western section of 1/19a which would be suitable; the whole of 1/19a (Farndon West FCA) and 1/19b (Farndon East FCA) is to be acquired for FCA. We had been advised (in our weekly meetings) by XXXXX of Skanska that the minerals here are not suitable for construction purposes. 4.2 App – 052 6.1 Environmental Statement - Chapter 8 Biodiversity (8.10.44) To contribute towards compensation for the loss of non-priority habitats, a wetland area will be created 10 metres from the River Trent, which will comprise residual ponds formed in post-borrow pit excavations at Farndon West FCA. A total of approximately 97,450 square metres of reedbeds will be created as part of this wetland area. This will also contribute to achieving the Scheme's BNG objective. 4.3 In APP – 57 A46 Newark Bypass_6.1 Chapter 13 Road Drainage and Water Environment where it discusses the Flood Compensation Areas it states at 13.11.33 Farndon West FCA would be less than 1.4 metres deep. However, ground lowering for wetlands and ponds within Farndon West FCA may be up to 3 metres below ground level. 4.4 In App – 046 A46 Newark Bypass_6.1 Chapter 2 The Scheme Embedded mitigation measures for resource efficiency it states 2.5.136 Floodplain compensation is required to mitigate the loss of existing floodplain along the western side of the Scheme. This requires existing land to be lowered through the excavation of material which would ordinarily be sent to landfill. This has been mitigated by identifying some areas of land that can be used as a borrow pit to provide the structural fill to the widened embankments thus reducing the need to send material to landfill and import material from other locations. 4.5 The minerals are owned by my client, sand and gravel extracted from my client's land to form ponds or FCA should be paid for through a commercial agreement. This principal has already been established thorough Heads of Terms under negotiation for land at Kelham FCA. 5.0 Ongoing access to retained land NT342330 (Parcels: 1/19a, 1/19b, 2/1a, 2/5b, 1/5l, 1/5m, 1/5n, 1/5o and 1/5p)	affected by the Scheme, access will be provided to retained land and any impact on the value of the retained holding will be reflected. The Applicant will continue to engage and work with the landowner to reach agreement. The Applicant confirms that Chapter 10 (Material Assets and Waste) of the Environmental Statement [APP-054] covers the mineral safeguarding areas (MSA) as defined in the Nottinghamshire Local Mineral Plan, adopted in 2021. It is acknowledged that parcels 1/19a, 1/19b, 2/1a and 2/5b are located within a MSA for sand and gravel. Note for Logistics Team: the matter queried in this reference is not a technical query for materials assets and waste and should be responded to by National Highways please. Access to the retained land in NT342330 located to the north of plot 1/19a as shown on sheet 2 of the Land Plans [AS-004], is provided by the maintenance access track from the southbound A46. This is identified as Work No. 16 on sheet 2 of the Works Plans [AS-005]. The maintenance access track ties into the existing field access track at location P-2B as shown on sheet 2 of the Streets, Rights of Way and Access Plans [AS-006]. The access to the maintenance access track from the A46 southbound carriageway (point P-2A on sheet 2 of the Streets, Rights of way and Access Plans) will be secured with a suitable gate accessible by the Applicant and the Landowner in the operation of the Scheme. The bellmouth for Work No. 16 will be designed to the required highways standards and requirements and will consider the new dual carriageway, speed limit, vegetation and visibility splay for the turning into and out of the works access track. Access during the construction phase will be via Works No.16 from the A46 southbound carriageway. The Applicant will agree an access procedure with the Interested Party such that they can be escorted through the construction area via, the internal construction roads and maintenance access tracks, onto their land. The details of the access protocol, including contact details, will be included within the traffic management plan. The Water vole Species Action Plan (SAP), which is as part of the Nottinghamshire Local Biodiversity Action Plan, provides that, if it is deemed to be appropriate, mink control should be encouraged where this mitigation will increase water vole abundance or range. Though surveys recorded field signs of water vole and American mink along Old Trent Dyke, these field signs were both located outside of the Order Limits. The temporary or permanent loss of vegetation along watercourses as part of the Scheme does not require displacement of water vole under licence, as water vole were considered to be likely absent within the Order Limits at the time of surveys, as detailed in Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. Therefore, the Applicant confirms it is not appropriate to undertake mink control at this time. Water vole are however a mobile species, and there are seasonal fluctuations in population size and distribution could alter due to numerous factors. Therefore, pre-construction surveys of areas to be cleared of vegetation along Old Trent Dyke will be undertaken by an ecologist who holds a water vole displacement licence (or is accredited under one), within 24 hours of works commencing. These mitigation measures are included in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. Compensation will be paid in line with the statutory compensation code, this will reflect any commercial impact on the retained holding subject to an evidenced claim setting out the nature of the issues and a quantification of any loss. The Applicant is content to enter into an agreement with the interested party, either to acquire the land by agreement in line with the requirements identified in the DCO land plans in respect of which an offer was made on 25 September 2024 or to explore alternative options if the landowner wishes to retain ownership of the essential mitigation land subject to a management agreement. The Applicant notes that any agreement should fully reflect the losses incurred by the interested party in line with the statutory compensation code. This would include the loss of any mineral value, and this was reflected in the offer made on 25 September 2024. It is understood that the interested party is going to undertake their own assessment in respect of any mineral value and the Applicant welcomes further discussion to agree this element as part of an overarching agreement.

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		5.1 Access to remainder of land at NT342330 north of Farndon West FCA needs legally documenting through 1/19a and 19/b if Parcel 1/19a and 1/19b are permanently acquired. The access needs to be adequate for existing and future advances in farm machinery and connect the retained land with the public highway; STREETS, RIGHTS OF WAY AND ACCESS PLANS REGULATION 5(2)(k) SHEET 2 shows the improved access falling short of the retained land. 5.2 The access onto the A46 from the access shown brown in GENERAL ARRANGEMENT PLANS REGULATION 5(2)(o) SHEET 2 OF 7 and green in STREETS, RIGHTS OF WAY AND ACCESS PLANS REGULATION 5(2)(k) SHEET 2 from and to my client's retained land at NT342330 and NT389694 (including Parcels 1/5l, 1/5m, 1/5n, 1/5p and 1/5o) requires designing so it is safe for farm vehicles to access the A46 dual carriage way with a safe visibility splay. It also needs to be secure to prevent trespass, fly-tipping and anti-social behaviour with suitable and suitably placed gates; both of which need to be designed in conjunction with John Miller. 6.0 Severed land parcels: 1/5l, 1/5m, 1/5n, 1/5o and 1/5p forming part of Title NT389694 and the remainder of NT389694 Profit a Prendre 6.1 Parcels 1/5l, 1/5p form the River Trent, Parcels 1/5m, 1/5n and 1/5o forms the road which overflies the section of River Trent my client owns. If 1/19a and 1/19b are permanently acquired parcels 1/5l, 1/5m, 1/5n, 1/5p and 1/5o will be severed from my client's land, the proposed access in green in STREETS, RIGHTS OF WAY AND ACCESS PLANS REGULATION 5(2)(k) SHEET 2 does not reach these parcels. If parcels 1/19a and 1/19b are permanently acquired, Parcels 1/5l, 1/5m, 1/5n, 1/5p and 1/5o and the remainder of this Title NT389694 will be detached from the retained land and we require a right of access to them for all purposes legally documenting. The access also needs to be secure to prevent trespass, fly-tipping and anti-social behaviour with suitable and suitably placed gates; both of which need to be designed in conjunction with John Miller. 7.0 Pre and post construction land drainage plans 7.1 As part of the second iteration of design we require full disclosure and approval of the Land Drainage plans and assurance that my client's retained land (land to the north of NT342330) will not be impacted in the long term by increased flooding of 1/19a and 1/19b. 8.0 Control of Mink (Parcels: Parcels: 1/19a, 1/19b, 2/1a, 2/5b, 1/5l, 1/5m, 1/5n, 1/5o and 1/5p 8.1 Whilst referenced in App-157 A46 Newark Bypass_6.3 Appendix 8.12 Water Vole Technical Report, we want to further reiterate the need for mink control in areas where habitat creation will enhance water vole population. 9.0 Recommendations 9.1 Compensation paid to my client to reflect commercial impact of losing almost 10% of his holding. 9.2 Commercial terms to be agreed for use of my clients land for BNG 9.3 Commercial terms to be agreed for minerals extracted from FCA and creation of ponds 9.4 A right of access to be agreed in partnership with my client to their severed land. 9.5 Pre and post construction drainage plans to be provided to my client and reviewed by their drainage consultant prior to implementation of any scheme.	

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RR-035	Judith Griffiths	I feel that the proposed dualling of the Newark A46 bypass is both unnecessary and will have a detrimental impact on the surrounding area. The proposed plans have already highlighted the increased risk of flooding in an already very prone area that has suffered dramatic flooding in recent years. In my opinion the main reason for the heavy traffic that builds up on occasions is often due to issues on the A1 and feel that the money would be better spent improving the safety of the A1 as the stretch of road between Newark and Grantham is notorious for regular accidents.	The Applicant confirms it has undertaken a flood risk assessment which can be found at Appendix 13.2 (Flood Risk Assessment) of the Environmental Statement Appendices [APP-177]. Table 11.1 of the Flood Risk Assessment of the Environmental Statement [APP-177] shows that the baseline (existing) fluvial flood risk is high in the vicinity of the Scheme, as evidenced by recent flooding events. The Scheme however incorporates three Flood Compensation Areas (FCAs) at Kelham and Averham, Farndon East and Farndon West. The purpose of the FCAs is to provide an equivalent volume of floodplain storage by excavating land at similar elevations to that which would be displaced by the Scheme. As outlined in the Case for the Scheme [APP-190] the operational performance of the A46 single carriageway around Newark is at odds with other sections, where the road is a dual carriageway. This manifests itself in a bottleneck with higher levels of congestion and lower average speeds (typically between 22 and 45 mph in contrast to 60 mph elsewhere). The key issues are: • Poor time reliability – with variances expected to increase in the future. • High level of low-speed shunts – which impact on turning lanes at junctions. • High traffic flows, which exceed the design capacity. • Congestion on the key A1/A46 Brownhills junction which results in mainline queuing on the A1. • The lack of a grade separated junction at Cattle Market junction in Newark, which is being compounded by queuing on the main B-road because of frequent rail level crossing downtimes. • It forms part of a major freight route, and an alternative to the M1 corridor particularly to / from the Humber ports. The Scheme will tackle the current issues experienced on the A46 by addressing the delays and congestion; improving journey time reliability; improving safety; supporting and helping to unlock local economic aspirations; boosting strategic connectivity; achieving better environmental outcome and supporting local transport networks. As set out in the Transport Assessment [APP-193], significant congestion is regularly observed on the section of the A46 around Newark due to the level of traffic flow, particularly around peak hours, but also outside of these times too. In addition to the problems that users experience on a daily basis, the impact of incidents on the network, including those on the A1, regularly exacerbates the problems seen on the A46. In the future, the trend of underlying traffic growth is forecast to continue, leading to a significant further deterioration in the conditions experienced by users on both this section of the A46 and the local roads adjacent to it onto which traffic problems are already being displaced. Over time, in the absence of the Scheme, the deterioration in conditions for both users of the A46 and those affected by the environmental impacts of traffic congestion would be significant. Existing problems would worsen, with increases to both the extent and duration of day-to-day traffic congestion. Additionally, the acute problems that are triggered by breakdowns/collisions on the wider network would get significantly worse than they are at present due to the lack of resilience that would otherwise be provided by the dual carriageway Scheme. The Applicant confirms that the A1 lies outside the scope of the scheme but it has assessed the queueing on the slip roads at the A1/A46 junction. In this regard, changes to the existing A1 slip roads were considered during the options development stage of the Scheme, as set out in the Case for the Scheme [APP-190]. However, due to the reduction in A46 through traffic at the A1/A46 junction that is forecast to result from the proposed Scheme, it is considered that current slip road queueing will be alleviated without alteration to the existing A1 slip roads. The current queues on the A1 slip roads are caused by traffic congestion at the existing Brownhills and Friendly Farmer roundabouts. Traffic modelling, completed as part of the Transport Assessment [APP-193], forecasts that the proposed A1/A46 Crossing will result in the removal of A46 through traffic from Brownhills Roundabout and Friendly Farmer Roundabout, freeing up capacity for other movements. In particular, the traffic coming from the A1 slip roads would be expected to experience less opposing traffic at the roundabouts and consequently, levels of queueing on the slip roads would reduce with the Scheme.

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			The Applicant has undertaken microsimulation modelling of the forecast traffic movements at the A1/A46 junctions to understand how changes resulting from the Scheme to flows and turning movements at these junctions would impact their operation. In the microsimulation model, each vehicle is simulated individually. The model allows for a more detailed understanding of traffic flows and the impact on queueing and journey time delay. The modelling has been used to inform modifications to the Friendly Farmer and Brownhills roundabouts to optimise their operation, such as changes to signing and road markings. The traffic modelling undertaken also forecasts that traffic queues on the A1 slip roads are not typically forecast to extend onto the A1 mainline with the Scheme. Further information on the traffic modelling undertaken can be found within the Transport Assessment [APP-193].
RR-036	Lincolnshire County Council	Dear Sir/Madam Planning Act 2008 (as amended) – Section 55 Application by National Highways Development Consent Order for A46 Newark Bypass Relevant Representations Following the Planning Inspectorate's confirmation that the above project has been accepted as an application for a Development Consent Order (DCO) to construct a dual carriageway, Lincolnshire County Council (LCC), as an adjacent authority, request to be registered as an Interested Party at the Examination. Following an initial review of the DCO application material, this letter provides a summary of the issues which LCC currently agrees and/or disagrees with, together with an appropriate explanation in accordance with Planning Inspectorate note 8.3. The comments/views expressed in this representation therefore are made without prejudice to a detailed assessment of the examination documents and we reserve the right to raise any further matters/issues at a later stage and as part of our Local Impact Report (LIR) and subsequent Written Representations. In summary, an outline of the principal topics which LCC intends to address in relation to the application during the examination will cover the following: • Highways and Transportation – as Local Highway Authority for Lincolnshire; • Historic Environment (Archaeology) • Cumulative Impacts Highways and Transportation The Highway Authority has reviewed the Outline Traffic Management Plan and has the following comments to make. It is not considered that there will be any unacceptable impact on Lincolnshire's highway network either during construction or after completion of the scheme. Construction traffic would be kept primarily to the Strategic Road Network and so by the time any traffic reaches Lincolnshire, it would have dispersed and any impact would be acceptable. The A46 Newark Bypass is programmed to coincide with that of the North Hykeham Relief Road led by Lincolnshire County Council. Whilst the 'zones of influence' for the two schemes do not overlap, significant civil engineering projects at both ends of the A46 between Newark and Lincoln will need careful coordination and management to avoid short-term economic disruption, and to maximise any positive construction synergies. The Council welcomes the opportunity to attend monthly traffic management workshops in order to liaise further with the Applicant in relation to road space bookings and road closures/diversions. This will be particularly important when LCC's contractor for the North Hykeham scheme is undertaking works to the Hykeham roundabout. The Council also welcomes the chance to be consulted on the Traffic Management Plan which is to be approved under Schedule 2 Requirement 11 of the draft DCO. Historic Environment (Archaeology) The Council provides support to several districts within Nottinghamshire in relation to archaeology. Any comments/views on this matter will be included in the representations made by Newark and Sherwood District Council.	The interface with the North Hykeham Relief Road scheme is included in sections 1.3.11, 2.9.5 and Table 2-7 of the Outline Traffic Management Plan [APP-196]. The Outline Traffic Management Plan [APP-196] will be developed into the Traffic Management Plan for implementation during construction and secured through Requirement 11 of the draft Development Consent Order [APP-021]. Whilst the North Hykeham Relief Road is outside the zones of influence for the A46 Newark Bypass Scheme, the Applicant recognises the potential interface regarding wider traffic management proposals. The Applicant has identified in Table 2-7 of the Outline Traffic Management Plan [APP-196] that there will be an interface between the two schemes when closures are proposed on the A46 north of the Friendly Farmer Roundabout. Coordination between the two schemes will be required to ensure that that there are no road space clashes on the proposed diversion (Appendix Figure A-3 in the Outline Traffic Management Plan [APP-196]). This coordination would be undertaken at the monthly traffic management meetings which are described in section 2.9.2 of the Outline Traffic Management Plan [APP-196], to which Lincolnshire County Council (LCC) will be invited. As a Local Highway Authority on part of a proposed diversion route, LCC will be consulted on the Traffic Management Plan for the Scheme as detailed in Requirement 10 of the draft DCO [APP-021]. The Applicant notes the Interested Party's comment in relation to archaeology (Historic Environment) and has responded to the representations made by Newark & Sherwood District Council in respect of this. At the time of submitting the cumulative effects assessment contained in Chapter 15 (Combined and Cumulative Effects) of the Environmental Statement [APP-059], the cut-off date for the inclusion of other developments with the potential to result in cumulative effects with the scheme was 31 May 2023. The Applicant has undertaken a review of any new or approved developments since those identified in the assessment submitted as part of the application. This review has identified new other developments, as well as identifying any changes to the already identified other developments, up to 1 October 2024. This is to ensure that the cumulative effects assessment for the Scheme is up to date and reflective of the anticipated cumulative effects associated with the Scheme and other developments. The Applicant is currently reviewing the details of the Fosse Green Energy Project and will document the findings of the updated cumulative effects assessment in a Cumulative Effects Technical Note to be submitted at Deadline 2.

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		Cumulative Impacts Whilst there are no NSIP projects in the immediate vicinity of the scheme which have already been consented, there are a number of solar projects proposed towards the western boundary of Lincolnshire which cumulatively could put pressure on the highways network during construction, and have a significant impact on the amenity of communities located along the A46 between Newark and Lincoln. These include the Fosse Green Energy project at Witham St Hughs, and the Great North Road Solar Park (already identified within Chapter 15 of the Environmental Statement). The Council will therefore make further comments on the potential cumulative impacts of the development with other NSIP proposals at later stages of the examination process. The Council also advises that the table of existing development and/or approved development included within Chapter 15 of the Environmental Statement is kept under regular review as the project progresses in order to identify any new developments that come forward which may have a cumulative impact. Draft Development Consent Order At this stage the Council reserves its position on the relevant parts of the draft DCO including the proposed requirements which are likely to be needed, to be amended, or added to as the examination progresses. The Council will review the draft DCO to ensure that LCC's role is sufficiently recognised as the adjacent Local Highway Authority in relation to any traffic regulation measures. In conclusion, the Council looks forward to working with the Applicant and the Planning Inspectorate as the project progresses through the DCO process and welcomes the opportunity to comment on matters of detail throughout the examination. Yours faithfully Justine Proudler for Neil McBride Head of Planning	
RR-037	Lindum Group	Lindum Development Jointly own the land near Newark Showground and part of which is proposed to be acquired by national Highways for the works. Our site is allocated in the adopted Development Plan under reference NUA/MU/1 for mixed use non-residential purposed and would therefore, when developed, contribute significantly to employment opportunities in the area. Lindum had prepared plans for the development of the site, commenced marketing, competitively invited and accepted offers via an appointed agent and were aiming to apply for planning planning, however the proposed acquisition of part of the site would affect the number of units that could be developed on the site and consequently our development proposals had to change. National Highways commitment to reducing the impact of the scheme is noted, Lindum have met with national highways and its representatives to discuss this issue along with the need to relocate the proposed footway cycleway and discussions are on-going between the parties. Unless and until the issue is satisfactorily resolved, which is the agreement on the repositioning of the required footway cycleway and the acquisition of the land fronting the A46 to allow the improvement works to be undertaken, Lindum object to these works.	The Applicant has worked with the Lindum Group during the development of the preliminary design of the Scheme. The Applicant contacted the Lindum Group in June 2022 when the interface between their proposed development and the Scheme became apparent. At this time a planning application for the Lindum Group development had not been made. Both parties worked together to develop a design solution that did not conflict with either proposal. In November 2023, the Applicant was informed that the Lindum Group would be submitting an outline planning application, and that their proposal was different to that on which the preliminary design for the Scheme in the application for development consent had been based. The Applicant continues to work with the Lindum Group to review possible solutions for the combined footpath/cycleway shown as Works No 102 in the Works Plans [AS-005] and in Schedule 1 of the draft Development Consent Order [APP-021]. Discussions have taken place between the parties to progress acquisition by agreement and values have been agreed in principle for the land required to the north of the site along the existing A46 to construct, operate and maintain the Scheme as shown on the Land Plans [AS-004]. The Applicant has progressed Heads of Terms and consideration is currently being given to the Interested Party's most recent development proposals and their implications and discussions are ongoing to agree the diverted public right of way. The Applicant is content to continue to work with the Interested Party to progress a private agreement to secure the land and rights in land required by the Scheme
RR-038	Louise Paterson-Blyth	INTRODUCTION We are the landowners and residents of (redacted), Gainsborough Road, Winthorpe. Our home is a Grade II listed building- dating back to 1787. We are referred to as both MM053 and 126649 in the National Highways reports. The significance of the building as a heritage site, as well as the financial value of our property will be adversely impacted by the A46 dualling. THE SCHEME The element of road design which will most adversely impact (redacted), is the height of the bridge over the A1. The impingement on the property will be through the four key areas of visual changes, light pollution, noise and vibration. We do not	The Applicant confirms within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the Environmental Statement Appendices [AS-099], reference MM053 is the unique heritage asset identifier assigned to the property for the purposes of assessment, for ease of cross reference within the cultural heritage assessment documents and figures. With regards to the Interested Party's comments concerning adverse effects to the setting of their property it should be understood that the setting of a listed building is 'the surroundings in which a listed building is experienced'. The setting of a listed building can encompass the experience of noise, dust, lighting, smell, vibration, land use, as well as views.

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		believe that the impact on the property has been correctly quantified and communicated in the documents produced by National Highways, which are confusing and misleading for residents. For a start, our home is referred to by two different reference numbers (MM053 and 126649) in the documents. This was very unhelpful and made it much harder for us to see what directly affected us. Please could there by continuity in any documents going forward? CULTURAL HERITAGE, LANDSCAPE AND VISUAL EFFECTS The documents make it clear that (redacted)(MM053) will be adversely affected by the road. In 6.1Environmental Statement, Chapter 6 Cultural Heritage, it states that during the construction section of the scheme: "An adverse effect is predicted. There is potential for development within the Order Limits to have an adverse impact on the value of the asset, through alteration to its setting." (6.3 Environmental Statement Appendix 6.3 Assessment of Cultural Heritage Effects During Construction of the Scheme). In the same section we are informed: "The presence of construction machinery close to the asset will increase the level of noise and affect the ability to appreciate the private garden setting of the asset. This will adversely impact on the heritage value of the asset." Despite these two clear statements, (redacted) is not listed as a key visual receptor in 6.2 Environmental Statement - Figure 7.4 - Visual Receptor Location. The dog kennels (point 41on the figure) and The Spinney (point 42) are listed, but the church, The Grove and (redacted) are all listed buildings and have all been missed off. (redacted) is also not included in Appendix 7.3 Key Visual Receptor Photographs and Photomontages. The residence will stare directly at the new A1 overbridge. The height of the bridge will fundamentally change the aspect from the house, which a grade II listed building, that was originally constructed to be in the line of sight of historic views of the area. We would like to understand how (redacted) has not been listed as a key visual receptor. Why has a property of such cultural significance been discounted by the scheme in this way? National Highways say that they have used a digital zone of theoretical visibility (ZTV) to inform the selection of viewpoints, where the scheme will be visible from viewer heights of 1.6 metres and above. (6.1 Environmental Statement, Chapter 7: Landscape and Visual Effects, 7.5.5). A ZTV based on the operational Scheme has been produced, but (redacted) is completely absent from this. Why has a grade II listed building, that has already been flagged as being "adversely affected" not been included in in this? The bridge will clearly be seen from our property during the wintertime, when there is no tree cover. Our request would be for the significant planting of both mature and new trees in this area before the major construction phase of this project begins. Details around planting and mitigation are extremely vague for people who live here and who will be directly impacted by the proposals. NOISE AND VIBRATION Noise maps and other documents claim neutral change to (redacted), (6.1 Environmental statement, Chapter 11 Noise and Vibration, Table 11-15. We are listed as 126649) which makes no sense, given the proximity of the new road to our property. We have never had it explained to us how this figure was reached. We requested this information as residents and were simply told to log a complaint to PINS, which was a very unsatisfactory response. We took photos of the receptor used for these studies being placed at least 100m from our property. Why is the receptor not placed where the building is, rather than at the edge of our land? This study is of huge importance to us and how the results were reached has never been communicated. Furthermore, because the A46 bridge is so high near our house (approximately 10m higher than ground level) the sound will travel far. It will be combining with existing A1 noise levels and is likely to elevate noise levels still further. Currently we have been informed by National Highways that we are not in a noise important area (we have emails that show this) and that they are unable to request assistance in sound-proofing our property. Night-	Setting is understood to evolve, and can make a positive, neutral or negative contribution to the heritage value of a listed building or the ability to appreciate that value. The impact on setting is just one of several considerations when assessing effects upon a listed building. The contribution of setting to the heritage value of the Interested Party's property, as part of the assessment of cultural heritage impacts and resulting effects upon the property have been considered within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050]. Tables 6-7 and 6-8 within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] summarise the likely significant effects to the property and its setting during construction and operation of the Scheme. The assessment states that the presence of construction machinery has the potential to increase the level of noise, dust and lighting experienced within the setting of the heritage asset, thereby affecting the ability to appreciate its heritage value. Embedded mitigation, including limited working hours are unlikely to reduce the impacts to a non-significant effect. During operation (when then the road construction is completed and in use) the perception of increased noise experienced within the setting of the heritage asset may impact the ability to appreciate the heritage value of the asset. However, the noise assessment states that any change in noise effects will in fact be negligible beneficial in both the short-term and long-term. The effects of noise at the Interested Party's location are discussed further below. Mitigation measures which will be adopted to reduce impacts to the Interested Parties property are set out in Tables 6-7 and 6-8 within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050]. These mitigation measures were agreed in consultation with Cultural Heritage Stakeholders. Mitigation that will benefit the property of this Interested Party (amongst others) includes low noise road surfacing, earthwork design and noise barriers. This mitigation can be seen on Figure 2.3 (Environmental Masterplan) of the Environmental Statement [AS-023]. The Applicant confirms key visual receptor locations as presented in Figure 7.4 (Visual Receptor Plan) of the Environmental Statement Figures [AS-040] and explained in paragraph 1.1.2 of Appendix 7.3 (Key Visual Receptor Photographs and Photomontages Part 1) of the Environmental Statement Appendices [APP-138] have been chosen to show a representative sample of existing conditions and provide a visual representation of the scale of the Scheme within its setting, rather than an indication of the value of a specific receptor or how it may be affected by the Scheme. The impact upon listed properties as a cultural heritage asset has been addressed within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] and in preceding paragraphs of this response. As noted by the Interested Party, paragraph 7.5.5 of Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051] confirms that the Zone of Theoretical Visibility (ZTV) is produced to help inform the selection of viewpoints to be included within the assessment of visual effects. The Applicant can confirm that potential visual impacts and resulting effects upon the residence of the interested party, has been captured as part of the assessment of receptor number 42, as shown on Figure 7.4 (Visual Receptor Plan) of the Environmental Statement Figures [AS-040], and a description of existing baseline and future views during construction and operation presented within Appendix 7.2 (Visual Baseline and Visual Impact Schedules) of the Environmental Statement Appendices [APP-137]. The assessment accounts for the presence of existing screening planting along the boundary of the property and the Scheme to the south. The additional planting proposed as part of the Scheme, including the location of landscape bunds is presented on the Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. This includes the location and type of planting proposed as well as an indicative plant species listed. Key environmental functions are provided for each planting plot to understand the intended function of each proposal. The Applicant refers the Interested Party to the area of proposed woodland planting located between the A1 and the property, which in addition to existing mature screening planting, would further aid screening of the existing A1 to the west and A1 crossing to the south of the property, which would also be heavily wooded to provide screening of the embankments and elevated section of the A46 from this viewpoint. The environmental design shown on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] will be refined during detailed design Requirement 6 of the draft Development Consent Order [APP-

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		time noise levels at our property ALREADY exceed the SOAEL by more than 5db meaning significant effects are already likely to affect our health and wellbeing. We would like to understand why (redacted) isn't already classified as a noise important area and what National Highways will do to assist us in managing noise levels at this listed property? This will not be a straightforward 'double glazing' fix as some of our windows date back to 1787 and are historically preserved under strict conservation orders. We find it utterly baffling that a noise and vibration management plan has not yet been prepared and a scheme of this magnitude can gain traction without this. We would like to understand this plan in detail now. CONCLUSION We have been engaging with National Highways throughout the consultation phase of this scheme. However, we still feel, that as impacted residents, we are not being given enough information or assistance. Our questions are going unanswered. We are frustrated by the vague way that plans for mitigation are being described. In document 6.3 Environmental Statement Appendix 7.2 Visual Baseline and Impact Schedules, when it comes to what will be done in Winthorpe, there are a lot of references to "proposed planting plans" but we need specifics, both for planting and bunding. The documents detail the serious impacts the schemes will have on our property, but then omit Lowwood, a home listed by Historic England, as a visual receptor.	021] secures the provision of the planting proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. The 2m high noise barrier / bunds that extend from the start of the northbound off slip to Brownhills Junction and continue to Winthorpe Roundabout will minimise light pollution to the property by blocking the headlights from vehicles travelling on the A46. The location of the noise barrier / bunds can be seen on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. The provision of the noise barrier / bund is secured by Requirement 16 of the draft Development Consent Order [APP-021]. The new Brownhills Junction is lit and this has been done with 10m high columns (normal height is 14m) and have cut off lanterns to minimise light projecting backwards away from the carriageway. This detail is secured by Requirement 18 of the draft Development Consent Order [APP-021]. The Applicant confirms that specific reference numbers have been allocated to all relevant receptors within the study area, however engineering disciplines may use different naming conventions to refer to additional reference points for the purposes of the assessment in each case (e.g. LT1 to refer to a long-term noise measurement location that may be at or near an existing relevant receptor). This does not have an impact on the results presented to support the findings of each engineering discipline. It is noted that 126649 refers to a representative noise assessment location which is different to the noise monitoring locations where noise monitoring equipment has been deployed (as may have been witnessed by local residents). Noise monitoring was undertaken to inform the process of establishing baseline levels. The noise and vibration assessment methodology as per National Highways' Design Manual for Roads and Bridges LA-111, and impacts of the Scheme are set out in detail in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] for both construction noise and vibration and for operational noise. Construction noise impacts are detailed in Section 11.11 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] for affected representative receptors, which are shown on Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065]. The nearest representative noise sensitive receptor for which construction noise calculations have been carried out is 126649 as shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) [AS-065] which is slightly closer to the works than the Interested Party. Tables 11-14, 11-15, 11-17, 11-18, 11-19, 11-22, 11-23, 11-25, and 11-29 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] present daytime construction noise levels relevant to this representative receptor, indicating that the baseline noise level of 65dB(A) is not exceeded by construction works throughout the construction period. Tables 11-20 and 11-24 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] present night-time construction noise levels relevant to this representative receptor, indicating that the baseline noise level of 57dB(A) is only exceeded during the roadworks construction phase, with highest predicted level of 60dB(A) during the resurfacing work activity which would be classified as a Moderate impact. This noise level is unlikely to be disruptive as resurfacing works are by definition linear suggesting any potential impacts would only be for a short period of time. Operational noise impacts of the Scheme are adverse in some areas and beneficial in others but none of these are significant (impact at the Interested Party's property is beneficial as later described). It is acknowledged that noise from the A46 will continue to be added to noise from the A1 for properties close to the A1. This may be seen in Figure 11.8 (Noise levels in the Do Something Design Year) of the Environmental Statement Figures [AS-062] which shows expected Do Something (with the Scheme) noise levels in the Design Year, that is, noise levels with the Scheme 15 years after opening. It shows that noise levels increase in proximity to the two highways with smaller noise contributions from other roads. The noise levels for Do Something can be compared with Do Minimum (without the Scheme) for the same period as shown in Figure 11.6 (Noise levels in the Do Minimum Design Year) of the Environmental Statement Figures [AS-060]. However, the impact of the Scheme itself may be seen in Sheet 5 of Figure 11.9 (Short-term Noise Change) of the Environmental Statement Figures [AS-063] and Figure 11.10 (Long-term Noise Change) of the Environmental Statement

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			Figures [AS-064] which shows the noise impact at the Interested Party's property is negligible beneficial in both the short-term and long-term. In addition to low noise surfacing that will be used to control noise levels, Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] shows the proposed operational noise mitigation in the form of barriers and earthworks. Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation measures presented within in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] which are also shown on the Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. It is noted that 'noise important areas' refers to the explicit definition within DEFRA Noise Action Plan: Roads (2019). Characterising an area as such does not entail excluding other areas from the noise assessment i.e. the noise assessment covers all relevant areas. The noise assessment presented in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] includes all address base points (whether in a noise important area or otherwise) within the assessment area and assesses these in line with the methodology defined within Section 11.5 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055]. The Applicant has engaged with the Interested Party regularly since the Statutory Consultation, visiting the residence on three occasions to provide more detail on a number of topics, including those highlighted above. During correspondence ahead of the close of relevant representation, the Applicant outlined the examination process and encouraged the Interested Party to make a representation to ensure they had their concerns included.
RR-039	Mair Bain	I object to the proposed A46 Newark Bypass scheme. It would increase traffic, air pollution and carbon emissions. The construction alone would increase carbon emissions by 143,887 tCO2 in the crucial 5th Carbon Budget, when we have to make the fastest and most significant cuts. The operation of the scheme would increase carbon by an additional 539,312 tCO2e over its 60 year lifetime. The scheme would cost £686 million but delivers low value for money. National Highways estimate it will only generate £1.20 of benefits for every £1 spent. Road schemes that increase traffic and carbon emissions are not compatible with legally binding climate targets. The funds should be invested in sustainable transport alternatives to reduce traffic and private vehicle use, thus reducing carbon emissions and pollution while protecting biodiversity.	The Applicant acknowledges that there would be an overall increase in traffic, however, when the Scheme is introduced, journey times along the A46 are forecast to improve as outlined in the Transport Assessment Report [APP-193] demonstrating the benefits of the Scheme. It is notable that traffic modelling shows that levels of traffic on the A46 around Newark-on-Trent are forecast to increase even if the Scheme is not built. In line with Department for Transport's Transport Analysis Guidance (TAG), traffic flows have been forecast up to 2061. This modelling demonstrates that the A46 is not forecast to be over capacity within these timescales if the Scheme is implemented. Traffic modelling shows that most of the forecast traffic increase is associated with trips travelling along the A46 to bypass Newark-on-Trent. The Scheme's implementation would therefore lead to a better flow of traffic and a reduction in congestion on both the A46 and on local roads within Newark-on-Trent. While traffic modelling indicates an increase in traffic on the A46 because of the Scheme, it also shows that a significant component of this increase is attributable to strategic through traffic that is effectively removed from the centre of Newark-on-Trent by the Scheme. These trips currently divert off the A46 and go through the town centre to avoid congestion. With the Scheme this through traffic is forecast to remain on the strategic road network, where it is more appropriate for it to be. Further details can be found in the Transport Assessment Report [APP-193]. The Applicant notes the Interested Party's quote indicating a net worsening of air quality has been extracted from paragraph 5.5.5 of the Case for the Scheme [APP-190]. The economic appraisal for the Scheme set out within Chapter 5 of the Case for the Scheme [APP-190] follows the Department for Transport's TAG. The TAG appraisal calculates the monetised impact of air quality from the Scheme by considering the total change in mass emissions from vehicles based on distance travelled. Overall, there is an increase in vehicle kilometres travelled generally caused by the increased distance travelled when using the strategic road network (A46 and A1) as opposed to the shorter (by distance) route using local roads. This causes a net increase in emissions. The TAG appraisal does not consider pollutant concentrations at sensitive receptor locations. The Scheme's air quality impacts and effects at sensitive receptor locations, based on predicted concentrations, are assessed as part of the environmental assessment for the Scheme and are presented in Chapter 5 (Air Quality) of the Environmental Statement [AS-021]. Therefore, the analysis presented

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			in the Case for the Scheme [APP-190] is not appropriate for determining the change in air quality at sensitive receptor locations or the significance of air quality effects. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] concludes there are no predicted exceedances of the NO_2, PM_{10} or $PM_{2.5}$ air quality objectives at any of the human health receptors within the study area during operation of the Scheme. As such, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the NO_2, PM_{10} and $PM_{2.5}$ air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021]) has concluded no likely significant effect for human health. In accordance with paragraph 2.80 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] also concludes that the Scheme would not affect the UK's reported ability to comply with the Air Quality Directive (2008) in the shortest timescales possible. Overall, the Scheme is predicted to reduce traffic movements within Newark-on-Trent where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. The Applicant confirms the greenhouse gas emissions assessment reported in Chapter 14 (Climate) of the Environmental Statement [APP-058] concludes no likely significant effect. This assessment is based on National Highways] Design Manual for Roads and Bridges LA 114 – Climate which states: 'assessment of projects on climate shall only report significant effects where increases in greenhouse gas emissions will have a material impact on the ability of Government to meet its carbon reduction targets'. The DMRB advice also aligns with paragraph 5.17 of the 2015 NPSNN, which states that "It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets.". The 2015 NPSNN is the NPS against which the Secretary of State will make their decision whether to consent the application for development consent. Although an updated version of the NPSNN was designated on 24 May 2024, and the gov.uk website states that "The 2015 NNNPS has effect for any applications for development consent accepted for examination prior to 24 May 2024." As the Scheme was accepted for examination before the designation date it will be assessed and decided against the 2015 NPSNN. However, for completeness the Applicant notes that the 2024 NPSNN includes the following statement in Paragraph 5.42, "Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. Therefore, approval of schemes with residual carbon emissions is allowable and can be consistent with meeting net zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent". Chapter 14 (Climate) of the Environmental Statement [APP-058], describes the climate assessment, setting out any likely significant climate effects for both construction and operation. This assessment includes predicted emissions (tCO_2e) during construction and operation. Construction of the Scheme, which is spread across carbon budget 4 and 5, is estimated to result in 143,887 tCO_2e, which is a 44% reduction in emissions compared to the initial baseline assessment (254,536 tCO_2e) as presented in Section 14.8 of the Chapter 14 (Climate) of the Environmental Statement [APP-058]. This reduction is the result of significant efforts to minimise the greenhouse gas emissions associated with the Scheme design and identify opportunities to improve resource efficiency and reduce carbon, such as reuse of existing carriageway infrastructure, use of precast materials where possible and provision of renewable energy for the site compound. The carbon management and mitigation approach for the Scheme aligns with PAS 2080 best practice, via an iterative system which repeatedly evaluates the Scheme, for example, the use of low carbon solutions or techniques that reduce resource consumption. The output is a Scheme which is optimised as far as reasonably practicable. The operational assessment includes the emissions from road users (sometimes referred to as tailpipe emissions). The road user assessment captures the impacts from the change in traffic flows caused by the Scheme. This assessment,

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			as described in Section 14.5 Chapter 14 (Climate) of the Environmental Statement [APP-058], compares the baseline without Scheme scenario (Do Minimum) to the with Scheme scenario (Do Something). This comparison gives an estimate of the impact on traffic flows, and this is used to estimate impact on carbon emissions. The operational emissions, as presented in Section 14.11 of Chapter 14 (Climate) of the Environmental Statement [APP-058], over the 60-year assessment period result in 539,312 tCO2e, with the largest contributor, being 523,019 tCO2e from the road user emissions, summarised in Table 14.19 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The road user assessment presents a worst-case scenario, as the assumptions of electric vehicle uptake are likely underestimated with the assessment as the policy commitments within the Transport's Transport Decarbonisation Plan (TDP) (published July 2021) are not included within the version of the Emission Factor Toolkit (v11) that was used for the assessment. As detailed earlier in the response, the assessment of significance is based on a comparison to the impact on the UK Government in meeting its carbon commitments. The estimated emissions for the relevant carbon budgets from the Scheme (including construction and operation) are 107,915 tCO_2e for carbon budget 4, 76,573 tCO_2e for carbon budget 5 and 41,991 tCO_2e for carbon budget 6. The assessment has identified that the emissions arising from the Scheme represent less than 0.007% of the total emissions in any five-year UK legally binding carbon budget during which they would arise. Therefore, the assessment concludes that the greenhouse gas emissions impact of the Scheme would not have a material impact on the Government's ability to meet its carbon reduction targets in any of the carbon budgets within which the scheme falls. The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190]. The benefits and costs are combined and produce an overall Value for Money assessment. This is presented in the Analysis of Monetised Costs and Benefits table in Chapter 5 (Economic Case for the Scheme) of the Case for the Scheme [APP-190]. While the Value for Money statement places the Scheme in the low value for money category, the forecast return of £1.20 for every £1.00 spent still represents a significant level of economic benefit, particularly given the complexity of the works and structures associated with the Scheme. The Value for Money statement also does not capture all the benefits the Scheme would deliver such as supporting economic growth in the area. As detailed within Chapter 3 (The Need for the Scheme) of the Case for the Scheme [APP-190], the Scheme would help to unlock employment growth within Newark by facilitating the delivery of regional and local business developments. For example, the Newark Business Park concentrates a significant part of Newark's growth but is currently limited in its development by the lack of capacity at Brownhills Roundabout, as set out in the Newark and Sherwood Infrastructure Delivery Plan (2017). The Scheme would fulfil the economic objective of sustainable development by increasing capacity and reducing congestion on the strategic road network. This could help to facilitate the growth of a number of economic sectors, such as food and logistics, which are reliant on journey time reliability. As well as the economic benefits detailed in Chapter 5 (Economic Case for the Scheme) of the Case for the Scheme [APP-190], the Scheme will result in journey time savings and improved safety as detailed in the Transport Assessment [APP-193] The Scheme would also result in a number of environmental benefits, including improved habitat connectivity through newly created habitats as well as increased accessibility via the new walking and cycling routes.
RR-040	Mary Alexis Heath	I am in favour of most of the proposed changes to the A46, because Newark badly needs changes that will reduce the congestion caused in the town caused at busy times by the traffic joining the A1 from the A46 near Winthorpe and vice versa, the proximity of the Castle Station and consequent traffic tailbacks to the roundabout near the station when the barriers are closed. I understand that Newark Town Council has objected to the scheme because it would make it more difficult for cyclists to travel from Newark to Lincoln. Personally I think the number of cyclists wishing to cycle along a busy dual carriageway from Newark to Lincoln would be relatively small compared with the numbers of cars and commercial vehicles. The	The Applicant assumes that the Interested Party is referring to the new Cattle Market Junction. As part of the early development of the Scheme, a number of options were assessed prior to confirming the preferred option of providing a flyover as detailed in Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047]. Due to the high traffic flows utilising the junction it was found that an at-grade solution would not cater for the traffic going through the junction and that a flyover was needed to remove the A46 through traffic from the junction. If this was not done the existing level of congestion experienced at the roundabout would be retained and worsen over time.

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		current traffic situation in the town is at times so bad that I think it puts many people off coming into Newark and must have a detrimental effect on the town's economy. The only things I do not like are (a) the proposed flyover at the roundabout near the Castle Station, as I think it would be unsightly to nearby residents and (b) the proximity to Winthorpe village of new road from the A1 to the A46 at that end and I think it shoul be further away from the villag.	The Applicant has designed the Scheme to limit visual effects of the junction as far as possible, including visual impacts upon nearby visual receptors. As detailed on the Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026], shrub and intermittent tree planting has been proposed in front of the structure to aid screening of the flyover over time, where feasible. The Applicant acknowledges that significant adverse effects would be experienced by the residents of Sandhills Park in this localised area, as reported within Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051]. The proximity of the A46 in this location had to be balanced between the impact on Winthorpe Village and the Winthorpe Estate, as improving one would have a negative impact on the other. The Applicant did consider the proximity of the route to Winthorpe Village and were able to realign the route by introducing the new Brownhills Junction. This moved the new A46 corridor away from Winthorpe Village and the southbound on-slip away from the Winthorpe Estate thus reducing the impact on both areas. Refer to Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047].
RR-041	Motor Fuel Group	I have been appointed by Motor Fuel Group to advise them in respect of the A46 Newark Bypass proposals which we believe could adversely impact upon their petrol filling station known as Interchange Service Station, Lincoln Road, Winthorpe, Newark, NG24 2DF. Latest plans on the National Highways website seem to suggest that they will be taking land from my client's property. We have asked for further detail and, in particular, in respect of slip road designs for the access and egress in CAD format to enable us to assess, but these have not been forthcoming. I have already voiced my client's concerns in terms of the potential impact of land take and the new access/egress on the operation of the petrol filling station due, in part, to the lack of clarity/information provided.	The Applicant has provided further information to the Interested Party to facilitate understanding of how the Scheme interacts with the land particularly in relation to access and egress to the petrol filling station.
RR-042	Nadia Ming	I am very concerned about the potential loss of habitat and homes for wildlife. We have witnessed the deaths of animals i.e badgers, foxes and many toads on the current A46 on the approach to Newark. The central barrier is a death trap to these species. Loss of trees, hedgerows associated with the proposed expansion will greatly affect bird life.	The Applicant can confirm the Scheme has been designed by implementing the mitigation hierarchy to minimise habitat loss, with a focus on avoiding high value and/or irreplaceable habitat present (where possible) as detailed in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Where habitat loss has been unavoidable, replacement habitats are proposed to be created as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Following the mitigation hierarchy, the quantity (area) of each habitat type required to compensate for the unavoidable permanent loss of habitats of ecological value have been informed by the Natural England Biodiversity Metric 3.1, as reported in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] and Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. This approach was agreed with Natural England, Nottinghamshire County Council and Nottinghamshire Wildlife Trust and would achieve a greater than 1:1 compensation of habitat of the equivalent condition for Habitats of Principal Importance (HPI) or of greater ecological value for Non-Habitats of Principal Importance, where possible (for example, species-rich grassland would compensate for the loss of poor semi-improved grassland). Requirement 6 of the draft Development Consent Order [APP-02] ensures the principles of the planting proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] are secured. Mitigation for the unavoidable loss of habitat of value for wildlife includes the creation of species-rich grassland, waterbodies, reedbeds, marshy/wet grassland, native hedgerows, shrub and tree planting, individual tree planting and the installation of bird and bat boxes. These measures are presented in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] details a net gain in habitat units. The Natural England Biodiversity Metric 3.1 has been applied to the Scheme, with the aim to achieve a net gain in biodiversity value. The Natural England Biodiversity Metric 3.1 includes trading rules for priority habitats such as woodland, wood pasture, coastal and floodplain grazing marsh, lowland meadow and lowland fen in order to achieve a net gain. Some of this would be achieved through habitat creation on site, but there is insufficient space to fully compensate specifically for woodland habitat within the Order Limits and therefore it has been necessary to consider other off-site options. The Applicant is currently seeking to enhance an area of existing woodland, with a

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			landowner willing to enter a voluntary long-term agreement. The current intention is to carry this out at Doddington Hall which is outside the district but within the same National Character Area. A benefit of this element of the proposals is that these woodlands sit within an extensive network of woodland habitat and their enhancement would contribute to improved habitat quality and connectivity. During construction various mitigation measures would be adhered to and works would be appropriately timed to minimise the loss of species, where possible. An Ecological Clerk of Works would be employed to provide advice and monitor the construction works as detailed within the First Iteration Environmental Management Plan [APP-184]. A pre-works search by the Ecological Clerk of Works prior to the removal of vegetation/brash or other notable habitat features to check for protected and notable faunal species such as breeding birds, hedgehog and toad resting places would be undertaken. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. The Applicant explored whether it is feasible to install badger exclusion fencing in specific locations, informed by roadkill data. Whilst badger exclusion fencing would help to deflect badger away from the widened carriageway towards existing safe underpasses, due to multidisciplinary design constraints, it is not currently deemed feasible to install badger fencing as part of the Scheme. These constraints are detailed within Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. It is considered that the benefit of installing badger exclusion fencing (reduced badger mortality) is not proportionate to the cumulative adverse impact of installing it. Subsequently, a worst-case scenario of 'no fencing' has been applied within the assessment of likely significant effects of the current design. Directional planting has been designed to mitigate mammal vehicle collisions. The assessed mammals are protected species; however, all mammals would benefit from directional planting. The indicative location of directional planting is detailed in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] and have been informed by available roadkill data. The directional planting has been designed to encourage mammals (such as badger, foxes) to use existing retained safe passages under the A46 carriageway that connect suitable habitat on both side of the carriageway. In addition, the widened carriageway would not sever any key commuting routes, there are no high populations of a single species or frequent routes used by multiple species to cross the existing A46 carriageway, and the steepness of the embankment and widening of the carriageway are likely to deter wildlife from crossing the carriageway. As set out within Chapter 8 (Biodiversity) of the Environmental Statement [APP-052], no likely significant effects upon badger are anticipated as a result of the Scheme following the adoption of mitigation measures such as: • New habitat creation to mitigate for lost foraging habitat; and • Retention of existing A46 underpasses. As set out within Chapter 8 (Biodiversity) of the Environmental Statement [APP-052], no likely significant effects upon birds (including barn owls) are anticipated as a result of the Scheme, following the adoption of mitigation measures such as: • Vegetation clearance undertaken outside of the breeding bird season or sensitive working methods (including ecological supervision) implemented for any clearance required during the breeding bird season. • Landscape planting incorporating breeding bird habitats and installation of bird boxes in woodland and retained trees and creation of wetland. • The provision of barn owl nesting boxes. • Avoiding construction works within an appropriate buffer around any active barn owl nests. • New habitat creation to promote barn owl foraging and commuting routes; and • Habitat management of roadside hedgerows, tree, and shrubs, to dissuade barn owls from crossing roads at a height where vehicle collisions are a risk.

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RR-043	National Grid Distribution (East Midlands) plc	A46 Newark Bypass DCO 1. Project Reference: TR010065. Relevant Representation submitted by Osborne Clarke LLP on behalf of National Grid Electricity Distribution (East Midlands) plc ("NGED"). 2. Osborne Clarke LLP act for NGED whose registered office is at Avonbank, Feeder Road, Bristol, BS2 0TB. NGED is the licensed distribution network operator under Section 6 Electricity Act 1989 (the "EA1989") for the area in which the A46 Newark Bypass Order 202* (the "Order") is proposed to have effect. Section 9 of the EA1989 places a duty on NGED as the electricity distributor to develop and maintain an efficient, co-ordinated and economical system of electricity distribution. 3. The application was received by the Planning Inspectorate on 28 March 2024 and accepted on 23 May 2024. 4. The application includes land in or upon which NGED has assets which consists of high voltage electricity cables, including overhead lines and underground cables. NGED is currently reviewing the draft Order setting out the Authorised Development to establish the extent to which their apparatus and interests are affected. 5. While NGED will continue to seek to have positive engagement with the applicant in relation to the project, NGED needs to ensure that the wider powers being sought in the Order will not have a detrimental impact on NGED's electricity network and its duties under the EA1989, including ensuring that the terms of the proposed protective provisions are acceptable. 6. NGED is therefore making this representation as a holding objection to the application until asset protection arrangements have been agreed between the parties. No formal agreement has yet been concluded and accordingly we are lodging this representation to protect NGED's position pending conclusion of an appropriate agreement. Once NGED is satisfied that its network is protected, we will notify the Planning Inspectorate promptly and withdraw the objection. 12 July 2024 Osborne Clarke LLP Our reference: IDM/1220632	The Applicant notes National Grid Distribution (East Midlands) plc's position stated within the representation of maintaining a holding objection until such time as an asset protection agreement has been agreed between both parties. The Applicant is engaging with National Grid Distribution (East Midlands) plc to seek to agree an asset protection agreement before the end of Examination. The Applicant will provide an update to the Examining Authority on these discussions during the course of the Examination.
RR-044	Natural England	Summary of Natural England's advice Overall, Natural England are satisfied that the proposals address the majority of potential impacts to the natural environment. The only areas of concern where we consider further assessment and/or information is required to enable to examining authority to make an informed decision are: Internationally Designated Sites and Soils & Best and Most Versatile Agricultural Land. The key concerns we have regarding Internationally Designated Sites are: • Omission of construction pollution and silt management measures in the Drainage Strategy • Reference to 'loss of lamprey individuals' in the HRA report • Limited explanation regarding the 'de minimis' impact of construction piling on key species (lamprey) • Omission of consideration of Operational Highway Light Spill • Prevention of light spill impact on migrating lamprey does not follow the mitigation hierarchy • HRA in-combination assessment is insufficient and scheme location criteria require review The key concerns we have regarding Soils and Best and Most Versatile (BMV) Agricultural Land are: • Lack of clear commitment to reinstate all temporarily lost BMV land to its original classification after construction	The Applicant notes the Interested Party's comment on the Drainage Strategy Report [APP-179]. The Applicant would like to confirm that the Drainage Strategy Report [APP-179] covers the permanent works design and does not include temporary works. The references to temporary drainage and silt management techniques being included in the Drainage Strategy was made in error. The Register of Environmental Actions and Commitments contained within the First Iteration Environmental Management Plan [APP-184] does however include measures to protect the water environment during construction, such as silt curtains to mitigate sediment disturbance and smothering of gravel during construction (Commitment RDWE3 of the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]) and the use of cut-off ditches to collect site run-off passed through settling lagoons or silt traps to allow removal of sediments prior to discharge (Commitment GS3 of the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]). These measures will be further detailed in the Pollution Prevention Plan and the Erosion and Sediment Management Plan which will be accompanying plans to the Second Iteration Environmental Management Plan to be developed from the First Iteration Environmental Management Plan [APP-184]. In addition, the Outline Soil Management Plan (Appendix B.3 of the First Iteration Environmental Management Plan [APP-184]) includes measures associated with stockpile maintenance such as cordoned off soil stockpiles with secure fencing or tape to prevent any disturbances or contamination by other construction activities. The Outline Soil Management Plan will also be developed into a detailed Soil Management Plan as part of the Second Iteration Environmental Management Plan. Adherence with the Second Iteration Environmental

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		• Lack of clear commitment to ensure soils are not handled when wet • Lack of ALC Survey at land south of Farndon Roundabout [FULL NE RR SUBMISSION: NSIP Relevant Representations Template (planninginspectorate.gov.uk)]	Management Plan and associated management plans is secured by Requirement 3 of the draft Development Consent Order [APP-021]. The Environment Agency's Pollution Prevention Guidelines (PPG) were formally withdrawn in 2015, nonetheless they provide clear and useful best practice advice. The following standard guidance will be adhered to: • EA PPG1: Basic good environmental practices • EA PPG5: Works in, near or over watercourses • EA PPG6: Construction and demolition sites • CIRIA Guidance C532 'Control of water pollution from construction sites - Guidance for consultants and contractors' In addition to the above, Chapter 13 (Road Drainage and the Water Environment) of the Environmental Statement [APP-057] details further relevant guidance which informed mitigation: • CIRIA's Guidance C811 'Environmental good practice on site' • CIRIA's Guidance C648 'Control of water pollution from linear construction projects: Technical Guidance • Environment Agency's 'Protect groundwater and prevent groundwater pollution' • PPG7 'The safe operation of refuelling facilities' • PPG13 'Vehicle washing and cleaning' The Applicant can confirm that these construction management measures comprise embedded mitigation that have been used to inform the assessment of the likely impact of construction works on international designated sites (Humber Estuary SAC and Humber Estuary Ramsar) and their qualifying features, (river and sea lamprey). It is an offence under the Salmon and Freshwater Fisheries Act 1975 (as amended) to permit pollution of a watercourse with the result of poisoning or causing injury to fish (including lamprey), spawning habitat, spawn or food sources. As detailed in Chapter 13 (Road Drainage and Water Environment) of the Environmental Statement [APP-057], and the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (WFD Regulations) require the protection (prevention of deterioration) and improvement of the status for all waterbodies (defined as all or part of a river system or aquifer) and the Water Resources Act 1991 (Amendment) (England and Wales) Regulations 2009 regulates water quality and water pollution. The aforementioned best practice measures for construction silt or water quality impacts are considered embedded mitigation for this Scheme to comply with the aforementioned legislation, as set out in Chapter 2 (The Scheme) of the Environmental Statement [APP-046] and the First Iteration Environmental Management Plan [APP-184], which will be developed into the Second Iteration Environmental Management Plan. Following the implementation of these embedded mitigation measures it is concluded that no likely significant effect would occur as a result of construction on silt or water quality impacts, as detailed in the Habitat Regulations Assessment Stage 1 [APP-185]. The Applicant confirms the 'Loss of lamprey individuals' at Stage 1 Habitat Regulations Assessment screening in the Habitat Regulations Assessment [APP-185], refers to the potential entrapment of lamprey in the Farndon Floodplain Compensation Areas (FCAs) prior to the implementation of mitigation measures, which has potential to result in low numbers of lamprey mortality (i.e. 'individuals'). Loss of individuals refers to the low risk of entrapment of lamprey, already detailed in the Habitat Regulations Assessment [APP-185], and is therefore not an additional impact pathway. This impact pathway was taken through to Stage 2 Appropriate Assessment as the Stage 1 Habitat Regulations Assessment Screening was unable to exclude the possibility of the potential for Likely Significant Effects upon the Humber Estuary SAC/Ramsar as a result of entrapment of all life stages of sea and river lamprey, even after embedded mitigation. The Habitat Regulations Assessment Stage 2 Appropriate Assessment concludes no Likely Significant Effect on lamprey following the implementation of essential mitigation i.e. fish escape passages incorporated into Farndon Floodplain Compensation Areas to mitigate entrapment of river and sea lamprey. The following details how 'individuals' as a proportion of the lamprey population to be impacted by the Scheme was concluded.

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			Pre-construction, flood water in the fields proposed for the Farndon FCAs naturally drains into Old Trent Dyke, following the topography of the land. This flows northwards, meandering through Cattle Market roundabout and eventually joins the River Trent again, downstream of Nether Weir near suitable spawning substrate. The flap valves and mechanical gates along this route are opened after flooding to slowly discharge flood water and fish into the River Trent. Adult river lamprey stop feeding when they enter freshwater to begin their migration upstream to spawning sites, after which, all adult lamprey species die after spawning. Most adult river lamprey found in fresh water are either migrating upstream to spawn or are dying after spawning (natural cause of death). Following construction, if individual adult lamprey that have not yet spawned were subject to entrapment in the excavated Farndon FCAs as flood water recedes (draining into Old Trent Dyke), there is potential that they may not survive until the next flood event (having exerted their energy migrating and no longer foraging). As river lamprey require flowing water through silt and sand substrate to spawn, they would not be able to spawn within the Farndon FCAs before dying. Adult river lamprey physiology facilitates their migration in winter and early spring when water flows are greater, hiding under stones and vegetation (sucking disk to cling to rocks). Therefore, the likelihood of river lamprey being swept up by flood water is considered low, as they would likely take refuge until suitable conditions resumed for their migration. As such, whilst it is considered unlikely that adult lamprey would be entrapped in the Farndon FCAs following flood water recedence (incidental individuals only), measures were proposed in agreement with the Environment Agency to mitigate the remaining uncertainty of the implications for the Site in view of that Humber Estuary SAC/ Ramsar conservation objectives. There is negligible potential for larvae (ammocoetes) to become entrapped in the Farndon FCAs, as high flows during spates are likely to wash eggs and larvae downstream before they would become trapped in the Farndon FCAs. However, there is a minor risk that during flood events they could be held within backwaters within the Order Limits, such as within the Farndon FCAs or Old Trent Dyke. Furthermore, if a future independent development upstream of the Scheme resulted in the disturbance of silt beds/nurseries upstream of Farndon, then the entrapment of these lamprey life stages cannot be ruled out. Though larvae lamprey can tolerate low oxygen tension typical of ponds (due to their physiology), high temperatures and pollution usually occur with low oxygen levels, which are lethal factors. The Farndon East and Farndon West FCA waterbodies were designed to be a minimum summer depth of 0.3 metres to maintain stable temperatures to reduce the risk of killing lamprey (and other fish species). The size, depth and riparian planting of Farndon FCAs were designed to also reduce mortality of entrapped fish species, from various predatory piscivorous birds and mammals. Appendix 13.4 (Drainage Strategy) of the Environmental Statement Appendices [APP-179] details measures to mitigate adverse impacts of pollution and therefore further reduce mortality of entrapped lamprey. Only works with potential to have an impact on the features for which the Humber Estuary SAC and Ramsar has been designated (river and sea lamprey), have been reported in the Habitat Regulations Assessment [APP-185]. Realignment of Slough Dyke and associated works are detailed in Section 2 of the Habitat Regulations Assessment [APP-179] only, which describes the Scheme. Slough Dyke is considered unsuitable for river and sea lamprey but may be suited to brook lamprey (not a reason for the designated sites). Appendix 8.13 (River Physical Habitat Technical Report) of the Environmental Statement Appendices [APP-158] provides further details of the Slough Dyke channel bed and channel margin. Sheet piling at Windmill Viaduct was scoped out at Stage 1 Habitat Regulations Assessment Screening (see Table 4-2 of the Habitat Regulations Assessment [APP-185]) as the extension of the existing sheets are within riparian habitat and substrate unsuitable to support lamprey (no gravel, silt and sand beds). Lamprey are unlikely to take refuge in the gaps of the existing submerged gabion baskets, preferring flowing water. These works will be undertaken in the daytime, avoiding sensitive periods (nighttime lamprey migration). Furthermore, electro-fishing will be undertaken for multiple fish species as part of fish rescue to mitigate injury and fish mortality. Habitat appraisal for spawning lamprey: A river habitat walkover survey was undertaken on foot by a competent Principal Freshwater Ecologist who specialises in fish. The results of this survey as well as the information reported in Appendix 8.13 (River Physical Habitat Technical Report) of the Environmental Statement Appendices [APP-158] and Appendix 8.8

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			(Invertebrate (Aquatic) Technical Report) of the Environmental Statement Appendices [APP-153] informed the habitat appraisal and suitability assessment for sea and river lamprey. The Environment Agency also confirmed spawning pools downstream of Nether Lock weir (coarse species unspecified). No significant areas of gravel substrate suitable for lamprey spawning have been identified within the Order Limits or within 2 kilometres downstream within the River Trent, as detailed in Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. As hatched ammocoetes (lamprey larvae) do not have fully developed suckers or teeth, they swim or drift downstream of their spawning site to sandy silt where they burrow and feed. As lamprey are present throughout the River Trent, it can be reasonably assumed there are extensive areas of silt beds suitable for ammocoetes to colonise. There is potential for ammocoetes to be present within the Order Limits and downstream along the River Trent. The stretch of river between Windmill and Nether Lock viaduct is homogonous in nature and there are no specific locations identified as suitable for ammocoetes to develop. However, the Scheme will not impact silt beds within the River Trent following the implementation of embedded mitigation detailed in the First Iteration Environmental Management Plan [APP-184]. Although siltation was noted along Old Trent Dyke, a visual check during the Modular River Physical (MoRPh) survey found there to be a superficial covering smothering gravels and not a depth suitable for ammocoetes to develop. The Scheme will not change the flow velocity of water discharge from Old Trent Dyke into the River Trent or change the existing water depth downstream of Nether Lock weir, therefore avoiding conditions that would adversely affect lamprey migration or spawning. It was concluded from the habitat appraisal that sheet piling will not take place in riffles or associated spawning gravels and there will be no dredging of nursery silt beds. Clean sandy gravels used for spawning were not recorded between Staythorpe Wier and Nether Lock Wier, this stretch of water was already predominantly reinforced (sheet piling). Young larvae can spend years in mud and soft marginal silt before emerging as adults, this habitat is considered to be present downstream of Nether Lock Weir and outside of the Order Limits. Hearing sensitivity of resting lamprey and timing of piling works: Vibratory piling is much quieter than impact piling but occurs for longer, meaning longer exposure times to lamprey. The type of piling for each location will depend on the site conditions during construction, so impact piling cannot be ruled out at this stage of the Scheme delivery to minimise disturbance. For this reason, the Habitat Regulations Assessment [APP-185] applies a worst-case scenario, assuming that impact piling will be required during construction. Piling works will be undertaken in the daytime to avoid sensitive periods for lamprey migration (nighttime hours), however, this means that the piling works could impact lamprey resting nearby in the day. However, lamprey lack a swim bladder and as such are categorised as low hearing sensitivity fish, as these species detect sound particle motion within a narrow band of frequencies, rather than sound pressure. This physiology makes lamprey inherently resilient to the kinds of physical injury (e.g. barotrauma) that other fish species can experience as result of adverse levels of underwater sound and vibration, and therefore physical injury is highly unlikely to occur. It is considered that lamprey would need to make contact with a vibrating surface for a response to be likely (i.e. localised impact). This behavioural response is likely to include swimming away and a change of swimming direction, orientation or position in the water column. However, the risk of more significant responses from vibratory piling, such as startle reactions, is low. At Nether Lock Viaduct, proposed piling will be set back from the bank. Therefore, the disturbance pathway (through earth then water), mean lamprey will not be able to come into direct contact with the source of vibration. As detailed in Chapter 8 (Biodiversity) of the Environmental Statement [APP-052], the northern branch of the River Trent is considered the main route for lamprey migration and will likely act as a bypass to the upper reaches during piling works along the southern branch of the river. Furthermore, works at Kelham and Averham FCA will be completed prior to commencement of main alignment works. Therefore, a de-minimis level impact was concluded on resting lamprey on their migration journey and larval lamprey. At Habitat Regulations Assessment Stage 2 (Appropriate Assessment), following the implementation of mitigation, a precautionary approach was applied assuming a de-minis level impact on lamprey, instead of a neutral impact, due to daytime piling works.

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			The Applicant notes the Interested Party's comment in relation to the lighting impacts during operation of the Scheme on migrating lamprey. It is acknowledged that the statement "emissions considered relevant to this assessment are air pollution from construction and operational vehicle movements, road runoff discharges and artificial lighting." under Emissions in Table 4-2 of the Habitat Regulations Assessment [APP-185] does not distinguish which impacts are resulting during construction or operation. For clarity operational emissions impacts prior to implementation of mitigation refers to air pollution and road runoff discharges. There is no existing lighting over Nether Lock Viaduct and Windmill Viaduct and the Scheme will not introduce any new lighting in closer proximity to the River Trent than is currently present. The requirements for road lighting have been determined based on ensuring safety for all road users, hence new lighting is focused on junctions. The Habitat Regulations Assessment [APP-185] aligns with the assessment reported in Chapter 8 (Biodiversity) of the Environmental Statement [APP-052] that, with regard to lighting, there will be no impact to fish, including lamprey, during operation and prior to implementation of mitigation and consequently there are no residual effects to report. Therefore, impacts to migrating lamprey from operational lighting have been omitted from the Habitats Regulations Assessment [APP-185]. Sensitive lighting (embedded mitigation) incorporated into the Scheme design development is set out in Chapter 2 (The Scheme) of Environmental Statement [APP-046]. Planting is not specifically used to mitigate against associated light impacts however, it is acknowledged that, after establishment of planting, the planting design's natural screening would be more effective during the summer months. The planting design seeks to minimise adverse effects on various receptors from sky glow, including migrating lamprey at night. As part of the ongoing design process, information regarding lighting proposals will be developed at the detailed design stage, as detailed within Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. The Applicant agrees that distance from the Scheme is important, as well as distance from the SAC/ Ramsar, when assessing in-combination effects as a result of the Scheme. As detailed within 'Section 3.4: In-combination assessment methodology' of the Habitat Regulations Assessment [APP-185], a review of the following resources has been undertaken to identify projects or plans which could result in Likely Significant Effects upon any European Sites, in-combination with the Scheme: • all onshore Nationally Significant Infrastructure Projects (NSIPs) and proposed NSIPs within the 'Yorkshire and Humber' and 'East Midlands' regions (listed in the table starting on page 40 of the Habitat Regulations Assessment [APP-185] • projects or plans within the Newark & Sherwood district located within 2km of the River Trent (listed within the table starting on page 42 of the Habitat Regulations Assessment [APP-185] • projects or plans within 2km of the Humber Estuary SAC/Ramsar (also within the table starting on page 42 of the Habitat Regulations Assessment [APP-185]. Therefore, both NSIP and non-NSIP projects within 2km of the River Trent have been included in the in-combination assessment, as well as those within 2km of the SAC/ Ramsar. By covering such a sizable area this has allowed the Applicant to incorporate and assess a number of surrounding projects as part of the HRA process. The Applicant has conducted a thorough review of the data that is publicly available and this has informed the in-combination assessment section of the Habitat Regulations Assessment [APP-185]. The Habitat Regulations Assessment [APP-185] covers 11 different NSIP projects within the table on Page 40 and 42, and different planning applications which were reviewed and then summarised within the table spanning pages 42-48 of the Habitat Regulations Assessment [APP-185]. It is acknowledged that the heading of the second table within the Habitat Regulations Assessment [APP-185] (starting on page 42) is misleading as it currently refers to 'Non-NSIP Projects located within 2 kilometres of the Humber Estuary SAC / Ramsar'. The heading of this table should read 'Non-NSIP Projects and impact pathways relevant to the in-combination assessment'. In addition, the sentence "As detailed in Section 5, non-NSIPs have not been detailed within the below table as the potential for in-combination effects is considered unlikely" should not be present within the assessment and requires deleting. As detailed above, non-NSIP projects are included in the in-combination assessment table (p42-48) and have

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			been considered as part of this assessment within the Habitat Regulations Assessment [APP-185]. An updated Habitat Regulations Assessment [APP-185] will be submitted to clarify the points addressed in this Relevant Response at Deadline 3 unless an earlier deadline is possible. An assessment of in-combination effects of the Scheme with other projects has been completed as part of the Habitat Regulations Assessment [APP-185], which found there to be no in-combination effects on the SAC/ Ramsar. It is acknowledged that further clarity is required on the in-combination assessment and how the conclusions have been reached, which will be provided within an updated Habitat Regulations Assessment [APP-185] and will be issued to the Examining Authority at Deadline 3, unless an earlier deadline is possible. The Applicant notes the Interested Party's comments on the timing of the bridge beam installations. Whilst the bridge beam installation works will endeavour to avoid the lamprey migration season, the bridge beam installation is weather dependent, with a particular need to avoid high winds. It is anticipated that the window for this work would best be undertaken in spring and summer months due to the reliability of the weather. In addition, the bridge beam installation at certain locations (e.g. Nether Lock) will also be constrained by possession availability on the East Coast Mainline. The works are also needed to be undertaken at night due to safety considerations with regard to the proximity of the lifting operations adjacent to live traffic and asset protection requirements by Network Rail. Therefore, whilst the exact timing of the installation may change, it cannot be guaranteed that the bridge beam installation works would be able to avoid the lamprey migration season and thus this pathway for a potential likely significant effect was taken through to Stage 2 Appropriate Assessment within the Habitat Regulations Assessment [APP-185]. The Register of Environmental Actions and Commitments contained within the First Iteration Environmental Management Plan [APP-184] includes measures to prevent light spill during construction. These include the use of task and directional lighting with cowls to minimise light splay to the River Trent and its banks outside of the works area (see commitment B1 of the Register of Environmental Actions and Commitments) as well as static, task lighting with cowls to direct light towards the areas of works and avoid direct illumination of the River Trent, where possible (see commitment B9 of the Register of Environmental Actions and Commitments). The "where possible" was included in this context due to the fact that when a crane slews, the lighting on the boom casts across the water before coming to rest on the beam lift. However, it is noted that this would likely only ever be for short amounts of time (the slewing of the crane would take place approximately four times during a night shift, with the slew taking approximately 30 minutes, with works occurring over 4 weeks in total). The River Trent is approximately 30m wide at the location of the works and therefore, as the crane slews, only a section of the width of the watercourse would be illuminated at any one time. Therefore, the light spill is unlikely to sever the migratory route as there will be dark areas either side. Additionally, the northern branch of the River Trent, considered the main route for migratory lamprey, will still be available to migratory lamprey. The southern branch (where works are proposed) is currently more affected by the light distribution from nearby urban areas; therefore, light spill during construction will be along a section of the watercourse which is already subject to artificial light. The southern branch is also only available to migratory lamprey when Nether Lock is open and therefore is considered semi-permeable to migratory lamprey. The northern branch is considered to provide more favourable conditions for migration, given the permeability and reduced lighting along this stretch. To provide clarity, Register of Environmental Actions and Commitments 'REAC' commitment B9 will be updated to remove "and avoid direct illumination to the River Trent, where possible". Therefore, it will now state "Static, task lighting with cowls will direct light towards the areas of works to minimise light spill". The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan prior to commencement of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. The Applicant can confirm that a Stage 2 Appropriate Assessment has been undertaken as the Stage 1 Screening was unable to exclude the possibility of the potential for Likely Significant Effects upon the Humber Estuary SAC/Ramsar as a result of temporary severance of migratory routes along the river for breeding river lamprey and sea lamprey (as a result

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			of artificial light spill) (see the Habitat Regulations Assessment [APP-185]). The Applicant agrees that paragraph 5.3.7 of the Habitat Regulations Assessment [APP-185] should conclude no adverse effect on integrity of the Humber SAC/Ramsar as a result of the Stage 2 Appropriate Assessment as set out in Section 5.3 of the Appropriate Assessment within the Habitat Regulations Assessment [APP-185]. The Applicant has undertaken consultation with the Environment Agency, Nottinghamshire County Council (the Lead Local Flood Authority), Newark & Sherwood District Council and the Trent Valley Internal Drainage Board which has shaped and influenced the drainage design and the assessment of flood risk, with an allowance for the effects of climate change included in the design. Fish escape passage from Farndon FCAs was included within the design of the Scheme to mitigate the risk of fish entrapment, including the low risk to lamprey species (qualifying features of the downstream Humber Estuary SAC/ Ramsar). Following receipt of the relevant representation from Natural England, the Applicant has brought forward the refinement of the fish escape passage design and produced a Technical Note, outlining fish escape passage options considered, and justification for the selected option. This will be appended to an updated Habitat Regulations Assessment [APP-185] and issued to the Examining Authority at Deadline 3, unless an earlier deadline is possible. The fish escape passage proposals included as part of the DCO application comprised naturalised, open channels, measuring 0.5 metres in width and 0.3 metres in depth, providing direct connection from both Farndon FCAs through the existing flood bund into the River Trent. In undertaking a refinement of the fish escape passage design it is now considered that the proposals included in the DCO application would not be viable as they would render the function of Farndon West FCA redundant due to uncontrolled influx and discharge of flood water and would also not mitigate for entrapment of fish species in the Farndon East FCA (only Farndon West FCA). As such, four alternative Options to mitigate for the risk of fish entrapment within the Farndon FCAs were considered: • Option 1: Culvert from each of the waterbodies within the Farndon West FCA, through the existing River Trent flood bund (which forms the riverbank), directly into the River Trent with a flap valve to restrict backflow. • Option 2: Fish escape passage requiring water abstraction, such as a siphon fish ladder or Archimedes screw, to displace fish from the Farndon FCAs over the existing flood bund and directly into the River Trent. • Option 3: Single-species fish escape passage requiring water abstraction, in the form of a lamprey ladder, from the Farndon FCAs over the existing flood bund and directly into the River Trent. • Option 4: Two fish escape passages from the north of each FCA, as overspill open channels, into Old Trent Dyke. These would comprise naturalised channels measuring 0.5 metres in width and 0.3 metres in depth. Following a review, Options 1 to 3 were not considered to be viable options. Option 1 would render the function of Farndon West FCA redundant due to uncontrolled discharge of flood water back into the River Trent and also potentially increase the risk or duration of flooding. This design would also not mitigate for entrapment of river fish species in Farndon East FCA as this design is not feasible to implement in this location. Options 2 and 3 would require infrastructure, including a pumping station, the associated power supply, and maintenance access, which would result in significantly more habitat loss than the DCO proposal. Additionally, there is the potential for the function of the FCAs to be adversely affected as a result of these options. Option 3 is also insufficient as it only provides mitigation for lamprey and does not mitigate the risk of entrapment of other river fish species across the Farndon FCAs. Option 4 is considered the preferred option as: • This design would minimise the need for earthworks to reprofile the Farndon FCAs, as receding flood water would naturally flow northwards to Old Trent Dyke, as it does after existing flood events. It should be noted that the Old Trent Dyke is the current route that fish re-enter the River Trent, following overtopping of the River Trent embankment in these locations. • This design would not compromise the function of the Farndon FCAs.

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			• There would be no risk of mechanical faults, vandalism, or theft to the fish escape passage proposed. Given that the channels would be open, there would be a relatively low risk of blockages and thus failure of the proposed mitigation for fish entrapment. • This design would provide proportionate mitigation for the potential entrapment of multi-species river fish within both the Farndon West FCA and the Farndon East FCA, and therefore can be delivered as part of the Scheme design. The refined fish escape passage proposal has resulted in a change to the indicative locations of fish escape passages from the Farndon FCAs. The implications of this change on the Habitat Regulations Assessment [APP-185], Environmental Impact Assessment (EIA) and Water Framework Directive (WFD) assessment were also assessed in Section 5 of the Fish Escape Passage Technical Note which will be appended to the updated Habitat Regulations Assessment to be submitted at Deadline 3, unless an earlier deadline is possible. The assessment found that the refinement of the fish passage design does not result in a change in the conclusions of the above assessments. The Applicant held a meeting with Natural England and the Environment Agency on 21 October 2024 to discuss the detail of the proposals for the fish escape passage from the Farndon FCAs to enable Natural England and the Environment Agency to provide assurance that the proposed mitigation measures have been designed appropriately. The outcomes of this discussion (and any subsequent discussions) will be documented in an updated Statements of Common Ground. The Applicant can confirm that a Stage 2 Appropriate Assessment has been undertaken as the Stage 1 Screening was unable to exclude the possibility of the potential for Likely Significant Effects upon the Humber Estuary SAC/Ramsar as a result of entrapment/isolation of lamprey within the Farndon East FCA and Farndon West FCA during the migration and breeding period for lamprey (see the Habitat Regulations Assessment [APP-185]). The Applicant agrees that paragraph 5.2.4 should conclude no adverse effect on integrity of the Humber SAC/Ramsar as a result of the Stage 2 Appropriate Assessment as set out in Section 5.2 of the Appropriate Assessment within the Habitat Regulations Assessment [APP-185]. As stated by Natural England, the Applicant undertook Agricultural Land Classification (ALC) surveys across the Scheme. A small area of around 7.5 ha south of Farndon Roundabout was not surveyed due to access constraints at the time. However, the Applicant can confirm that this area is now outside of the Order Limits and therefore no further work is required in this location as part of the Scheme. As stated by Natural England, the Applicant undertook Agricultural Land Classification (ALC) surveys across the Scheme. A small area of around 7.5 ha south of Farndon Roundabout was not surveyed due to access constraints at the time. However, the Applicant can confirm that this area is now outside of the Order Limits and therefore no further work is required in this location as part of the Scheme. The Applicant confirms that the assessment of temporary loss of land, as detailed in Chapter 9 (Geology and Soils) of the Environmental Statement [APP-053], was based on retention of soil quality and ALC grade after reinstatement. This is detailed in the Outline Soil Management Plan (Appendix B.3) and in the Register of Environmental Actions and Commitments (see commitment GS9) within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan (including a detailed Soils Management Plan) to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan and associated detailed management plans is secured by Requirement 3 of the draft Development Consent Order [APP-021]. The Applicant acknowledges the importance of ensuring soils are handled only after passing a field test, which determines that soils are in a sufficiently dry state. In line with this it is critical to be attentive to weather-dependent constraints during construction. The Outline Soil Management Plan (Appendix B.3 of the First Iteration Environmental Management Plan [APP-184]) specifies the conditions under which soil may and may not be handled during all stages of the construction process. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan (including a detailed Soils Management Plan) to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan and associated

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			detailed management plans is secured by Requirement 3 of the draft Development Consent Order [APP-021]. The detailed Soil Management Plan will additionally provide instructions on how to conduct a field test, as per the guidance in the Institute of Quarrying "Good Practice Guide for Handling Soils".
RR-045	Network Rail	APPLICATION BY NATIONAL HIGHWAYS FOR THE A46 NEWARK BYPASS DEVELOPMENT CONSENT ORDER 202[x] PLANNING INSPECTORATE REFERENCE: TR010065 SECTION 56 PLANNING ACT 2008: RELEVANT REPRESENTATION OF NETWORK RAIL INFRASTRUCTURE LIMITED This is the section 56 representation of Network Rail Infrastructure Limited (Network Rail) provided in respect of National Highways' (the Promoter) application for a development consent order (the Order) for the A46 Newark Bypass (the Scheme). Network Rail is a statutory undertaker and owns, operates and maintains the majority of the rail infrastructure of Great Britain, including the Nottingham to Lincoln line and verges, the Castle line (the Railway). The Order sought by the Promoter includes development consent for the section of the A46 that is to be upgraded between Farndon and Winthorpe is approximately 6.5 kilometres in length. The Scheme comprises on-line widening for the majority of its length between Farndon roundabout and the A1. A new section of offline dual carriageway is proposed between the western and eastern sides of the A1 before the new dual carriageway ties into the existing A46 to the west of Winthorpe roundabout. The widening works include earthwork widening along the existing embankments, and new structures where the route crosses the railway lines, River Trent, the A1 and local roads. The Promoter seeks authority and powers in the draft Order to: a) permanently acquire land in the ownership of Network Rail; b) permanently acquire rights over land in the ownership of Network Rail; and c) take temporary possession of land, in the ownership of Network Rail, as summarised below: 1. Land to be permanently acquired, All interests and rights in approximately 320 square metres of land and railway known as Nottingham to Lincoln line, situated to the west of the A46, Newark Unregistered U100163 Caution title NT522656 (plot 2/2e); 2. Land to be permanently acquired, All interests and rights in approximately 52 square metres of land and railway known as Nottingham to Lincoln line, situated to the west of the A46, Newark Unregistered U100118 Caution title NT510797 and NT522656 (plot 2/2f); 3. Land to be permanently acquired, All interests and rights in approximately 214 square metres of land, railway known as Nottingham to Lincoln line, and highway above known as A46, Newark Unregistered U100118 Caution title NT510797 NT522656 (plot 2/2g); 4. Land to be temporary possession and use of approximately 592 square metres of land and railway line known as Nottingham to Lincoln line situated to the east of the A46, Newark Unregistered U100118 Caution title NT522656 (plot 2/2j); 5. Land to be temporary possession and use of approximately 68 square metres of land and railway line known as Nottingham to Lincoln line situated to the east of the A46, Newark Unregistered U100118 Caution titles NT510797 NT522656 (plot 2/2k); 6. Land to be temporary possession and use of approximately 1337 square metres of land and railway line known as Nottingham to Lincoln line, situated to the west of the A46, Newark Unregistered U100163 Caution title NT522656 (plot 2/2m); 7. Land to be used temporarily and rights to be permanently acquired being approximately 26 square metres of land and railway line known as Nottingham to Lincoln line situated to the west of the A46, Newark Unregistered Caution title NT522656 (plot 2/2n);	The Applicant notes the points raised by Network Rail and the Applicant is in active discussions with Network Rail in relation to seeking to agree the form of Protective Provisions to be included in the Order and those discussions are ongoing.

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		8. Land to be permanently acquired, All interests and rights in approximately 54 square metres of land, railway and highway above known as A46, Newark Freehold title NT510787 Caution title NT522656 (plot 2/4c); 9. Land to be permanently acquired, All interests and rights in approximately 87 square metres of land, railway and highway above known as A46, Newark Freehold title NT510787 Caution title NT522656 (plot 2/4d); 10. Land to be permanently acquired, All interests and rights in approximately 159 square metres of land, railway and bridge carrying A46 situated to the west of Kings Waterside Marina the River Trent, Newark Freehold title NT510787 Caution title NT510795 (plot 3/1r); 11. Land to be permanently acquired, All interests and rights in approximately 117 square metres of land, railway and bridge carrying A46 situated to the west of Kings Waterside Marina the River Trent, Newark Freehold title NT510787 Caution title NT510795 (plot 3/1s); 12. Land to be permanently acquired, All interests and rights in approximately 71 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Freehold title NT510787 (plot 3/1t); 13. Land to be used temporary, temporary possession and use of approximately 69 square metres of land and, railway and bridge carrying A46 situated to the west of Kings Waterside Marina the River Trent, Newark Freehold title NT510787 Caution title NT510795 (plot 3/1u); 14. Land to be permanently acquired, All interests and rights in approximately 206 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100163 Caution title NT510795 (plot 3/2v); 15. Land to be used temporary, temporary possession and use of approximately 503 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2x); 16. Land to be used temporarily and rights to be permanently acquired being approximately 24 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2y); 17. Land to be permanently acquired, All interests and rights in approximately 49 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2z); 18. Land to be permanently acquired, All interests and rights in approximately 129 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2aa); 19. Land to be permanently acquired, All interests and rights in approximately 996 square metres of land, railway, and bridge carrying A46 situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2cc); 20. Land to be used temporarily and rights to be permanently acquired being approximately 5 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2dd); 21. Land to be permanently acquired, All interests and rights in approximately 163 square metres of land, railway, and bridge carrying A46 situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered Caution title NT510795 (plot 3/2ee);	

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		22. Land to be used temporary, Temporary possession and use of approximately 798 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2ff); 23. Land to be used temporary, Temporary possession and use of approximately 171 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered Caution title NT510795 (plot 3/2gg); 24. Land to be permanently acquired, All interests and rights in approximately 12 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered Caution title NT510795 (plot 3/2hh); 25. Land to be permanently acquired, All interests and rights in approximately 835 square metres of land situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2ii); 26. Land to be permanently acquired, All interests and rights in approximately 58 square metres of land and railway situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered Caution title NT510795 (plot 3/2jj); 27. Land to be permanently acquired, All interests and rights in approximately 86 square metres of land and woodland situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2kk); 28. Land to be used temporarily and rights to be permanently acquired being approximately 5 square metres of land situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2ll); 29. Land to be permanently acquired, All interests and rights in approximately 6 square metres of land situated to the west of Kings Waterside Marina the River Trent, Newark Unregistered U100118 (plot 3/2mm); 30. Land to be used temporarily and rights to be permanently acquired being approximately 93 square metres of land and bridge carrying A46 situated to the west of Quibells Lane, Newark Freehold title NT287247 NT510787 (plot 4/1e); 31. Land to be permanently acquired, All interests and rights in approximately 755 square metres of land, railway and bridge carrying highway known as A46 situated to the west of Quibells Lane, Newark Freehold title NT287247 NT510787 (plot 4/1f); 32. Land to be permanently acquired, All interests and rights in approximately 247 square metres of land, railway and bridge carrying highway known as A46 situated to the west of Quibells Lane, Newark Freehold title NT287247 NT510787 (plot 4/1g); 33. Land to be permanently acquired, All interests and rights in approximately 647 square metres of private road and verge situated to the northwest of Quibells Lane and public footpath (Newark FP48#1), Newark Freehold title NT227149 (plot 4/1k); 34. Land to be used temporarily and rights to be permanently acquired being approximately 256 square metres of land, hedgerow and railway situated to the west of Hatchet's Lane, Newark Unregistered U100125 (plot 4/5c); 35. Land to be permanently acquired, All interests and rights in approximately 242 square metres of land and railway situated to the south of Nether Lock and west of the A46, Newark Unregistered U100118 (plot 4/5e);	

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		36. Land to be used temporarily and rights to be permanently acquired being approximately 435 square metres of land and, access track and premises situated to the west of Quibells Lane, Newark Unregistered U100143 Caution title NT510791 (plot 4/5f); 37. Land to be used temporarily and rights to be permanently acquired being approximately 176 square metres of land and verge situated to the west of Quibells Lane, Newark Unregistered U100125 U100019 (plot 4/5g); 38. Temporary possession and use of approximately 2871 square metres of land and railway situated to the west of Quibells Lane, Newark Unregistered U100019 (plot 4/5h); 39. Land to be used temporarily and rights to be permanently acquired being approximately 1106 square metres of land and highway known as Quibells Lane and private access track to sewage treatment works and public footpath (Newark FP48#1), Newark Unregistered U100057 (plot 4/5i); 40. Land to be used temporarily and rights to be permanently acquired being approximately 2527 square metres of land and highway known as Quibells Lane and private access track to sewage treatment works and public footpath (Newark FP48#1), Newark Unregistered U100057 (plot 4/5j); 41. Land to be used temporarily and rights to be permanently acquired being approximately 307 square metres of track known as Trent Lane and Bridleway (Newark BW6) situated to the west of Quibells Lane, Newark Unregistered U100054 (plot 4/5l); 42. Land to be permanently acquired, All interests and rights in approximately 164 square metres of track known as Trent Lane and bridge above carrying A46 and Bridleway (Newark BW6) situated to the west of Quibells Lane, Newark Unregistered U100054 (plot 4/5m); 43. Land to be used temporarily and rights to be permanently acquired being approximately 411 square metres of track known as Trent Lane and Bridleway (Newark BW6) situated to the west of Quibells Lane, Newark Unregistered U100054 (plot 4/5n); 44. Land to be used temporarily and rights to be permanently acquired being approximately 211 square metres of land and track known as Trent Lane, Newark Unregistered U100124 (plot 4/5o); 45. Land to be used temporarily and rights to be permanently acquired being approximately 73 square metres of land and premises situated at Trent Lane, Newark Freehold title NT358424 (plot 4/9a); 46. Land to be used temporarily and rights to be permanently acquired being approximately 1921 square metres of land and highway known as Trent Lane, Newark Freehold title NT358424 (plot 4/9b); 47. Land to be used temporarily and rights to be permanently acquired being approximately 600 square metres of land and highway known as Trent Lane, Newark Freehold title NT396003 (plot 4/10a); 48. Land to be permanently acquired, All interests and rights in approximately 18 square metres of land and railway situated to the west of Quibells Lane, Newark Unregistered (plot 4/12a); 49. Land to be permanently acquired, All interests and rights in approximately 40 square metres of land and railway situated to the west of Quibells Lane, Newark Unregistered Caution title NT510791 (plot 4/12b); 50. Land to be permanently acquired, all interests and rights in approximately 314 square metres of land and bridge carrying A46 situated to the west of Quibells Lane, Newark and	

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		railway line that is excluded from land acquisition Unregistered U100143 Caution title NT510791 (plot 4/12c); 51. Land to be permanently acquired, All interests and rights in approximately 27 square metres of land and railway line that is excluded from land acquisition situated to the west of Quibells Lane, Newark Unregistered U100019 (plot 4/12d); 52. Land to be permanently acquired, All interests and rights in approximately 8 square metres of land and railway situated to the north south of Newark Crossing, Newark Unregistered U100143 Caution title NT510791 (plot 4/12e); 53. Land to be permanently acquired, All interests and rights in approximately 78 square metres of Land, railway and bridge carrying highway known as A46 situated to the north south of Newark Crossing, Newark Unregistered U100143 Caution title NT510791 (plot 4/12f); 54. Land to be used temporarily and rights to be permanently acquired being approximately 96 square metres of land and railway line that is excluded from land acquisition situated to the north of Newark Crossing and to the west of Quibells Lane, Newark Unregistered - U100125 (plot 4/12g); and 55. Land to be permanently acquired, All interests and rights in approximately 515 square metres of land and railway situated to the north of Newark Crossing west of Quibells Lane, Newark Unregistered U100125 (plot 4/12i). Network Rail wishes to ensure that the Scheme will not have a detrimental impact on the operation of the Railway and that the safety of the Railway is maintained during the construction, operation and ongoing maintenance requirements of the Scheme. As the Promoter proposes to compulsorily acquire railway land, new rights over railway land and take temporary possession of railway land, Network Rail hereby objects to the making of the Order in principle on the ground that the powers sought are likely to interfere with the safe and efficient operation of the Railway and cause a serious detriment to the carrying on of Network Rail's statutory undertaking. In order for Network Rail to be in a position to withdraw its objection Network Rail will require adequate protective provisions to be included within the Order (and for the avoidance of doubt Network Rail require these Protective Provisions to be in the form set out at Appendix 1 to this Relevant Representation) and an agreement with the Promoter to ensure that the new rights sought are exercised in regulated manner to prevent adverse impacts to the Railway. Network Rail is continuing to review the Promoter's plans, draft Order and application documents, and will continue to work constructively with the Promoter to clarify any issues raised. The Examining Authority and the Secretary of State will need to be satisfied that railway safety and operations will not be compromised by the making of the Order. Network Rail hereby requests that the Examining Authority treats Network Rail as an Interested Party for the purposes of the Examination and Network Rail reserves the right to produce additional and further grounds of concern when further details of the Scheme and its effects on Network Rail's assets are available. Appendix 1 Protective Provisions for the benefit of Network Rail PROTECTIVE PROVISIONS PART [ ] FOR THE PROTECTION OF RAILWAY INTERESTS 1. The provisions of this Part of this Schedule have effect, unless otherwise agreed in writing between the undertaker and Network Rail and, in the case of paragraph [15] of this Part of this Schedule any other person on whom rights or obligations are conferred by that paragraph. 2. In this Part of this Schedule— "asset protection agreement" means an agreement to regulate the construction and maintenance of the specified work in a form prescribed from time to time by Network Rail; "construction" includes execution, placing, alteration and reconstruction and "construct" and "constructed" have corresponding meanings; "the	

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		engineer" means an engineer appointed by Network Rail for the purposes of this Order; "network licence" means the network licence, as the same is amended from time to time, granted to Network Rail Infrastructure Limited by the Secretary of State in exercise of their powers under section 8 (licences) of the Railways Act 1993; "Network Rail" means Network Rail Infrastructure Limited (company number 02904587, whose registered office is at Waterloo General Office, London SE1 8SW) and any associated company of Network Rail Infrastructure Limited which holds property for railway purposes, and for the purpose of this definition "associated company" means any company which is (within the meaning of section 1159 of the Companies Act 2006) the holding company of Network Rail Infrastructure Limited, a subsidiary of Network Rail Infrastructure Limited or another subsidiary of the holding company of Network Rail Infrastructure Limited and any successor to Network Rail Infrastructure Limited's railway undertaking; "plans" includes sections, designs, design data, software, drawings, specifications, soil reports, calculations, descriptions (including descriptions of methods of construction), staging proposals, programmes and details of the extent, timing and duration of any proposed occupation of railway property; "railway operational procedures" means procedures specified under any access agreement (as defined in the Railways Act 1993) or station lease; "railway property" means any railway belonging to Network Rail and- (a) any station, land, works, apparatus and equipment belonging to Network Rail or connected with any such railway; and (b) any easement or other property interest held or used by Network Rail or a tenant or licencee of Network Rail for the purposes of such railway or works, apparatus or equipment; "regulatory consents" means any consent or approval required under: (a) the Railways Act 1993; (b) the network licence; and/or (c) any other relevant statutory or regulatory provisions; by either the Office of Rail and Road or the Secretary of State for Transport or any other competent body including change procedures and any other consents, approvals of any access or beneficiary that may be required in relation to the authorised development; "specified work" means so much of any of the authorised development as is situated upon, across, under, over or within 15 metres of, or may in any way adversely affect, railway property and, for the avoidance of doubt, includes the maintenance of such works under the powers conferred by article 4 (maintenance of authorised project) in respect of such works. 3. (1) Where under this Part of this Schedule Network Rail is required to give its consent or approval in respect of any matter, that consent or approval is subject to the condition that Network Rail complies with any relevant railway operational procedures and any obligations under its network licence or under statute. (2) In so far as any specified work or the acquisition or use of railway property is or may be subject to railway operational procedures, Network Rail must— (a) co-operate with the undertaker with a view to avoiding undue delay and securing conformity as between any plans approved by the engineer and requirements emanating from those procedures; and (b) use their reasonable endeavours to avoid any conflict arising between the application of those procedures and the proper implementation of the authorised development pursuant to this Order. 4. (1) The undertaker must not exercise the powers conferred by— (a) article 5 (development consent granted by the Order); (b) article 6 (maintenance of authorised development); (c) article 23 (discharge of water); (d) article 25 (authority to survey and investigate the land onshore); (e) article 26 (compulsory acquisition of land); (f) article 29 (compulsory acquisition of rights); (g) article 38 (acquisition of subsoil only or airspace only); (h) article 31 (power to override easements and other rights) (i) article 40 (temporary use of land for carrying out the authorized project); (j) article 41 (temporary use of land for maintaining the authorised project); (k) article 42 (statutory undertakers); (l) article 30 (private rights); (m)	

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		article 45 (felling or lopping of trees and removal of hedgerows); (n) article 46 (trees subject to tree preservation orders); (o) the powers conferred by section 11(3) (power of entry) of the 1965 Act; (p) the powers conferred by section 203 (power to override easements and rights) of the Housing and Planning Act 2016; (q) the powers conferred by section 172 (right to enter and survey land) of the Housing and Planning Act 2016; (r) any powers under in respect of the temporary possession of land under the Neighbourhood Planning Act 2017; in respect of any railway property unless the exercise of such powers is with the consent of Network Rail. (2) The undertaker must not in the exercise of the powers conferred by this Order prevent pedestrian or vehicular access to any railway property, unless preventing such access is with the consent of Network Rail. (3) The undertaker must not exercise the powers conferred by sections 271 or 272 of the 1990 Act, article 42 (statutory undertakers), article 31 (power to override easements and other rights or private rights of way) or article 30 (private rights), in relation to any right of access of Network Rail to railway property, but such right of access may be diverted with the consent of Network Rail. (4) The undertaker must not under the powers of this Order acquire or use or acquire new rights over, or seek to impose any restrictive covenants over, any railway property, or extinguish any existing rights of Network Rail in respect of any third party property, except with the consent of Network Rail. (5) The undertaker must not under the powers of this Order do anything which would result in railway property being incapable of being used or maintained or which would affect the safe running of trains on the railway. (6) Where Network Rail is asked to give its consent pursuant to this paragraph, such consent must not be unreasonably withheld but may be given subject to reasonable conditions but it shall never be unreasonable to withhold consent for reasons of operational or railway safety (such matters to be in Network Rail's absolute discretion). (7) The undertaker must enter into an asset protection agreement prior to the carrying out of any specified work. 5. (1) The undertaker must before commencing construction of any specified work supply to Network Rail proper and sufficient plans of that work for the reasonable approval of the engineer and the specified work must not be commenced except in accordance with such plans as have been approved in writing by the engineer or settled by arbitration. (2) The approval of the engineer under sub-paragraph (1) must not be unreasonably withheld, and if by the end of the period of 28 days beginning with the date on which such plans have been supplied to Network Rail the engineer has not intimated their disapproval of those plans and the grounds of such disapproval the undertaker may serve upon the engineer written notice requiring the engineer to intimate approval or disapproval within a further period of 28 days beginning with the date upon which the engineer receives written notice from the undertaker. If by the expiry of the further 28 days the engineer has not intimated approval or disapproval, the engineer shall be deemed to have approved the plans as submitted. (3) If by the end of the period of 28 days beginning with the date on which written notice was served upon the engineer under sub-paragraph (2), Network Rail gives notice to the undertaker that Network Rail desires itself to construct any part of a specified work which in the opinion of the engineer will or may affect the stability of railway property or the safe operation of traffic on the railways of Network Rail then, if the undertaker desires such part of the specified work to be constructed, Network Rail must construct it without unnecessary delay on behalf of and to the reasonable satisfaction of the undertaker in accordance with the plans approved or deemed to be approved or settled under this paragraph, and under the supervision (where appropriate and if given) of the undertaker. (4) When signifying their approval of the plans the engineer may specify any protective works (whether temporary or permanent) which in the engineer's opinion should be carried out before the	

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		commencement of the construction of a specified work to ensure the safety or stability of railway property or the continuation of safe and efficient operation of the railways of Network Rail or the services of operators using the same (including any relocation de-commissioning and removal of works, apparatus and equipment necessitated by a specified work and the comfort and safety of passengers who may be affected by the specified works), and such protective works as may be reasonably necessary for those purposes must be constructed by Network Rail or by the undertaker, if Network Rail so desires, and such protective works must be carried out at the expense of the undertaker in either case without unnecessary delay and the undertaker must not commence the construction of the specified works until the engineer has notified the undertaker that the protective works have been completed to their reasonable satisfaction. 6. (1) Any specified work and any protective works to be constructed by virtue of paragraph 5(4) must, when commenced, be constructed— (a) without unnecessary delay in accordance with the plans approved or deemed to have been approved or settled under paragraph 5; (b) under the supervision (where appropriate and if given) and to the reasonable satisfaction of the engineer; (c) in such manner as to cause as little damage as is possible to railway property; and (d) so far as is reasonably practicable, so as not to interfere with or obstruct the free, uninterrupted and safe use of any railway of Network Rail or the traffic thereon and the use by passengers of railway property. (2) If any damage to railway property or any such interference or obstruction shall be caused by the carrying out of, or in consequence of the construction of a specified work, the undertaker must, notwithstanding any such approval, make good such damage and must pay to Network Rail all reasonable expenses to which Network Rail may be put and compensation for any loss which it may sustain by reason of any such damage, interference or obstruction. (3) Nothing in this Part of this Schedule imposes any liability on the undertaker with respect to any damage, costs, expenses or loss attributable to the negligence of Network Rail or its servants, contractors or agents or any liability on Network Rail with respect of any damage, costs, expenses or loss attributable to the negligence of the undertaker or its servants, contractors or agents. 7. The undertaker must- (a) at all times afford reasonable facilities to the engineer for access to a specified work during its construction; and (b) supply the engineer with all such information as they may reasonably require with regard to a specified work or the method of constructing it. 8. Network Rail must at all times afford reasonable facilities to the undertaker and its agents for access to any works carried out by Network Rail under this Part of this Schedule during their construction and must supply the undertaker with such information as it may reasonably require with regard to such works or the method of constructing them. 9. (1) If any permanent or temporary alterations or additions to railway property are reasonably necessary in consequence of the construction or completion of a specified work in order to ensure the safety of railway property or the continued safe operation of the railway of Network Rail, such alterations and additions may be carried out by Network Rail and if Network Rail gives to the undertaker 56 days' notice (or in the event of an emergency or safety critical issue such notice as is reasonable in the circumstances) of its intention to carry out such alterations or additions (which must be specified in the notice), the undertaker must pay to Network Rail the reasonable cost of those alterations or additions including, in respect of any such alterations and additions as are to be permanent, a capitalised sum representing the increase of the costs which may be expected to be reasonably incurred by Network Rail in maintaining, working and, when necessary, renewing any such alterations or additions. (2) If during the construction of a specified work by the undertaker, Network Rail gives notice to the undertaker that Network Rail desires itself to construct that part of the	

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		specified work which in the opinion of the engineer is endangering the stability of railway property or the safe operation of traffic on the railways of Network Rail then, if the undertaker decides that part of the specified work is to be constructed, Network Rail must assume construction of that part of the specified work and the undertaker must, notwithstanding any such approval of a specified work under paragraph 5(3), pay to Network Rail all reasonable expenses to which Network Rail may be put and compensation for any loss which it may suffer by reason of the execution by Network Rail of that specified work. (3) The engineer must, in respect of the capitalised sums referred to in this paragraph and paragraph 10(a) provide such details of the formula by which those sums have been calculated as the undertaker may reasonably require. (4) If the cost of maintaining, working or renewing railway property is reduced in consequence of any such alterations or additions a capitalised sum representing such saving must be set off against any sum payable by the undertaker to Network Rail under this paragraph. 10. The undertaker must repay to Network Rail all reasonable fees, costs, charges and expenses reasonably incurred by Network Rail— (a) in constructing any part of a specified work on behalf of the undertaker as provided by paragraph 5(3) or in constructing any protective works under the provisions of paragraph 5(4) including, in respect of any permanent protective works, a capitalised sum representing the cost of maintaining and renewing those works; (b) in respect of the approval by the engineer of plans submitted by the undertaker and the supervision by the engineer of the construction of a specified work; (c) in respect of the employment or procurement of the services of any inspectors, signallers, watch-persons and other persons whom it shall be reasonably necessary to appoint for inspecting, signalling, watching and lighting railway property and for preventing, so far as may be reasonably practicable, interference, obstruction, danger or accident arising from the construction or failure of a specified work; (d) in respect of any special traffic working resulting from any speed restrictions which may in the opinion of the engineer, require to be imposed by reason or in consequence of the construction or failure of a specified work or from the substitution or diversion of services which may be reasonably necessary for the same reason; and (e) in respect of any additional temporary lighting of railway property in the vicinity of the specified works, being lighting made reasonably necessary by reason or in consequence of the construction or failure of a specified work. 11. (1) In this paragraph- "EMI" means, subject to sub-paragraph (2	
RR-046	Newark and Notts Agricultural Society	The Newark & Nottinghamshire Agricultural Society ("NNAS") is a Charity whose principal objective is to support and promote Agriculture and related industries. It achieves this through various agricultural shows, education, grant assistance and support for both rural and urban communities, educational establishments and other organisations. NNAS is based in and runs many of these activities from Newark Showground, a site amounting to some 180 acres overall which it owns on a freehold basis. In order to generate income with which to carry out its charitable purpose, NNAS utilises (through a trading subsidiary) much of the site, when not in use for its own activities, as a multi-faceted conference, meeting and event centre. The busy site operates more than 500 events each year with a visitor attendance of over 500,000 people which in turn generates significant employment, economic and social benefit to the Newark & Sherwood district and the wider region. It is one of the premier events centres in the Midlands. NNAS is strongly supportive of the development the subject of the DCO which it considers to be an economic benefit of national and regional significance, but which will also enhance access and, thus, the attractiveness, of the Showground as an events	The Applicant is in discussion with the Lindum Group regarding the alignment of the combined footway/cycleway detailed in Works No. 102 within the Works Plans [AS-005] and Schedule 1 of the draft Development Consent Order [APP-021]. The Applicant would note that the proposed alignment of Works No. 102 was agreed with the Lindum Group during the development of the Scheme design solution to incorporate the proposed internal road layout of their original development proposals. Since then, the developer has amended their proposals, which have been submitted with their outline planning application. The Applicant is not proposing to alter the alignment of Works No. 102 and instead has commenced discussions with the Lindum Group into the possibility of a legal agreement between the two parties to cover the scenario in which the Lindum group planning application is granted and works commence ahead of the commencement of works date for the Newark Bypass Scheme. The temporary alignment of the existing footway cycleway through the Showground land will have appropriate fencing to prevent unauthorised access. The Applicant investigated the possibility of providing an egress on the new Friendly Farmer Link Road but as stated within section N8. within section the Consultation Report [APP-044] the Applicant has assessed additional options for turning movements onto Friendly Farmer Link Road from Newark Showground. The assessment showed that Winthorpe

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		facility. Notwithstanding its fundamental support, NNAS has some detailed technical design issues with the submitted scheme, which it has already raised with National Highways ("NH"). These are: • The proposed permanent re-routing of Winthorpe Footpath No 3 across the NNAS land, which, as presently proposed, raises serious operational and security issues for the NNAS. It is understood that NH is exploring an alternative re-alignment which, if acceptable to NNAS, could be the subject of a Statement of Common Ground to be submitted to the Examination Inspector. • Access/egress to/from the Showground on the proposed new two-way 'link road' between the Friendly Farmer Roundabout and the Winthorpe Roundabout. This presently includes a 'left turn in only' from the Southbound lane of that Road. NNAS has proposed that this be augmented by adding a 'left turn out only' to the same Southbound lane. NNAS has indicated that it would make further land available to facilitate this and any associated physical measures to prevent 'right-turn in and out' movements. It is now understood that NH is not only minded to resist the outbound facility but is also reconsidering the inbound one because of the risk of vehicles 'turning right'. Given the significant traffic benefits, during and post-scheme, of providing alternative Showground access/egress other than exclusively from Drove Lane/Winthorpe Roundabout, NNAS is keen to pursue dialogue with NH, the outcome of which could also be the subject of a Statement of Common Ground to be submitted to the Examination Inspector. • Access/egress by bicycle to/from the Showground along the new link road and from Winthorpe Roundabout along Drove Lane also needs to be considered in the scheme to facilitate safe and effective use by cyclists (in addition to pedestrians). • The extent and timings of the land required for the scheme and used in the construction phase must be carefully planned as it may have material impacts on events contracted to use the space and NNAS ability to service future events.	Roundabout could accommodate the traffic along Drove Lane and additional turning movements were not required to deal with traffic. It also presented an increased risk of queues on the link road, which could have led to rear end shunt incidents. Walking and cycling routes are provided to the Showground entrance on Drove Lane from Winthorpe via Hargon Lane to the A1133 and across Winthorpe Roundabout and alongside the Friendly Farmer Link Road which provides connections to the existing network around the Friendly Farmer Roundabout. This is shown on the General Arrangement Plans [AS-007]. The land will be used temporarily for approximately 30 months during the construction phase of the Scheme.
RR-047	Newark A46 Active Travel Partnership	That a major scheme to speed up motor vehicles movement on the A46 and A1 neglects to improve Active Travel journeys/options, especially on the eastern side of Newark where the A1, A46 & A17 junction acts as a major barrier to Active Travel journeys. This is in contravention of the Governments own climate change targets.	The Applicant confirms that where the Scheme impacts on an existing walking or cycling route either during construction or when the Scheme is operational, the Applicant has provided replacement facilities alongside or crossing the new highway alignment. Improved facilities have been provided at the following locations (refer to AS-007 - National Highways, 2.5 General Arrangement Plans): • Cattle Market Roundabout – 3-metre-wide route around the junction with signal-controlled crossings at all crossing points • Great North Road – Signalised crossing of the new lorry park entrance • Winthorpe connectivity – 3-metre- wide walking and cycling route from Hargon Lane with southern connection to Newark and existing severed routes to the south of the A46. Also, northern route to the A1133 and around Winthorpe Roundabout • Showground entrance – 3-metre-wide walking and cycling route between the A17 crossing and Winthorpe Roundabout extended to the first Showground entrance on Drove Lane
RR-048	Newark and Sherwood District Council	Please see attached the comments from Newark and Sherwood District Council. This document combines the Council's comments as land owner and as the planning authority. The two responses have been placed into one document. A46 Newark Bypass Inspectorate's reference number TR010065 1.0 Introduction	The Applicant confirms that the reference made in the Interested Party's relevant representation to visual receptor 25 is in relation to views afforded from road users of Great North Road as visual receptors and is not representative of views from Smeaton's arches as a heritage asset. Visual receptors and references to key visual receptors and photomontages are a matter for consideration within the assessment of Landscape and Visual effects as presented within Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [AP-051] rather than the assessment of built heritage which is captured within Chapter 6 (Cultural Heritage) of the Environmental Statement [AP-050]. The built heritage

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		1.1. Newark and Sherwood District Council (NSDC) is the host local authority for the A46 Newark Bypass Development Consent Order (DCO) application. The 'order limits' of the DCO are wholly within the administrative boundary of the NSDC. Nottinghamshire County Council are the Highway Authority within this administrative boundary and will be providing separate Relevant Representations. 1.2. In accordance with section 102(1)(C) of the Planning Act 2008 (PA 2008), NSDC automatically qualifies as an 'interested party' (IP) for the purpose of the examination of the A46 Newark Bypass DCO. 1.3. In its capacity as an 'interested party' NSDC submits this Relevant Representation (RR) in accordance with sections 56 and 102(4) of the PPA 2008. 1.4. This RR is made without prejudice to the future views that may be expressed by NSDC in its capacity as an IP in the subsequent examination process. The comments are made following an initial review of the DCO material. 1.5. NSDC recognises the benefits of this project both locally and nationally. This scheme has been an important aspiration of the Government's National Road Investment Strategy, an aspiration supported by a raft of partners including ourselves, Midlands Connect, Nottinghamshire County Council, Lincolnshire County Council and a number of highway, Local Enterprise Partnerships and Local Planning Authorities from the Humber Ports to Tewkesbury. 1.6. The scheme represents a major opportunity in the District and the scheme should not miss opportunities to improve the environment and accessibility in this part of the District. The nature of the scheme and the location of the proposal means that the scheme should be sensitive to its impact on both the environment and the communities through which it passes and serves. 2.0 Scope of this Relevant Representation 2.1 NSDC will provide a detailed case on the impact of the applications within its Local Impact Report (LIR). The LIR will set out the views of NSDC following an opportunity to review the application in detail. 2.2 A full response setting out the technical assessment of the application, include policy compliance and planning balance, will be reported within NSDC's Written Representation (WR). The WR will include assessments on the individual impacts of the DCO. 2.2 This RR therefore sets out the key issues that NSDC consider to be important and relevant for the examination phase of the application to consider. 2.3 Many of the reports and drawings submitted as part of the DCO, have only been made available to the Council once the DCO has been formally accepted and therefore a full assessment has not been able to be made, but our comments represent our initial assessment of the scheme. It should be noted that many of the documents and how they are structured and referenced to other documents has made it difficult to find and assess information. 3.0 Core issues for consideration 3.1 Without prejudice to matters that are identified following a detailed assessment, NSDC expect the following matters to be scrutinised in detail through the examination phase: • Compliance with relevant legislation; • Policy compliance and planning balance;	assessment includes the assessment of potential impacts upon the setting of listed buildings such as Smeaton's arches and Winthorpe Conservation Area. Consultation undertaken to date with the Newark and Sherwood District Council Senior Conservation Officer to discuss the assessed impacts and effects of the Scheme upon built heritage assets and their setting is recorded in Section 6.4 of Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050]. Where significant impacts are predicted, mitigation measures for the effected heritage assets have been agreed with the Newark and Sherwood District Council Senior Conservation Officer and other Cultural Heritage Stakeholders and these measures are outlined within Commitments CH2 to CH5 and CH8 to CH10 of the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The Applicant confirms section 6.4 of Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] records the consultation undertaken to date with the Newark and Sherwood District Council Historic Environment Officer to discuss the assessed impacts and effects of the Scheme upon archaeological remains and the measures required to reduce and avoid these impacts where possible. To date the Scheme has been subject to two phases of archaeological investigation, the scope of which has been agreed with the Newark and Sherwood District Council Historic Environment Officer. These phases include a programme of preliminary survey (field walking, metal detector, geophysical survey and geoarchaeological desk-based assessment) and a programme of archaeological evaluation (trial trenching and test pitting, geoarchaeological coring and archaeological monitoring of Ground Investigation Works). The agreed scope for these works is detailed within Chapters 4 and 5 of the Archaeological Management Plan [APP- 187] and the results of these surveys are detailed within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the Environmental Statement Appendices [AS-099]. Where areas of significant archaeology have been identified through preliminary survey and archaeological evaluation, discussions with the Newark and Sherwood District Council Historic Environment Officer and the Applicant have enabled the reduction of the construction areas to preserve as much of these sensitive areas in situ. Where avoidance has not been possible a robust archaeological mitigation strategy for the pre-commencement and construction stages of the Scheme is being developed in accordance with Requirement 9 of the draft Development Consent Order [APP-021]. This detailed strategy is being developed in consultation with Historic England and Cultural Heritage Stakeholders and will form part of a future iteration of the Archaeological Management Plan [APP- 187], which will be submitted during examination. Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] sets out the noise and vibration assessment for both the construction and operational phases of the Scheme and shows that there are some beneficial impacts and some adverse impacts although none are predicted to be significant. Construction noise and vibration impacts are detailed for the affected representative receptors shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065]. The Applicant confirms paragraph 11.7.3 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] refers to National Highways' Design Manual for Roads and Bridges LA111 which notes that a study area of 300 metres from construction activity is normally sufficient to encompass sensitive receptors that may be affected by construction noise (100 metres from construction activity that has potential to generate vibration). Accordingly, the construction noise study area as shown in Figure 11.2 (Construction Noise Study Area) of the Environmental Statement Figures [AS-056] encompasses relevant areas of the Interested Party. Figure 11.9 (Short-term Noise Change) of the Environmental Statement Figures [AS-063] and Figure 11.10 (Long-term Noise Change) of the Environmental Statement Figures [AS-064] show the noise impact along Tolney Lane and surrounding areas in the short-term and long-term respectively. Noise mitigation embedded in the design to avoid significant effects includes a combination of bunds, barriers, and low noise surfacing, as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-023]. Requirement 16 of the draft Development

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		• Cultural Heritage – Built heritage - Although there is a visual receptor (no.25) in relation to Smeaton's Arches, which is Grade II Listed, has not been identified as an important receptor. Due to the significance of the Smeaton arches, the significant historic approach along Great North Road into Newark, along with views of grade I listed St Marys Magdalene, this should be a 'Key Visual Receptor and Photomontage'. This will allow for a full assessment on the potential impact of the engineering works will have on the setting of the listed building and historic route into Newark. In addition, it is considered that the visual receptors do not allow for a full assessment on potential impacts on Winthorpe Conservation Area. An additional visual receptor may be required or the existing (no. 41 & 43) may need to be wider than the 90 degrees shown. There are elevation plans for each bridge, however nothing showing the full length of the cattle market bridge from where it rises at Kelham Road to where it falls to the east. In addition, a full elevation of the bridge over the A1;Archaeology – Investigations have already taken place and the potential for archaeological hotspots are possible within the site. • Noise and vibration impacts – Certain activities will result in high noise levels at nearest receptors – particularly some overnight works and works at height where the provision of a barrier is not feasible. Measures will be required to show the reasonableness to implement mitigation for these periods. Also, a barrier is planned for an area of Tolney Lane to mitigate impact for a number of residents, but it is not clear what the rest of the impact would be on the residents and the area; • Land Contamination – Although the long term human health risk hasn't been identified as harmful, contamination hotspots are proposed to be mitigated by leaving in situ at depth (WS46) and placement beneath permanent hardstanding (BH11). It is expected that full details of mitigation will be confirmed prior to commencement of works; • Air Quality – The southern link road, which is located to the south of Newark and links the A1 to the A46 and is expected to be completed by Spring 2026, has not been taken into consideration in any air quality assessment, which the Council would have expected. This would have an impact on the flows within and close to the scheme; • Ecology and Biodiversity impacts (including Biodiversity Net Gain); • Landscape and visual effects – The Council considers that the number of visual photomontages is insufficient to adequately represent the true impact of the development from key receptors taking in to account the significant increase in the levels and the elevations of the highway. The impact of the development upon the quality of the user experience of the public rights of way network and local roads has not been adequately assessed. An error on one of the visuals (viewpoint 18) labels the Staythorpe Power Station incorrectly as Stanhope power station, this will need correcting as could appear misleading. • Effects on residential amenity – The Council considers that insufficient mitigation has been put forward to mitigate for the existing residents in the area of Cattle Market roundabout and especially those visual effects to residents of Sandhills Park and Close; • Traffic and transport; • Flood risk and drainage; • Impact on the loss of trees;	Consent Order [APP-021] secures the provision of the noise mitigation proposals presented within Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] Appendix 9.2 (Contaminated Land Risk Assessment) of the Environmental Statement Appendices [APP-164] concludes low risk to human health receptors at the WS64 hotspot location, due to the depth of identified contamination, absence of planned excavation or vegetation clearance activities in that area. Therefore, the Applicant proposes that the contamination hotspot at WS46 is left in situ. The Register of Environmental Actions and Commitments) contained within the First Iteration Environmental Management Plan [APP-184], details the following mitigation at GS4; "the location of the contamination hotspot at Nether Lock will be recorded and documented by the Detailed Design Consultant and shared to the PC. Before construction commences, the PC will install fencing and signage, clearly identifying and restricting access to the area." The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. In addition, the General Arrangement Plans [AS-007]) show that the existing vegetation in the area of WS46 will be retained. At this stage it should be noted that the Applicant is in discussions with the Environment Agency regarding further quantitative assessment of contaminated material at the WS46 hotspot location. Should there be changes in the proposed works at the WS46 hotspot, Newark and Sherwood District Council will be informed and engaged in discussions. The Work Plans [AS-005] show that the location of borehole BH11 (as shown in Appendix 9.2 (Contaminated Land Risk Assessment) of the Environmental Statement Appendices [APP-164]) is located within the proposed temporary works area. The works at this location are described in Schedule 1 of the draft Development Consent Order [APP-021] as Works No.65 "a temporary works area with office and welfare units and hardstanding areas for bridge fabrication, material and plant storage of approximately 7000 square metres under and north-west of the existing Nether Lock Viaduct." The contaminated material noted at BH11 at 0.1 metres below ground level (mbgl) as described in Appendix 9.2 (Contaminated Land Risk Assessment) of the Environmental Statement Appendices [APP-164], will therefore be covered by hardstanding for bridge fabrication, breaking the contaminant pathway to site end users. After construction, the temporary works area will be demobilised with the land returned to its current condition. The Applicant assumes that the Interested Party is referring to the consideration of the 'southern link road', which connects the A1 to the A46 to the south of Newark, in the operational phase air quality assessment contained in Chapter 5 (Air Quality) of the Environmental Statement [AS-021] where changes in traffic flows and their associated emissions are modelled to predict the Scheme's effect on air quality. Figure 5.4 (Air Quality Affected Road Network) of the Environmental Statement Figures [AS-031] presents both the 'Affected road network' and the 'Modelled road network'. The affected road network includes all traffic model links (roads) that are predicted to exceed National Highways' Design Manual for Roads and Bridges LA105 traffic scoping criteria presented in Paragraph 5.5.23 to 5.5.25 of Chapter 5 (Air Quality) of the Environmental Statement [AS-021]. The modelled road network includes all roads that are included within the affected road network and additionally those that are within 200 metres of a modelled human health or ecological receptor. The southern link road is present on Figure 5.4 (Air Quality Affected Road Network) of the Environmental Statement Figures [AS-031]. The section of the southern link road between the A46 and Newark Road is not included in the affected road network as the change in traffic flow is not predicted to exceed National Highways' Design Manual for Roads and Bridges LA105 Air Quality traffic scoping criteria presented in Paragraph 5.5.23 to 5.5.25 of Chapter 5 Air Quality [AS-021]. The remainder of the southern link road is included within the affected road network. The modelled road network also includes the section of the southern link road between the A46 and Newark Road as this is within 200 metres of a modelled receptor. Overall, the southern link road has been considered within Chapter 5 Air Quality of the Environmental Statement [AS-021] and changes in air quality have been considered at relevant receptor locations along the route.

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		3.2 NSDC will also express its judgement on the 'planning balance', assessing all of the schemes benefits and disbenefits against the relevant policy framework to provide an overall conclusion on the acceptability of the application. 3.3 In addition to the submission of a WR and LIR, NSDC understands its role in the examination process to respond to written questions directed to them and the requirement to participate in Hearings as scheduled by the Examining Authority. 4.0 Conclusion 4.1 As host authority and interested party for the project, NSDC will be taking a full and active role in the examination of the DCO application. 4.2 NSDC will undertake a thorough review and assessment of the application documents and provide a full response in a WR and LIR which will be submitted accordingly. NSDC will continue to engage with the applicant to try and minimise the harm caused by the project and address the issues raised where possible. 4.3 NSDC will continue to seek and advocate for s106 agreements to secure appropriate mitigation and/or compensation in relation to impacts caused by the project.704 Response from Newark and Sherwood District Council as Land Owner NEWARK AND SHERWOOD DISTRICT COUNCIL PROPOSED A46 NEWARK BYPASS DEVELOPMENT CONSENT ORDER RELEVANT REPRESENTATION 1 Introduction 1.1 This is a relevant representation of Newark and Sherwood District Council ("the Council") in respect of the application ("the Application ") made by National Highways ("the Applicant") for The A46 Newark Bypass Development Consent Order ("the Proposed Order") to authorise works for the improvement of part of the A46 and the construction of a new section of dual carriageway ("the Scheme"). 1.2 This representation is made by the Council as the owner of land affected by the Scheme. The Council's representations as local planning authority are made separately. 2 Summary 2.1 The Council owns and operates the Newark Lorry Park ("the Lorry Park"). The Newark Lorry Park occupies a strategic location on the UK's Transport Network. The Lorry Park provides a critical service to the freight community arriving from or heading to the Humber ports. 2.2 The Proposed Order includes powers (including powers of compulsory acquisition and temporary possession) in relation to the Lorry Park which reduce its size and affects its operations to the extent that requires its reconfiguration. Of particular concern to the Council is the timing and duration of the works proposed. 2.3 The Proposed Order also includes powers to temporarily occupy land comprising the main Council offices at Castle House on Great North Road and the adjacent Air Space Institute,2.4 The Council requests that the Applicant enters into an agreement with it to minimise and mitigate the impact of the Scheme and the exercise of powers under the Proposed Order on the operation of the Lorry Park. 3 The Newark Lorry Park	Chapter 8 (Biodiversity) of the Environmental Statement [APP-052] details the impact assessment, the effects on designation sites, habitats, protected and notable species during construction and operation of the Scheme and proportionate mitigation and compensation. The Habitat Regulations Assessment [APP-185] assesses the impacts on river and sea lamprey (qualifying features for the designation of the Humber Estuary Special Area of Conservation (SAC) and Ramsar), as the River Trent intersects the Scheme and is a known migratory route for lamprey. The Appropriate Assessment of the Habitat Regulations Assessment [APP-185] reports no residual significant effects following the implementation of mitigation and therefore, no adverse effect on the integrity of the designated site are anticipated. Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement [APP-159] details a net gain in habitat units resulting from the implementation of mitigation and compensation measures detailed in the Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. The Applicant has worked to maximise biodiversity improvements across the Scheme and has worked in collaboration with stakeholders to develop the habitat provision. The Applicant considers the number of photomontages proportionate to the length of the Scheme with photomontages including elevated aspects of the Scheme including photomontage 24 which captures the views from Sandhills Park towards the grade separate junction at Cattle Market, and photomontage 41 which captures the view from the northern end of Winthorpe Road towards the elevated A46 and Brownhills Junction Roundabout in the foreground, as shown in Appendix 7.3 (Key Visual Receptor Photographs and Photomontages Part 1) of the Environmental Statement Appendices [APP –138]. The selection of viewpoints which includes Public Rights of Way to be included in the assessment of visual effects was agreed with the Interested Party prior to commencement of the Landscape and Visual Impact Assessment. The Applicant considers the selection of viewpoints from Public Rights of Way in proximity to the Scheme sufficient to understand the likely significant effects associated with the Scheme. The Applicant acknowledges the mislabelling of Stanhope Power Station. The Applicant has maximised the use of planting to aid the mitigation of visual impacts associated with the Cattle Market Roundabout whilst accounting for engineering constraints and ensuring adherence to the requirements set out within LD117 Landscape Design which provides the standards for landscape design in relation to the safe operation of the strategic road network. Details of the planting design around Cattle Market include the use of shrubs and where possible intermittent trees to help break up the built form of the structure and aid screening where possible as illustrated in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Requirement 6 of the draft Development Consent Order [APP-021] secures the provision of the planting proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177]. Table 11.1 of the Flood Risk Assessment [APP-177] shows that the baseline (existing) fluvial flood risk is high in the vicinity of the Scheme. However, during operation, the fluvial flood risk from the Scheme is considered low and has been mitigated by the incorporation of FCAs into the Scheme design to accommodate lost floodplain volume. As shown in Table 13-10 of Chapter 13 Road Drainage and Water Environment of the Environmental Statement [APP-057], the Scheme during operation will have a negligible impact on residential receptors, including those at Sandhills Park and Close. Flood risk during the construction phase of the Scheme is discussed in Chapter 9 of Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177]. Chapter 9 of the Flood Risk Assessment [APP-177] conservatively considers the flood risk for the short period towards the end of the Scheme, when both temporary and permanent works may simultaneously be in place. As shown in Figure 9-1 of the Flood Risk Assessment [APP-177], the Scheme plus temporary works may lead to slight changes in flood depths in the vicinity of Cattle Market roundabout in the 3.33% Annual Exceedance Probability (AEP) event, compared to the baseline. In the vicinity of Sandhills Park and

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		3.1 The Freight industry continues to demonstrate strong signs of growth, which will result in more demand for parking spaces in Newark. Newark Lorry Park generated £0.755m gross income for NSDC in 2022/2023. 3.2 Due to regulations restricting working hours of goods vehicle drivers monitored by Tachograph, the Lorry Park provides an essential facility for such drivers using the A1. Newark Lorry Park has also developed a strong reputation amongst the freight community as a good location to stop. The combination of these two factors ensures that Newark remains a popular location for the industry. There is evidence that at peak times a number of lorries are forced to look elsewhere for parking as the Lorry Park achieves peak occupancy. This demonstrates the strong reputation the existing Lorry Park holds within the freight industry. 3.3 The Lorry Park employs five full time and seven-part staff in the café and lorry wash facility. 3.4 The Council have a development plot that requires vehicle access and egress to Great North Road. The proposal from National Highways is to remove the existing vehicular access to the Lorry Park and create a new one further south on Great North Road. Due to the size of the development plot and the massing required, it is not feasible, from a spatial or financial perspective, to construct it with an entrance from the existing Lorry Park access and then to relocate it once the new access is built to the south. A portion of the site is highlighted blue on the submitted Land Plans Regulation 5 (2) (i) Sheet 3 of 7. The blue shading denotes 'land to be used temporarily and rights to be permanently acquired'. The Council cannot determine whether the development is viable until the following is understood and agreed: • Programme confirming when the new access is constructed. • Agreement on the intended temporary use of a portion of the site and timescales. • Agreement on what rights are to be permanently acquired on the relevant land. 4 The Proposed Order 4.1 The Land Plans, Work Plans, and the Book of Reference for the Scheme identify the following plots within the Proposed Order limits which form a part of the Lorry Park: 4.1.1 Plots 3/14a, 3/14e, 3/14g and 3/14j , which are subject to proposed powers of permanent acquisition ("Permanent Acquisition Land"); for the purposes of Works 40, 51, U9, U10 and environmental mitigation of the Scheme comprising, in summary, the construction of the A46 and Cattle Market Junction Circulatory, the diversion of low voltage cables, 11KV electricity distribution cables and electronic communications equipment, and for environmental mitigation, maintenance and monitoring commitments ("the Works"). 4.1.2 Plots 3/14b, 3/14b1, 3/14c, 3/14d, 3/14f, 13/14h, 3/14i and 3/14k, which are subject to powers of temporary use for the purposes of the Works ("Temporary Possession Land") (such powers also apply in relation to the Permanent Acquisition Land); and 4.1.3 Plots 3/14b, 3/14c, 3/14d, 3/14f, 3/14i and 3/14k ("the Easement Land") which are subject to proposed powers for the creation and acquisition of easements and the creation of restrictive covenants. As noted above, some of these plots are also part of the Temporary Possession Land. The extent of the easements and restrictive covenants are set out at schedule 5 to the Proposed Order and vary by plot but include in each case a right to pass and repass and to remain on the land with or without vehicles which would prevent the use of the plots affected by the Council for most purposes. 5 Effect on the Lorry Park	Close, Figure 9-1 of the Flood Risk Assessment [APP-177] shows no change in flood depths in the 3.33% AEP event compared to the baseline. Operational flood impacts resulting from works at Cattle Market Roundabout are considered in detail within Appendix A Fluvial Hydraulic Modelling Report within Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177]. Hydraulic modelling in this area is highly sensitive to crest levels of the existing flood defence south of the roundabout and further data collection is recommended at detailed design. Figure 8-1 of the Flood Risk Assessment [APP-177] indicates that the area south of Cattle Market Roundabout may see flood depth increases of up to 0.01m (10mm) in the 1% Annual Exceedance Probability (AEP) plus climate change event, compared to the baseline. Flood depth differences of up to 0.01m are considered a negligible impact, in accordance with Table 4.2 of the FRA, which is a reproduction of National Highways' Design Manual for Roads and Bridges Table 3.71. Appendix 7.4 (Arboricultural Impact Assessment) of the Environmental Statement Appendices [AS-089] outlines trees to be retained and associated protection measures during construction, as well as those trees suggested for removal to accommodate the Scheme. The arboricultural impact assessment process has included close collaboration between designers and arboriculturists to adapt and amend elements of the Scheme design to minimise tree loss and arboricultural impacts. Arboricultural impacts will continue to be reviewed during the detailed design stage of the Scheme and further measures implemented to reduce impacts where possible. The arboricultural impact assessment has also been considered in the development of the environmental design presented in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] to aid effective mitigation for the loss of any existing tree stock. The Applicant confirms that before it can enter into an agreement with the Interested Party to minimise and mitigate the impact of the Scheme in relation to the temporary occupation of land comprising the main Council offices at Castle House on Great North Road and the adjacent Air Space Institute. Plot 3/14h shown within the Book of Reference Version 2 [AS-096] and Sheet 3 of 7 on the Land Plans [AS-004] is for the temporary use of land needed for access to works No. 49 as shown on the Works Plans [AS-005] and detailed in Schedule 1 of the draft Development Consent Order [APP-021] is required for the temporary working area for alteration of the B6328 Great North Road and Temporary working space for environmental mitigation. Plots 3/14b and 3/14k shown within the Book of Reference Version 2 [AS-096]) and on the Land Plans [AS-004 identifies that permanent rights would need to be acquired within these plots to enable vehicle and machinery access to undertake maintenance of the embankment and drainage. The Applicant has had several meetings with Newark & Sherwood District Council (NSDC)to discuss the impact of the land required to deliver the Scheme and the impact on their retained lorry park. The Applicant has confirmed that they will work with the Interested Party to progress acquisition by agreement discussions by agreeing land values and also seeking to work with Newark & Sherwood District Council (NSDC) to mitigate the impact on the operational lorry park site. Access to the Newark Lorry park from the Great North Road will be maintained during the construction of the Scheme with the new access being constructed, prior to the existing access being closed.

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		5.1 The loss of the Permanent Acquisition Land and the imposition of rights over the Easement Land will reduce the size of the Lorry Park and the number of parking spaces available and will have a significant impact on both the current operation of the Lorry Park and the ability to expand the Lorry Park to meet future demand. 5.2 The Applicant's proposals include the provision of a new access to the Lorry Park which, alongside of the loss of the Permanent Acquisition Land, the use of the Temporary Possession Land as a worksite and the sterilisation of the Easement Land will require a complete reconfiguration of the site to ensure sufficient space to meet demand and to allow for HGVs to safely turn and navigate the Lorry Park. Site security, lighting, fencing, the café, lorry wash and fuel bunker and welfare facilities will have to be reassessed in any reconfiguration. 5.3 The costs of reconfiguration and the loss of an estimated 30% of current spaces will affect the Council financially and risks making the Lorry Park unviable. There is a significant risk that lorry drivers will instead need to park in Newark town centre. 5.4 The Council has CCTV and lighting towers which appear to be affected by the scheme proposed by the applicant. Consideration to the impact on this equipment will be required by the applicant as this forms a vital part of community safety service offered by the Council. Therefore, as part of any compensation/ works on site the Council would request to the applicant that there is no disruption to the vital service this equipment provides. 5.5 The proposed Works and exercise of powers will prevent the Council from seeking planning permission for new commercial development ("the Proposed Development") which would provide further income for the Council and facilities for lorry drivers and the wider public. 6 Access to Castle House and the Air Space Institute 6.1 Plot 3/14h (land to be occupied temporarily) includes the entrance to Castle House (the head offices of the Council) and the adjacent Air Space Institute, both owned by the Council. It is essential that agreement is reached to ensure that any temporary possession by the Applicant of this land and any works undertaken by the Applicant do not impede or interrupt the safe access and egress of users of those buildings. 7 Additional land parcels outside of the areas mentioned above. 7.1 The Council has additional land parcels affected by the proposed scheme. The Council requests that any activities on these land parcels be of minimal disruption to the Council's operations and to third parties or members of the public who may use the land. 8 Negotiations with the Applicant 8.1 The Council has engaged with the Applicant in relation to its proposals, but these have focussed primarily on the location of the new access and the Applicant's proposals rather than on how the impact of the Scheme on the Lorry Park might be mitigated. 8.2 The Council welcomes the Applicant's statement in the Statement of Reasons that "Negotiations will be commencing shortly, and it is hoped that the required land and rights in land can be acquired by agreement." 8.3 The Council wishes to enter into a land and works agreement with the Applicant which will, amongst other things: 8.3.1 ensure that the Applicant consults with (and in some cases) secure the Council's approval to the detailed design of and construction methodology for the Works; 8.3.2 ensures that the Lorry Park can be accessed while the Works are taking place;	

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		8.3.3 provides sufficient certainty as to the detailed design and timing of the Works to enable the Council to advance the Proposed Development; 8.3.4 provides forward funding for any reconfiguration works required to the Lorry Park and a mechanism for compensating the Council for loss of income; 8.3.5 provides for clarity as to the commencement and duration of the Works; 8.3.6 ensures the maintenance of utilities and services required for the operation of the Lorry Park; 8.3.7 protects the safe entrance to and egress from Castle House and the Air Space Institute 8.3.8 Mitigates against any operational impact to CCTV/ lighting masts and compensates the Council for the relocation of these structures. 8.4 Until such an agreement is completed and despite its support of the Scheme, the Council will be obliged to maintain its position to the Proposed Order in relation to the matters referred to above. 8.5 The Council reserves the right to expand on these representations as the examination progresses. 12 July 2024	
RR-049	Newark Branch Line (Aldergate Properties)	The information is very difficult to get at. We own the old branch line adjacent Kings Mill Marina. There is insufficient detail to comment in a meaning ful way.We want to know what is proposed exactly on our land. In addition would need to know why road widening (if that is what is proposed) doesnt take place away from our site. We want to develop our land and the land beyond it for another Marina.	The Applicant has been in contact with the Interested Party following the submission of their Relevant Representation and has confirmed that RR-004 and RR049 relates to the same land plot (shown as Plot 4/3a of the Land Plans [AS-004] and as such much of the information provided in this response is also included in response to RR004. The Applicant has identified that the land plot referred to in this Relevant Representation is Plot 4/3a forms part of the old Newark branch line. Within Plot 4/3a there is an existing stone access track which passes under a single span bridge that once formed part of the historic branch line. The Applicant is seeking temporary rights to use the current access track between the Kings Marina and the hydroelectric power station at Nether Wier during the construction of the works at Nether Lock viaduct. The Applicant is also seeking permanent rights on the access track to provide future maintenance access to the Nether Lock Viaduct (Works No. 64) as shown in the Works Plans [AS-005] and detailed in Schedule 1 of the draft Development Consent Order [APP-021],the north abutment of the Nottingham to Lincoln Railway Line East Crossing (Works No. 58) as shown on the Works Plans [AS-005], the retaining wall (Works No. 60) as shown on the Works Plans [AS-005] and the associated drainage infrastructure and landscaping in this area. The access track is to be used to access the southern side of the Nether Lock Viaduct during the Pre-commencement Works to enable a temporary bridge (Works No. 63) as shown on the Works Plan [AS-005] to be constructed across the River Trent. The temporary bridge would be used to facilitate the construction of the new viaduct and embankment widening to the A46. The existing access track is the only means of access to this section of the works area prior to the temporary bridge becoming operational. The existing bridge on the Newark Branch Line that crosses the access track will not be modified by the Scheme. The details for the use of the access track can be found in section 2.6.33 to section 2.6.35 of Chapter 2 (The Scheme) of the Environmental Statement [APP-46] and Figure 2.4 (Location of Temporary Work Areas Required During Construction) of the Environmental Statement Figures [AS-027]. The Applicant can confirm that the road widening is not taking place on the land parcel referred to in this Relevant Representation. The Applicant has been in contact with the Interested Party following the submission of the relevant representation and had confirmed that this entry and that of Aldergate Properties is made by the same Interested Party. Plans, submitted as

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			part of the application for development consent, have been shared alongside an outline of the requirements for this Interested Party.
RR-050	Newark Bypass Environment Group	The A46 bypass scheme is the wrong project to solve the traffic issues in the area and will not offer benefit for Newark; the purpose of the scheme is not to address Newark's traffic jams but to get freight to the ports. The negatives include: scale of infrastructure adjacent to a small historic market town; visual pollution; noise pollution; air pollution; population health detriment; loss of biodiversity; flooding risks; safety concerns; carbon impact; cumulative carbon impact; generation of more traffic in the Newark area; low value economic return; poor assessment of bypass interaction with surrounding roads; lack of network resilience; concerns about new bottlenecks occurring; inadequate investigative process (e.g. no mapping of PM2.5 pollutants); inadequate mitigation measures; inadequate consultation processes; wrong route corridor chosen.	The Applicant confirms in March 2020, the Government's Road Investment Strategy 2: 2020 to 2025 included a commitment to improve the A46 'Trans-Midlands Trade Corridor' between the M5 and the Humber Ports, as a mechanism for underpinning the wider economic transformation of the country. The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190] and National Policy Statement for National Networks Accordance Tables [AS-090], which sets out how the Scheme complies with national and local policy. As outlined in the Case for the Scheme [APP-190] the operational performance of the A46 single carriageway around Newark is at odds with other sections, where the road is a dual carriageway. This manifests itself in a bottleneck with higher levels of congestion and lower average speeds (typically between 22 and 45 mph in contrast to 60 mph elsewhere). The key issues are: • Poor time reliability – with variances expected to increase in the future. High level of low-speed shunts – which impact on turning lanes at junctions • High traffic flows, which exceed the design capacity • Congestion on the key A1/A46 Winthorpe junction which results in mainline queuing on the A1 • The lack of a grade separated junction at Cattle Market junction in Newark, which is being compounded by queuing on the main B-road because of frequent rail level crossing downtimes; and • It forms part of a major freight route, and an alternative to the M1 corridor particularly to / from the Humber ports. Congestion on the A46 is naturally periodic with day-to-day variations in the level of delays experienced by users. However, significant congestion is regularly observed due to the level of traffic flow, particularly around peak hours, but also outside of these times too. In addition to the chronic problems that users experience on a daily basis, the impact of incidents on the network regularly exacerbates the problems. In the future, the trend of underlying traffic growth is forecast to continue, leading to significant further deterioration in the conditions experienced by users on both this section of the A46 and the local roads adjacent to it onto which traffic problems are already being displaced. Over time, in the absence of the Scheme, the deterioration in conditions for both users of the A46 and those affected by the environmental impacts of traffic congestion would be significant. Existing problems would worsen, with increases to both the extent and duration of day-to-day traffic congestion. Additionally, the acute problems that are triggered by breakdowns/collisions on the wider network would get significantly worse than they are at present due to the lack of resilience that would otherwise be provided by the dual carriageway Scheme. The Scheme will tackle the current issues experienced on the A46 by addressing the delays and congestion; improving journey time reliability; improving safety; supporting and helping to unlock local economic aspirations; boosting strategic connectivity; achieving better environmental outcome and supporting local transport networks. Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047] provides information on an Alternative Modes Assessment that was carried out on the Scheme, which suggested that the existing public transport network does not generally offer comparable alternatives to cars for most movements. Small traffic flows were distributed over a large area and therefore are not suited to be catered for by public transport. From this, the Applicant recommended dualling and bypass solutions which fed into the Government's Road Investment Strategy 2: 2020 to 2025 and National Highways' Delivery Plan 2022 to 2025. Notwithstanding the above, the alleviation of traffic in Newark-on-Trent brought about by the implementation of the Scheme (through traffic currently travelling through the Town Centre is forecast to reroute onto the A46 as a result of the Scheme) would allow bus operators to be able to deliver more efficient and reliable services on both the strategic and

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			local road network. Additionally, the reduction in traffic within the town will also help to support the encouragement of walking and cycling within Newark-on-Trent. The Applicant acknowledges that there would be an overall increase in traffic, however, when the Scheme is introduced, journey times along the A46 are forecast to improve as outlined in the Transport Assessment [APP-193] demonstrating the benefits of the Scheme. It is notable that traffic modelling shows that levels of traffic on the A46 around Newark-on-Trent are forecast to increase even if the Scheme is not built. In line with Department for Transport's Transport Analysis Guidance (TAG) traffic flows have been forecast up to 2061. This modelling demonstrates that the A46 is not forecast to be over capacity within these timescales if the Scheme is implemented. Traffic modelling shows that most of the forecast traffic increase is associated with trips travelling along the A46 to bypass Newark-on-Trent. The Scheme's implementation would therefore lead to a better flow of traffic and a reduction in congestion on both the A46 and on local roads within Newark-on-Trent. While traffic modelling indicates an increase in traffic on the A46 because of the Scheme, it also shows that a significant component of this increase is attributable to strategic through traffic that is effectively removed from the centre of Newark-on-Trent by the Scheme. These trips currently divert off the A46 and go through the town centre to avoid congestion. With the Scheme this through traffic is forecast to remain on the strategic road network, where it is more appropriate for it to be. The interaction of the Scheme with local roads is captured within the strategic and operational traffic modelling, as set out in the Transport Assessment [APP-193]. The outputs from the traffic modelling have been used to inform the design and assessment of the Scheme. The strategic A46 Newark Bypass Model has been developed in SATURN to support the assessment of the Scheme. The area of detailed modelling in the strategic A46 Newark Bypass Model encapsulates a broad area centred on Newark-on-Trent that extends out for over ten miles in each direction. Within this area, network coverage is granular with local roads and junctions being represented explicitly within the model, including details of junction types (e.g. give-way, signal control, etc.) and parameters reflecting highway geometry and signal timings. Beyond the area of detailed modelling the network definition is less refined but still retains simulation coding for significant junctions across an area broadly bounded by the M180, M1 and A47. In the external area of the model (outside of the fully modelled area) where changes from the scheme are not anticipated, the network is skeletal with fixed speed buffer coding. The modelled areas are illustrated in Figure 3-1 of the Transport Assessment [APP-193]. In addition to the strategic traffic model, which captures the traffic effects of the Scheme at both the local level and for roads across the wider area, a microsimulation model has also been developed in VISSIM to inform detailed operational assessment of the Scheme junctions and adjacent network. VISSIM enables complex geometry to be modelled, permits different traffic controls (signal, give way or stop) and is also capable of modelling vehicle actuation traffic control. The operational model predominantly covers the A46 between Lodge Lane (south of Farndon roundabout) and Brough Lane (north of Winthorpe roundabout). It includes all the major junctions along the Scheme and pedestrian crossings and covers the adjacent road network. The extent of the operational model can be seen in Figure 3-2 of the Transport Assessment [APP-193]. Forecasts undertaken with the traffic model show that the Scheme would reduce traffic flows on most local roads through Newark-on-Trent, including the B6326 London Road, Barnaby Road, Beacon Hill Road, Beckingham Road, Drove Lane, Farndon Road and Fosse Road. More details on the volume of traffic flow are available in the Transport Assessment [APP-193]. To inform the development of the Scheme design, forecasts of travel demand have been prepared for various future years to ensure that the proposed Scheme continues to perform operationally against a background of increasing demand for travel. In this regard the operational assessment of the Scheme has been considered against forecast traffic flows in both 2028, and fifteen years later in 2043.

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			As noted in section 3.3.49 of the Transport Assessment [APP-193], the level of future traffic demand with, or without, the Scheme is forecast to increase over time. Without the Scheme, between the years 2019 and 2043, traffic in the morning peak is forecast to grow by 26%. The equivalent growth over the same timeframe for the evening peak being an increase in traffic of 28%. Given the existing levels of congestion that are already experienced on the section of the A46 around Newark-on-Trent, and the future levels of underlying traffic growth that are being forecast, it is necessary for the proposed Scheme to be proportionately scaled. The Scheme design reflects this and is driven by the need to provide sufficient capacity to meet the stated aims and objectives both at opening year and in the longer term. The design of the Scheme has been developed to minimise congestion at the junctions of the A46 for both the local road approaches and the main carriageway of the A46. In turn, the reduction in congestion would alleviate the current blocking-back issues seen on the local road network within Newark-on-Trent. The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190]. The benefits and costs are combined and produce an overall Value for Money assessment. This is presented in the Analysis of Monetised Costs and Benefits table in Chapter 5 (Economic Case for the Scheme) the Case for the Scheme [APP-190]. While the Value for Money statement places the Scheme in the low value for money category, the forecast return of £1.20 for every £1 spent still represents a significant level of economic benefit, particularly given the complexity of the works and structures associated with the Scheme. The Value for Money statement does not capture all the benefits the Scheme will deliver such as facilitating economic growth in the area. As detailed within Chapter 3 (The Need for the Scheme) of the Case for the Scheme [APP-190], the Scheme would help to unlock employment growth within Newark by facilitating the delivery of regional and local business developments. For example, the Newark Business Park concentrates a significant part of Newark's growth but is currently limited in its development by the lack of capacity at Brownhills Roundabout, as set out in the Newark and Sherwood Infrastructure Delivery Plan (2017). The Scheme would fulfil the economic objective of sustainable development by increasing capacity and reducing congestion on the strategic road network. This could help to facilitate the growth of a number of economic sectors, such as food and logistics, which are reliant on journey time reliability. As well as the economic benefits detailed in Chapter 5 (Economic Case for the Scheme) of the Case for the Scheme [APP-190], the Scheme will result in journey time savings and improved safety as detailed in the Transport Assessment [APP-193]. The Scheme would also result in a number of environmental benefits, including improved habitat connectivity through newly created habitats as well as increased accessibility via the new walking and cycling routes. As presented in Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051], a detailed landscape and visual impact assessment has been undertaken to understand potential impacts upon landscape character and visual amenity as a result of the Scheme. The understanding of likely changes in landscape character and views from local visual receptors has informed the provision of essential mitigation presented in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. The Scheme design has followed the 023 working to minimise impacts in the first instance. An example being the retention of existing vegetation wherever feasible and limiting widening to the north bound carriageway in the majority of cases. Beyond this, essential mitigation including proposed planting has been incorporated to aid landscape integration, visual screening and ecological habitat value. The Applicant acknowledges that noise from the A46 will continue to be added to noise from the A1 for property close to the A1. This can be seen in Figure 11.8 (Noise levels in the Do Something Design Year) of the Environmental Statement Figures [AS-062] which shows expected Do Something (with the Scheme) noise levels in the Design Year, that is, noise levels with the Scheme 15 years after opening. It shows that noise levels increase in proximity to the two highways with smaller noise contributions from other roads. The noise levels for Do Something can be compared with Do Minimum (without the Scheme) for the same period as shown in Figure 11.6 (Noise levels in the Do Minimum Design Year) of the

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			Environmental Statement Figures [AS-060]. However, the impact of the Scheme itself can be seen in Figure 11.10 (Long-term Noise Change) of the Environmental Statement Figures [AS-064] that shows the change in level in the Design year with and without the Scheme. In the vicinity of the A1 the colour shading is green indicating that the effect is Negligible. The operational assessment undertaken for the Scheme, presented in Chapter 5 (Air Quality) of the Environmental Statement [AS-021], is based on strategic traffic modelling which demonstrates that there is an overall reduction in traffic movements within the Newark-on-Trent Town Centre due to the Scheme improving the capacity on the A46. As there is a predicted decrease in traffic movements, there is also predicted to be a decrease in pollutant emissions and therefore improvements in air quality, albeit not significant in accordance with National Highways' Design Manual for Roads and Bridges LA 105 Air Quality. With reference to the Interested Party's comment on 'no mapping of PM2.5 pollutants', Section 5.5 of Chapter 5 (Air Quality) of the Environmental Statement [AS-021] provides detail on why PM2.5 has not been considered further within the operational phase of the local air quality assessment. In summary, National Highways' Design Manual for Roads and Bridges LA 105 Air quality states that 'there should be no need to model PM2.5 as the UK currently meets its legal requirements for the achievement of the PM2.5 air quality thresholds and modelling of particulates (PM10) can be used to demonstrate that the Scheme does not impact on the PM2.5 air quality threshold'. For this assessment, when the maximum modelled road contribution of PM10 of 4.5 µg/m3 from existing traffic in the base year at modelled receptors is combined with the maximum PM2.5 background concentration of 9.7 µg/m3 across the study area, the PM2.5 threshold of 20 µg/m3 is not exceeded. Considering PM2.5 is also a constituent part of PM10, vehicles emission factors, and therefore the existing road contributions, for PM2.5 would be even lower than those for PM10. Further to this, the greatest change in annual mean NO2 concentrations at modelled receptors in the opening year of the Scheme is predicted to be 3.9 µg/m3 between the Do Something (with the Scheme) and Do Minimum (without the Scheme) scenarios. Changes in PM2.5 would therefore be even lower in the opening year of the Scheme, as PM2.5 is a constituent part of PM10 and PM10 emissions are an order of magnitude lower than nitrogen oxide (NOx) emissions which are primarily made up of nitric oxide (NO) and NO2. PM2.5 background concentrations are also expected to continue falling in the future, due to existing and future measures set out within the 25 Year Environment Plan to reduce PM2.5 emissions with the aim of meeting future targets at relevant monitoring stations by 2040. For example, the maximum PM2.5 background concentration from Defra's background maps across the human health receptors assessed is 9.7 µg/m3 in the base year of 2022, compared to 9.3 µg/m3 in the opening year of 2028. In summary, it can be concluded that the current and future PM2.5 concentrations are lower than the current threshold of 20 µg/m3 and future target value of 10 µg/m3. The Scheme will also not impact on the PM2.5 air quality threshold at any of the human health receptors considered and no further assessment is required. Therefore, no significant air quality effects are anticipated as a result of the Scheme and no mitigation measures are proposed. Overall, the modelling demonstrated that there are not predicted to be any exceedances of the NO2, PM10 or PM2.5 air quality objectives at any of the human health receptors within the study area during operation of the Scheme and therefore, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021]) has concluded no likely significant effect for human health. Also, as indicated by the modelled results for NO2, the Scheme would have a beneficial effect within Newark-on-Trent by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] assesses the effects of the Scheme on Human Health. In order to do so, it considers the potential for both adverse and beneficial effects to human health including a range of personal, social, economic and environmental factors that influence human health status, such as:

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			• Neighbourhood quality • Access to services, health and social care • Social capital • Employment and income; and • Access to green space, recreation, and physical activity No significant human health effects have been identified during either construction or operation of the Scheme (as set out in Table 12-19 of Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]). The Scheme has been designed to minimise habitat loss, with a focus on avoiding high value and/or irreplaceable habitat present (where possible) as detailed in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Where habitat loss has been unavoidable, replacement habitats are proposed to be created as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026)] Chapter 8 (Biodiversity) of the Environmental Statement [APP-052] details the impact assessment, the effects on designation sites, habitats, protected and notable species during construction and operation of the Scheme and proportionate mitigation and compensation for unavoidable losses of biodiversity. The Habitat Regulations Assessment [APP-185] assesses the impacts on river and sea lamprey (qualifying features for the designation of the Humber Estuary Special Area of Conservation (SAC) and Ramsar), as the River Trent intersects the Scheme and is a known migratory route for lamprey. The Appropriate Assessment of the Habitat Regulations Assessment [APP-185] reports no residual significant effects following the implementation of mitigation and therefore, no adverse effect on the integrity of the designated site are anticipated. The Applicant has worked to maximise biodiversity improvements across the Scheme in collaboration with environmental stakeholders including, but not limited to, the local authority county ecologists and landscape architects, the Environment Agency, Natural England and Nottinghamshire Wildlife Trust. Following the mitigation hierarchy, the quantity (area) of each habitat type required to compensate for the unavoidable permanent loss of habitats of ecological value have been informed by the Natural England Biodiversity Metric 3.1, as reported in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] and Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. This approach was agreed with Natural England, Nottinghamshire County Council and Nottinghamshire Wildlife Trust and would achieve a greater than 1:1 compensation of habitat of the equivalent condition for Habitats of Principal Importance (HPI) or of greater ecological value for Non-Habitats of Principal Importance where possible (for example, species-rich grassland would compensate for the loss of poor semi-improved grassland). The habitat strategy is based on the principles of no net loss and has also achieved a net gain in habitats of biodiversity value (though not a Scheme-wide biodiversity net gain in accordance with BNG Principles and Guidance (Baker et al. 2019)), which are of benefit to a wide range of protected species. The Scheme would achieve a net gain in habitat units within the Order Limits except for the areas of impact and compensation for lowland meadow. The biodiversity net gain assessment contained in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] has sought to align with local priorities set out in the Biodiversity Opportunity Map (produced for the Trent Valley through Nottinghamshire, highlighting opportunities for habitat creation, enhancement and linkages for woodland, acid grassland and heathland, grassland, and wetland) where possible. Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] provides a detailed summary of the biodiversity net gain assessment to date and the methodology used. The habitat creation and provision associated with the Scheme would result in a predicted overall net gain. Requirement 6 of the draft Development Consent Order [APP-021] secures the provision of the planting proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Offsite compensation is secured within the First iteration EMP Table 3-2 (REAC) [APP-184], B16 states "either plantation woodland at Doddington Hall will be subject to enhancement to create lowland mixed deciduous woodland to

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			compensate for the loss of lowland mixed deciduous woodland of a poorer condition or a suitable alternative would be provided. The details of this will be included in a LEMP". In addition to minimising and mitigating habitat loss, throughout the evolution of the design, opportunities to enhance biodiversity have been included in the Scheme. Proposals shown in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] include permanently wet ponds and associated reedbeds within attenuation areas, the sowing of species rich grassland adjacent to ponds and the addition of log and brash piles around ponds, to act as refugia/hibernacula. In addition to the function of waterbodies in Farndon West FCA and the lake in Farndon East FCA to control the storage and discharge of flood water, they have been designed to have a benefit to wildlife. This includes the retention of sufficient water levels to conserve wildlife in periods of drought, as far is reasonably practicable, and provision of a diverse assemblage of riparian plant species, which will create shelter and foraging opportunities for wildlife and contribute to the reduction of evapotranspiration (a design consideration for climate resilience). These measures are presented in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. When considering compensatory grassland creation for losses around Cattle Market Roundabout, this has been located as close as possible to habitats affected. This aligns with Opportunity 374 of the Biodiversity Opportunity Map (BOM) (Nottinghamshire Biodiversity Action Group (Notts BAG) and Nottinghamshire County Council (NCC), 2022. Newark & Sherwood BOM Report) to link grasslands in the Kelham/British Sugar area. The BOM was produced for the Trent Valley through Nottinghamshire, highlighting opportunities for habitat creation, enhancement and linkages for woodland, acid grassland and heathland, grassland, and wetland. Other habitat creation would contribute to Opportunities 346 (wetland creation on the floodplain) and 347 (wetland creation linked to dualling of the A46 at Newark-on-Trent) by involving new wetland creation in the Trent floodplain and along the road corridor. This would include new grazing marsh, ponds and reedbed as well as the drainage network which has been designed to maximise its ecological value. A variety of pond sizes would be provided and opportunities for varied pond depths and shapes would be explored further at the detailed design stage. The Scheme would also involve new woodland creation along the Scheme route to compliment Opportunity 525 (relating to urban tree planting in Newark-on-Trent). Some of this would be achieved through woodland creation on site but given the high area ratios of loss in comparison to the compensation areas required, it has been necessary to consider other off-site options. The Applicant is seeking to enhance an area of existing woodland, with a landowner willing to enter a voluntary long-term agreement. The intention is to carry this out at Doddington Hall which is outside the district but within the same National Character Area. Table 11.1 within Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177] shows that the baseline (existing) fluvial flood risk is high in the vicinity of the Scheme. The Scheme however incorporates three FCAs at Kelham and Averham, Farndon East and Farndon West. The purpose of the FCAs is to provide an equivalent volume of floodplain storage by excavating land at similar elevations to that which would be displaced by the Scheme. The Scheme will therefore have a negligible impact on flood water displacement. The Applicant would be happy to respond to the safety concerns raised by the Interested Party if the detail can be provided. The Scheme has been designed in accordance with the DMRB and risk assessments have been undertaken to assess the levels of safety risk in order to minimise these as is reasonably practicable. The Applicant confirms the greenhouse gas emissions assessment reported in Chapter 14 (Climate) of the Environmental Statement [APP-058] concludes no likely significant effect. This assessment is based on National Highways Design Manual for Roads and Bridges LA 114 – Climate which states: 'assessment of projects on climate shall only report significant effects where increases in greenhouse gas emissions will have a material impact on the ability of Government to meet its carbon reduction targets'. This also aligns with paragraph 5.17 of the 2015 NPSNN, which states that "It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its

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			carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets." The 2015 NPSNN is the NPS against which the Secretary of State will make their decision whether to consent the application for development consent. Although an updated version of the NPSNN was designated on 24 May 2024, and the gov.uk website states that "The 2015 NNNPS has effect for any applications for development consent accepted for examination prior to 24 May 2024." As the Scheme was accepted for examination before the designation date it will be assessed and decided against the 2015 NPSNN. However, for completeness the Applicant notes that the 2024 NPSNN includes the following statement in Paragraph 5.42, "Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. Therefore, approval of schemes with residual carbon emissions is allowable and can be consistent with meeting net zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent". The assessment has identified that the emissions arising from the Scheme represent less than 0.007% of the total emissions in any five-year UK legally binding carbon budget during which they would arise. Therefore, the assessment concludes that the greenhouse gas emissions impact of the Scheme would not have a material impact on the Government's ability to meet its carbon reduction targets. Chapter 14 (Climate) of the Environmental Statement [APP-058], describes the climate assessment, setting out any likely significant climate effects for both construction and operation of the Scheme. This assessment includes predicted emissions (tCO2e) during construction and operation. Construction of the Scheme is estimated to result in 143,887 tCO2e, which is a 44% reduction in emissions compared to the initial baseline assessment (254,536 tCO2e) as presented in Section 14.8 of the Chapter 14 (Climate) of the Environmental Statement [APP-058]. This reduction is the result of significant efforts to minimise the greenhouse gas emissions associated with the Scheme design and identify opportunities to improve resource efficiency and reduce carbon, such as reuse of existing carriageway infrastructure, use of precast materials where possible and provision of renewable energy for the site compound. The carbon management and mitigation approach for the Scheme aligns with PAS 2080 best practice, via an iterative system which repeatedly evaluates the Scheme, for example, the use of low carbon solutions or techniques that reduce resource consumption. The output is a Scheme which is optimised as far as reasonably practicable. The operational assessment includes the emissions from road users (sometimes referred to as tailpipe emissions). The road user assessment captures the impacts from the change in traffic flows caused by the Scheme. This assessment, as described in Section 14.5 Chapter 14 (Climate) of the Environmental Statement (APP-058), compares the baseline without Scheme scenario (Do Minimum) to the with Scheme scenario (Do Something). This comparison gives an estimate of the impact on traffic flows, and this is used to estimate impact on carbon emissions. The operational emissions, as presented in Section 14.11 of Chapter 14 (Climate) of the Environmental Statement [APP-058], over the 60-year assessment period result in 539,312 tCO2e, with the largest contributor, being 523,019 tCO2e from the road user emissions, summarised in Table 14.19 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The road user assessment presents a worst-case scenario, as the assumptions of electric vehicle uptake are likely underestimated with the assessment as the policy commitments within the Department for Transport's Transport Decarbonisation Plan (TDP) (published July 2021) are not included within the version of the Emission Factor Toolkit (v11) that was used for the assessment. As detailed earlier in the response, the assessment of significance is based on a comparison to the impact on the UK Government in meeting its carbon commitments. The estimated emissions for the relevant carbon budgets from the Scheme (including construction and operation) are 107,915 tCO2e for carbon budget 4, 76,573 tCO2e for carbon budget 5 and 41,991 tCO2e for carbon budget 6. The assessment has identified that the emissions arising from the Scheme represent less than 0.007% of the total emissions in any five-year UK legally binding carbon budget during which

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			they would arise. Therefore, the assessment concludes that the greenhouse gas emissions impact of the Scheme would not have a material impact on the Government's ability to meet its carbon reduction targets in any of the carbon budgets within which the scheme falls. As set out in National Highways' Design Manual for Roads and Bridges LA 114 – Climate, the approach to the assessment of cumulative effects arising from GHG emissions is incorporated into the methodology for appraising emissions from construction and operation, as detailed above. The assessment of cumulative GHG emissions cannot be carried out in a process analogous to other environmental topics because there is no causal link between the location of GHG emissions and the impacts arising from the cumulative aggregation of GHGs in the atmosphere. The operational road user assessment, which is the largest contributor to GHG emissions, is inherently cumulative as the traffic model used for the assessment includes other projects considered relevant as well as the Scheme. Further details on the traffic model are provided in the Transport Assessment Report [APP-193]. Chapter 2 of the Case for the Scheme [APP-190] presents how the Scheme has been developed and options considered. The initial corridor sifting exercise undertaken in 2018 and concluded in 2019, initially identified three corridor options A, B and C, a further 2 corridor options were included during this process, termed Corridor D and E. Therefore, five potential corridor options were identified to ensure a wide range of possibilities were considered to ensure the best solution was identified to address the issues experienced on this stretch of the A46. Each corridor was assessed against the Scheme objectives and the 2015 NPSNN. Furthermore, the Department for Transport's (DfT) EAST+ was used as an assessment tool in the assessment process. Corridor C was the best scoring with the application of the Scheme objectives, 2015 NPSNN and EAST+ assessment methodology. It was recommended that Corridors A, B, D and E would not be considered further. This is because A and D scored poorly against the Scheme objectives for environment and EAST+ appraisal outcomes. Corridors B and E were eliminated because of their noncompliance with environmental policy. Further details are contained within Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047].
RR-051	Newark Rugby Union Football Club	Newark Rugby Club is a large, long- established (105 years) and thriving community sports club located on the A617, Kelham Road, some 400 metres from the Cattle Market roundabout on the A46 (T) Newark By-pass. Its Senior Men's team competes at Rugby Football Union (RFU) Level 6 and it regularly runs 3 Senior Men's teams and 1 Senior Women's team with an adult membership of 150. Its Mini & Youth section is very successful, providing rugby to boys and girls from the age of 5 to 18 with a membership of 500. Many of its 'Colts' - 17/18 age grade - are integrated into the Senior club sides. It runs an extensive Schools Programme providing an introduction to rugby for pupils of non-rugby-playing schools in the area, accommodating over 600 school children in 2023/24, many of whom went on to join the Club. It is recognised as the premier sports club in the Newark area and possesses some of the best rugby facilities in the region which are, therefore, used regularly by RFU Constituent Bodies for competitions and matches and by visiting and touring rugby teams, as well as for indoor and outdoor non-sporting events. It is, accordingly, a major local venue, the high level of use of which reflects its strategic accessibility and the quality of its facilities. The Club strongly supports the proposed A46(T) Newark By-pass upgrade for a number of reasons. Thus, the overall improvement of the Road, and particularly the grade-separation of the Cattle Market Roundabout (CMR) will: • Reduce congestion and improve journey times including for those visiting the Club who are frequently delayed and inconvenienced by that congestion. This adverse impact is not only confined to the A46 itself, but also by queuing on feeder/approach roads such as Kelham Road (A617) and Great North Road (B6326 and A616); • Improve safe, convenient and commodious access by all modes, including non-car modes,	Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177] demonstrates the flood impact of the new infrastructure will be mitigated by the design, which includes Floodplain Compensation Areas (FCAs) that replace the floodplain lost by the proposed embankments. Despite this, there are anticipated to be minor additional impacts to the pitches of the Rugby club during flood events, which does not extend additional impacts on the Rugby Club building itself. The club remains as a low vulnerability receptor as defined in the Flood Risk Assessment. The minor additional impacts to the pitches are predicted to consist of increases in flood depth during flood events where, prior to the scheme, the pitches would already have flooded. The Applicant has contacted the Rugby Club to offer additional engagement to support knowledge sharing in terms of the flood assessment in this area.

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		to the Club from the local highway network, allowing visitors to maximise sustainable active travel modes, particularly walking and cycling. In its current condition the A46 is a major barrier between Newark Town and the Club, especially for pedestrians and cyclists attempting to cross it. Grade separation of the CM, by removing through-traffic from the Roundabout will allow improved, safer crossing facilities. Notwithstanding the above, bearing in mind that the Club is located in the floodplain of the River Trent (Flood Zone 3), it seeks assurances from National Highways that the flood impact of the new Road will be fully mitigated, and preferably reduced, in terms of the frequency and severity of flooding events affecting the Club.	
RR-052	Newark Town Council	Newark Town Council has been very divided on the A46 dualling proposals. Previous consultation comments submitted will show that the Council has historically moved between being supportive and against the proposal at different stages of the Consultation processes. The Councils position has changed depending on which Councillors have been in the meeting room at different meetings at which the proposal has been discussed. Votes on the matter have always been carried by small margins and in some cases by a Chairman's casting vote. The last time the matter was considered the Council resolved that it was supportive. That decision however was made pre May 2023 local elections when almost all of the pre May 2023 Councillors lost their seats and were replaced by new Councillors. The Council's Planning Committee met on the 10th July 2024 to consider its submission to the pre examination process. The Committee resolved to submit comments and views that would position the Town Council as being against the proposal. That decision has now been called in by an opposition spokesperson Councillor in order to be debated further by the Full Council. That meeting takes place on the 24th July. The formal democratic position of the Town Council as at the 12th July 2024 is therefore not definitive. I am submitting this comment with a request that the Town Council be able to submit further comments should it resolve to do so at its meeting on the 24th July and reserve the Councils ability to make comments in person at a public examination. 25/07/2024 'Late Submission' Following a meeting of the Full Council last night it was democratically resolved that a majority of the Full Council are supportive in principle of the A46 bypass albeit there are a number of issues that the Council would implore the examiner to address through the examination process. Those issues will be more particularly documented and submitted to you at the earliest opportunity.	The Applicant notes the relevant representation and has contacted the clerk of the Newark Town Council to request an outline of the key areas once they are available
RR-053	Nichola Ann Gray	The construction process will cause significant disruption to our daily lives in terms of access to walks for thew dogs the impact on domestic animals (local cats) and the wildlife, including river life. The extensive construction activity will increase the noise pollution significantly and as I live so close to the bridge I cannot 'get away' from this. As we have already experienced with other local projects, the impact on the rivers and flood plains is catastrophic and 2023/2024 flooding levels have been the highest on records and caused immense damage - I have no confidence and no assurance that this project will be any different from the previous recent projects which ARE the root cause of the recent flood! Both during and upon completion, the value of my property is likely to dramatically reduce and cause me financial hardship. We have witnessed already a number of local residents move out of the area directly as a result of concerns about this project. The additional traffic and noise from the additional lane will be unbearable and there has been no discussion about compensation either during the lengthy	Access along Newark bridleway 2, between the west side of the junction with Newark footpath 3 and Newark Footpath 1, would be restricted during the construction phase of the Scheme. This is to allow the safe construction of the Windmill Viaduct, Work No. 7, as shown on Sheet 1 of the Works Plans [AS-005]. A diversion of bridleway 2 will be installed prior to the construction works commencing. This diversion is described in Table 2-7 of Chapter 2 of the Environmental Statement [APP-046]. It is anticipated that the closure and diversion will be required for approximately 24 months. Newark bridleway 2 will be re-opened following the completion of the construction works. The Applicant confirms Table 11.1 of Appendix 13.2 Flood Risk Assessment of the Environmental Statement Appendices [APP-177] shows that the baseline (existing) fluvial flood risk is high in the vicinity of the Scheme, as evidenced by recent flooding events. This level of fluvial flood risk will be largely unchanged by the Scheme, with some areas of marginal localised benefit, including in the area of the riverbank immediately behind The Ivies cul-de-sac. The Scheme incorporates three Floodplain Compensation Areas (FCAs) at Kelham & Averham, Farndon East and Farndon West. The purpose of the FCAs is to provide an equivalent volume of floodplain storage by excavating land at similar elevations to that which would be displaced by the Scheme. Therefore, the potential impacts of the Scheme will be fully mitigated.

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		construction period or for the inevitable negative consequences this project will have on my property value or life style or well being.	Table 13-10 of Chapter 13 (Road Drainage and Water Environment) of the Environmental Statement [APP-057] considers operational likely significant effects to rivers and other receptors in the floodplain. The mitigated magnitude of impact of the Scheme to surface water bodies and residential receptors in the floodplain is considered to be either 'no change' or negligible. The noise impacts of the Scheme are set out in detail in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] including construction noise and vibration and operational noise. Construction noise impacts can be seen in Section 11.11 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] for affected representative receptors. These affected representative receptors are shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065]. The nearest representative noise sensitive receptor to the Interested Party for which construction noise calculations have been carried out is 92784 as shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065] which is slightly closer to the works than the Interested Party. Tables 11-14, 11-15, 11-17, 11-18, 11-19, 11-21, 11-22, 11-23, 11-25, and 11-27 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] present daytime construction noise levels relevant to this representative receptor, indicating where the significant observable adverse effect level (SOAEL), which may indicate a potentially significant effect, is exceeded. To avoid significant effects, temporary acoustic barriers that are constructed for mitigation of noise where it is possible to obstruct the line of sight and limiting active construction within 300 metres of representative receptor 92784 to fewer than 10 days in any 15 consecutive days and a total number of days fewer than 40 in any 6 consecutive months, has been included in the mitigation strategy, to mitigate the effects at this location. Noise control measures are included in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan ([PP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. Tables 11-20 and Table 11-24 in Chapter 11 (Noise and Vibration) of the Environmental Statement [PP-055] present night-time construction noise levels relevant to this representative receptor, indicating where the significant observable adverse effect level (SOAEL), which may indicate a potentially significant effect, is exceeded. Such instances are associated with the bridge beam lift and resurfacing activities which will be limited in duration and/or linear in character, with any potential impacts only present for a short period of time, therefore not triggering a significant effect. Best practicable means will be applied throughout the construction period to control noise and vibration. Operational noise impacts of the Scheme are adverse in some areas and beneficial in others, however none of these is significant. Noise parapets along Windmill viaduct (existing eastern and new western parapet will have a solid infill panel to mitigate noise), as shown within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figure [AS-026], as well as low noise surfacing are included in the mitigation strategy to control the effect of noise on the Interested Party. Consequently, while traffic levels are forecast to increase on this section of the Scheme, the proposed mitigation results in the estimated noise level change at the Interested Party being assessed as Minor Beneficial in the short-term and Negligible Beneficial in the long-term as shown in Figure 11.9 (Short-term Noise Change) [AS-063] and Figure 11.10 (Long-term Noise Change) of the Environmental Statement Figures [S-064] that show the impact in the short-term and long-term respectively. Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation measures presented within Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [AS-026]. The Interested Party has raised concerns with regard to wildlife across the Scheme. The Scheme has been designed by implementing the mitigation hierarchy to minimise habitat loss, with a focus on avoiding high value and/or irreplaceable habitat present (where possible) as detailed in Chapter 2 (The Scheme) of the Environmental Statement [APP-046].

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			Chapter 8 (Biodiversity) of the Environmental Statement [APP-052] details the impact assessment, the effects on designated sites, habitats, protected and notable species during construction and operation of the Scheme and proportionate mitigation and compensation. As domestic animals (such as cats and dogs) are not protected species by law, they are not assessed in Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. Following the mitigation hierarchy, impacts to wildlife include the unavoidable loss of habitats of ecological value, detailed in Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. The Applicant has worked to maximise biodiversity improvements across the Scheme and has worked in collaboration with stakeholders to develop the habitat provision. Mitigation for the unavoidable loss of habitat of value for wildlife includes the creation of species-rich grassland, waterbodies, reedbeds, marshy/wet grassland, native hedgerows, shrub and tree planting, individual tree planting and the installation of bird and bats boxes. Requirement 6 of the draft Development Consent Order [APP-021] secures the provision of the planting proposals and mitigation measures presented within the Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] details a net gain in habitat units and river units resulting from the implementation of mitigation and compensation measures detailed in Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. During construction, various mitigation measures would be adhered to and works would be appropriately timed to avoid and then minimise the loss of species, where possible, in adherence with the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the Draft Development Consent Order [APP-021]. The Habitat Regulations Assessment [APP-185] assesses the impacts on river and sea lamprey (qualifying features for the designation of the Humber Estuary Special Area of Conservation (SAC) and Ramsar), as the River Trent intersects the Scheme and is a known migratory route for lamprey. The Appropriate Assessment of the Habitat Regulation Assessment [APP-185] reports no residual significant effects following the implementation of mitigation and therefore, no adverse effect on the integrity of the designated site are anticipated. Appendix 13.1 The Water Framework Directive (WFD) Compliance Assessment of the Environmental Statement Appendices [APP-176] is a detailed assessment of waterbodies and their quality elements (including biological, hydro morphological supporting conditions, and chemical) that are considered likely to be affected by the Scheme and identifies appropriate mitigation measures where necessary. This assessment concluded that providing specified mitigation measures are implemented, the Scheme is not expected to result in a deterioration of the WFD status of the WFD watercourses or prevent these watercourses reaching WFD objectives. The Applicant notes the concerns raised within the relevant representation around compensation either during the construction period or thereafter. There is no mechanism within the compensation code for landowners who do not have interests being acquired or affected by the Scheme to apply for compensation during construction for increased noise or traffic. However once the Scheme is open for traffic, there is the part 1 claim process where parties can apply for compensation if the value of the property goes down because of physical factors arising from the use of a new or altered road. The detail of the part 1 claim process can be found at https://nationalhighways.co.uk/our-roads/when-our-work-affects-your-property/ The first claim day will be one year and one day from when the Scheme is opened to traffic, and parties can only make a Part I claim because of: • Noise • Vibration • Smell • Fumes

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			• Smoke • Artificial lighting • Solid or liquid discharge on to their property
RR-054	Nicholas Roulstone	I contend that the A46 is not used to its full capacity for 80%to 90% of the time. However, the 3 roundabouts are dangerous and cause sporadic delays. Dualing the carriage way will not improve matters. It would be far cheaper and more effective to fit traffic lights and re engineer all the roundabouts.	The Applicant confirms as outlined in the Case for the Scheme [APP-190] the operational performance of the A46 single carriageway around Newark is at odds with other sections, where the road is a dual carriageway. This manifests itself in a bottleneck with higher levels of congestion and lower average speeds (typically between 22 and 45 mph in contrast to 60 mph elsewhere). The key issues are: • Poor time reliability – with variances expected to increase in the future. • High level of low-speed shunts – which impact on turning lanes at junctions. • High traffic flows, which exceed the design capacity. • Congestion on the key A1/A46 Winthorpe junction which results in mainline queuing on the A1. • The lack of a grade separated junction at Cattle Market junction in Newark, which is being compounded by queuing on the main B-road because of frequent rail level crossing downtimes. • It forms part of a major freight route, and an alternative to the M1 corridor particularly to / from the Humber ports. Congestion on the A46 around Newark is naturally periodic with day-to-day variations in the level of delays experienced by users. However, significant congestion is regularly observed due to the level of traffic flow, particularly around peak hours, but also outside of these times too. In addition to the chronic problems that users experience on a daily basis, the impact of incidents on the network regularly exacerbates the problems. In the future, the trend of underlying traffic growth is forecast to continue, leading to significant further deterioration in the conditions experienced by users on both this section of the A46 and the local roads adjacent to it onto which traffic problems are already being displaced. The Scheme aims to tackle the current issues on the A46 by addressing the delays and congestion; improving journey time reliability; improving safety; supporting and helping to unlock local economic aspirations; boosting strategic connectivity; achieving better environmental outcomes and supporting local transport networks. The existing roundabouts other than Farndon are not large enough to allow traffic signals to be added. The purpose of the dualling is to provide capacity for the expected traffic growth and improve road safety.
RR-055	North Kesteven District Council	The Council in principle supports the development proposed in respect of providing for more reliable journey times and accessibility in to the District and Central Lincolnshire. This we believe will have benefits in terms of economic development and the housing market. A relevant representation on behlf of the Council will be submitted later today.	The Applicant notes the relevant representation and thanks North Kesteven District Council for its ongoing support for the Scheme. The Applicant will respond to any further representation that may be submitted by the Council.
RR-056	North Muskham Parish Council	Traffic Management Noise Support for this much needed dualling for communities north of Newark	The Applicant notes the relevant representation and thanks North Muskham Parish Council for their ongoing support for the Scheme. The Applicant will continue to work with North Muskham Parish Council in relation to traffic management and minimising the noise impacts during construction of the Scheme Traffic Management Details of the temporary traffic management proposals required to construct the scheme are provided in the Outline Traffic Management Plan [APP-196]. Noise Construction and Operational noise study areas are defined in line with DMRB LA-111 which states: a) A study area of 300m from the closest construction activity is normally sufficient to encompass noise sensitive receptors: b) An operational study area defined as the following can be sufficient for most projects, but it can be reduced or extended to ensure it is proportionate to the risk of likely significant effects: The area within 600m of new road links or

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			road links physically changed or bypassed by the project; The area within 50m of other road links with potential to experience a short term BNL change of more than 1.0dB(A) as a result of the project; and c) Variations in the study area can be defined for individual projects. Figure 11.1 (Operational Noise Study Area) of the Environmental Statement Figures [AS-055] and Figure 11.2 (Construction Noise Study Area) of the Environmental Statement Figures [AS-056] present the study areas used for the noise assessment. The Applicant can confirm that the Interested Party is situated outside these areas i.e. the Interested Party is not expected to be affected by either construction or operational noise on the basis it is not flagged by the relevant DMRB LA-111 process. Further details on the process used to define suitable study areas are provided in paragraphs 3.5 to 3.8 (for construction noise) and paragraph 3.9 (for operational noise) of DMRB LA-111.
RR-057	Nottinghamshire County Council	Relevant Representation A46 Newark Bypass Project reference: TR010065 1. Nottinghamshire County Council (NCC) is the local highways authority and a host authority for the A46 Newark Bypass Development Consent Order (DCO) application. The 'order limits' of the DCO are wholly within the administrative boundary of NCC. 2. In accordance with section 102(1)(C) of the Planning Act 2008, NCC automatically qualifies as an 'interested party' for the purpose of the examination of the A46 Newark Bypass DCO. 3. In its capacity as an 'interested party' (IP) NCC submits this Relevant Representation (RR) in accordance with sections 56 and 102(4) of the PPA 2008. 4. This RR is made without prejudice to the future views that may be expressed by NCC in its capacity as an IP in the examination process. The comments included below have been provided based on an initial appraisal of the extensive application documents. 5. NCC is strongly supportive in principle of the scheme's objectives to increase network capacity, reduce delays and improve journey times. The County Council also acknowledges the strong support echoed by many local partners including Midlands Connect and Newark and Sherwood District Council. Nonetheless, the scheme needs to ensure minimal impact on the supporting local road network and to the local environment and community through which it is situated. 6. The following are the principal topics that NCC deem to be important for the consideration of the examination phase of the application: • Highways and Transport • Public Rights of Way • Minerals and Waste • Ecology and Biodiversity • Cultural Heritage • Archaeology • Surface Water, Flooding and Drainage • Landscape and Visual Impact • Noise • Air quality 7. Highways and Transport The Transport Assessment indicates that there will be increased impacts to junctions on the local road network. However, submitted documents do not provide sufficient details in order to appraise the proposal adequately and provide detailed feedback to the applicant. Further information has been requested from the applicant around flow difference plots and individual junction modelling. The Council holds concerns over proposed cycling and walking facilities. In particular, the proposals as set out in Chapter 2.5	The Applicant's response to the issues raised within RR-057 are set out below, including signposting to the relevant sections of the DCO application. The Applicant notes the relevant representation made by Nottinghamshire County Council. The Applicant confirms the walking and cycling routes have been designed in accordance with the local transport note (LTN) 1/20 (which provides guidance to local authorities on delivering high quality, cycle infrastructure) and are 3.0m wide shared use facilities which is acceptable where pedestrian use is low. Due to the width of the facility provided it would be possible to split some or all of the facilities into two 1.5m segregated routes, this would be agreed during detailed design with the Interested Party. The provision of a dedicated right turn lane from Great North Road into Kelham Road for southbound traffic needs to be discussed further with the Applicant. The Applicant has no safety concerns over the current design alignment but has committed to providing a dedicated right turn lane into Kelham Road. The proposed layout was submitted to Nottinghamshire County Council and comments were provided where it was agreed that these could be closed out at detailed design stage. Consultation undertaken to date with Nottinghamshire County Council's Senior Practitioner Historic Buildings and other Cultural Heritage Stakeholders to discuss the assessed impacts and effects of the Scheme upon built heritage assets and their setting is recorded in Section 6.4 of Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050]. Where significant impacts are predicted, mitigation measures for the affected heritage assets have been agreed with the Nottinghamshire County Council's Senior Practitioner Historic Buildings and other Cultural Heritage Stakeholders and these measures are outlined within Commitments CH2 to CH5 and CH8 to CH10 of the Register of Environmental Actions and Commitments of the First Iteration Environmental Management Plan [APP-184]. It should be noted that the reference made to visual receptor 25 is in relation to views afforded from road users of Great North Road as visual receptors is not representative of views from Smeaton's arches as a heritage asset. Visual receptors and references to Key visual receptors and photomontages are a matter for consideration within the assessment of Landscape and Visual effects as presented within Chapter 7 Landscape and Visual Effects of the Environmental Statement [AP-051] rather than the assessment of built heritage which is captured within Chapter 6 Cultural Heritage of the Environmental Statement [AP-050]. As recorded within Section 6.4 of Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050], thorough consultation with the Nottinghamshire County Council's Senior Practitioner Archaeology and other Cultural Heritage Stakeholders has been undertaken to discuss the assessed impacts and effects of the Scheme upon archaeological remains and the measures required to reduce and avoid these impacts where possible. To date the Scheme has been subject to two phases of archaeological investigation, the scope of which has been agreed by and the Nottinghamshire County Council's Senior Practitioner Archaeology and other Cultural Heritage Stakeholders. These phases include a programme of preliminary survey (field walking, metal detector, geophysical survey and geoarchaeological desk-based assessment) and a programme of archaeological evaluation (trial trenching and test pitting, geoarchaeological coring and archaeological monitoring of Ground Investigation Works). The agreed scope for

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		General Arrangement plans include the construction of a shared use footway along part of B6326 Great North Road. Local transport note (LTN) 1/20, which sets out guidance for cycle infrastructure design, specifically does not include shared use in its list of acceptable design standards and notes that it should only be used in specific circumstances. NCC is required to submit an annual self-assessment to ATE which includes a requirement to declare any facilities that it has permitted on its highway that do not meet LTN 1/20 design standards. The Council is cautious that substandard facilities are not provided on the county highway and therefore find it imperative that Active Travel England (ATE) are appropriately consulted by the applicant on designs and assurance is sought that the proposals are acceptable from ATE's perspective. The applicant has agreed with the Council for the provision of a dedicated right turn lane from Great North Road into Kelham Road for southbound traffic. However, the Council holds safety concerns on the current design alignment. 8. Cultural Heritage There will be impacts from the works on the 'setting' of designated and non-designated heritage assets, especially as a result of the Cattle Market Junction design and the new alignment at Brownhills. The Cattle Market design will also directly impact on two grade II listed sections of Smeaton's Arches. There is a visual receptor in relation to Smeaton's Arches, however, the significance should be noted, and this should be a 'Key Visual Receptor and Photomontage' allowing for a comprehensive assessment on the potential impact. 9. Archaeology There is high archaeological potential along the route and in areas needed for flood alleviation. At one end of the scheme there is a Late Upper Palaeolithic site recognised by Heritage England (HE) to be of international importance. This has been recognised in the local plan under guidance from HE as being a site of equivalent significance to a scheduled monument as per footnote 68 of the current National Planning Policy Framework. 10. Landscape and Visual Impact The proposed flyover as part of Cattle Market junction will increase visual impact for residents on the northern edge of Newark. 11. The County Council has been involved in a number of meetings with the applicant prior to submission and continues to engage with the applicant through the Statement of Common Ground process on multiple matters. 12. Following the opportunity to undertake a detailed assessment of the application, NCC will provide a comprehensive review of the impacts of the scheme within submission of its Local Impact Report and Written Representation. 13. The Council looks forward to continuing to actively engage with the DCO process.	these works is detailed within Chapters 4 and 5 of the Archaeological Management Plan [APP- 187] and the results of these surveys are detailed within Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the Environmental Statement Appendices [AS-099]. Where areas of significant archaeology have been identified through preliminary survey and archaeological evaluation, discussions with Historic England and other Cultural Heritage Stakeholders and the Applicant have enabled the reduction of the construction and floodplain compensation areas to preserve as much of these sensitive areas in situ. Examples include the avoidance of impacts to internationally important Late Upper Palaeolithic remains at Farndon and the reduction of impacts to late Prehistoric, Roman and Anglo-Saxon settlement remains identified south-west of Winthorpe. Where avoidance has not been possible, a robust archaeological mitigation strategy for the pre-commencement and construction stages of the Scheme is being developed in accordance with Requirement 9 of the draft Development Consent Order [APP-021]. This detailed strategy is being developed in consultation with Nottinghamshire County Council's Senior Practitioner Archaeology and other Cultural Heritage Stakeholders and will form part of a future iteration of the Archaeological Management Plan [APP- 187], which will be submitted during the course of the examination. Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051] sets out the assessment of visual effects, with Visual Receptor 24 assessing the impact and associated effects in relation to views from residences at Sandhills Park, adjacent to Cattle Market Junction. Planting has been proposed wherever feasible to aid screening of the junction over time, and the Applicant has considered appropriate finished and colour palettes to limit visual intrusion where possible. As detailed in Appendix 7.2 (Visual Baseline and Impact Schedules) of the Environmental Statement Appendices [APP-137], the Applicant acknowledges significant adverse effects would be afforded in views from this location during construction and operation of the Scheme. This is due to the scale of the change in the immediate foreground views from these properties, situated in very close proximity to the proposed grade-separated junction.
RR-058	Peridot Solar Ltd (AAS2)	Peridot Solar Ltd and its wholly owned Assured Asset Solar 2 Ltd requests that National Highways abide by the Letter of Comfort supplied in the solar farm & BESS planning application ref: 23/01837/FULM and lodged on the Newark and Sherwood District Council Planning Portal. Ref: 23_01837_FULM-NATIONAL_HIGHWAYS_-_LETTER_OF_COMFORT-1452163.pdf	The Applicant intends to abide by the letter of comfort already issued to the Interested Party and is committed to ongoing engagement once the solar farm application outcome is known.
RR-059	Phillip Freer	Views and opinions expressed by the owners and residents of Bridge House Farm / Bridge House Boarding Kennels (Business) / Switherland/Montravia show dogs (Business), NG24 2AA which is extremely close to the proposed new Brownhills junction. Bridge House Farm was purchased with a view that it could be developed into an environment where the owners could live with their dogs where they could run free and express their natural behaviours without the worry of complaints from neighbours. Over 24 years of investment the property has evolved to the purpose-built premises it is today. • Switherland/Montravia is a successful show kennel of the highest level, having been Best in	The Applicant is able to confirm that the property has been considered as a receptor within the environmental assessments as highlighted below. From the meetings held between the Applicant and the Interested Party, the Applicant has a strong understanding of the concerns and will continue to liaise with the Interested Party further during the detailed design stage to provide further information and agree mitigations. The Applicant acknowledges the Interested Party's concerns with respect to visual impacts, with Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051] identifying significant visual effects during construction and early years of operation from this receptor.

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		Show at Crufts twice, producing Champion dogs and high-quality, sought-after puppies for over 50 years. • Bridge House Boarding Kennels is a successful and valued 5-star kennelling establishment which is designed to provide a pension income for the owners for the rest of their lives. There are serious concerns on numerous points regarding the impact the scheme design will have on home life and the businesses during both construction and once in operation. The owners of Bridge House Farm/Bridge House Boarding Kennels/Switherland/Montravia show dogs are 70 years and 66 years old. The businesses they have developed are designed to earn them the money to live through their retirement and pay for the food and vet bills for their show dogs. The potential development of such a massive road infrastructure in such proximity to their home and businesses seriously threatens their health and wellbeing and their financial income both in the short and long term. The realisation of this 10m high new road development surrounding their property and flooding their field, threatening their business and the security into their retirement which they have worked hard to create is giving them much unneeded anxiety and stress. There has been 24 years of heavy investment to create a retirement home, which will be significantly devalued by the creation of an additional 5 lanes of traffic (4 lanes A46, and slip road) plus a substantial roundabout encasing the property on 2 sides, in addition to the existing 4 lanes of A1 running along one other side. All these additional roads are raised considerably above ground level and to a height of 10m at the closest point to the property meaning it will not be possible to escape the sight, sound and vibration of traffic day and night from all 4 sides of the property. A height of 10m (33 feet) above ground level for the Brownhills underbridge and the A1 overbridge make it a huge construction encasing the property, even with a planted embankment the outlook and skyline will be non-existent. It would no longer be possible to enjoy sitting in the front garden or conservatory due to the continuous traffic sight, sound, vibration, and emissions. It would no longer be possible to open any windows in the property during warmer months due to excessive noise and pollution levels, especially at night. Currently Bridge House Farm is situated at the end of an unlit lane adjacent to the unlit A1 and surrounded by agricultural land. At night the level of light pollution is extremely low with the nearest lights being barely seen from the streetlights of the existing Brownhills roundabout. The proposed Brownhills scheme will introduce a great deal of light pollution close to the property from the new slip road, roundabout and the headlights of traffic travelling on the raised and significantly closer A46. This will have a detrimental impact from lighting up the property and from interfering with the nocturnal wildlife. The new design creates a bottle neck which should any part of the new proposed Brownhills junction become blocked, including if there is an accident which results in a blockage of the existing Brownhills roundabout means that it would be impossible to leave the premises and emergency services, staff and customers would be unable to access it. Currently there is the option to turn either left or right at the end of Winthorpe Road should one direction be blocked. The outlook will be adversely affected in a major way. The property currently overlooks open farmland on 3 sides surrounded by mature trees and all this land will be used in the construction of the new road network, creating a view of raised concrete construction instead. Even if some of this could be mitigated using planting, the trees planted would need to be mature at the time of planting to be of necessary size to mitigate any noise,	The Applicant has sought to limit visual impacts as far as practicable, with proposed planting proposed to aid screening of the Scheme and aid its settlement within the landscape over time wherever possible, reducing the impact to the receptor and resulting in a non-significant effect by year 15 of operation. The Applicant acknowledges the suggestion to plant mature trees. Some mature tree planting would be considered; however, smaller stock has greater resilience to transplanting, and often establishes more successfully than mature planting. It also tends to grow quicker and can outgrow larger stock if growing conditions are favourable. Since the production of artists impressions presented at statutory consultation, four photomontages have subsequently been produced to inform the Landscape and Visual Impact Assessment. These are shown on Appendix 7.3 (Key Visual Receptor Photographs and Photomontages Part 2) of the Environmental Statement Appendices [APP-139]). Photomontage locations include visual Receptor 41, representative of views for residents, workers and visitors of Bridge House Boarding Kennels. The photomontages present the existing baseline view, the Scheme at Year 1 (2028, year the Scheme is open to traffic) and at Year 15 (2043, 15 years from Scheme opening), during winter. The Applicant notes the Interested Party's comment in relation to the lighting impacts on nocturnal life. Chapter 8 (Biodiversity) of the Environmental Statement [APP-052] details the impact assessment, the effects on designated sites, habitats, protected and notable species during construction and operation of the Scheme and proportionate mitigation and compensation. The requirements for road lighting have been determined based on ensuring safety for all road users. Information regarding lighting is included within Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. The lighting design of the Scheme seeks to minimise adverse impacts and effects on nocturnal species (for example bats). Planting is not specifically used to mitigate against associated light impacts to wildlife, though it will benefit wildlife by reducing light dispersion from vehicles and street lighting once planting on the embankment matures. It is acknowledged that the planting design natural screening would also be more effective during the summer months. Following the implementation of measures to reduce artificial light, and in combination with noise disturbance, loss and fragmentation of habitat, a Slight Adverse effect on bats at the regional level is anticipated during construction, that is not significant. The Interested Party has raised concerns regarding the loss of habitat and wildlife across the Scheme. The Scheme has been designed by implementing the mitigation hierarchy to first avoid and then minimise habitat loss, with a focus on avoiding high value and/or irreplaceable habitat present (where possible) as detailed in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Where habitat loss has been unavoidable, replacement habitats are proposed to be created as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Arable fields (the predominant habitat lost in this area) provide a greater ecological value to wildlife (biodiversity) when part of a mosaic of other habitats of good condition and provide connectivity. Therefore, the proposed habitat creation will include provision of native species woodland south of the Interested Party and, within the retained arable fields, existing native species hedgerows will be gapped up and new native species hedgerows with trees will be planted. The impacts upon wildlife such as rabbits and deer, have not been assessed as part of Chapter 8 (Biodiversity) of the Environmental Statement [APP-052] as they are not a protected species by law. However, as outlined in Chapter 2 (The Scheme) of the Environmental Statement [APP-046], directional planting has been designed to mitigate mammal vehicle collisions. Whilst the mammals assessed in the Environmental Statement are those which constitute protected species, all mammals will benefit from directional planting, including those referenced by the Interested Party. The indicative location of directional planting is detail in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] and has been informed by available roadkill data. The directional planting has been designed to encourage mammals (such as badger) to use existing retained safe passages under the A46 carriageway that connect suitable habitat on both sides of the carriageway. In addition, the widened carriageway would not sever any key commuting routes - there are no high populations of a single species or frequent routes used by multiple species to cross the existing A46 carriageway, and the steepness of the embankment and widening of the carriageway are likely to deter wildlife from crossing the carriageway.

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		pollution, and visual impact. Sapling growth would take very many years. How will it be possible to screen the 10m high roadway seen from the entire frontage of the property? The information provided already shows that the noise and pollution levels at Brownhills junction are at sensitive levels so the addition of 4 lanes of fast flowing traffic, a slip road with decelerating vehicles and a roundabout and connecting road with accelerating vehicles can only increase these levels to an intolerable and unacceptable level. Noise • The Preliminary Environmental Information Vol.2 shows that Bridge House Farm already lies in a noise important area due to the A1. Long term noise level monitors placed at locations LT6 and LT7 showed similar daytime and night-time noise level results, well above the recommended limits. These monitors were placed on the opposite side of the raised A1 from Bridge House Farm and there was no monitoring taken place close to the location of the proposed new Brownhills junction where the noise levels are likely to increase significantly from not only the traffic on the raised A46 but from the decelerating and accelerating vehicles on the slip road and roundabout to the side and in front of the property What further increase in this level should be expected by bringing the proximity of the A46 significantly closer to the property and by creating a slip road and a roundabout where the vehicles will be continuously decelerating and accelerating creating additional road and vehicle noise? Referring to the proposed A46 development the second inspector for the secretary of state Graham Kean stated, "I have no doubt that the potential exists for a greater adverse impact because of the closer proximity of a dual carriageway." (Appeal Decision, 13.06.22) • Noise levels from the existing A1 already exceed guidelines in BS8233:2014 which relates to noise levels in and around buildings as was found by a noise survey conducted on behalf of inspector Chris Preston for the secretary of state when the land adjacent to the property was subject to a refusal of planning permission on 2 occasions. It recommends that external areas used for amenity space should not exceed 50dB, with an upper guideline of 55 dB for noisier environments. Noise levels were found to average 63.5 dB during the daytime and 60dB at night. 2.4M high acoustic fencing was deemed inadequate to reduce the levels enough. (Appeal Decision 26.02.19) Pollution • A big concern is the dramatic increase in pollution levels from such a large number of vehicles (approx. 3800 a day based on Technical Note Traffic Modelling Data), many of which are heavy goods vehicles and lorries, decelerating along the slip road and onto the roundabout and accelerating off the roundabout in such close proximity to the house and garden as well as the emissions from the continuous stream of traffic along the raised A46 now substantially closer to the property. This concern is not only for the residents of Bridge House Farm own health but for that of their dogs and their staff. 182 receptors were assessed within 200m of the affected road network and 12 of those receptors deemed most impacted upon by the scheme were listed on p.82 A46 Preliminary Environmental Information Vol.1. Why were there no recordings taken outside Bridge House Farm as it will be the greatest impacted by the slip road and large roundabout which will involve many vehicles decelerating and accelerating, all within 200m of the house as well as the largest section of raised A46 creating increased pollutants within the airspace? Readings taken from receptor R151, 79 Low Wood Lodge, Gainsborough Road, Winthorpe cannot be suitably representative as they are separated by the raised A1 and are on the opposite side to the proposed roundabout and slip road so would be far less impacted than Bridge House Farm. Having so much open agricultural land, hedgerow and trees around encourages wildlife, regularly seen in the fields such as deer, rabbits, pheasants, stoats, voles, foxes, and hedgehogs. Birdlife includes garden birds such as sparrows, tits, blackbirds, robins, and	Planting detailed in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] will provide a commuting corridor parallel to the widened A46 carriageway, connecting existing and newly created habitats and will direct wildlife to existing safe passages under the A46 carriageway. With the retention of existing safe passages, provision of the planting and adoption of mitigation embedded into the Scheme, no significant impacts are anticipated upon terrestrial wildlife that would commute across the Scheme. The First Iteration Environmental Management Plan [APP-184] sets out a number of commitments to mitigate impacts on the environment from the construction and operation of the Scheme. This includes, but is not limited to, lighting management, general best practice construction practices, installation of bat and bird boxes (including kestrel and barn owl nest boxes) and habitat creation. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. The Interested Party's comment with regard to air quality recordings being made on Gainsborough Road refers to the Scheme-specific air quality baseline survey of NO2 concentrations that was undertaken along the Scheme corridor and surrounding area between May 2022 and November 2022 at 27 sites. The monitoring results are presented in Section 5.8 of Chapter 5 (Air Quality) of the Environmental Statement [AS-021] and Appendix 5.3 (Air Quality Monitoring Report) of the Environmental Statement Appendices [APP-130]. The monitoring is used to supplement local authority monitoring data undertaken by Newark and Sherwood District Council to inform the baseline and to verify the detailed dispersion modelling assessment (model verification is a process used to compare the model prediction with monitored concentrations). It is not proportionate to provide monitoring at all sensitive receptor locations and the monitoring sites chosen are done so using professional judgement. The monitoring site selection process considers locations where there are sensitive receptors and the highest pollutant concentrations are likely to be recorded based on existing road layouts and proximity to the road. Also of consideration is the prevailing wind direction. Figure 5.1 of Chapter 5 (Air Quality) of the Environmental Statement Figures [AS-021] presents a wind rose from Waddington meteorological station which demonstrates that prevailing wind in the region is south-westerly (from the south-west to the north-east). Therefore, locating monitoring to the north-east (downwind) of the A1 is likely to result in higher recorded concentrations than if the monitor was to the south-west (upwind) of the A1 i.e. where the Interested Party's property is located. Although the Interested Party's property is downwind of the existing A46 alignment, the separation distance (approximately 200 metres) between the two means that currently, pollutant concentrations from the A46 would not be distinguishable from background concentrations. The Applicant acknowledges that the Scheme moves the A46 alignment and slip roads closer to the Interested Party's property, however, it is not possible to monitor the change in air quality through baseline monitoring as the Scheme is not yet built. Instead, the change in air quality with and without the Scheme in place in the Scheme's opening year (2028) is predicted by a dispersion model. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] presents the results of the operation phase dispersion modelling, which was undertaken to predict NO2 and PM10 concentrations in the base year (2022) and NO2 concentrations in the opening year (2028). The dispersion model includes the proposed roundabout and slip road near the Interested Party's property. Overall, the modelling demonstrated that there are not predicted to be any exceedances of the NO2, PM10 or PM2.5 air quality objectives at any of the human health receptors within the study area during operation of the Scheme and therefore, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021]) has concluded no likely significant effect for human health. Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement Appendices [APP-128] presents the predicted pollutant concentrations at modelled receptor locations and Figure 5.1 (Air Quality Receptors) of the

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		finches but also kestrel, buzzards, red kites, barn owls and bats. How can you mitigate the loss of habitat for this wildlife in this area and prevent numerous animal deaths by creating such large-scale infrastructure in their commuting corridors? An area of the property belonging to Bridge House Farm has been identified on the development plans as part of the Brownhills borrow pit / floodplain compensation area. What does this mean and how does this affect it? It has not been identified in Preliminary Environmental Information Vol.1 as a permanent land requirement, however if it is to be permanently under higher threat of flooding or likely to be wet all year round then this is catastrophic to the businesses at Bridge House Farm. That land is a CRITICAL part of both Bridge House Boarding Kennels and Switherland/Montravia businesses, neither can function without the use of this land. It is used all day as free running exercise area for the 40 show dogs and for the 30 boarding kennel dogs. To what extent will this land be flooded? For how long? Will it still be useable? Will it remain as part of Bridge House Farm or is it intended to be purchased? What are the knock-on effects to the other areas of the property regards floodplain? Will this area be dug out as it is indicated it is part of the borrow pit? It has been stated in Preliminary Environmental Information vol.1 That there will be an increase in flood risk once the road is in operation and the solution is the floodplain compensation sites meaning water will be diverted to this area. Highways representatives visited Bridge House Farm only a few days after the release of the new development plans to include the Brownhills junction. They came to explain what the plans involved. At no point during this meeting did they explain that part of the property was included in the proposed borrow pit and floodplain, even though it was discussed what impact the flood area could have on Bridge House Farm. It was described as an area of wetland to be developed in the area surrounding the road and at no point was the inclusion of the field pointed out. The proposal of the inclusion of the land has only come to light since the owners have read the plans attached to a lamp post outside their house. As stated in Preliminary Environmental Information Vol. 1 p. 45, the proposed new roundabout at Brownhills junction is adjacent to an established drain and there WILL BE an INCREASED RISK of surface water runoff directly into this drain. The concern is that since the site adjacent to Bridge House Farm was illegally covered in many tonnes of hardcore, previously agricultural land, they experience a much larger and more frequent increase in surface run off which floods the area directly outside the property and flows down the driveway to contribute to flooding under the A1 bridge. It also states that the additional roundabout and proposed new roads at Brownhills junction will be 2m above existing ground levels which is within an area of flood risk. Impacts to flood plain compensation requirements and flood propagation will need to be managed. How will this be done? The property currently sits on a zone 2 flood plain so is at medium risk of flooding. The field sits in flood zone 3 for the river Trent, so is at the highest risk of flooding and during wetter months will be muddy to boggy. The Environment Agency shows Bridge House Farm on the Newark Parish flood map PDF as being part of flood zone 3. (https://www.newark-sherwooddc.gov.uk/media/newark-and-sherwood/images-and-files/flooding/parish-flood-maps/Newark300small.pdf) It was explained to us by XXXXXXXXXX from Highways that the area designated as floodplain is most likely to be wetland area, being wet for most of the time. This raises concern for the increased risk to humans and dogs on the premises from rodents and water-borne disease, of most concern, rats and Leptospirosis. How will this be managed? If the field is to become wetland as described, how can it then still be used as a floodplain for the river Trent and how would the increased flood risk to Bridge House Farm be managed? How can it be guaranteed that with the increase in concrete	Environmental Statement Figures [AS-028] shows the locations of the modelled receptors. The property of the Interested Party has been included as a sensitive receptor (R30) in the dispersion model and therefore pollutant concentrations with and without the Scheme in place have been predicted by the dispersion at that location. Annual mean NO2 concentrations at the property of the Interested Party in the opening year are predicted to increase by 0.5µg/m3 from 18.7µg/m3 without the Scheme to 19.2µg/m3 with the Scheme, due to the A46 carriageway alignment being closer to the receptor with the Scheme than without the Scheme. The with Scheme predicted concentration is well below the NO2 air quality objective of 40µg/m3 with a near imperceptible change in concentration (imperceptible is 0.4µg/m3 or less). A property on Gainsborough Road opposite the Interested Party's property is also included as a sensitive receptor (R31) in the dispersion model. Despite being located further away from the proposed roundabout and slip road, R31 is predicted to experience a higher NO2 concentration of 26µg/m3 in the opening year (2028) with the Scheme in place than the Interested Party's property (R30), due to being located closer to the A1. This finding also supports the justification provided above for why baseline monitoring was undertaken at Gainsborough Road rather than at the Interested Party's property in 2022. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] confirms that the impact of emissions from construction traffic is not considered to have the potential to result in significant air quality effects as the predicted change in construction traffic is temporary, not programmed to last more than two years and there are no locations within the study area at risk of exceeding air quality objectives. Modelled base year (2022) concentrations presented in Table 1-1 of Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement Appendices [APP-128] also show that modelled pollutant concentrations are well below the air quality objectives. Therefore existing and modelled concentrations in the study area comply with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007. The assessment also confirms that temporary traffic management measures used during the construction period will not have a significant effect on air quality. This is due to the temporary nature of overnight road closures and temporary reductions in speed limits not significantly affecting emissions. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] assesses the impacts from construction dust within 200 metres of the construction site boundary in accordance with Design Manual for Roads and Bridges LA 105 Air Quality and concludes that the construction dust risk is considered to be 'high', based on the 'large' construction dust risk potential of the Scheme and the presence of human health and ecological receptors within 100 metres of the Scheme. However, works would be carried out in accordance with best practicable means, such as wetting down and minimising the height of stockpiles, to minimise the risk of construction dust effects so that they are unlikely to result in significant effects at nearby receptors. Dust control measures are secured in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. The Brownhills site is no longer proposed for floodplain compensation, it is believed the relevant representation is referring to earlier plans presented at statutory consultation which have now been superseded. As the site is not being used for floodplain compensation, the fluvial (river) flood risk to the site shall be unchanged by the Scheme from the existing condition. As floodplain compensation is not required at the site, the Applicant is not proposing to permanently acquire the site, nor will the flood risk be altered to any part of the Bridge House farm site due to the Scheme. This is evidenced in Figure 9-1 and Appendix C.13 of Appendix 13.2 (Flood Risk Assessment) of the Environmental Statement Appendices [APP-177]. The Brownhills Borrow Pit Area, Works No 77a and 77b in the Works Plans [AS-005] has been identified as a potential location to gain site won material for the adjacent highway embankment construction. This area is shown to be re-instated to previous land use on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026].The Brownhills Borrow Pit Area, Works No 77a and 77b in the Works Plans [AS-005] has been identified as a

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		structures from the substantial development of the A46, slip road and roundabout and the subsequent decrease in surrounding agricultural land which would naturally drain and store water that the property and businesses would not be at a greater flood risk? The living accommodation for the boarding kennel dogs meets the borderline of the proposed floodplain compensation area. Will this increase the insurance premiums for the property and businesses? In 2019 part of the field was underwater for a significant period. There is a contributor stream which flows from the village, under the A1 bridge and directly across the middle the field which in times of heavy rain can become active. Has this been considered in the design? When determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere. (14.2.17 PEI Vol.1) When assessing the development of living accommodation on the land adjacent to Bridge House Farm 26.02.2019, Chris Preston, inspector appointed by the secretary of state deduced that the Environment Agency hydraulic model for the river Trent should use the proxy for the 1 in 1000-year event plus 50% allowance for climate change so estimate that would produce a flood level of 11.09m. At the height of the house at Bridge House Farm flood depths of 0.29m and at the field level flood depths of 2.32m could be expected. This view was upheld by Graham Kean, 20.01.22, another inspector appointed on behalf of the secretary of state. By designating the highest flood risk level part of the property as part of the borrow pit/flood plain/wetland for the scheme development, would this increase the risk also to the house, dogs living accommodation and boarding kennels? If there was an increased risk of flooding to these premises an emergency evacuation plan would be needed to evacuate 30 boarding kennel dogs and 40 show dogs as they would be closest to the floodplain. Affects on the businesses at Bridge House Farm:- The nature of both businesses means that a large proportion of the day the owners and their staff work outside, exercising and training dogs so the health and wellbeing of both humans and dogs from a noise and pollution level will be greatly impacted by the road development being so close to the property. The statutory consultation booklet states there will be a construction compound off A46 at the new Brownhills junction. Preliminary Environmental Information Vol.1 states the specific location of construction work areas is still to be confirmed, however with the construction of 4 lanes of raised new section of the A46, a slip road, a roundabout and a connecting road to the existing roundabout it would be sensible to assume one such compound will be at the site of Brownhills junction or if not then considerable works activity will be taking place during a large part of the 3 year construction phase. How can this be thought of as not affecting quality of life or business activity as was suggested by the Skanska people that visited to discuss the design? The lane that Bridge House Farm sits at the bottom of (Winthorpe Road) is a single-track private lane accessed off the existing A46 (to be developed into the new A46 south slip road) Is this road the access you will be using to develop the fields either side of it? This lane is the only access to Bridge House Farm and Bridge House Boarding Kennels and Switherland/Montravia. Whilst there has been small scale drilling in the field opposite the property, adjacent to the A1 there have been several tractors, trailers and smaller vehicles parked in the lane and using the lane as access for the field. This has brought with it considerable dirt, namely mud dragged off the ploughed field and left in clumps on the lane. It also caused disruption to some of the clients bringing and collecting their dogs from the boarding kennels who had to wait whilst vehicles manoeuvred in the lane. This was only a small scale for a short period of time but caused disruption so how can the disruption to the businesses be mitigated for 3 years? There are several major concerns during the	potential location to gain site won material for the adjacent highway embankment construction. This area is shown to be re-instated to previous land use on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Development of the borrow pit will not increase the flood risk to property on the site. The concrete barrier within the central reserve (as shown within 2.6 Engineering Plans and Sections Part 1 - Typical Cross Sections [AS-009]) and the 2m high noise barrier that extends from the start of the northbound off slip to Brownhills Junction (as shown within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]) will block headlights from vehicles travelling southbound on the A46, minimising light pollution to the property. The provision of the noise barrier / bund is secured by Requirement 16 of the draft Development Consent Order [APP-021]. During the early years of opening, the property may experience light pollution from vehicles travelling northbound. This light pollution will minimise as the proposed planting on the embankment matures. Street lighting around the Brownhills Junction has been limited to 10m high (these are usually 14m high) and have cut off lanterns to minimise light projecting backwards away from the carriageway. Further details can be found at section 7.4.3 of the Scheme Design Report [APP-194]. This detail is secured by Requirement 18 of the draft Development Consent Order [APP-021]. The proposed new roundabout at Brownhills Junction and the new carriageways connecting to it will not increase the risk of flooding from the adjacent water course. The highway drainage will collect surface water and discharge into balancing ponds. The ponds will utilise existing outfalls and the flow will be limited to the existing flow or 5 litres per second whichever is the larger. The ponds are designed to store water from a 1:100 plus climate change storm event. Further details can be found at Appendix 13.4 Drainage Strategy Report of the Environmental Statement Appendices [APP-179]. The contributor stream mentioned is considered to be the Slough Dyke which flows from the southern part of the field, after being culverted under the A46, adjacent to the junction and along the A1 before being culverted under the A1 and flowing into Winthorpe. There are no other watercourses within these fields, although it is noted that Environment Agency mapping indicates there may be ephemeral streams caused by surface water during heavy rain. As part of the design, the Slough Dyke will be realigned north of the existing A46 to allow for the construction of the pier structures to support the elevated road. This has been assessed within Chapter 13 (Road Drainage and Water Environment) of the Environmental Statement [APP-057] and Appendix 13.1 (Water Framework Directive Compliance Assessment) of the Environmental Statement Appendices [APP-176]. In summary, during construction, there is a potential for temporary, slight adverse effects on the watercourse associated with the construction activities and realignment works however these will be mitigated through measures set out within the First Iteration Environmental Management Plan [APP-184] (which will be developed into a Second Iteration EMP prior to the commencement of construction). These mitigation measures include working in accordance with best practice guidelines (RDWE1), the production of a Pollution Prevention Plan (RDWE2) and an Erosion and Sediment Management Plan (RDWE3). As a result of mitigation proposed, the magnitude of impact on the watercourse has been assessed as 'negligible'. During operation, the realignment would result in a minor increase in length and sinuosity of the watercourse which is considered to be beneficial for the watercourse. The realignment is expected to be of similar dimensions to the existing watercourse, and riparian vegetation would be reinstated with the inclusion of scour protection at the base of the pier structures. The realigned watercourse will be moved closer to the A1 with an adjacent access road for maintenance vehicles added between the A1 and the watercourse. As such, there is a potential for contaminated surface water runoff to enter the watercourse. However, the usage of the access road adjacent to the watercourse is expected to be infrequent. Therefore, the potential for the runoff to contain pollutants is very low. Overall, the magnitude of impact on this watercourse has been assessed as 'negligible' and the overall effect during operation is considered to be Slight Adverse (Not Significant). Following consultation between the Applicant and the Interested Party, the Applicant agreed to amend the boundary of the Brownhills borrow pit so it did not impact the land owned by the Interested Party (Title number NT386728). The

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		construction phase and once the road is in use of how it will have a negative impact on the boarding kennel business :- People like quick access to services, they will not be prepared to sit in roadworks or have their journeys disrupted long term – they will use alternative, more convenient kennels. Day boarders dropping dogs off before work will not want to risk being late for work by getting caught in traffic queues around the construction site or again when collecting after a day's work – they will use alternative, more convenient kennels. People going on holiday will not want to risk being delayed getting to the airport from dropping their dog off and becoming stuck in roadwork traffic – they will use alternative, more convenient kennels. Customers will not want to drive down a lane covered in mud or construction materials deposited by works vehicles, making their own vehicles dirty. Customers will not want to unload or collect their dogs or leave them to stay where there is an increase in noise from construction traffic, drilling, digging and other works that could potentially frighten their dog. Customers will not want to leave their dogs in an environment of additional pollution and noise due to construction vehicles and dust. Customers will not feel confident unloading or collecting or allowing their dogs to stay or be exercised in an area so close to a major construction site from the safety of their dog should they accidentally get free. Once customers find a new kennels, they are highly unlikely to return after 3 years once construction completed. If the Winthorpe Road is to be used as access for development of the Brownhills junction, what happens to the existing footpath that connects Newark to Winthorpe village via the lane? This route is used frequently by many customers bringing their dogs to the kennels, most of whom will not want to walk past large moving construction vehicles once works start taking place. "The works to the Brownhills roundabout will potentially impact people's ability to access the businesses at Brownhills junction." Preliminary Environmental Information Vol.1 p.383. 13.11.21 Several receptors including residential properties and businesses are within or adjacent to the draft Order Limits and will potentially experience considerable adverse effects during construction- Preliminary Environmental Information Vol.1 p.393. 13.13.3 Sarah Ceriati has lived and worked at Bridge House Farm for the last 18 years, she has recently completed her 3-year MSc Animal Manipulation (Chiropractic) and is already a qualified dog trainer and dog training instructor. The plan is to develop the business further to include puppy training classes and animal therapy. The construction of the road will be highly detrimental to these additions both during construction and once in use. The constant increase in noise and pollution will mean that the front garden will no longer be usable for the purpose of training people with their young puppies and under the current scheme our field will also not be usable as it will be floodplain/wetland. Noise and pollution from being surrounded by 9 lanes of traffic and a roundabout is also not conducive for promoting a therapy business as well as all the other negative impacts which apply to the other businesses. To be able to reassure customers, Bridge House Boarding Kennels would need to have considerable alterations to the entrance and driveway areas to create an environment they would feel provided safety and security for themselves and their dogs. Currently customers park outside the gates at the quiet end of Winthorpe Road to unload and collect their dogs but this area would become very close to major development works for the new road with the noise and movement of industrial vehicles. There would need to be a secure, compound area customers could drive into and secure to offload their dogs. This area would need to be segregated also from the main driveway of the house and kennels to provide safety and security for the boarding and show dogs already on the premises. To create this would require the owner of the business to	boundary has been changed and the Brownhills borrow pit no longer impacts the land owned by the Interested Party as detailed within Sheet 5 of the Works Plans) [AS-005]. Noise and vibration impacts of the Scheme are set out in detail in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055]; this includes an assessment of construction noise and vibration, and operational noise. It is noted that although monitoring of the extant noise levels was carried out at selected locations as reported in Appendix 11.2 (Baseline Noise Survey Results) of the Environmental Statement [APP-173] to inform the assessment of construction and operational noise, the predominant method to determine potential impacts of the scheme was done by calculation. This enables impact to be assessed for the whole area (rather than at smaller number of selected points) without the influence of weather or variations in traffic that may affect levels over the relatively short duration of a noise survey and is the method established as set out in DMRB LA-111 and is reported in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055]. Construction noise impacts are detailed in Section 11.11 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] for affected representative receptors which are shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065]. The nearest representative noise sensitive receptor for which construction noise calculations have been carried out is 127039 as shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065] which is slightly closer to the works than the Interested Party. Tables 11-14, 11-15, 11-17, 11-18, 11-19, 11-22, 11-23, 11-25, and 11-29 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] present daytime construction noise levels relevant to this representative receptor, indicating that the daytime baseline noise level of 68dB(A) (which reflects the Lowest Observable Adverse Effect Level (LOAEL)) is not exceeded throughout the construction period. Tables 11-20 and 11-24 of Chapter 11 (Noise and Vibration} of the Environmental Statement [APP-055] present night-time construction noise levels relevant to this representative receptor, indicating that the night-time baseline noise level of 59dB(A) is only exceeded during the roadworks construction phase, with highest predicted level of 62dB(A) during the resurfacing work activity which would be classified as a moderate impact. This noise level is unlikely to be disruptive as resurfacing works are by definition linear suggesting any potential impacts would only be for a short period of time and therefore additional mitigation is not required for this activity. Construction induced vibration is not expected to be experienced at this representative receptor. Operational noise impacts of the Scheme are adverse in some areas and beneficial in others but none of these are significant. It is acknowledged that Noise Important Area 7838 encompasses the Interested Party. It is further acknowledged that noise from the A46 will continue to be added to noise from the A1 for properties close to the A1. This can be seen in Figure 11.8 (Noise levels in the Do Something Design Year) of the Environmental Statement Figures [AS-062] which shows expected Do Something (with the Scheme) noise levels in the Design Year, that is, noise levels with the Scheme 15 years after opening. It shows that noise levels increase in proximity to the two highways with smaller noise contributions from other roads. The noise levels for Do Something can be compared with Do Minimum (without the Scheme) for the same period as shown in Figure 11.6 (Noise levels in the Do Minimum Design Year) of the Environmental Statement Figures [AS-060]. However, the impact of the Scheme itself may be seen in Sheet 5 of Figure 11.9 (Short-term Noise Change) of the Environmental Statement Figures [AS-063] and Figure 11.10 (Long-term Noise Change) of the Environmental Statement Figures [AS-064] which shows the noise impact at the Interested Party is Negligible in both the short-term and long-term. In addition to low noise surfacing that will be used to control noise levels, Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] shows the proposed operational noise mitigation in the form of barriers and earthworks that influence the noise environment in the vicinity of the scheme. Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation measures presented within Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [AS-026].

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		financially invest even more and only to mitigate the road development which itself is likely to lead to reduction in financial income and reduction in value of the property. Constant construction noise will concern many customers that it will scare their dogs whilst in boarding close by and would leave them uneasy at the thought of their dog being walked, exercised, and trained in a location so close to large machinery with the additional risk of them being spooked. Many sensitive dogs just will not tolerate this. The area which is available for the boarding and show dogs to be exercised and trained is severely limited by the construction of the new road. Winthorpe Road will no longer be suitable to walk along during construction or after completion. If the field belonging to Bridge House Farm is wet or muddy due to it being floodplain compensation area or no longer in the possession of Bridge House Farm, then this impacts all exercise and training opportunities for all dogs severely. The perimeter fencing for the entire property would need to be upgraded to make security even tighter based on the increased in the noise from machinery and development works more likely to spook the dogs, again which would require financial investment from the owner. Switherland/Montravia pride themselves in rearing healthy, well socialised puppies. In a property so close to major road construction works this will be severely impacted. The loud bangs, drilling, digging and movement of construction vehicles will always be unpredictable which means controlled introduction to such noises will be impossible and has the potential to be severely detrimental to young puppies throughout their growth and fear periods. Living in a rural location, the exposure to continuous loud noises is very low. Whilst all the adult dogs on the premises are well socialised the noise and pollution produced from such large-scale construction works in such proximity to their home will have a severe detrimental effect on their health and wellbeing and their mental state. Adverse impacts on those living at Bridge House Farm is anticipated to be a loss in quality of life from noise, vibration, pollution, and loss of outlook. There is also a strong possibility of a loss of income short and long term for the businesses which results in the loss of pension for the owners. There have been no ground level visuals of Brownhills junction and many people are unaware of the height of the new A46 and the size of the Brownhills junction as this is not clear in the diagrams, only being described in technical drawings found online. None of the plans released are to scale and no details have been provided as to how close each section of this road network will be to Bridge House Farm. Artist's impressions provide a picture of a smaller scaled design set in a greener landscape than may be the case given the scale of the road development in the space proposed.	It is noted there is a difference between the applicable guidance associated with development of new housing that includes external amenity areas (such as is cited in ProPG and BS8233), and the DMRB LA 111 standard that must be followed for development of new highways which reflects existing noise levels in the vicinity of the highway in the context of current national policy, leading to different criteria being relevant for different types of development. Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] considers the impact of the Scheme on residential and business properties, including factors that may cause concern/anxiety on users and residents of these premises. In terms of impacts to human health, the assessment considers the potential for both adverse and beneficial effects with regard to a range of personal, social, economic and environmental factors, such as: • Neighbourhood quality • Access to services, health and social care • Social capital • Employment and income • Access to green space, recreation, and physical activity Changes in amenity occur from a combination of significant residual (post-mitigation) effects reported in other topics, specifically noise, vibration, air quality and visual effects. For an amenity effect to be identified, at least two significant residual effects must combine at the same location. As no significant residual noise or air quality impacts were reported, is not considered to be a significant effect on amenity during construction or operation of the Scheme. No other significant human health effects have been identified during the construction or operation of the Scheme (as set out in Table 12-19 of Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]). Changes in access to Bridge House Farm have been assessed in Table 12-12 of Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]. The sensitivity of the Scheme to changes was identified as High, due to the daily use of the property. It was noted that the construction of Brownhills Junction and the associated slip roads will temporarily affect Winthorpe Road for approximately 36 months and that this would impact upon access to Bridge House Farm. However, whilst Winthorpe Road does provide sole vehicular access to the Farm and the business, access will be maintained throughout the construction period and delays are anticipated to be minimal. As a result, the effect on access was found to be not significant. The construction of the new dual carriageway, Work No 56 on sheet 5 of the Works Plans [AS-005], will be undertaken in several phases to maintain access along Winthorpe Road to the property. This will also allow a segregated footway/cycleway to be retained during the construction phase. Details of the proposed construction phasing are described in sections 2.6.144 to 2.6.160 of Chapter 2 (the Scheme) of the Environmental Statement [APP-046] and sections 2.3.20 to 2.3.22 of the Outline Traffic Management Plan [APP-196]. The Scheme requires a main construction compound and smaller, satellite compounds within the Order Limits to facilitate, the advanced, pre-commencement and main construction works. The locations of the compounds are shown on Figure 2.4 (Locations of Temporary Works Areas Required During Construction) of the Environmental Statement Figures [AS-027]. The main compound would be established at the site of the old Nottinghamshire County Council Highway Maintenance Depot site. The satellite compounds are principally located at the sites of the new bridge structures. The Brownhills junction satellite compound is located between the A1 and Winthorpe Road and will include a hard standing area for the fabrication of the A1 bridge deck, office and welfare units, material and plant storage. Further details on compounds can be found in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. The landowner has made reference to several items of accommodation works, including fencing and driveway alterations and drainage features. These will be developed in consultation with the landowner as the detailed design progresses. The new Brownhills junction will not be a bottleneck when operating as designed. There is a risk that an accident around this junction and on the existing Brownhills roundabout may prevent access and egress into the

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			property. Should this happen then the Interested Party will be able to utilise the existing underpass beneath the A1 which will be installed with suitable drainage to prevent it from filling with rainwater as it does at present. The size and location of the Brownhills Junction are drawn to scale on the submitted general arrangement and the plan and profile drawings. The relevant plans to the Interested Party are the General Arrangement Plans [AS-007] , the Engineering Plans and Sections Part 1 - Typical Cross Sections [AS-008] , the Engineering Plans and Sections Part 2 - Plan and Profiles [AS-009] the AS-010 - 2.6 Engineering Plans and Sections Part 3 - Plan and Profiles[AS-010] and the Engineering Plans and Sections Part 4 - Plan and Profiles [AS-011].
RR-060	Protect Newark's Green Spaces	We are concerned about: 1. Increase in pollution (both during construction and on build completion) and health impacts for the Newark population. 2.Loss of natural environment, habitats, trees, biodiversity. 3.Increase in traffic on completion. All new road schemes have been shown to fill up and increase traffic and pollution. 4.Designed to speed lorries to the Humberside ports NOT to deal with congestion in and around Newark. 5.There are much simpler, less environmentally damaging & less expensive ways of dealing with congestion in and around Newark. 6.The size of the development and effect on the landscape of an historic market town is totally out of proportion and inappropriate. 7.The development will take years during which businesses in Newark will fail due to people living outside of the town being unable to get into Newark. 8.In a climate and biodiversity crisis, the last thing we need are huge road developments. The money should be spent on green public transport, cycling schemes and sustainable initiatives. This scheme is like something from the 1980s and is entirely out of date and inappropriate for the current times.	During construction, the Scheme has the potential to affect air quality due to dust-generating activities and changes in emissions associated with traffic management measures and changes in traffic flows. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] confirms that the impact of emissions from construction traffic is not considered to have the potential to result in significant air quality effects as the predicted change in construction traffic is temporary, not programmed to last more than two years and there are no locations within the study area at risk of exceeding air quality objectives. Modelled base year (2022) concentrations presented in Table 1-1 of Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement Appendices [APP-128] also show that modelled pollutant concentrations are well below the air quality objectives. Therefore existing and modelled concentrations in the study area comply with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007. The assessment also confirms that temporary traffic management measures will not have a significant effect on air quality. This is due to the temporary nature of overnight road closures and temporary reductions in speed limits not significantly affecting emissions. Impacts from construction dust will be mitigated using best practicable means, such as wetting down and minimising the height of stockpiles, and effects are not predicted to be significant. The mitigation measures are set out in the Register of Environmental Actions and Commitments which is part of the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] presents the results of the operation phase dispersion modelling and concludes that there are not predicted to be any exceedances of the NO2, PM10 or PM2.5 air quality objectives at any of the human health receptors within the study area during operation of the Scheme and therefore, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. Also, as indicated by the modelled results for NO2, the Scheme would have a beneficial effect, albeit not significant when following National Highways' Design Manual for Roads and Bridges LA 105 Air Quality guidance, within Newark-on-Trent by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. The Scheme has been designed by implementing the mitigation hierarchy to minimise habitat loss, with a focus on avoiding high value and/or irreplaceable habitat present (where possible) as detailed in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Where habitat loss has been unavoidable, replacement habitats are proposed to be created as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Chapter 8 (Biodiversity) of the Environmental Statement [APP-052] details the impact assessment, the effects on designated sites, habitats, protected and notable species during construction and operation of the Scheme and proportionate mitigation and compensation for unavoidable losses of biodiversity. The Habitat Regulations Assessment [APP-185] assesses the impacts on river and sea lamprey (qualifying features for the designation of the Humber Estuary Special Area of Conservation (SAC) and Ramsar), as the River Trent intersects

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			the Scheme and is a known migratory route for lamprey. The Appropriate Assessment of the Habitat Regulations Assessment [APP-185] reports no residual significant effects following the implementation of mitigation and therefore, no adverse effect on the integrity of the designated site are anticipated. The Applicant has worked to maximise biodiversity improvements across the Scheme in collaboration with environmental stakeholders including, but not limited to, the local authority county ecologists and landscape architects, the Environment Agency, Natural England and Nottinghamshire Wildlife Trust. Following the mitigation hierarchy, the quantity (area) of each habitat type required to compensate for the unavoidable permanent loss of habitats of ecological value have been informed by the Natural England Biodiversity Metric 3.1, as reported in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] and Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. This approach was agreed with Natural England, Nottinghamshire County Council and Nottinghamshire Wildlife Trust and would achieve a greater than 1:1 compensation of habitat of the equivalent condition for Habitats of Principal Importance (HPI) or of greater ecological value for Non-Habitats of Principal Importance where possible (for example, species-rich grassland would compensate for the loss of poor semi-improved grassland). The habitat strategy is based on the principles of no net loss and has also achieved a net gain in habitats of biodiversity value (though not a Scheme-wide biodiversity net gain in accordance with BNG Principles and Guidance (Baker et al. 2019)), which are of benefit to a wide range of protected species. The Scheme would achieve a net gain in habitat units within the Order Limits except for the areas of impact and compensation for lowland meadow. The biodiversity net gain assessment contained in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] has sought to align with local priorities set out in the Biodiversity Opportunity Map (produced for the Trent Valley through Nottinghamshire, highlighting opportunities for habitat creation, enhancement and linkages for woodland, acid grassland and heathland, grassland, and wetland) where possible. Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] provides a detailed summary of the biodiversity net gain assessment to date and the methodology used. The habitat creation and provision associated with the Scheme would result in a predicted overall net gain. Requirement 6 of the draft Development Consent Order [APP-021] secures the provision of the planting proposals presented within Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [AS-026]. Offsite compensation is secured within the First iteration Environmental Management Plan Table 3-2 (REAC) [APP-184], B16 states "either plantation woodland at Doddington Hall will be subject to enhancement to create lowland mixed deciduous woodland to compensate for the loss of lowland mixed deciduous woodland of a poorer condition or a suitable alternative would be provided. The details of this will be included in a LEMP". In addition to minimising and mitigating habitat loss, throughout the evolution of the design, opportunities to enhance biodiversity have been included in the Scheme. Proposals shown in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] include permanently wet ponds and associated reedbeds within attenuation areas, the sowing of species rich grassland adjacent to ponds and the addition of log and brash piles around ponds, to act as refugia/hibernacula. When considering compensatory grassland creation for losses around Cattle Market Roundabout, this has been located as close as possible to habitats affected. This aligns with Opportunity 374 of the Biodiversity Opportunities Map to link grasslands in the Kelham/British Sugar area. Other habitat creation would contribute to Opportunities 346 (wetland creation on the floodplain) and 347 (wetland creation linked to dualling of the A46 at Newark-on-Trent) by involving new wetland creation in the Trent floodplain and along the road corridor. This would include new grazing marsh, ponds and reedbed as well as the drainage network which has been designed to maximise its ecological value. A variety of pond sizes would be provided and opportunities for varied pond depths and shapes would be explored further at the detailed design stage. The Scheme would also involve new woodland creation along the Scheme route to compliment Opportunity 525 (relating to urban tree planting in Newark-on-Trent). Some of this would be achieved through woodland creation on site but given

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			the high area ratios of loss in comparison to the compensation areas required, it has been necessary to consider other off-site options. The Applicant is seeking to enhance an area of existing woodland, with a landowner willing to enter a voluntary long-term agreement. The intention is to carry this out at Doddington Hall which is outside the district but within the same National Character Area. Appendix 7.4 (Arboricultural Impact Assessment) of the Environmental Statement Appendices [APP-140], [AS-086], [AS-087], [AS-088], [AS-089] provides an assessment of the potential arboricultural impacts associated with the Scheme. Whilst Scheme design iterations have resulted in the retention of all veteran trees, there would be an incursion into the Root Protection Area of two veteran trees. Due to the proximity of one of these veteran trees to the Order Limits, pruning would be required to increase vertical clearance and facilitate construction (crown lifting to 4.5m above ground level). Appendix 7.4 (Arboricultural Impact Assessment) of the Environmental Statement Appendices [APP-140], [AS-086], [AS-087], [AS-088], [AS-089] outlines trees to be retained and associated protection measures during construction, as well as those trees suggested for removal to accommodate the Scheme. The arboricultural impact assessment process has included close collaboration between designers and arboriculturists to adapt and amend elements of the Scheme to minimise tree loss and arboricultural impacts. Arboricultural impacts will continue to be reviewed during the detailed design stage of the Scheme and further measures implemented to reduce impacts where possible. The arboricultural impact assessment has also been considered in the development of the environmental design presented in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] to aid effective mitigation for the loss of any existing tree stock. The Applicant acknowledges that there would be an overall increase in traffic, however, when the Scheme is introduced, journey times along the A46 are forecast to improve as outlined in the Transport Assessment Report [APP-193] demonstrating the benefits of the Scheme. It is notable that traffic modelling shows that levels of traffic on the A46 around Newark-on-Trent are forecast to increase even if the Scheme is not built. In line with Department for Transport's Transport Analysis Guidance (TAG), traffic flows have been forecast up to 2061. This modelling demonstrates that the A46 is not forecast to be over capacity within these timescales if the Scheme is implemented. Traffic modelling shows that most of the forecast traffic increase is associated with trips travelling along the A46 to bypass Newark-on-Trent. The Scheme's implementation would therefore lead to a better flow of traffic and a reduction in congestion on both the A46 and on local roads within Newark-on-Trent. While traffic modelling indicates an increase in traffic on the A46 because of the Scheme, it also shows that a significant component of this increase is attributable to strategic through traffic that is effectively removed from the centre of Newark-on-Trent by the Scheme. These trips currently divert off the A46 and go through the town centre to avoid congestion. With the Scheme, this through traffic is forecast to remain on the strategic road network, where it is more appropriate for it to be. In March 2020, the Government's Road Investment Strategy 2: 2020 to 2025 included a commitment to improve the A46 'Trans-Midlands Trade Corridor' between the M5 and the Humber Ports, as a mechanism for underpinning the wider economic transformation of the country. The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190] and National Policy Statement for National Networks Accordance Tables [AS-090], which sets out how the Scheme complies with national and local policy. As outlined in the Case for the Scheme [APP-190] the operational performance of the A46 single carriageway around Newark is at odds with other sections, where the road is a dual carriageway. This manifests itself in a bottleneck with higher levels of congestion and lower average speeds (typically between 22 and 45 mph in contrast to 60 mph elsewhere). The key issues are: • Poor time reliability – with variances expected to increase in the future. • High level of low-speed shunts – which impact on turning lanes at junctions.

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			• High traffic flows, which exceed the design capacity. • Congestion on the key A1/A46 Winthorpe junction which results in mainline queuing on the A1. • The lack of a grade separated junction at Cattle Market junction in Newark, which is being compounded by queuing on the main B-road because of frequent rail level crossing downtimes. • It forms part of a major freight route, and an alternative to the M1 corridor particularly to / from the Humber ports. Congestion on the A46 is naturally periodic with day-to-day variations in the level of delays experienced by users. However, significant congestion is regularly observed due to the level of traffic flow, particularly around peak hours, but also outside of these times too. In addition to the chronic problems that users experience on a daily basis, the impact of incidents on the network regularly exacerbates the problems. In the future, the trend of underlying traffic growth is forecast to continue, leading to significant further deterioration in the conditions experienced by users on both this section of the A46 and the local roads adjacent to it onto which traffic problems are already being displaced. Over time, in the absence of the Scheme, the deterioration in conditions for both users of the A46 and those affected by the environmental impacts of traffic congestion would be significant. Existing problems would worsen, with increases to both the extent and duration of day-to-day traffic congestion. Additionally, the acute problems that are triggered by breakdowns/collisions on the wider network would get significantly worse than they are at present due to the lack of resilience that would otherwise be provided by the dual carriageway Scheme. The Scheme will tackle the current issues experienced on the A46 by addressing the delays and congestion; improving journey time reliability; improving safety; supporting and helping to unlock local economic aspirations; boosting strategic connectivity; achieving better environmental outcome and supporting local transport networks. Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047] provides information on an Alternative Transport Modes Assessment that was carried out on the Scheme, which suggested that the existing public transport network does not generally offer comparable alternatives to cars for most movements. Small traffic flows were distributed over a large area and therefore are not suited to be catered for by public transport. From this, it was recommended dualling and bypass solutions which fed into Government's Road Investment Strategy 2: 2020 to 2025 and National Highways' Delivery Plan 2022 to 2025. Notwithstanding the above, the alleviation of traffic in Newark-on-Trent brought about by the implementation of the Scheme (through traffic currently travelling through the Town Centre is forecast to reroute onto the A46 as a result of the Scheme) would allow bus operators to be able to deliver more efficient and reliable services on both the strategic and local road network. Additionally, the reduction in traffic within the town will also help to support the encouragement of walking and cycling within Newark-on-Trent. With regard to simpler, more cost-effective alternatives to the proposed Scheme, the Applicant notes that the purpose of the dualling is to provide sufficient capacity to accommodate the forecast levels of traffic growth that are expected to arise (with, or without the proposed Scheme), and to improve road safety. The Applicant also notes that, as has been suggested by others, simply adding traffic signals to the existing A46 junctions to improve performance is not a feasible solution as, with the exception of Farndon roundabout, the existing roundabouts along the A46 are all too small to allow traffic signals to be added. To inform the development of the Scheme design, forecasts of travel demand have been prepared for various future years to ensure that the proposed Scheme continues to perform operationally against a background of increasing demand for travel. In this regard the operational assessment of the Scheme has been considered against forecast traffic flows in both 2028, and fifteen years later in 2043. As noted in section 3.3.49 of the Transport Assessment Report [APP-193], the level of future traffic demand with, or without, the Scheme is forecast to increase over time. Without the Scheme, between the years 2019 and 2043, traffic in

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			the morning peak is forecast to grow by 26%. The equivalent growth over the same timeframe for the evening peak being an increase in traffic of 28%. Given the existing levels of congestion that are already experienced on the section of the A46 around Newark-on-Trent, and the future levels of underlying traffic growth that are being forecast, it is necessary for the proposed Scheme to be proportionately scaled. The Scheme design reflects this and is driven by the need to provide sufficient capacity to meet the stated aims and objectives both at opening year and in the longer term. The design of the Scheme has been developed to minimise congestion at the junctions of the A46 for both the local road approaches and the main carriageway of the A46. In turn, the reduction in congestion would alleviate the current blocking-back issues seen on the local road network within Newark-on-Trent. Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051] presents the assessment of impacts and associated effects upon Newark, captured as part of Landscape Character Area (LCA) 4 Newark. This includes a description of the current baseline as detailed in paragraphs 7.8.20-7.8.22 of Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051], as well as the likely change associated with the Scheme during construction and operation. Paragraph 7.11.3 of Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051] confirms that the vast majority of the LCA would not be directly impacted by the Scheme during construction, and as such, a non-significant slight adverse effect is anticipated for LCA 4 Newark during construction. As reported in paragraph 7.11.34 of Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051], there would be no direct impacts at all upon LCA 4 during operation, and as such a Neutral significance of effect is reported within the assessment. The assessment of cultural heritage impacts and associated effects upon Newark Conservation Area (MM431), which encompasses the historic market town, are presented within Appendix 6.3 Assessment of Cultural Heritage Effects During Construction of the Scheme of the Environmental Statement Appendices [APP-134] and Appendix 6.4 Assessment of Cultural Heritage Effects During Operation of the Scheme of the Environmental Statement Appendices [APP-135]. This assessment confirms that the Newark Conservation Area would not be significantly impacted by the Scheme during its construction or operation. As part of the assessment, consultation was undertaken with the Newark and Sherwood District Council Conservation Officer to understand the potential impact of the Scheme upon Newark Conservation Area. As outlined within Section 6.4.9 of 6.1 of Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050], the Newark Conservation Area is considered by Historic England to be 'at risk' due to economic downturn. It was considered, by the Cultural Heritage Stakeholders that better connectivity provided by the Scheme could improve the economic resilience of Newark, and lead to regeneration of historic sites such as the Newark Conservation Area and the heritage assets which are located within it. Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] considers the impact of the Scheme on local businesses during construction. As set out in Table 12-12, several businesses in Newark are likely to experience changes in access due to increased construction traffic and proposed construction activities. The assessment concludes that, as access to businesses will be maintained and any delays experienced will be minimal, affected businesses will experience a slight adverse effect, which is not significant. The NPSNN (both the NPSNN designated in 2015 and 2024) sets out the Government's policies for the development and delivery of Nationally Significant Infrastructure Project (NSIPs), such as this Scheme, on the national road and rail networks in England. The NPSNN provides the Government's overarching support for NSIPs which contribute towards improvements to the SRN, such as those that the Scheme has been designed to deliver. NPSNN paragraph 2.2 states that: "There is a critical need to improve the national networks to address road congestion and crowding on the railways to provide safe, expeditious and resilient networks that better support social and economic activity; and to provide a transport network that is capable of stimulating and supporting economic growth.

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			Improvements may also be required to address the impact of the national networks on quality of life and environmental factors." Chapter 6 of the Case for the Scheme [APP-190] provides an appraisal of the Scheme's conformity with the relevant national policies that will guide the decision processes and outlines how the Applicant is assessing the Scheme against key policies, local and national.
RR-061	Richard Barnes	I am in favour of the project and its aims however I am concerned about safety and keeping business/traffic moving efficiently during the project duration.	The Applicant notes the support for the Scheme. The Outline Traffic Management Plan [APP-196] provides details on how the works will be phased and how the associated temporary traffic management measures will be implemented in order to deliver the Scheme safely whilst minimising the impact on road users and stakeholders affected by the construction works.
RR-062	Robert Palgrave	The proposed development will increase carbon emissions and will futher degrade air quality. I request that you refuse development consent	The Applicant confirms the greenhouse gas emissions assessment reported in Chapter 14 (Climate) of the Environmental Statement [APP-058] concludes no likely significant effect. This assessment is based on National Highways Design Manual for Roads and Bridges LA 114 – Climate which states: 'assessment of projects on climate shall only report significant effects where increases in greenhouse gas emissions will have a material impact on the ability of Government to meet its carbon reduction targets'. The DMRB advice aligns with paragraph 5.17 of the 2015 National Policy Statement for National Networks (NPSNN), which states that "It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets." The 2015 NPSNN is the NPS against which the Secretary of State will make their decision whether to consent the application for development consent. Although an updated version of the NPSNN was designated on 24 May 2024, and the gov.uk website states that "The 2015 NNNPS has effect for any applications for development consent accepted for examination prior to 24 May 2024." As the Scheme was accepted for examination before the designation date it will be assessed and decided against the 2015 NPSNN. However, for completeness the Applicant notes that the 2024 NPSNN includes the following statement in Paragraph 5.42, "Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. Therefore, approval of schemes with residual carbon emissions is allowable and can be consistent with meeting net zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent". Chapter 14 (Climate) of the Environmental Statement [APP-058], describes the climate assessment, setting out any likely significant climate effects for both construction and operation. This assessment includes predicted emissions (tCO_2e) during construction and operation. Construction of the Scheme is estimated to result in 143,887 tCO_2e, this represents a 44% reduction in emissions compared to the initial baseline assessment (254,536 tCO_2e) as presented in Section 14.8 of the Chapter 14 (Climate) of the Environmental Statement [APP-058]. This reduction is the result of significant efforts to minimise the greenhouse gas emissions associated with the Scheme design and identify opportunities to improve resource efficiency and reduce carbon, such as reuse of existing carriageway infrastructure, use of precast materials where possible and provision of renewable energy for the site compound. The carbon management and mitigation approach for the Scheme aligns with PAS 2080 best practice, via an iterative system which repeatedly evaluates the Scheme, for example, the use of low carbon solutions or techniques that reduce resource consumption. The output is a Scheme which is optimised as far as reasonably practicable. The operational assessment includes the emissions from road users (sometimes referred to as tailpipe emissions). The road user assessment captures the impacts from the change of the traffic flows caused by the Scheme. This assessment, as described in Section 14.5 Chapter 14 (Climate) of the Environmental Statement [APP-058], compares the baseline without Scheme scenario (Do Minimum) to the with Scheme scenario (Do Something). This comparison

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			gives an estimate of the impact on traffic flows, and this is used to estimate impact on carbon emissions. The operational emissions, as presented in Section 14.11 of Chapter 14 (Climate) of the Environmental Statement [APP-058], over the 60-year assessment period result in 539,312 tCO2e, with the largest contributor, being 523,019 tCO2e from the road user emissions, summarised in Table 14.19 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The road user assessment presents a worst-case scenario, as the assumptions of electric vehicle uptake are likely underestimated with the assessment as the policy commitments within the Transport's Transport Decarbonisation Plan (TDP) (published July 2021) are not included within the version of the Emission Factor Toolkit (v11) that was used for the assessment. As detailed earlier in the response, the assessment of significance is based on a comparison to the impact on the UK Government in meeting their carbon commitments. The assessment has identified that the emissions arising from the Scheme represent less than 0.007% of the total emissions in any five-year UK legally binding carbon budget during which they would arise. Therefore, the assessment concludes that the greenhouse gas emissions impact of the Scheme would not have a material impact on the Government's ability to meet its carbon reduction targets in any of the carbon budgets within which the scheme falls. During construction, the Scheme has the potential to affect air quality due to dust-generating activities and changes in emissions associated with traffic management measures and changes in traffic flows. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] confirms that the impact of emissions from construction traffic is not considered to have the potential to result in significant air quality effects as the predicted change in construction traffic is temporary, not programmed to last more than two years and there are no locations within the study area at risk of exceeding air quality objectives. Modelled base year (2022) concentrations presented in Table 1-1 of Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement [APP-128] also show that modelled pollutant concentrations are well below the air quality objectives. Therefore, existing and modelled concentrations in the study area comply with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007. The assessment also confirms that temporary traffic management measures will not have a significant effect on air quality. This is due to the temporary nature of overnight road closures and temporary reductions in speed limits not significantly affecting emissions. Impacts from construction dust will be mitigated using best practicable means, such as wetting down and minimising the height of stockpiles, and effects are not predicted to be significant. These mitigation measures are set out in the Register of Environmental Actions and Commitments which is part of the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] also confirms that the impact of emissions from operational traffic is not considered to have the potential to result in significant air quality effects. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] presents the results of the operation phase dispersion modelling and concludes that there are not predicted to be any exceedances of the NO2, PM10 or PM2.5 air quality objectives at any of the human health receptors within the study area during operation of the Scheme and therefore, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the air quality objectives. Therefore, in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. Also, as indicated by the modelled results for NO2, the Scheme would have a beneficial effect, albeit not significant when following National Highways' Design Manual for Roads and Bridges LA 105 Air Quality guidance, within Newark-on-Trent by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent.

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RR-063	RWE Generation UK PLC	RWE Generation UK are the owners and operators of the Staythorpe Power Station. RWE have an interest in the possible impacts the proposed development may have on the operation and future development of the power station. In particular impacts on the river Trent, Rundell Dyke and the ability for the power station to bring contractors on site to carry out maintenance activities.	At the point of application, the proposed Staythorpe Power Station Carbon Capture Project had not been assessed cumulatively with this Scheme because the cut-off date for the assessment included in Chapter 15 (Assessment of Combined and Cumulative Effects) of the Environmental Statement [APP-059] was 31 May 2023. The Applicant has since undertaken a more recent review of new or approved developments since those identified in the assessment submitted as part of the application. The review has identified new developments, as well as identifying any changes to the developments already included in the list for cumulative assessment, up to 1 October 2024. The purpose of this review being to ensure that the cumulative effects assessment for the Scheme remains current and is reflective of the anticipated cumulative effects associated with the Scheme and other developments. The Applicant is currently reviewing the details of Staythorpe Power Station Carbon Capture Project and will document the findings of the updated cumulative effects assessment in a Cumulative Effects Technical Note that will be submitted at Deadline 2. This will take into consideration potential cumulative impacts on the River Trent and Rundell Dyke receptors, to the extent required. From communications with RWE, the Applicant understands that construction is anticipated to commence in Q4 2028. There is likely to be an overlap between the two schemes but this will be towards the end of the A46 Newark Bypass construction duration. The main interface between the two schemes will be along the A617. The installation of the new culvert under the A617, Work No. 124 on sheet 7 of the Works Plans [AS-005], will be undertaken at the front end of the programme. Details of the temporary traffic management proposals are detailed in the Outline Traffic Management Plan [APP-196].

AS-092	RWE Generation UK PLC	Dear Planning Inspectorate,
		RWE are owners and operators of the Stallingborough power station located close to Newark in Nottinghamshire. RWE are currently registered as an interested party in relation to the A46 Newark bypass, registration number 20049358. Additional points has been identfied following our review of the project information which we would like to include in our representation. RWE are developing Staythorpe Power Station Carbon Capture Project. We have recently submitted a request for a scoping opinion to Department for Energy Security & Net Zero consents team.
		By reference to Figure 15.1 [APP-116], Zones of Influence have been identified for the A46
		• Newark Bypass project as follows:
		  • 1km in respect of Landscape and Visual Effects, Road and Drainage and the Water Environment
		  • 2km in respect of Biodiversity receptors.
		and these zones overlap with Staythorpe Power Station and the Staythorpe Power Station Carbon Capture Project site.
		• Mobile biodiversity receptors such as otter may make use of habitat within the A46
		• Newark Bypass Order Limits, as well as the Staythorpe Power Station Carbon Capture Project site.
		• ES Chapter 8 [APP-052] states that during construction there is "Potential for general disturbance of otter due to increased levels of vibrational, noise and artificial light disturbance".
		Accordingly, there is scope for cumulative and in-combination impacts to occur with our project, and this requires further consideration by National Highways.
		In addition, we would like to request information regarding the project that would be relevant for our own project at Staythorpe. The information in question is unredacted versions of the following confidential appendices:
			The Applicant acknowledges RWE's concerns regarding scope for cumulative and in-combination impacts to occur as a result of the Scheme and the proposed Staythorpe Power Station Carbon Capture Project.
			At the point of application, the proposed Staythorpe Power Station Carbon Capture Project had not been assessed cumulatively with this Scheme because the cut-off date for the assessment included in Chapter 15 (Assessment of Combined and Cumulative Effects) of the Environmental Statement [APP-059] was 31 May 2023. The Applicant has since undertaken a more recent review of new or approved developments since those identified in the assessment submitted as part of the application. The review has identified new developments, as well as identifying any changes to the developments already included in the list for cumulative assessment, up to 1 October 2024. The purpose of this review being to ensure that the cumulative effects assessment for the Scheme remains current and is reflective of the anticipated cumulative effects associated with the Scheme and other developments. The Applicant is currently reviewing the details of Staythorpe Power Station Carbon Capture Project and will document the findings of the updated cumulative effects assessment in a Cumulative Effects Technical Note that will be submitted at Deadline 2.
			The Applicant is liaising with RWE Generation UK PLC and has shared the unredacted versions of Appendix 8.10 Otter Technical Report [APP-155] and Appendix 8.15 Badger Technical Report [APP-160] of the Environmental Statement Appendices, under the understanding that information within these reports will be treated as confidential.

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		• 6.3 Appendix 8.10 Otter Technical Report • 6.3 Appendix 8.15 Confidential Badger Technical Report Kind Regards, Matt Brown	
RR-064	Sarah-Jane Page	The A46 Newark bypass scheme will cause numerous negative issues including increased kinds of pollution (noise, air, visual, and light pollution), exacerbated by the fact the road will generate more traffic to the area. The scale of the project is vast and out of proportion to be in such close proximity to a small historic market town, and one that already suffers from much road infrastructure, being where the A17, A1 and A46 meet. Pushing the road into a space where there is not enough room causes issues that will impact people's everyday lives and negatively impact population health, both during the three-year construction period and on the scheme's completion. This scale of infrastructure typifies the road designs near or through city centres from 50 years ago, such as the Gravelly Interchange in Birmingham (more commonly known as "Spaghetti Junction"). These kinds of schemes are now deemed out of touch and inappropriate. Residents in Glasgow – where the M8 motorway carved up two communities in the 1960s – are now campaigning for its removal, such is the harm that it has caused. Why is National Highways seeking to impose similarly damaging proposals to a market town where the route will have a similar effect? This scheme will not solve Newark's traffic problems and is not designed to, given the principal aim is to get freight vehicles past Newark and to the ports. New bottle necks will be created, and there has been a poor assessment regarding how the bypass will interact with the local road network, especially in relation to the change in people's behaviour as they engage with the road network in new and different ways (indeed, the bypass will generate even more traffic to an already overburdened traffic area). Whilst two roundabouts are being removed, two more are being created (Brownhills Junction and a new roundabout on the A46 near to Farndon which is part of a separate scheme). The complexity of the scheme has not been sufficiently mapped to understand how these new designs will interact with each other. The scheme is generating a disproportionate amount of carbon relative to its size, and this is because of the scheme's complexity as it must go over the river and the A1. This carbon generation is incompatible with a drive to net zero; the operation of the scheme would increase carbon by an additional 539,312 tCO2e over its 60-year lifetime. The economic return on this scheme is low (£1.20 of benefits for each £1 spent). It is a waste of money and other initiatives that would prove more beneficial to the community of Newark urgently need to be explored.	To inform the development of the Scheme design, forecasts of travel demand have been prepared for various future years to ensure that the proposed Scheme continues to perform operationally against a background of increasing demand for travel. In this regard the operational assessment of the Scheme has been considered against forecast traffic flows in both 2028, and fifteen years later in 2043. As noted in section 3.3.49 of the Transport Assessment [APP-193], the level of future traffic demand with, or without, the Scheme is forecast to increase over time. Without the Scheme, between the years 2019 and 2043, traffic in the morning peak is forecast to grow by 26%. The equivalent growth over the same timeframe for the evening peak being an increase in traffic of 28%. Given the existing levels of congestion that are already experienced on the section of the A46 around Newark-on-Trent, and the future levels of underlying traffic growth that are being forecast, it is necessary for the proposed Scheme to be proportionately scaled. The Scheme design reflects this and is driven by the need to provide sufficient capacity to meet the stated aims and objectives both at opening year and in the longer term. The Applicant acknowledges that there would be an overall increase in traffic as a result of the Scheme. However, when the Scheme is introduced, journey times along the A46 are forecast to improve as outlined in the Transport Assessment [APP-193], which demonstrates the benefits of the Scheme. It is notable that traffic modelling shows that levels of traffic on the A46 around Newark-on-Trent are forecast to increase even if the Scheme is not built. In line with Department for Transport's Transport Analysis Guidance (TAG), traffic flows have been forecast up to 2061. This modelling demonstrates that the A46 is not forecast to be over capacity within these timescales if the Scheme is implemented. Traffic modelling shows that most of the forecast traffic increase is associated with trips travelling along the A46 to bypass Newark-on-Trent. The Scheme's implementation would therefore lead to a better flow of traffic and a reduction in congestion on both the A46 and on local roads within Newark-on-Trent. While traffic modelling indicates an increase in traffic on the A46 because of the Scheme, it also shows that a significant component of this increase is attributable to strategic through traffic that is effectively removed from the centre of Newark-on-Trent by the Scheme. These trips currently divert off the A46 and go through the town centre to avoid congestion. With the Scheme this through traffic is forecast to remain on the strategic road network, where it is more appropriate for it to be. The need and economic case for the Scheme is summarised in the Case for the Scheme (APP-190) and National Policy Statement for National Networks Accordance Tables (AS-090), which sets out how the Scheme complies with national and local policy. As outlined in the Case for the Scheme [APP-190] the operational performance of the A46 single carriageway around Newark is at odds with other sections, where the road is a dual carriageway. This manifests itself in a bottleneck with higher levels of congestion and lower average speeds (typically between 22 and 45 mph in contrast to 60 mph elsewhere). The key issues are: • Poor time reliability – with variances expected to increase in the future • High level of low-speed shunts – which impact on turning lanes at junctions • High traffic flows, which exceed the design capacity • Congestion on the key A1/A46 Winthorpe junction which results in mainline queuing on the A1 • The lack of a grade separated junction at Cattle Market junction in Newark, which is being compounded by queuing on the main B-road because of frequent rail level crossing downtimes • It forms part of a major freight route, and an alternative to the M1 corridor particularly to / from the Humber ports

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			Congestion on the A46 is naturally periodic with day-to-day variations in the level of delays experienced by users. However, significant congestion is regularly observed due to the level of traffic flow, particularly around peak hours, but also outside of these times too. In addition to the chronic problems that users experience on a daily basis, the impact of incidents on the network regularly exacerbates the problems. In the future, the trend of underlying traffic growth is forecast to continue, leading to significant further deterioration in the conditions experienced by users on both this section of the A46 and the local roads adjacent to it onto which traffic problems are already being displaced. Over time, in the absence of the Scheme, the deterioration in conditions for both users of the A46 and those affected by the environmental impacts of traffic congestion would be significant. Existing problems would worsen, with increases to both the extent and duration of day-to-day traffic congestion. Additionally, the acute problems that are triggered by breakdowns/collisions on the wider network would get significantly worse than they are at present due to the lack of resilience that would otherwise be provided by the dual carriageway Scheme. The Scheme will tackle the current issues experienced on the A46 by addressing the delays and congestion; improving journey time reliability; improving safety; supporting and helping to unlock local economic aspirations; boosting strategic connectivity; achieving better environmental outcome and supporting local transport networks. While the Southern Link Road does relieve some traffic from the A46 this has been accounted for in the traffic modelling work detailed in the Transport Assessment [APP-193]. In particular, the Southern Link Road is included within the Do Minimum (without the Scheme) scenario traffic forecasts. The modelling demonstrates that without improvements to the A46, even with the development of the Southern Link Road, there would still be significant delays on the A46, especially at the Cattle Market Junction. The Southern Link Road roundabout will join the A46 to the south of Farndon Roundabout. The traffic modelling detailed in the Transport Assessment [APP-193] shows that the two roundabouts operate well, despite their close proximity, and that the A46 arms of the two roundabouts were forecast to have delays of under 30 seconds in 2043 (15 years after the Scheme is open to traffic). Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047] provides information on an Alternative Modes Assessment that was carried out on the Scheme, which suggested that the existing public transport network does not generally offer comparable alternatives to cars for most movements. Small traffic flows were distributed over a large area and therefore are not suited to be catered for by public transport. From this, the Applicant recommended dualling and bypass solutions which fed into Department for Transport's Road Investment Strategy 2: 2020 to 2025 and National Highways' Delivery Plan 2022 to 2025. Notwithstanding the above, the alleviation of traffic in Newark-on-Trent brought about by the implementation of the Scheme (through traffic currently travelling through the Town Centre is forecast to reroute onto the A46 as a result of the Scheme) would allow bus operators to be able to deliver more efficient and reliable services on both the strategic and local road network. Additionally, the reduction in traffic within the town will also help to support the encouragement of walking and cycling within Newark-on-Trent. With regard to simpler, more cost-effective alternatives to the proposed Scheme, the Applicant notes that the purpose of the dualling is to provide sufficient capacity to accommodate the forecast levels of traffic growth that are expected to arise (with, or without the proposed Scheme), and to improve road safety. These objectives cannot be achieved by simpler options. The applicant also notes that, as has been suggested by others, simply adding traffic signals to the existing A46 junctions to improve performance is not a feasible solution as, with the exception of Farndon roundabout, the existing roundabouts along the A46 are all too small to allow traffic signals to be added. Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] sets out the Noise and Vibration Assessment for both the construction and operational phases of the Scheme and shows that there are some beneficial impacts and some adverse impacts from noise, although none are predicted to be significant. Noise mitigation embedded in the design includes a combination of bunds, barriers and low noise surfacing. These are shown on Figure 2.3 (Environmental Masterplan) of the Environmental Statement [AS-023]. Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation measures presented within Figure 2.3 Environmental Masterplan of the Environmental Statement [AS-026].

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			Chapter 5 (Air Quality) of the Environmental Statement [AS-021] presents the results of the operation phase dispersion modelling and concludes that there are not predicted to be any exceedances of the NO2, PM10 or PM2.5 air quality objectives at any of the human health receptors within the study area during operation of the Scheme and therefore, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the air quality objectives. Therefore, in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. Also, as indicated by the modelled results for NO2, the Scheme would have a beneficial effect, albeit not significant when following National Highways' Design Manual for Roads and Bridges LA 105 Air Quality guidance, within Newark-on-Trent by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. During construction, the Scheme has the potential to affect air quality due to dust-generating activities and changes in emissions associated with traffic management measures and changes in traffic flows. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] confirms that the impact of emissions from construction traffic is not considered to have the potential to result in significant air quality effects as the predicted change in construction traffic is temporary, not programmed to last more than two years and there are no locations within the study area at risk of exceeding air quality objectives. Modelled base year (2022) concentrations presented in Table 1-1 of Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement [APP-128] also show that modelled pollutant concentrations are well below the air quality objectives. Therefore, existing and modelled concentrations in the study area comply with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007. The assessment also confirms that temporary traffic management measures will not have a significant effect on air quality. This is due to the temporary nature of overnight road closures and temporary reductions in speed limits not significantly affecting emissions. Impacts from construction dust will be mitigated using best practicable means, such as wetting down and minimising the height of stockpiles, and effects are not predicted to be significant. The mitigation measures are set out in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. Landscape and visual effects of the Scheme have been assessed and presented within Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051]. As detailed in paragraph 7.13.1 of Chapter 7 Landscape and Visual Effects of the Environmental Statement [APP-051], the potential impacts upon visual amenity were addressed through the assessment of 63 receptors identified within the visual envelope of the Scheme. Details of these are contained within Appendix 7.2 (Visual Baseline and Impact Schedules) of the Environmental Statement Appendices [APP-137] and shown on Figure 7.5 (Visual Effects Plan) of the Environmental Statement Figures [AS-041]. Of those 63 receptors, 15 receptors would experience Significant Adverse effects during construction of the Scheme, reducing to seven receptors in Year 1 of Operation. When considering the establishment of mitigation planting by Year 15, two of the 63 visual receptors (No.24 being residential properties at Sandhills Park and No.40 users of the Trent Valley Way and NCN route 64 on Winthorpe Road), would be considered to have residual Significant Adverse effects as a result of the Scheme. As detailed in Section 2.5 of Chapter 2 (The Scheme) of the Environmental Statement [APP-046], the requirements for road lighting have been determined based on increasing safety for all road users, the design of which has sought to minimise adverse impacts and effects on nocturnal species (for example, bats), the existing landscape and visibility from nearby properties and dwellings after dark, and the setting of features associated with the historic environment (for example listed buildings). Mitigation measures include the provision of reduced height lighting columns (for example the use of 10 metres high columns as opposed to the normal 14 metres height), cut off lanterns to minimise light projecting backwards away from the carriageway, and landscape bunds and fencing to aid visual screening of passing

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			vehicle headlights, where possible. The details of the highway lighting are secured by Requirement 18 of the draft Development Consent Order [APP-021]. Specific mitigation measures such as the location of landscape bunds is secured through Requirement 6 of the draft Development Consent Order [APP-021] and are presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation measures presented within Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [AS-026] and as set out in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055]. Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] assesses the effects of the Scheme on Population and Human Health. In order to do so, it considers the potential for both adverse and beneficial effects with regard to a range of personal, social, economic and environmental factors, such as: • Neighbourhood quality • Access to services, health and social care • Social capital • Employment and income; and • Access to green space, recreation, and physical activity. Changes in amenity occur from a combination of significant residual (post-mitigation) effects reported in other topics, specifically noise, vibration, air quality and visual effects. For an amenity effect to be identified, at least two residual effects must combine at the same location. As no significant residual noise or air quality impacts were reported, there is not considered to be a significant effect on amenity during construction or operation of the Scheme. In addition, no other significant human health effects have been identified during the construction or operation of the Scheme (as set out in Table 12-19 of Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]). The Applicant confirms the greenhouse gas emissions assessment reported in Chapter 14 (Climate) of the Environmental Statement [APP-058] concludes no likely significant effect. This assessment is based on National Highways Design Manual for Roads and Bridges LA 114 – Climate which states: 'assessment of projects on climate shall only report significant effects where increases in greenhouse gas emissions will have a material impact on the ability of Government to meet its carbon reduction targets'. The DMRB advice aligns with paragraph 5.17 of the 2015 National Policy Statement for National Networks (NPSNN), which states that: "It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets." The 2015 NPSNN is the NPS against which the Secretary of State will make their decision whether to consent the application for development consent. Although an updated version of the NPSNN was designated on 24 May 2024, and the gov.uk website states that "The 2015 NNNPS has effect for any applications for development consent accepted for examination prior to 24 May 2024." As the Scheme was accepted for examination before the designation date it will be assessed and decided against the 2015 NPSNN. However, for completeness the Applicant notes that the 2024 NPSNN includes the following statement in Paragraph 5.42, "Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. Therefore, approval of schemes with residual carbon emissions is allowable and can be consistent with meeting net zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent". Chapter 14 (Climate) of the Environmental Statement [APP-058], describes the climate assessment, setting out any likely significant climate effects for both construction and operation. This assessment includes predicted emissions (tCO2e) during construction and operation. Construction of the Scheme is estimated to result in 143,887 tCO2e, which

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			is a 44% reduction in emissions compared to the initial baseline assessment (254,536 tCO2e) as presented in Section 14.8 of the Chapter 14 (Climate) of the Environmental Statement [APP-058]. This reduction is the result of significant efforts to minimise the greenhouse gas emissions associated with the Scheme design and identify opportunities to improve resource efficiency and reduce carbon, such as reuse of existing carriageway infrastructure, use of precast materials where possible and provision of renewable energy for the site compound. The carbon management and mitigation approach for the Scheme aligns with PAS 2080 best practice, via an iterative system which repeatedly evaluates the Scheme, for example, the use of low carbon solutions or techniques that reduce resource consumption. The output is a Scheme which is optimised as far as reasonably practicable. The operational assessment includes the emissions from road users (sometimes referred to as tailpipe emissions). The road user assessment captures the impacts from the change in traffic flows caused by the Scheme. This assessment, as described in Section 14.5 Chapter 14 (Climate) of the Environmental Statement (APP-058), compares the baseline, without scheme scenario to the with scheme scenario, known as the do minimum and do something. This comparison gives an estimate of the impact on traffic flows, and this is used to estimate impact on carbon emissions. The operational emissions, as presented in Section 14.11 of Chapter 14 (Climate) of the Environmental Statement (APP-058), over the 60-year assessment period result in 539,312 tCO2e, with the largest contributor, being 523,019 tCO2e from the road user emissions, summarised in Table 14.19 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The road user assessment presents a worst-case scenario, as the assumptions of electric vehicle uptake are likely underestimated with the assessment as the policy commitments within the Transport's Transport Decarbonisation Plan (TDP) (published July 2021) are not included within the version of the Emission Factor Toolkit (v11) that was used for the assessment As detailed earlier in the response, the assessment of significance is based on a comparison to the impact on the UK Government in meeting its carbon commitments. The estimated emissions for the relevant carbon budgets from the Scheme (including construction and operation) are 107,915 tCO2e for carbon budget 4, 76,573 tCO2e for carbon budget 5 and 41,991 tCO2e for carbon budget 6, Table 14.21 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The assessment has identified that the emissions arising from the Scheme represent less than 0.007% of the total emissions in any five-year UK legally binding carbon budget during which they would arise. Therefore, the assessment concludes that the greenhouse gas emissions impact of the Scheme would not have a material impact on the Government's ability to meet its carbon reduction targets in any of the carbon budgets within which the scheme falls. The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190]. The benefits and costs are combined and produce an overall Value for Money assessment. This is presented in the Analysis of Monetised Costs and Benefits table in Chapter 5 (Economic Case for the Scheme) the Case for the Scheme [APP-190]. While the Value for Money statement places the Scheme in the low value for money category, the forecast return of £1.20 for every £1 spent still represents a significant level of economic benefit, particularly given the complexity of the works and structures associated with the Scheme. The Value for Money statement also does not capture all the benefits the Scheme will deliver, such as facilitating economic growth in the area. As detailed within Chapter 3 (The Need for the Scheme) of the Case for the Scheme [APP-190], the Scheme would help to unlock employment growth within Newark by facilitating the delivery of regional and local business developments. For example, the Newark Business Park concentrates a significant part of Newark's growth but is currently limited in its development by the lack of capacity at Brownhills Roundabout, as set out in the Newark and Sherwood Infrastructure Delivery Plan (2017). The Scheme would fulfil the economic objective of sustainable development by increasing capacity and reducing congestion on the strategic road network. This could help to facilitate the growth of a number of economic sectors, such as food and logistics, which are reliant on journey time reliability. As well as the economic benefits detailed in Chapter 5 (Economic Case for the Scheme) of the Case for the Scheme [APP-190], the Scheme will result in journey time savings and improved safety as detailed in the Transport Assessment

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			[APP-193]. The Scheme would also result in a number of environmental benefits, including improved habitat connectivity through newly created habitats as well as increased accessibility via the new walking and cycling routes.
RR-065	Shell U.K. LTD	Dear Sirs Shell U.K. Limited – Shell Newark, A17 Winthorpe Roundabout, Newark, Nottinghamshire NG24 2NY – A46 Newark Bypass Improvement Scheme I confirm that I am instructed by Shell U.K. Limited which owns and operates the Newark Service Station located to the north-east of and adjoining Winthorpe Roundabout on the north-eastern extremity of the town of Newark. This is an important trunk road service area site predominantly serving vehicles using the A46 and A1 corridors from a conveniently accessible location and meets the needs of motorists under Circular 01/2022. The site has received significant investment and upgrades in terms of its capacity by Shell U.K. Limited. From a preliminary view of the land and general arrangements plans submitted by the Applicant, it is clear that the scheme proposals as currently formulated will have a serious and adverse effect on the property and its ability to meet the needs of road users on the surrounding Strategic Road Network. The site will be taken offline and will be rendered significantly less accessible. The provision of a package of advance warning signs will be needed to mitigate these adverse effects. It is also evident that the proposals will interfere with traffic flows and drainage arrangements within the service area. In particular, no justification has been provided for the need to acquire permanent rights over the majority of the property. Such extensive rights, even if only required to satisfy the needs of adjoining owners would seriously and adversely affect the operation and viability of the property. In particular, the rights cover all unbuilt areas of the property, which include not only the commercial vehicle forecourt but also EV recharging bays and customer parking areas. The reversal of traffic flows within the site as proposed will require significant works of modification to signage and services. Our client's engineers will need to review the scheme proposals in detail. Consequently, please accept these representations as an objection to the proposals as currently formulated. Without prejudice to its rights to make further representations through the DCO process, our client is prepared to hold further discussions with the Applicant to understand the detail behind the proposals and consider what further amendments might reduce the adverse effects of the proposed scheme. Yours Sincerely Tim Hancock BSc (Hons) FRICS MEI Chartered Surveyor	The one-way traffic movement through the Shell forecourt will be introduced at the start of construction and the Applicant does not agree that it will be significantly less accessible. The one-way traffic movement will ensure that traffic flows will not be impacted during construction of the amended exit arrangement. Drainage will be designed in accordance with National Highways' Design Manual for Roads and Bridges and will drain both the amended exit and any flows within the forecourt area itself. At the detailed design stage, the Applicant will liaise closely with the Interested Party and their client's engineers to discuss the changes required to signage and services. The Applicant confirms permanent rights (shown at Plot 5/12a on the Land Plans [AS-004]) are required to maintain the diverted utilities that pass below ground through the new bell mouth exit and to provide parking and access during these maintenance works. The size of the area is needed such that a mobile elevated platform or lorry mounted crane can be used to gain access to the overhead 11KV cables and transformer. Further details of the works can be found on the Utilities Works Plans [AS-016] under Works Nos. U21, U22, U23 and U24. Annex A of the Statement of Reasons [APP-025] provides confirmation of the need for each land plot with reference to the Works Plans [AS_005], Utilities Works Plans [AS-016] and Schedule 1 of the draft Development Consent Order [APP-021]. Plot 5/12a is required for rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery for the purposes of inspecting, repairing and maintaining retaining structures on adjoining land. To lay, install, construct, retain, inspect, maintain, protect, use, replace, renew or remove overhead electricity cables and supports, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery. To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable buried communications cables and ducts together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery. To lay, install, construct, retain, inspect, maintain, protect, use, enlarge, replace, renew, remove or render unusable water pipes, together with rights to pass and repass and to remain on the land, with or without vehicles, plant or machinery. To include restrictive covenants for protecting the installed cables, ducts or apparatus from excavation, damage or injury; to not materially reduce the depth of soil above any installed cables, ducts or apparatus; and to prevent access to the installed cables, ducts or apparatus being made materially more difficult. The Applicant notes the intention to hold further conversations to discuss the proposals of the Scheme and as such, will commence discussions to secure the land requirements by agreement by the end of the examination. The Applicant confirms that there is an error within Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]. Table 12-11 within Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] should state that 0.07 hectares of land will be permanently acquired from Shell to facilitate the realignment of the access route to the filling station. The magnitude of this impact has been recognised as negligible (previously identified as no change) as the loss of land does not compromise overall viability of the business. The significance of this effect remains neutral (not significant). The Applicant confirms that access rights will be maintained. Table 12-12 within Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] should state that realignment of the access route off the A46 to the Shell petrol station will temporarily affect access into the petrol station from the A46. The Applicant confirms that a one-way system will be implemented, with access to the filling station provided via the A17. The existing A46 exit will be built in stages in order to maintain its use throughout the construction period, with an overnight closure for the final surface course. The magnitude of this impact has been recognised as minor (previously identified as negligible) due to introduction of severance with adequate accessibility provision. The significance of this effect is now assessed as slight adverse (not significant). An Outline Traffic Management Plan [APP-196] details the traffic management proposals for the Scheme. The Outline Traffic Management

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			Plan [APP-196] will be developed into the Traffic Management Plan for implementation during construction and is secured through Requirement 11 of the draft Development Consent Order [APP-021].
RR-066	Simon Tilley	I want to register my concerned that the bypass will increase particulate pollution including dust in its construction and use. Has this impact been assessed? I would also like you to assess the scope 3 emissions caused by increased traffic flow on the bypass. Following the recent court case where these now need to be taken into account I think this is a very important assessment to make. There will also be a considerable loss of biodiversity when constructing the road and we in are in a nature crisis with many species lost how can this be justified? The scheme is not designed to reduce congestion in Newark over the railway and this problem is causing local air pollution and should be sorted out first what plans are there for this? Finally has a comparative study being done on spending the money on active transport infrastructure rather than a road and the subsequent health benefits environmental benefits and financial benefits for the local community.	Chapter 5 (Air Quality) of the Environmental Statement [AS-021] assesses the impacts from construction dust within 200 metres of the construction site boundary, in accordance with National Highways' Design Manual for Roads and Bridges LA 105 Air Quality and concludes that the construction dust risk is considered to be 'high', based on the 'large' construction dust risk potential of the Scheme and the presence of human health and ecological receptors within 100 metres of the Scheme. However, works would be carried out in accordance with best practicable means, such as wetting down and minimising the height of stockpiles, to minimise the risk of construction dust effects so that they are unlikely to result in significant effects at nearby receptors. Dust control measures are secured in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] confirms that the impact of emissions from construction traffic is not considered to have the potential to result in significant air quality effects as the predicted change in construction traffic is temporary, not programmed to last more than two years and there are no locations within the study area at risk of exceeding air quality objectives. Modelled base year (2022) concentrations presented in Table 1-1 of Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement Appendices [APP-128] also show that modelled pollutant concentrations are well below the air quality objectives. Therefore, existing and modelled concentrations in the study area comply with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007. The assessment also confirms that temporary traffic management measures will not have a significant effect on air quality. This is due to the temporary nature of overnight road closures and temporary reductions in speed limits not significantly affecting emissions. With regard to the Interested Party's question on local air pollution in the vicinity of the railway, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] presents the results of the operation phase dispersion modelling and concludes that there are not predicted to be any exceedances of the NO2, PM10 or PM2.5 air quality objectives at any of the human health receptors within the study area during operation of the Scheme and therefore, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the air quality objectives. Therefore, in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. Also, as indicated by the modelled results for NO2, the Scheme would have a beneficial effect, albeit not significant when following National Highways' Design Manual for Roads and Bridges LA 105 Air Quality guidance, within Newark-on-Trent by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. Appendix 5.2 (SATURN Traffic Data Report) of the Environmental Statement Appendices [APP-129] presents the traffic data for the affected road network used in the dispersion modelling and Figure 5.4 (Air Quality Affected Road Network) of the Environmental Statement [AS-031] shows their locations. These documents can be cross referenced using the 'Figure ID' column included in Appendix 5.2 (SATURN Traffic Data Report) of the Environmental Statement [APP-129]. Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement Appendices [APP-128] presents the predicted pollutant concentrations at modelled receptor locations and sheets 1-21 of Figure 5.1 (Air Quality Receptors) of the Environmental Statement Figures [AS-028] shows the locations of the modelled receptors. These documents can be cross referenced using the 'Receptor D' column included in Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement [APP-128]. Lincoln Road Bridge is displayed as figure ID 173 on Sheet 9 of Figure 5.5 (Air Quality Summary of Traffic Data) of the Environmental Statement Figures [AS-032]. As shown on Figure ID 173, page 10 of Appendix 5.2 (SATURN Traffic Data

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			Report) of the Environmental Statement [APP-129], traffic flows in the opening year of the Scheme (2028) for link 173 are expected to decrease from 11,316 annual average daily traffic (AADT) movements without the Scheme to 7,674 AADT with the Scheme in place, a reduction of 3,642 AADT. This traffic is displaced onto the A46 from the local roads in Newark-on-Trent. The reduction in traffic flow on Lincoln Road Bridge is predicted to lead to a reduction in annual mean NO2 concentrations at the closest sensitive human health receptors to the railway, R47 and R48. As shown on page 3 of Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement (APP-128), annual mean NO2 concentrations at R47 and R48 are predicted to decrease by up to 1µg/m3. The largest with Scheme predicted concentration at these two receptors is 20.9µg/m3 in the opening year compared to the NO2 air quality objective of 40µg/m3. Beacon Hill Road is displayed as figure ID 259 in Sheet 11 and Sheet 12 of Figure 5.5 (Air Quality Summary of Traffic Data) of the Environmental Statement [AS-032]. As shown on page 14 of Appendix 5.2 (SATURN Traffic Data Report) of the Environmental Statement [APP-129], traffic flows for figure ID 259 in the opening year of the Scheme (2028) are expected to decrease from 16,370 AADT without the Scheme to 14,985 AADT with the Scheme in place, a reduction of 1,385 AADT. The reduction in traffic flow on Beacon Hill Road is predicted to lead to a reduction in annual mean NO2 concentrations at the closest sensitive human health receptor to the railway, R76. As shown on page 5 of Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement [APP-128], annual mean NO2 concentrations at R76 are predicted to decrease from 18.5µg/m3 without the Scheme to 18.3µg/m3 with the Scheme. The Applicant confirms the greenhouse gas emissions assessment reported in Chapter 14 (Climate) of the Environmental Statement [APP-058] concludes no likely significant effect. This assessment is based on National Highways' Design Manual for Roads and Bridges LA 114 – Climate which states: 'assessment of projects on climate shall only report significant effects where increases in greenhouse gas emissions will have a material impact on the ability of Government to meet its carbon reduction targets'. This also aligns with paragraph 5.17 of the 2015 NPSNN, which states that "It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets.". The 2015 NPSNN is the NPS against which the Secretary of State will make their decision whether to consent the application for development consent. Although an updated version of the NPSNN was designated on 24 May 2024, and the gov.uk website states that "The 2015 NNNPS has effect for any applications for development consent accepted for examination prior to 24 May 2024." As the Scheme was accepted for examination before the designation date it will be assessed and decided against the 2015 NPSNN. However, for completeness the Applicant notes that the 2024 NPSNN includes the following statement in Paragraph 5.42, "Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. Therefore, approval of schemes with residual carbon emissions is allowable and can be consistent with meeting net zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent". The assessment as detailed in Chapter 14 (Climate) of the Environmental Statement [APP-058], is based on National Highways' Design Manual for Roads and Bridges LA 114 - Climate Table 3.11.1 which includes both construction and operational impacts, capturing the relevant impact of the Scheme. Construction impacts include the embodied carbon emissions of materials, transport of materials to site and the use of construction plant. Operational impacts include road user, or tailpipe, emissions, land use change, maintenance and operational energy. The operational assessment includes the emissions from road users (sometimes referred to as tailpipe emissions). The road user assessment is capturing the impacts from the change in traffic flows caused by the Scheme. This assessment, as described in Section 14.5 Chapter 14 (Climate) of the Environmental Statement [APP-058], compares the baseline without Scheme (Do Minimum) scenario to the with Scheme scenario (Do Something). This comparison gives an

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			estimate of the impact on traffic flows, and this is used to estimate impact on carbon emissions. The operational emissions, as presented in Section 14.11 of Chapter 14 (Climate) of the Environmental Statement [APP-058], over the 60-year assessment period result in 539,312 tCO2e, with the largest contributor being 523,019 tCO2e from the road user emissions. The estimated emissions for the relevant carbon budgets from the Scheme (including construction and operation) are 107,915 tCO2e for carbon budget 4, 76,573 tCO2e for carbon budget 5 and 41,991 tCO2e for carbon budget 6, Table 14.21 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The assessment has identified that the emissions arising from the Scheme represent less than 0.007% of the total emissions in any five-year UK legally binding carbon budget during which they would arise. Therefore, the assessment concludes that the greenhouse gas emissions impact of the Scheme would not have a material impact on the Government's ability to meet its carbon reduction targets in any of the carbon budgets within which the scheme falls The Scheme has been designed to minimise habitat loss, with a focus on avoiding high value and/or irreplaceable habitat present (where possible) as detailed in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Where habitat loss has been unavoidable, replacement habitats are proposed to be created as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Following the mitigation hierarchy, the quantity (area) of each habitat type required to compensate for the unavoidable permanent loss of habitats of ecological value have been informed by the Natural England Biodiversity Metric 3.1, as reported in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] and Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. This approach was agreed with Natural England, Nottinghamshire County Council and Nottinghamshire Wildlife Trust and would achieve a greater than 1:1 compensation of habitat of the equivalent condition for Habitats of Principal Importance (HPI) or of greater ecological value for Non-Habitats of Principal Importance where possible (for example, species-rich grassland would compensate for the loss of poor semi-improved grassland). Requirement 6 of the draft Development Consent Order [APP-021] secures the provision of the planting proposals presented within Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [AS-026]. The Applicant has worked to maximise biodiversity improvements across the Scheme in collaboration with environmental stakeholders including, but not limited to, the local authority county ecologists and landscape architects, the Environment Agency, Natural England and Nottinghamshire Wildlife Trust. The Scheme would achieve a net gain in habitat units within the Order Limits except for the areas of impact and compensation for lowland meadow. The biodiversity net gain assessment contained in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] has sought to align with local priorities set out in the Biodiversity Opportunity Map (BOM) (Nottinghamshire Biodiversity Action Group (Notts BAG) and Nottinghamshire County Council (NCC), 2022. Newark & Sherwood BOM Report) (produced for the Trent Valley through Nottinghamshire, highlighting opportunities for habitat creation, enhancement and linkages for woodland, acid grassland and heathland, grassland, and wetland) where possible. Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement Appendices [APP-159] provides a detailed summary of the biodiversity net gain assessment to date and the methodology used. The habitat creation and provision associated with the Scheme would result in a predicted overall net gain. In addition to minimising and mitigating habitat loss, throughout the evolution of the design, opportunities to enhance biodiversity have been included in the Scheme. Proposals shown in Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026] include permanently wet ponds and associated reedbeds within attenuation areas, the sowing of species rich grassland adjacent to ponds and the addition of log and brash piles around ponds, to act as refugia/hibernacula. When considering compensatory grassland creation for losses around Cattle Market Roundabout, this has been located as close as possible to habitats affected. This aligns with Opportunity 374 of the Biodiversity Opportunity Map (Notts BAG and NCC, 2022. Newark & Sherwood BOM Report) to link grasslands in the Kelham/British Sugar area. Other habitat creation would contribute to Opportunities 346 (wetland creation on the floodplain) and 347 (wetland creation linked to

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			dualling of the A46 at Newark-on-Trent) by involving new wetland creation in the Trent floodplain and along the road corridor. This would include new grazing marsh, ponds and reedbed as well as the drainage network which has been designed to maximise its ecological value. A variety of pond sizes would be provided and opportunities for varied pond depths and shapes would be explored further at the detailed design stage. The design also includes new woodland creation along the Scheme route to compliment Opportunity 525 (relating to urban tree planting in Newark-on-Trent). Some of this would be achieved through woodland creation on site but given the high area ratios of loss in comparison to the compensation areas required, it has been necessary to consider other off-site options. The Applicant is seeking to enhance an area of existing woodland, with a landowner willing to enter a voluntary long-term agreement. The current intention is to carry this out at Doddington Hall which is outside the district but within the same National Character Area. The Applicant confirms the traffic modelling undertaken for the Scheme takes account of the Newark Castle level crossing. Through discussions with Nottinghamshire County Council (the local highway authority) and based on the results from traffic modelling, the existing Great North Road would be widened to two lanes for southbound traffic from Cattle Market Roundabout towards the Kelham Road junction as part of the Scheme. Improving Newark Castle level crossing is not required, as the Scheme would not worsen or change the existing situation in relation to crossing operation and safety. Newark and Sherwood District Council have advised the Applicant that they are discussing improvements to the crossing with Network Rail. The traffic modelling indicates an improvement in conditions on Great North Road as a result of the upgrade to the Cattle Market Junction and the provision of additional southbound queuing capacity, which alleviates the effects of level crossing closures on Cattle Market Junction. Further information on traffic forecasts and modelling is detailed in the Transport Assessment [APP-193]. Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047] provides information on an Alternative Transport Modes Assessment that was carried out on the Scheme, which suggested that the existing public transport network does not generally offer comparable alternatives to cars for most movements. Small traffic flows were distributed over a large area and therefore are not suited to be catered for by public transport. From this, it was recommended dualling and bypass solutions which fed into Government's Road Investment Strategy 2: 2020 to 2025 and National Highways' Delivery Plan 2022 to 2025. Notwithstanding the above, the alleviation of traffic in Newark-on-Trent brought about by the implementation of the Scheme (with town centre traffic forecast to reroute onto the A46) would allow bus operators to be able to deliver more efficient and reliable services on both the strategic and local road network. Additionally, the reduction in traffic within the town will also help to support the encouragement of walking and cycling within Newark-on-Trent.
RR-067	South Muskham and Little Carlton Parish Council	Traffic Management Ensuring access into Newark Support for this much needed dualling to enable easier access to the town and facilities for communities north of Newark	The Applicant notes the support for the Scheme. The Applicant submitted an Outline Traffic Management Plan [APP-196] with the application for development consent) which describes the traffic management proposals for delivering the Scheme. The Outline Traffic Management Plan [APP-196] will be developed into the Traffic Management Plan for implementation during construction and is secured through Requirement 11 of the draft Development Consent Order [APP-021].
RR-068	Stewart Codd	I feel the current options are not fit for purpose. We need a bypass fit for the next 50-100 years. The current by-pass was outdated with a few years of being built and not the option originally wanted! The council spent some £80k on the concept and, I understand, picked the 3rd choice and cheapest option! A by-pass worthy and not just for the town but the surrounding area would be: From Newark side of East Stoke over to Kellam, then towards North Muskham meeting up with the A1. From there over the top towards Winthorpe, over the top of Coddington towards Fernwood to the A1 again. From here, under Balderton back towards the start at East Stoke. I would make the Existing A1/A17/A46 junction a dedicated business junction for the industrial	The Case for the Scheme [APP-190] states that the A46 forms part of the strategic Trans-Midlands Trade Corridor between the M5 in the southwest and the Humber Ports in the northeast. The improvements to the A46 corridor are detailed within the Department for Transport's 2020-2025 Road Investment Strategy 2 (RIS2) as a mechanism for underpinning the wider economic transformation of the country. RIS2 makes a commitment to create a continuous dual carriageway from Lincoln to Warwick. The stretch of A46 between the Farndon Junction, to the west of Newark-on-Trent and the A1 to the east of Newark-on-Trent, is the last remaining stretch of single carriageway between the M1 and A1 and consequently queuing traffic is a regular occurrence, often impacting journey time reliability.

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		estates on both sides of the A1. This bypass is not only for the NSDC users but also the wider users and for those as far afield as Grimsby, Hull, Kings Lynn, North & South of the A1 [London to Newcastle]. I would also then have a phase two to dual carriage the A17 all the way to Kings Lynn!	The Scheme covers part of the A46 corridor, which plays a critical role within the Strategic Road Network, connecting major manufacturing clusters and key ports. The importance of the A46 is reflected in the strategic freight flows that use the route and underpinning key industries and economic sectors in the wider Newark area. The Applicant has reviewed the proposed option described in the Relevant Representation and would note the following: • The proposal creates a large ring road around the town of Newark and surrounding communities • The proposal would require the construction of approximately 30km of new dual carriageway • The proposal would require significant infrastructure, including the construction of several new junctions on the A46 and A1 The proposal incorporates elements of corridors A and B identified in figure 3.1 in Chapter 3 Assessment of Alternatives of the Environmental Statement [APP-047]. Chapter 2 of the Case for the Scheme [APP-190] presents the Scheme development and options considered. Five potential corridor options were identified to ensure a wide range of possibilities were considered. Corridor C, following the existing A46 corridor, was the best scoring using the assessment methodology, with Corridors A and D scoring poorly against the Scheme objectives for environment and EAST+ appraisal outcomes. Corridors B and E were eliminated because of their noncompliance with environmental policy. Further details are contained within Chapter 3 (Assessment of Alternatives) of the Environmental Statement [APP-047]. The Applicant therefore considers that the suggested option presented may meet the objectives of the Scheme but goes significantly beyond the requirements and would involve considerable additional cost, land take and environmental impacts.
RR-069	The Charity of Thomas Brewer	Our charity owns some land that is rented by a tenant farmer for agricultural purposes. The project will, according to the latest plans and our previous discussions with National Highways and their representatives, take a significant proportion of the total area for the new Winthorpe roundabout and immediate area. Some of this will inevitably be a permanent land take and require compulsory purchase. Clearly we are an interested party and need to be able to see full details to assess the impact upon the charity and its assets at the appropriate stage, making representation / comments on matters relevant to us. This is the unanimous view of the trustees.	The Applicant is seeking rights over four plots within the Interested Party's land. These ae plots 6/2a, 6/2b, 6/2c and 6/2d as identified on sheet 6 of the Land Plans [AS-004]. Plot 6/2a makes up the majority of the land required for the construction of the new Winthorpe Roundabout (Work No. 118), The new alignment of the A1133 (Work No. 109), a new attenuation pond (Work No. 107), a landscape bund (Work No. 94C) and the new footpath/cycleway (Work No. 105) all of which are shown on sheet 6 of the Works Plans [AS-005]. Plots 6/2b, 6/2c and 6/2d represent a narrow corridor of temporary land use, and in the case of 6/2c temporary and use with permanent rights, which the Applicant is seeking to allow the construction of the new boundary fence and hedge between the new highway and the Interested Party's remaining land parcel. The alignment of the proposed hedgerow can be seen on sheet 6 of the General Arrangement Plans [AS-007]. An assessment of the impact to the Interested Party's land is included in tables 12-11 and 12-12 of Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] where it is referenced as Farm 06 (Sheet 5 of Figure 12.6, Agricultural Land Impact Plan of the Environmental Statement Figures [AS-071]). The Interested Party's remining land parcels will be accessible during the operation of the Scheme from replacement field accesses which will link the Interested Party's land to the realigned A1133. The accesses can be seen on sheet 6 of the General Arrangement Plans [AS-007] and on sheet 6 of the Streets, Rights of Way and Access Plans [AS-006] where they are identified as private access between points P-6I to P-6J and P-6L and P-6K. During construction of the Scheme the existing field access will be maintained until suitable replacements are provided.
RR-070	The Right Honourable Francis Michael Earl of Listowel	Comments submitted by Lucie Muddiman (Savills (UK) Ltd) 'Savills' on behalf of Francis Michael Hare 6th Earl of Listowel 'Lord Listowel' to: "Register to have your say about a national infrastructure project due by 14 July 2024" Land Parcels 3/2k and 3/15a. 1.0 Preamble 1.1 My client's land is subject to an Agricultural Holdings Act 1986 Tenancy, tenant John James Miller 'John Miller'. We have had a number of meetings and Teams calls 28/11/2022, 29/11/ 23, 13/12/23, 13/03/24 and 3/7/24 however we are still to progress an agreement for	The Applicant has held several meetings with the Interested Party to discuss acquisition by agreement. It is understood that there is an agricultural holding act (AHA) tenancy affecting the land, although a copy of the tenancy has not been provided. This has been discussed and a way forward has been agreed in principle to deal with both the landowner and tenant's interests and the apportionment of compensation in respect of those interests. The Interested Party's agent has outlined the fact that the market value of the land should reflect the presence of minerals, although no figures have been put forward to quantify this. Any agreement of values would be consistent with the statutory compensation code and would reflect the presence of minerals to the extent that the market would reflect them. The Applicant is content to

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		the disposal of the freehold to National Highways; we have been informed this will be through an Option to Purchase. Our main points of concern are as follows:- 2.0 Parcel's 3/15a and 3/2k to be permanently acquired. Reluctance of National Highways to engage to agree acquisition by agreement. 2.1 3/15a and 3/2k are shown on Land Plans Regulations 5(2)(i) Sheet 3 of 7 in Pink to be permanently acquired. The intended use as set out in General Arrangement Plans Regulations 5(2)(0) Sheet 3 of 7 the future use is 4 attenuation ponds. 2.2 This use is not agricultural or commensurate with agricultural use and therefore my client wishes to agree a disposal by agreement. 2.3 Savills have recommended a structure for the disposal of Lord Listowel's land subject to tenancy (Savills also act for John Miller), however National Highways are yet to issue Heads of Terms and confirm they are in agreement. 2.4 This is creating uncertainty for my client and their tenant. 3.0 Minerals – land safeguarded for Minerals (3/15a and 3/2k) 3.1 The land is safeguarded in the Local Minerals Plan adopted 5 December 2005 (up to 2036). The loss of this land will mean the loss of any future potential to work these minerals, or future payment for an Option to work these minerals. This needs to be reflected in the Terms agreed for the agreement for disposal. 3.2 The creation of attenuation ponds will result in minerals being extracted, these minerals belong to my client and they should receive a payment for them. The land has not been identified for borrow pits. 4.0 Recommendations 4.1 Enter into a commercial agreement to agree the acquisition by agreement by National Highways of 3/15a and 3/2k.	enter into an agreement to purchase the land subject to agreeing values and the surrender of the tenancy at the appropriate time and this will be progressed by the parties.
RR-071	Think Again Winthorpe Action Group	Submission by Think Again, Winthorpe Action Group 1. Summary Think Again has been liaising with National Highways and their agents since the public consultation on the proposals since 2020. Many of the issues that we have raised have been addressed in the design iterations. A few impacts on our village remain and are described in this document. The principal issues that we have are the height of the road, embankment and bridge in the open zone between Winthorpe and Newark and the impact of these on noise and visual intrusion, the drainage design and impacts on the village's watercourses and the safety of young pedestrians in the vicinity of the road. We would like the Planning Inspectorate to consider the issues raised in this submission when examining this project 2. Introduction When the proposals for the A46 Newark Bypass dualling were released in November 2020 residents in Winthorpe became concerned over the effect that the new road would have on their village. A small group, calling themselves 'Think Again, Winthorpe Action Group' determined to engage with Highways England (now National Highways) and their agents to realise the best outcome possible for Winthorpe. In the following period we have engaged constructively with the design team, evidenced in the several report submissions and meetings, and have had some success in meeting our goals. The Statement of Common Grounds, currently being agreed between ourselves and National Highways, summarises the various areas of concern and of agreement at this stage of the design programme. Nevertheless there remain some topics where we feel that adverse influences on our village	The Applicant confirms that at Winthorpe Roundabout traffic management would be put in place in the event of signal failure or malfunction, this would effectively close the through section of the mainline A46 and this traffic would utilise the circulatory section of the roundabout. Northbound traffic from Brownhills Roundabout does have the option to travel northbound to join the A46 at Winthorpe Roundabout or to enter the existing Friendly Farmer Roundabout. Traffic travelling north to the A46 will no longer be a free flow/filter lane layout as at present and a giveway line has been introduced which is in accordance with National Highways' Design Manual for Roads and Bridges. The walking and cycling route including NR64 that passes beneath the new Brownhills Underbridge will be separated away from the carriageway by a 2.0m verge. Traffic flows in a northerly direction towards Bridge House Farm will be low and it is therefore considered that a pedestrian barrier is not needed alongside the walking and cycling route. The specific architectural and aesthetic details of the bridge itself will be developed during the detailed design and follow the principles set out within the Scheme Design Report [APP-194]. The Walking, Cycling and Horse-riding Assessment and Review contained within Appendix C of the Transport Assessment [APP-193] sets out the Applicant's commitments to providing replacement and additional walking and cycling routes as part of the Scheme. As explained in that document, the Applicant is not able to commit to providing the extension of BW6 and further equestrian opportunities as these are outside the scope of the Scheme. ID 3.1.2 of the Environmental Statement Scoping Opinion [APP-189] sets out the Planning Inspectorate's comments on the Applicant's proposal to scope out matters relating to emissions of PM2.5 during operation with specific reference to the 'lower limit value set for PM2.5', i.e. the 2040 PM2.5 target of 10µg/m3 to be achieved at relevant monitoring stations. It is assumed that the Planning Inspectorate's comment suggested that the Environmental Statement should consider

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		and it's residents need more attention and would like the Planning Inspectorate to address these in their examination process. Our concerns are set out below, following the topic structure of National Highways' Environmental Statement. 3. The Scheme The element of the road design that remains the most intrusive on our village environment is the height of the embankment and bridges between Chainages 4650 and 5400. The impact on Winthorpe is felt not only in the realm of Landscape and Visual Effects, but also in Noise and Vibration and Cultural Heritage. Representation on this matter has been made to National Highways in our reports and in the Statement of Common Grounds. National Highways have explained their reasons for the height of the formation and have outlined mitigation features, however we would value the Planning Inspectorate's views on this matter. In the same zone the walking and cycling route, including NR 64, will be diverted to pass under the new A46 in the same bridge as the northbound Brownhills roundabout access road. Engineering Plans and Sections Part 6 – Structures General Arrangements, provides a very basic view of the design here, which is described in the documentation as an 'Open Design', but we would like to know much more about the relationship between traffic and pedestrians. In particular the means of separation by barrier, different elevation or other proposals. We would also like to know something of the architectural or aesthetic design of the structures in this vicinity. We are particularly concerned in this area, including the proposed light-controlled crossing of the northbound A46 exit slip, as the traffic on this NMU route features cyclists, leisure walkers and, particularly, young children on their way to the Primary School in Winthorpe. In the Statement of Common Ground we asked how the Winthorpe ThroughAbout would operate in the event of a power failure or computer malfunction. It seems clear that, especially on the 'through' element, normal give way rules could not apply and vehicle collisions could easily occur. What 'failsafe' system can be applied? Examination of the General Arrangement Plan has revealed what we consider to be another traffic interaction hazard. At present traffic coming north from Brownhills Roundabout has the option of joining the mainline A46 via a left-turn filter lane. Such traffic then encounters traffic from the right exiting the Friendly Farmer Roundabout. Fortunately, the carriageway where they meet is dual-lane and there is space and time for merging, although this can sometimes be stressful as vehicles can be moving rapidly as the zone is subject to the National Speed Limit. The plan shows the retention of this left filter lane and, although the speed limit is now proposed to be 50 mph the merging situation is now much more dangerous as the carriageway tapers to one lane within about 100 metres. Is this in accordance with DMRB guidelines? 4. Air Quality Although there is a view to scope out smaller particulate matter (PM2.5) as initial analysis suggests that the larger PM10 particles are unlikely to exceed threshold levels, we support the view of the Scoping Opinion for A46 Newark Bypass and in particular the response from the UK Health Security Agency (UKHSA). The Environmental Statement should demonstrate in more detail how this approach will ensure the objective is not exceeded by the Development and that greater analysis of all pollutant effects are considered, even when below the thresholds described in DMRB LA105. As stated by the UKHSA "pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e. an exposed population is likely to be subject to potential harm at any level…" Any negative effects on air quality irrespective of magnitude and threshold levels are not acceptable and further details of mitigation would be welcomed as part of the	the 2040 PM2.5 target of 10µg/m3, in addition to the existing PM2.5 limit value of 20µg/m3, as the 2040 target was in draft and not yet adopted at the time the Scoping Opinion [APP-189] was produced. This Scoping Opinion [APP-189] comment from the Planning Inspectorate therefore ensured that the 2040 PM2.5 target would be considered within the Environmental Statement pending the coming into force of The Environmental Targets (Fine Particulate Matter) (England) Regulations. Section 5.5 of Chapter 5 (Air Quality) of the Environmental Statement [AS-021] explains why PM2.5 has not been considered further within the operational phase of the air quality assessment. The Scheme would not have a significant effect on the UK's ability to meet the existing PM2.5 limit value 20µg/m3 and the future PM2.5 target of 10 µg/m3 given that PM2.5 background concentrations are mainly influenced by existing non-road sources and these are currently below the existing limit value and future target. Additionally, PM2.5 background concentrations are also expected to continue falling in the future encouraged by the 25 Year Environment Plan. As indicated by the modelled results for NO2, the Scheme has a beneficial effect within Newark-on-Trent by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. Therefore, the Applicant considers that it is not proportionate to undertake a quantitative analysis (i.e. dispersion modelling) of pollutants when they can be considered qualitatively. Whilst it is understood that NO2 and PM are non-threshold pollutants, there are regulatory air quality objectives and limit values in England pertaining to these pollutants. The purpose of Chapter 5 (Air Quality) of the Environmental Statement [AS-021] is to determine whether the Scheme has the potential to cause a significant air quality effect and this is determined with reference to the air quality objectives and limit values. During operation of the Scheme there are not predicted to be any exceedances of the NO2, PM10 or PM2.5 air quality objectives (40ug/m3 for NO2 and PM10, and 20ug/m3 for PM2.5) at any human health receptors within the study area. As such, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the NO2, PM10 and PM2.5 air quality objectives. Therefore, in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. In accordance with paragraph 2.80 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] also concludes that the Scheme would not affect the UK's reported ability to comply with the Air Quality Directive (2008) in the shortest timescales possible. On this basis, no operational phase mitigation is required. Winthorpe village and Langford are located over 200 metres from the affected road network and therefore have not been directly included in the dispersion modelling assessment in accordance with National Highways' Design Manual for Roads and Bridges LA 105 Air Quality. However, human health receptors along the A46 and A1 on the outskirts of Winthorpe, which are within 200 metres of the affected road network, have been included in the assessment. These include modelled receptors R28, R29, R31 and R32 as shown in Sheet 7 of Figure 5.1 (Air Quality Receptors) of the Environmental Statement Figures [AS-028]. The predicted concentrations at these receptors, which do not exceed air quality objectives, are likely to have the highest pollutant concentrations or anticipated to experience highest level of change within the vicinity of Winthorpe village and Langford as they are closer to affected roads. During operation of the Scheme there are not predicted to be any exceedances of the NO2 or particulate matter (PM10 or PM2.5) air quality objectives (40ug/m3 for NO2 and PM10, and 20ug/m3 for PM2.5) at any human health receptors within the study area. Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement [APP-128] presents the dispersion modelling results. The maximum modelled concentration for NO2 at receptors R28, R29, R31 and R32 in the opening year (2028) of the Scheme is predicted to be 26.0ug/m3 at R31 located adjacent to the A1. Out of these four modelled receptors, the greatest modelled change in NO2 is 0.4µg/m3 at R28 which is considered 'imperceptible' in accordance with National Highways' Design Manual for Roads and Bridges LA 105 Air Quality. The maximum modelled concentration for PM10 in the base year at these four receptors is predicted to be 28.1ug/m3.

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		Environmental Statement. Two properties within the Winthorpe and Langford Parish are already amongst the 12 most impacted receptors in the analysis area. Furthermore, as indicated above regarding footpath usage, some walkways will be adjacent to road infrastructure. Every effort should take place to protect NMUs from air pollutants generated by the road. We note that "In accordance with Table 2.58a of DMRB LA 105, the construction dust risk potential of the Scheme is classified as 'Large', due to the Scheme being a 'bypass improvement project'" and "Based on the 'Large' construction dust risk potential of the Scheme, and the proximity of the human health and ecological receptors to the Scheme, the construction dust risk is considered to be 'high'." We are particularly concerned about this for the areas around Winthorpe Primary School, where children will be playing outside during day times, and residential properties on The Spinney. We seek assurance that all ea steps will be taken throughout the construction phase to minimise dust and other air-borne pollutants, and suitable measurements be taken at frequent intervals to ensure this is the case. 5. Cultural Heritage Winthorpe Conservation Area borders the proposed scheme in multiple places and the new A1 overbridge and its environs are within the revised Conservation Area proposed in our Neighbourhood Plan. A number of Listed buildings are in close proximity to the scheme. We are pleased that details of mitigation are included in the latest plans to reduce the impact of the scheme on the Conservation Area. However, we believe there are further features necessary to give additional protection to Winthorpe. Document 6.3 Environmental Statement Appendix 6.3 Assessment of Cultural Heritage Effects During Construction of the Scheme, Section 1 lists Lowwood (MM053) as a Grade II Listed Building and says an "adverse effect is predicted. There is potential for development within the Order Limits to have an adverse impact on the value of the asset, through alteration to its setting". This property will be affected by noise, vibration, dust and air pollution during construction yet the significance of this is not quantified. The new road will also have substantial impact on the setting of this significant property. Lowwood is mentioned in a number of places in the analysis acknowledging that there will be temporary moderate impact on Lowwood during construction with 'slight adverse impact permanently.', although further on in terms of landscape they do consider the impact to be less than 'substantial harm'. We think that there will be substantial harm here. Similarly, they attribute temporary moderate harm on the conservation area with proposals for bunding and planting to reduce the permanent to less than substantial impact. The south of the village currently has no additional mitigating features detailed, and the effect of existing tree lines and other features are unlikely to give sufficient protection for the new road; we would welcome additional screening to reduce the impact to the Conservation Area, but also give benefits listed elsewhere in this report. National Highways make considerable reference to cultural heritage and many of the points we raised do seem to have been taken on board. Chapter 6 Cultural Heritage and associated appendices cover the issues well, acknowledging the need for noise mitigation and planting at Lowwood and for the Winthorpe conservation area to both reduce noise and reinforce the scrub and parkland character of the area. The analysis lists the other main heritage buildings in Winthorpe which are affected by the scheme ie Langford Hall, the Grove, and Church with an assessment of the impact on each. Non Designated heritage assets and landscapes are also considered with the conclusion that none are predicted to experience significant effects. The chapter also acknowledges that some non-designated assets have already been impacted by previous road schemes or 20th	For the operational phase, human health receptors have been chosen at sensitive locations within 200 metres of the air quality affected road network and include residential properties, a school and a hospital, in line with National Highways' Design Manual for Roads and Bridges LA 105 Air Quality. The air quality objectives are not assessed at footpath locations as exposure is transient and members of the public are not reasonably expected to spend a length of time commensurate with the air quality objective averaging periods (one hour for NO2 more than 18 times per year, 24-hour for PM10 more than 35 days per year and annual mean average for NO2, PM10 and PM2.5) at any single location along a footpath. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] confirms that impacts from construction dust will be mitigated using best practicable means, such as wetting down and minimising the height of stockpiles, and effects are not predicted to be significant. The mitigation measures are set out in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. The First Iteration Environmental Management Plan [APP-184] will be developed into a Second Iteration Environmental Management Plan to be implemented during construction of the Scheme. Adherence with the Second Iteration Environmental Management Plan is secured by Requirement 3 of the draft Development Consent Order [APP-021]. As detailed in Section 6.4 of Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050], consultation with Cultural Heritage Stakeholders has been undertaken to discuss the assessed impacts and effects of the Scheme upon built heritage and historic landscape assets within Winthorpe including: Langford Hall (MM026); Lowwood (MM053); The Grove (MM062); Church of All Saints (MM063); and the Winthorpe Conservation Area (MM432). The significance or heritage value for designated and non-designated heritage assets within Winthorpe is articulated within Appendix 6.2 Assessment of Heritage Value of the Environmental Statement [APP-133]. The assessment of effects upon the value of these heritage assets during construction and operation of the Scheme is detailed within Appendix 6.3 Assessment of Cultural Heritage Effects During Construction of the Scheme of the Environmental Statement [APP-134] and Appendix 6.4 Assessment of Cultural Heritage Effects During Operation of the Scheme of the Environmental Statement [APP-135]. It should be noted that currently, there is no prescribed threshold to stipulate what equates 'effect' under National Highways' Design Manual for Roads and Bridges LA 104: Environmental Assessment and Monitoring) criteria with 'harm' discussed within Paragraphs 5.1.132, 5.1.133 and 5.1.134 of the NSPNN. Therefore, professional judgement has been used to determine whether effects identified equate to substantial harm or less than substantial harm, as set out in Section 6.5.22 of Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050]. The assessment regarding Lowwood (MM053) takes into consideration the existing presence and effect of the A1, the temporary nature of the construction impacts and the mitigation against permanent visual effects (glimpsed views) accorded by the substantial planting proposed to mitigate the Scheme in this area. Given that the heritage asset will fully retain its special architectural and historic interest, as well as its immediate garden setting, without alteration, the assessment of less than substantial harm is considered by the Applicant to be an accurate interpretation of the impacts. The same assessment methodology has been used to assess impacts and effects to the Winthorpe Conservation Area. Specific mitigation measures such as proposed planting, including that to the south and southeast of Winthorpe Conservation Area and the location of landscape bunds secured through Requirement 6 (Landscaping) of the draft Development Consent Order [APP-021], are presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement [AS-026] set out below in relation to landscape and visual effects. With reference to the Interested Party's comments regarding the grade II* listed Winthorpe Hall (MM027), this asset was scoped out of the requirement for further assessment as a neutral effect is predicted. It was judged that considerable existing vegetation screening and intervening housing, gardens and vegetation, means that development within the Order Limits will not have an adverse impact on the asset's historic value. This is set out in Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environmental Statement [AS-099].

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		century development e.g. Molls Horn work, Bleaches cottages, and Two-mile house. Reference is made to possible pits, barrows and ditches to the north of Winthorpe roundabout and Langford Hall that will be impacted by the scheme. We hope the intention will be to investigate the heritage before the scheme is implemented. We would like National Highways to clarify • The type and layout of the landscaping proposed for the length of the stretch from the A1 over bridge to Winthorpe roundabout and Langford Hall • The height and level of bunding and noise reduction fencing designed to mitigate noise • Why Winthorpe House and associated Park land isn't scoped in to the analysis. Our understanding is that its Grade II listed and impacted by the scheme. It is in the conservation area which is featured. • That any new archaeological or historical information revealed by the construction will be appropriately managed in accordance with the archaeology management plan in the proposal. They do acknowledge this but do say there will be a large adverse impact on this new material. 6. Landscape and Visual effects There is a complete contradiction when it comes to summing up the impact of the A46 Scheme on Winthorpe, in relation to the landscape and visual responses. In 6.1 Environmental Statement Chapter 7 Landscape and Visual Effects 7.11.10 It states: "The magnitude of change to the Winthorpe Village and Farmlands LCA as a whole is considered to be Major Adverse" for up to four years during construction." but, in Table 7-7, it summarises the effect on Winthorpe during construction and during year 1 of operation as "Large Adverse" and the effect during "year 15" of operation being "Moderate Adverse". However, in the Environmental Statement Volume 6.3 Appendix 7.2 Visual Baseline and Impact Schedules: Ref No. 42 (Effect on Visual Receptor) sums up the effect on the visual receptors in Winthorpe as "Slight Adverse". Why has "large adverse" become "slight adverse" in the visual receptor document? It also seems remarkable that Lowwood is not listed as a visual receptor in 6.2 Environmental Statement - Figure 7.4 - Visual Receptor Location. It is a Grade 2 listed building, and it is the closest residential building to the new bridge crossing the A1. It is also impacted to the south and the east. Similarly, there are no photomontages of the views from the Lowwood location even though it will directly overlook the new embankment and A1 bridge Throughout the planning stage, Think Again has asked for "acceptable levels" of re-planting of trees and hedges in areas of sound barrier bunds and NMU tracks. We are still worried by the lack of specifics when it comes to planting and bunding. Having examined the five Arboricultural Impact Assessments, we would like to see the specifics of the proposed mitigation. In document 6.3 Environmental Statement Appendix 7.2 Visual Baseline and Impact Schedules, when it comes to what will be done in Hargon Lane (ref no:47) there are a lot of references to "proposed planting plans" but we need specifics, both for planting and bunding. There are also serious worries about the light pollution for residencies at the south east end of Hargon Lane, especially in relation to lorries coming south from Lincoln. In Ref no. 49, it talks about "an intention to provide screening of the A46" by year 15. This is a major worry if it is going to take that long, and is not guaranteed. The residents of the Southfield estate and properties on the north end of Gainsborough Road are concerned about the style of lighting for the new Winthorpe roundabout as floodlighting the junction from very tall lamp standards	In response to the Interested Party's comments concerning archaeology; an Archaeological Desk Based Assessment alongside a programme of preliminary archaeological surveys and archaeological evaluation have identified late Prehistoric, Roman and Anglo-Saxon archaeological remains west of Winthorpe as detailed in Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environmental Statement [AS-099]. The Scheme has been designed where possible to reduce and avoid impacts to significant archaeological remains. With regards to the area west of Winthorpe, discussions with Cultural Heritage Stakeholders and the Applicant have resulted in the reduction of land required for the Scheme so as to preserve a large area of archaeological remains in situ. Where avoidance is not possible a robust archaeological mitigation strategy for the pre-commencement and construction stages of the Scheme is being developed in accordance with Requirement 9 (Archaeology and Built Heritage) of the draft Development Consent Order [APP-021]. This detailed strategy is being developed in consultation with Cultural Heritage Stakeholders and will form part of a future iteration of the Archaeological Management Plan [APP- 187], which will be submitted during the course of the examination. The detailed strategy will include details of the scope of archaeological investigations and reporting, protection measures and community engagement required during the pre-commencement and construction stages of the Scheme. As set out in Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051], the assessment of landscape effects and visual effects are two separate, albeit closely related subjects. The landscape assessment looks at the potential impacts upon character, key landscape features and characteristics that give a location its sense of place, and its sensitivity to change is informed by susceptibility and value of a specific landscape character area (LCA), whereas the assessment of visual effects assesses the change in a particular view as a result of the Scheme. Paragraph 7.1.10 of Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051] focuses upon the magnitude of change for Winthorpe Village and Farmlands LCA being Major Adverse, which when considering the high sensitivity of the Landscape Character Area (LCA), leads to a Large Adverse significance of effect during both construction and Year 1 as reported in Table 7-7 Summary of Landscape Effects, which follows the outputs of Table 7-5 Assessing Significance of Potential Effects, both of which are contained in Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051]. The visual assessment for Winthorpe is separate from the landscape character assessment of the Winthorpe Village and Farmlands LCA, with a focus on the magnitude of change in views afforded towards the Scheme. Paragraph 7.6.2 of Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051] sets out the rationale to grouping receptors, and states that not every residential receptor has been addressed in its own right. Instead, properties were captured as small groups in some instances where one viewpoint would be representative of the most severe impact for the group as a whole. In this way, although there is not a separate photographic view for each individual receptor, the assessment covers every receptor expected to be impacted by the Scheme. Likewise, where a visual receptor is linear such as a Public Right of Way or road, a representative location and description from that location has been provided. This is confirmed in paragraphs 7.11.21 and 7.11.38 of Chapter 7 (Landscape and Visual Effects) of the Environmental Statement [APP-051] which states that visual effects of the Scheme have been detailed for each visual receptor identified in the assessment process, or where receptors are so close together that a view can be reasonably approximated for a collection of receptors. Therefore, it can be confirmed that potential visual impact upon the residence of Lowwood has been captured as part of the assessment for receptor number 42 as shown on Figure 7.4 (Visual Receptor Plan) of the Environmental Statement [AS-040], and a description of existing baseline and future views during construction and operation presented within Appendix 7.2 (Visual Baseline and Visual Impact Schedules) of the Environmental Statement [APP-137]. Given Lowwood's status as a listed property, it has been addressed as part of the Cultural Heritage assessment presented in Chapter 6 (Cultural Heritage) of the Environmental Statement [APP-050] and further detailed within this response. Photomontages were prepared for 4 locations and selected on the basis of providing an overview of the Scheme. A photomontage has been provided from visual receptor 43 - PROW Winthorpe FP2 to the east of Winthorpe looking south

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		would be exceptionally intrusive. Looking through the documents we can find nothing about this. 7. Biodiversity 8. Noise and Vibration The height of the A46 dual carriageway embankment between the A1 Winthorpe and Winthorpe Road Estate, Newark (as referenced in Section 3) is between 7.8m and 10.9m higher than the surrounding ground level as it crosses between the existing road to the Bridge House Kennels and the new A1 overbridge. This is higher than the existing A1 embankment in the vicinity of the existing Gainsborough Road underpass at its lowest (7.8m) and increasing in height over the A1 carriageway to facilitate the new overbridge. This will mean that although sight lines may be obscured to the new A46 at ground level from the end of Gainsborough Road, noise will be able to travel a considerable distance in all directions including over and combining with existing A1 noise levels. This change in the preliminary design is promoted as beneficial to noise levels as the alignment is marginally further away from Robert Dukeson Avenue in Newark, however this makes some elements of the embankment closer to the built-up area of Winthorpe. In addition, the remainder of the open break land is filled by the new Brownhills junction roundabout that is also likely to elevate noise levels further. Existing noise measurements (Appendix 11.2, Baseline Noise Survey Results tables 3.8 and 3.9) recorded in the vicinity of 79 Gainsborough Road and Lowood are above the daytime LOAEL [Lowest Observed Adverse Effect Level], and close to or above the SOAEL [Significant Observed Adverse Effect Level] criteria. Night-time noise levels at both locations clearly exceed the SOAEL by more than 5db meaning significant effects are already likely to human health and wellbeing. Other receptors in the village experience noise at or above the LOAEL during the day and night, but do not breach the SOAEL criteria. The village is already overburdened with noise levels likely to cause health related issues. ANY additional noise generated by the A46 would be unacceptable, never mind the changes in noise specified in Figure 11.10. This includes effects on a Noise Important Area and according to The Environmental Noise (England) Regulations 2006; "Where road schemes have the potential to affect the exposure of populated areas within an NIA, this should be assessed and measured to avoid adverse changes as a result of the scheme or opportunities to create beneficial impacts should be considered". Figure 11.10 details the effects of the A46 and changes in the noise characteristics to affected receptors. It is not clear to the general public who make up these receptors where the adversely affected areas are located. The data is summarised in terms of number of receptors, not location thus downplaying the lived experience of both the construction and operation of the scheme. Which properties and receptors are the ones who experience a deleterious effect from noise from construction or operation of the proposed scheme? A number of Winthorpe properties are likely to be within the distance limits described in Chapter 11 section 11.8.1 for construction noise, for example. The UK Health Security Agency in their response to the Environment Scoping report state that the LOAEL and SOAEL levels and noise analysis described and undertaken in accordance LA111 of the DMRB is not sufficient to characterise the effect of noise on human health and wellbeing. In addition, the statistical data and numbers presented do not enable the general public to understand and experience the changes in noise they would experience as a result of the proposed scheme. We would support and advocate immersive experiences for people to hear first-hand the noise effect experienced in the Winthorpe Conservation Area.	towards the existing A46, and the new Brownhills Junction has also been captured form the western extent of Winthorpe Road adjacent to the south bound A1 at receptor 41. The proposed planting, including the location of landscape bunds is presented on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. This includes the location and type of planting proposed as well as an indicative plant species listed. Key environmental functions are provided for each planting plot to understand the intended function of each proposal. The proposed landscape bund located alongside the northbound carriageway of the A46 from the Friendly Farmer roundabout to Winthorpe Roundabout would provide immediate screening from the time of implementation to a height of 2 metres. Where space is constrained a combined bund/acoustic fence solution would be provided, again giving immediate screening up to a height of 2 metres, aiding reduction of night-time glare from passing vehicles. Proposed tree and shrub planting on either side of the landscape bunds would aid landscape integration of the Scheme and landscape bunds. Furthermore, more screening would be provided as trees and shrubs mature to a greater height. The provision of both the bund and proposed planting are considered essential mitigation. Requirement 6 (Landscaping) of the draft Development Consent Order [APP-021] secures the provision of the landscape proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement [AS-026]. The photomontage presented for Viewpoint 43 illustrates the mitigation proposed in this location at Year 1 and at Year 15 when it is considered planting would have matured to an extent to fully meet it's intended function. Assessing against the 15-year timescale is an industry standard and does not mean that screening would not be afforded prior to this time. The lighting on the proposed Winthorpe Roundabout will be 12 metres tall, reduced in height from standard 14-metre-tall columns in order to reduce visual impact. The lighting provision will include cut off lanterns which provide directional lighting, focusing the light onto the junction itself and thereby limiting glare towards the Southfield Estate and the north end of Gainsborough Road. The Scheme has been designed by implementing the mitigation hierarchy to minimise habitat loss, with a focus on avoiding high value and/or irreplaceable habitat present (where possible) as detailed in Chapter 2 (The Scheme) of the Environmental Statement [APP-046] and Chapter 8 (Biodiversity) of the Environmental Statement [APP-052]. Where habitat loss has been unavoidable, replacement habitats are proposed to be created as detailed on Figure 2.3 (Environmental Masterplan) of the Environmental Statement Figures [AS-026]. Requirement 6 (Landscaping) of the draft Development Consent Order [APP-021] secures the provision of the planting proposals presented within Figure 2.3 (Environmental Masterplan) of the Environmental Statement [AS-026]. The Applicant has worked to maximise biodiversity improvements across the Scheme in collaboration with environmental stakeholders including, but not limited to, the local authority, county ecologists, landscape architects, the Environment Agency, Natural England and Nottinghamshire Wildlife Trust. The Scheme is anticipated to achieve a net gain in habitat units within the Order Limits except for the areas of impact and compensation for lowland meadow. The biodiversity net gain assessment contained in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the Environmental Statement [APP-159] has sought to align with local priorities set out in the Biodiversity Opportunity Map (produced for the Trent Valley through Nottinghamshire, highlighting opportunities for habitat creation, enhancement and linkages for woodland, acid grassland and heathland, grassland, and wetland) where possible. In addition to minimising and mitigating habitat loss, throughout the evolution of the design, opportunities to enhance biodiversity have been included in the Scheme. Proposals shown in Figure 2.3 (Environmental Masterplan) of the Environmental Statement [AS-026] include permanent wet ponds and associated reedbeds within attenuation areas, the sowing of species rich grassland adjacent to ponds and the addition of log and brash piles around ponds, to act as refugia/hibernacula. The Interested Party is correct to assert that noise propagates to considerable distances from the highway and this can be seen clearly in Figure 11.6 (Noise levels in the Do Minimum Design Year) of the Environmental Statement Figures [AS-

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		Chapter 11 section 11.5.1 states that Operational Vibration has been 'scoped out' of the environmental analysis as 'a maintained road surface will be free of irregularities as part of project design and under general maintenance'. This is an idealised picture and, in practice, as the experience of anyone using the A46 between Newark and Lincoln can testify, the road surface is rarely free of irregularities, and is consistently undergoing maintenance. The nature of the low noise surfacing proposed is that it has a shorter service life and is likely to need maintenance more often than other options. This will bring periods of vibration associated with surface defects e.g. fretting and potholing, and maintenance generating often night time noise on a semi-regular basis (every 5 to 8 years). National Highways have a responsibility for noise insulation if façade levels exceed 68Db. They conclude no properties will be eligible for noise insulation following results from receptors. LT6 Lowwood area assessed just below 68Db (67db in the day time). Hargon Lane assessed as 53db. National Highways accept that during construction there is potential to result in noise level changes. National Highways state that one of the design parameters of the scheme is to minimise noise and vibration. They propose: • 3 landscape bunds 2 to 2.5 m north of the A46 between A1 and Winthorpe roundabout (ref 11.10.3) • 2 noise barriers from Esso garage to Winthorpe roundabout (ref 11.10.4) • Thin surface course applied to new carriage way to reduce noise • Restrictions on construction hours from 7 to 18 during the week and 7 to 13 on Saturdays. No Sunday or BH working. • Limit the number of days of construction work to prevent vibration • But we would still like clarity on: • Plans to minimise vibration impacts on Hargon Lane properties adjacent to the road. Are there any proposals to upgrade the road surface of the existing carriageways? • The type and layout of the landscaping proposed for the length of the stretch from the A1 over bridge to Winthorpe roundabout and Langford Hall • The height level of bunding and noise reduction fencing to mitigate noise. • What proposals are they making to minimise light pollution from both vehicles using the new Winthorpe roundabout and A1 over bridge and street lighting plans? 9. Population and Human Health The health issues related to air pollution, water pollution and noise impacts are addressed in other sections of this submission. Our other concerns in this category, as expressed in the Statement of Common Grounds, relate to the accessibility and viability of Winthorpe Primary School. We note that, in the Environmental Statement Chapter 12 Population and Human Health, the significance of the construction process on this receptor is noted as Slight Adverse (not significant). However it can be seen that this is assessed only in terms of motorised access and takes no notice of the many pupils who walk to school from Newark via the A46 and A1 underpasses. The significant work around the new embankment and Brownhills roundabout will have an important impact on this route. We also note that the impact on the access to the school via this walking route during the operational phase of the scheme is not considered even though pupils will then have to negotiate the live	060] that shows the Do Minimum (without the Scheme) opening year noise levels. Figure 11.5 (Noise levels in the Do Minimum Opening Year) Sheets 5 and 6 of the Environmental Statement [AS-059] show noise levels increasing as distance to the highway reduces and this applies to all roads generally but including the A46 and A1 in particular. The Interested Party is also correct to assert that noise levels recorded during the survey exceed LOAEL (the lowest observed adverse effect level) and in some locations exceed SOAEL (the significant observed adverse effect level). However, it is not correct to disregard the noise level changes shown in Figure 11.10 (Long-term Noise Change) of the Environmental Statement [AS-064] which shows the noise level change in the long-term (including both traffic growth and the effect of the Scheme) or Figure 11.9 (Short-term Noise Change) of the Environmental Statement [AS-063] which shows the noise level change in the short term (that compares Do Something (with the Scheme) with Do Minimum in the opening year). Sheets 5 and 6 within these figures show the noise level change for the Winthorpe area and shows that the impact of the Scheme to the north-west of the A46 in Winthorpe is predominantly Negligible although the short-term impact is progressively Minor, Moderate or Major beneficial as distance to the A46 (and associated proposed mitigation measures) reduces. In the long term the impact remains predominantly Negligible, with Minor or Moderate beneficial changes as distance to A46 reduces. The colour coding in these figures is intended to convey impact qualitatively using the descriptions of impact magnitude as set out in Table 11.5 (Short-Term and Long-term Magnitude of Change) of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] in relation to the quantitative noise level change. The Applicant has previously provided a response to the operational noise issues raised by the UK Health Security Agency in Appendix 4.1 Scoping Opinion Schedule of Comments and Responses of the Environmental Statement [APP-125] in relation to LOAEL and SOAEL. While the challenge to the adequacy of National Highways' Design Manual for Roads and Bridges LA 111 in general, and to the adoption of the LA10,18hr metric in lieu of the Lden or LAEq,16hr in particular is acknowledged, it remains the Applicant's position that LA 111 provides the most robust means for assessing the development and that the assessment complies with the aims of the Noise Policy Statement for England (NPSE) and with the 2015 National Policy Statement for National Networks (NPSNN) in relation to noise. This is set out in Section 11.11 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] which shows that significant adverse effects are avoided, meeting the first aim of the NPSE, mitigation is provided within the context of sustainability to control adverse impacts, meeting the second aim of the NPSE, and that in some locations, including parts of Winthorpe, there are noise reductions, meeting the third aim. Paragraphs 11.3.11 to 11.3.19 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] explain how the noise assessment addresses the NPSNN. There are two noise important areas within or close to Winthorpe as shown in Figure 11.3 (Noise Important Areas) of the Environmental Statement [AS-057]. These are 7838 and 8220. Table 11-37 (Short-term magnitude of impact at Noise Important Areas with Scheme) in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] shows that the short-term impact of the Scheme on these areas are classified as Negligible and Minor beneficial, respectively from which it may be concluded that adverse changes have been avoided (at 7838) and opportunities to create beneficial impacts would arise (at 8220). Construction noise impact is addressed through a series of representative receptors as shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement [AS-065]. There are 8 such representative receptors for Winthorpe which are from west to east: 127039, 126649, 126858, 126809, 125965, 126813, 127111 and 127460. Table 11-13 (Assessment locations) in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] shows the addresses of these locations and the corresponding number of noise sensitive receptors for each location. The impact of construction noise on these receptors for each phase of the construction activity is set out in detail in Table 11-14 to Table 11-30 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] and includes a comparison with LOAEL and SOAEL for each location. None of the construction noise impacts are assessed as significant while paragraph 11.3.4 of Chapter 11 (Noise and Vibration) of

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		slip road from the A46, albeit with a light controlled crossing, whereas at present they do not have to deal with motorised traffic. Think Again have pressed for improvements to local WCH (Walking, Cycling and Horseriding) provisions in our locality in support of the leisure and health provision for our population. Document 7.4 Transport Assessment Report Appendix C – Walking, Cycling and Horseriding Assessment and Review section 3.17.2 refers to our proposals, a number of which have been accepted. Section 3.17.1 suggests that we were also party to the Newark Active Travel Partnership Submission. We were never invited to any of the meetings although we support all of their suggestions. One suggestion that we would like to support is the extension of BW6, the bridleway on the east bank of the Trent from the Winthorpe A1 bridge to Holme Lane adjacent to the rail crossing. We note that this is referred to in Table 8: Equestrian Opportunities as E1*** of the Appendix C and it is suggested that this is being reviewed for support from Designated Funds. 10. Road Drainage and the Water Environment Watercourse Designations, Design Impact & Culvert Capacity Winthorpe is the location of two of the watercourses referenced in the Environmental Statement – Chapter 13 Road Drainage and Water Environment, the Slough Dyke and The Fleet. Examination of the plans in Engineering Plans and Sections Part 5 – Drainage Engineering Plans reveals that these water courses are the recipients of the proposed road drainage from 40% of the Bypass, from the ECML rail bridge to Winthorpe Roundabout. Our issues relating to these watercourses was expressed in general terms in the Statement of Common Grounds, but now that the drainage strategy and design has been published our concerns are more focussed. We would like to first address the geography of these two watercourses and the confusion which arises within the DCO submissions where the names Slough Dyke, Slough Dyke/Fleet, the Fleet Tributary of the Fleet and Unnamed Watercourse 1 are used randomly. The Slough Dyke is a river under the management of the Environment Agency, its origin is in the Bowbridge area of Newark and it outfalls to the Trent near Cromwell Weir. The Environment Agency clearly reference it as The Slough Dyke and not as The Fleet. It is proposed that all the road drainage on the west side of the A1 up to the rail bridge will drain this watercourse. The Fleet, referred to in the DCO submission as 'Tributary of the Fleet', Unnamed Watercourse 1 and occasionally as the Fleet which is managed by the Trent Valley Internal Drainage Board and referred to by them as 'the Winthorpe Airfield Drain' rises in Coddington and flows via a culvert under the A46 to outfall to the Slough Dyke in Winthorpe. Virtually all of the new road surfaces east of the A1 are scheduled to drain to this water course. Reference to Ordnance Survey maps via https://parishonline.xmap.cloud/maps#map=16.450700198477726/482337.78/358813.93/0 reveals that this watercourse is named The Fleet in Coddington. Appendix 13.2 Flood Risk Assessment para 2.4.4 actually clearly names the Slough Dyke as a Main River and The Fleet as a tributary but on Figure 2.1 calls it the 'Winthorpe Airfield Drain'.	the Environmental Statement [APP-055] acknowledges that there will be some disturbance and paragraph 11.10.15 of Chapter 11 (Noise and Vibration of the Environmental Statement [APP-055] commits to the use of best practicable means to control noise and vibration during construction. Operational vibration was scoped out of the assessment on the basis of a smooth road surface and it remains the Applicant's position to develop and maintain such a surface. Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] recognises Winthorpe Primary School as a key community asset and considers the impact of the Scheme on it. The underpass under the A1 (between Newark and Winthorpe) forms part of National Cycle Route 64 and the Trent Valley Way and it is acknowledged that the route is used daily for recreational and commuting purposes. As such, the route has been assessed as a receptor with a very high sensitivity. As set out in Table 12-12 Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056], there will be temporary alignment changes the route throughout the construction phase, resulting in a slight adverse effect. However, as access will be maintained throughout the construction period and would not require the use of lengthy diversions, the effect is not expected to be significant. In conclusion, the existing route will be retained whilst the new Brownhills Underbridge is constructed, it will then be moved onto its permanent alignment thus avoiding closures and long diversions. Once operational, the permanent realignment of the route will increase the distance of the route by 105 metres (as set out in Table 12-16 Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]). The assessment concludes that the realignment would result in a moderate adverse effect due to the daily use of the route. However, the realignment will result in an upgraded, segregated route for walkers and cyclists, which is anticipated to be safer to use for users. The new route will also include a signalised crossing which will further improve safety. Discrepancies in the designations and naming of watercourses occur due to differences in public information and literature. For clarity, the Winthorpe Airfield Drain within Appendix 13.2 Flood Risk Assessment of the Environmental Statement [APP-177- is the same watercourse as the 'Tributary of the Fleet (1)' referred to in Chapter 13 Road Drainage and Water Environment of the Environmental Statement [APP-057]. The new highway run-off will be stored within attenuation ponds that are designed to store water from a Q100 plus climate change rainfall event (1 in100 year Return Period). All ponds have outfalls that are restricted to QBAR (mean annual maximum flow rate) greenfield run-off rates which means that the highway run-off does not increase the flow within the water courses. Existing catchment areas have been retained and all flows go to same receptors. As discharge rates are set to the QBAR greenfield run-off rates, for all storm events there is a resulting improvement over the existing regime where greenfield run-off generated in extreme storm events (above the Q1 events) is free to flow into receiving watercourses unrestricted. The delayed discharge of run-off volume from extreme storm events from within the balancing ponds will result in a drop in the peak volume within the watercourse over the existing regime. The impact on the receiving local watercourse network should therefore be a net benefit with regards to flood risk over the existing regime. Enhancement of the culvert under the A46 at NGR 481553 – 356044 can't be implemented by the Scheme as it does not increase the run-off rate into this or any other watercourses. There are three tributaries of The Fleet stream which pass through the Scheme (as outlined in Chapter 13 Road Drainage and Water Environment of the Environmental Statement [APP-057]: • Slough Dyke (which is mainly culverted under Newark-on-Trent) passes through the Scheme to the east of Brownhills Junction as an open channel before flowing parallel with the A1 and being culverted under the A1 to flow through Winthorpe. • Tributary of the Fleet (1) is located east of the A46/A17 roundabout. This watercourse is culverted under both the A17 and A46 before flowing through Winthorpe to converge with the Slough Dyke to become The Fleet.

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		Why is it so confused in other areas? In our opinion this lack of precision has resulted in impact on the Fleet being dismissed. For instance in 6.3 Environmental Statement Appendix 13.1 Water Framework Directive Compliance Table 2 which selects watercourses for examination the Slough Dyke is 'screened in' because of the diversion works near Brownhills Junction, but the Fleet is not even mentioned though it is significantly affected by road and culvert construction at the Friendly Farmer roundabout. Furthermore, in the same table there is reference to 'The Fleet Upper Catchment not being hydrologically linked to the works'! Surely this is some other 'Fleet'. In Chapter 13 the Fleet gets a very perfunctory review in comparison to the Slough Dyke, which does not accord with our view. An examination based on the Environment Agency's catchment map https://environment.data.gov.uk/catchment-planning/WaterBody/GB104028053111 with some approximation of internal boundaries shows that the catchment areas of the Fleet upstream of the confluence with the Slough Dyke is about 750 ha. This is almost the same as the catchment area of the Slough Dyke above the confluence. Although the Slough Dyke catchment in Newark is clearly less permeable that of the Fleet the Fleet catchment it is becoming more industrial, containing the major warehouse developments around Long Hollow Way and Godfrey Drive. Further developments are expected in this zone. Furthermore, the Fleet is a particular flooding threat in Winthorpe where it is constrained by an old culvert passing under the village green and Hargon Lane. The ground here is low and the adjacent Lord Nelson public house is particularly affected. This culvert is quite often at capacity and any increased in peak flows could be extremely damaging. We note that, in their submission to National Highways as Statutory Consultees the Trent Valley IDB stated 'Surface water run-off rates to the Board maintained Winthorpe Airfield Drain must not be increased as a result of the development. The culvert carrying this drain under the A46 at NGR 481553 – 356044 is known to be at or around capacity added to which existing and further committed development on the airfield site will further exacerbate this situation. Enhancements to this culvert should be considered as a part of the scheme. Any surface water from the Northern section of the scheme, which discharges into the Winthorpe Airfield Drain should take into consideration the potential impact downstream within the village of Winthorpe.' The Slough Dyke, whilst more on the edge of the village, still has the potential to flood in the low ground of Hargon Lane adjacent to Severn Trent's pumping station. Water Pollution The more concerning issue is water pollution as the watercourse flows through the area of the village featuring the allotments, the Community Centre, the recreational field and the cricket ground. It is in this area that villagers are most likely to come into contact with the water. Attenuation The proposed road drainage strategy is set out in 6.3 Environmental Statement Appendix 13.4 Drainage Strategy Report. In section 1.3. Design Parameters Agreed it states that attenuation storage and outflow rates to watercourses will be assessed as those relating to a l in 30 year	• Tributary of the Fleet (2) is located 500m north-west of the Scheme and connects to the Fleet downstream of the Scheme, but the existing drainage system of the A46 and A1133 discharges into this watercourse. Whilst the Fleet is considered to be the waterbody from where the Slough Dyke converges with the watercourse (tributary of the Fleet (1) (as referenced in Chapter 13 (Road Drainage and Water Environment) of the Environmental Statement [APP-055]), from a WFD perspective as shown by the Environment Agency Data Catchment this is the 'Slough Dyke Catchment (trib of Trent) waterbody (GB104028053111).' The catchment of the Fleet Upper (tributary of Trent) (GB104028053430) waterbody does overlap with the study area, but the watercourse itself is located outside the study area (as shown Figure 13.2 (River Waterbody Catchment) of the Environmental Statement [APP-113]). Therefore, the WFD waterbody was screened-out as it was deemed to not be hydrologically linked to the Scheme, and the Slough Dyke WFD catchment was assessed in more detail. Run-off from the widened highway will be controlled and treated as part of the drainage scheme. As described in Appendix 13.4 (Drainage Strategy Report) of the Environmental Statement Appendices [APP-179], run-off from the highway passes through a number of treatment devices. The main treatment features are the conveyance swales and the attenuation ponds which include forebays, planting, check-dams and permanent wetted areas which treat run-off to a suitable level and this has been assessed and approved in line with National Highways' Design Manual for Roads and Bridges guidance via use of the Water Risk Assessment Tool. As indicated within the Drainage Strategy Report [APP-179], attenuation areas outside Flood Zones 2 and 3 will store and attenuate run-off from Q100 storm event plus climate change. All discharged water will therefore be cleaned and discharged at acceptable pollutant levels. The drainage strategy is different for attenuation ponds located within flood zone 2 and 3, namely ponds 1-8 inclusively between Farndon and Nether Lock as these do indeed discharge water to adjoining water courses (the Old Trent Dyke) for rainfall events that exceed a 1:30 year Return Period. The capacity within the Old Trent Dyke is increased to accept these flows by diverting some of the flow into the FCAs to be provided at Farndon and hence do not result in additional downstream flooding of the Old Trent Dyke. Heading north from Nether Lock all attenuation ponds store rainfall run-off for new hard surfacing for a 1 in 100-year Return Period and as stated above do not increase the flows into the Fleet and Slough Dyke. This approach has been reviewed by the Environment Agency and Nottinghamshire County Council as the Lead Local Flood Authority and both have provided agreement in principle. The Drainage Plan, sheet 5 of 7 (AS-012 - National Highways 2.6 Engineering Plans and Sections Part 5 - Drainage Engineering Plans), showing the proposed infrastructure in this area does discharge at Outfall 015 at the northern end of the Bleach House Culvert. The connection is described as a culvert and it has not been shown on the plans as it will actually be classed as a drainage pipe which has not been detailed within the preliminary design. This will be a new pipe installed beneath the A46.

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		Return Period (RP) or 3.33% Annual Exceedance Probability (AEP) event and flows in excess of these levels would overflow to the receiving water course. Plans in Appendix B of this Appendix show the paths that excess water would take from the attenuation basins into the Fleet. The justification for accepting this level of risk, instead of the DMRB specified 1% AEP, is an agreement with Notts County Council that, since excess flows above the 3.33% AEP level could overflow onto existing designated flood plains without causing damage to property and life, the expense of providing drainage infrastructure appropriate to the higher risk is not justifiable. This is probably reasonable in these circumstances and, to justify this approach, calculations have been produced showing estimates of the extra volume of water discharged to the flood plain. However, the attenuation basins serving catchments draining to the Fleet are not in any designated flood plain and any excess of flood water would drain directly into the Fleet and immediately into Winthorpe. It seems that this derogation of risk level will have a deleterious effect on the Fleet in Winthorpe. This design philosophy is echoed in appendix 13.2 Flood Risk Assessment 4.7.5 to 8 and 3.4.5 which also states that 'Basins are designed to outfall to watercourses in the vicinity, including the Fleet' and 'Basins outside the floodplain also have an extreme event overflow area'. No such area for the Fleet discharges is shown on any plan. See also 8.3.5 of this appendix and various other places. Only in ONE paragraph, Appendix 13.4 Drainage Strategy Report 5.3.13 does a statement occur that 'Outside the flood plain the attenuation areas (presumably including swales, filter drains etc) would be designed to store runoff from all storm events up to and including the 1 in 100 year event' It is difficult to judge which principle has prevailed in the design process as calculations of the excess volumes resulting from this derogation as listed in Table 1 of the Volume Impact Assessment Appendix B (of Appendix 13.4) do not show any values for discharge flows or storage volumes for the Fleet zone basins. The area of road and associated infrastructure draining to the Fleet and Slough Dyke have been divided into various sub-catchments as shown in plans TR010065/APP/2.6. For the most part the drainage route is clear; via swales, filter drains, attenuation basins and outfalls. The section from the service stations to Winthorpe roundabout is less straightforward. This section dates from the construction of the A1 bypass in 1963/4 although it has been updated since then. What is not clear is the state of the drainage provision. On the western, Lincoln bound carriageway there are some lengths of combined drainage kerbs which National Highways consider to be inadequate as they propose an additional filter drain, along this section, to conduct flows to the attenuation basin. The eastern carriageway has an existing system of gulley gratings and pipe drain which probably outfalls to the Fleet (Winthorpe Airfield Drain) near to the Shell service station and upstream of the Bleach House Culvert. A reasonable inference is that the western carriageway is the old pre-1960,s A46 and the eastern is the new section with formally designed drainage infrastructure. Are National Highways aware of the design parameters of this system, designed over 60 years ago? It seems that the new Friendly Farmer Link Road will also drain to the same outfall as the eastern carriageway and, being of almost the same catchment area, will double the flow into the Fleet. There is no indication of the drainage system design for this road. A crude estimate	

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		of the peak flood flows at this culvert shows an increase of between 5 and 8% over the existing levels into a culvert which is known to be near or at full capacity already. The Drainage Plan, sheet 5 of 7, showing the proposed infrastructure in this area seems to propose that these catchments will drain to Outfall 015, which is on the Winthorpe side of the road, the opposite side to these carriageways. Appendix 13.4 makes a very confused statement on how this will be arranged:- '6.17.3 The surface water run-off from this catchment outfalls to a culvert under the A46 which discharges to an existing outfall to the Fleet via an existing culvert.' Is the culvert under the A46 the existing culvert (the Bleach House Culvert) or something new, in which case this isn't indicated on any plan? The most likely interpretation of situation is that the two road carriageways will discharge their flood flows into the Fleet upstream of the Bleach House Culvert and hence probably overload the capacity of the culvert and also the one in Winthorpe village. The reasons given by National Highways for not attenuating these flows is lack of space in the vicinity of the outfall. However, it is surely possible that a more holistic view of the water system here, including the Fleet, the culvert, the road drains and local developments could produce some system of buffer storage and flow control to attenuate these flood flows. At the very least, a more rigorous modelling of flow hydrographs from the whole catchment upstream of the Bleach House Culvert might demonstrate competence in the system to handle the outflows. 11. Conclusion Although, as previously noted, correspondence between Think Again and National Highways has dealt with a significant number of the issues which were of concern to us a number of details within the design proposal are still worrying. We would ask the Planning Inspectorate to include some of the issues raised in this submission during their examination process.	

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RR-072	Town-planning.co.uk	The A46 Newark Bypass is trying unsuccessfully to perform two roles - firstly as a through route and secondly as a local route to get access from local villages into Newark. These two roles are incompatible and because of the River Trent none of the major roads in/out of Newark provide access to/from Newark without having to cross the A46 Newark Bypass and/or the A1 or A17. The at-grade alignment of the A46 Newark Bypass means that local and through traffic has to mix at every junction. This conflict creates unpredictability in journey times - it should take around 12 minutes to reach Newark from our business; however on many occasions this can take us anywhere between 50 minutes to an hour. It had become so difficult to get to/from Newark at times that we no longer use Newark for our business or leisure activities but instead travel to other towns. We also have developer clients and commercial business clients who will not invest in Newark because of the traffic difficulties caused by the bypass. We know of a logistics company who will not relocate to the Newark Industrial Estate because it would take longer to reach the A1 south than it does to reach the same point on the A1 from their current location some 10 miles to the north. The scheme proposed will look to separate the local and through traffic largely so is supported, although we have reservations about the effectiveness of the at grade proposals at the Farndon roundabout and the Winthorpe roundabout	The Applicant confirms the traffic modelling of the proposed Winthorpe Roundabout shows no issues with regards to capacity or significant queueing. A grade separated option at Winthorpe Roundabout was assessed at the Options Identification Stage of the Scheme but it was determined that this was not needed as a roundabout had sufficient capacity and therefore has not been included within the Scheme design. The proposed Winthorpe Roundabout performs well within traffic modelling. Similarly, traffic modelling shows that grade separation is not needed at Farndon Roundabout, however, additional measures such as new traffic lights and additional lanes have been included as part of the Scheme design. Signals are full time on the A46 arms of Farndon Roundabout and lane sensors would be used where appropriate to help manage traffic flows during peak and off-peak times. This slows traffic, allowing for flows to be consistently controlled both through and on to the roundabout. This would provide inter-green gaps (gaps in between the stages of signals where neither arm controlled by the signals are moving) for traffic to enter the roundabout from Newark-on-Trent and Farndon. Further information on the traffic modelling undertaken can be found within the Transport Assessment Report [APP-193]. As outlined in the Case for the Scheme [APP-190], the operational performance of the A46 single carriageway around Newark is at odds with other sections, where the road is a dual carriageway. This manifests itself in a bottleneck with higher levels of congestion and lower average speeds (typically between 22 and 45 mph in contrast to 60 mph elsewhere). The key issues are: • Poor time reliability – with variances expected to increase in the future; • High level of low-speed shunts – which impact on turning lanes at junctions; • High traffic flows, which exceed the design capacity; • Congestion on the A1/A46 junction which results in mainline queuing on the A1; • The lack of a grade separated junction at Cattle Market junction, which is being compounded by queuing on the main B-road because of frequent rail level crossing downtimes; and • It forms part of a major freight route, and an alternative to the M1 corridor particularly to / from the Humber ports. The Scheme will tackle the current issues on the A46 by addressing the delays and congestion; improving journey time reliability; improving safety; supporting and helping to unlock local economic aspirations; boosting strategic connectivity; achieving better environmental outcomes and supporting local transport networks.
RR-073	Transport Action Network	Transport Action Network (TAN) objects to the proposed A46 Newark Bypass scheme. It would increase traffic, air pollution and carbon emissions. National Highways state that air pollution will worsen with the scheme: "The results indicate there is a net worsening in air quality as a result of the Scheme in the opening year and forecast year. The worsening is primarily due to an increase in annual traffic movements due to increased capacity delivered by the Scheme,	The Applicant acknowledges that there would be an overall increase in traffic, however, when the Scheme is introduced, journey times along the A46 are forecast to improve as outlined in the Transport Assessment [APP-193] demonstrating the benefits of the Scheme. It is notable that traffic modelling shows that levels of traffic on the A46 around Newark-on-Trent are forecast to increase even if the Scheme is not built.

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		and an overall increase in vehicle kilometres travelled." (5.5.5 of the Case for the Scheme). The construction alone would increase carbon emissions by 143,887 tCO2 in the crucial 5th Carbon Budget, when we have to make the fastest and most significant cuts. The operation of the scheme would increase carbon by an additional 539,312 tCO2e over its 60 year lifetime. The scheme would cost £686 million, but delivers low value for money. National Highways estimate it will only generate £1.20 of benefits for every £1 spent. The need and the case for the scheme have not been made, and the significant costs, noise pollution, and carbon emissions mean it is not in the national interest for this scheme to be built and property to be compulsorily acquired, contrary to the NNNPS.	In line with Department for Transport's Transport Analysis Guidance (TAG), traffic flows have been forecast up to 2061. This modelling demonstrates that if the Scheme is implemented the A46 is not forecast to be over capacity within these timescales. Traffic modelling shows that most of the forecast traffic increase is associated with trips travelling along the A46 to bypass Newark-on-Trent. The Scheme's implementation would therefore lead to a better flow of traffic and a reduction in congestion on both the A46 and on local roads within Newark-on-Trent. While traffic modelling indicates an increase in traffic on the A46 because of the Scheme, it also shows that a significant component of this increase is attributable to strategic through traffic that is effectively removed from the centre of Newark-on-Trent by the Scheme. These trips currently divert off the A46 and go through the town centre to avoid congestion. With the Scheme this through traffic is forecast to remain on the strategic road network, where it is more appropriate for it to be. The Applicant notes the Interested Party's quote indicating a net worsening of air quality has been extracted from paragraph 5.5.5 of the Case for the Scheme [APP-190]. The economic appraisal for the Scheme set out within Chapter 5 of the Case for the Scheme [APP-190] follows the Department for Transport's TAG. The TAG appraisal calculates the monetised impact of air quality from the Scheme by considering the total change in mass emissions from vehicles based on distance travelled. Overall, there is an increase in vehicle kilometres travelled generally caused by the increased distance travelled when using the strategic road network (A46 and A1) as opposed to the shorter (by distance) route using local roads. This causes a net increase in emissions. The TAG appraisal does not consider pollutant concentrations at sensitive receptor locations. Therefore, the analysis presented in the Case for the Scheme [APP-190] is not appropriate for determining the change in air quality at sensitive receptor locations or the significance of air quality effects. The Scheme's air quality impacts and effects at sensitive receptor locations, based on predicted concentrations, are assessed as part of the environmental assessment for the Scheme and are presented in Chapter 5 (Air Quality) of the Environmental Statement [AS-021]. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] concludes there are no predicted exceedances of the NO2, PM10 or PM2.5 air quality objectives at any of the human health receptors within the study area during operation of the Scheme. As such, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the NO2, PM10 and PM2.5 air quality objectives. Therefore in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021]) has concluded no likely significant effect for human health. In accordance with paragraph 2.80 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] also concludes that the Scheme would not affect the UK's reported ability to comply with the Air Quality Directive (2008) in the shortest timescales possible. Overall, the Scheme is predicted to reduce traffic movements within Newark-on-Trent where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. The applicant confirms the greenhouse gas emissions assessment reported in Chapter 14 (Climate) of the Environmental Statement [APP-058] concludes no likely significant effect. This assessment is based on National Highways' Design Manual for Roads and Bridges LA 114 – Climate which states: "assessment of projects on climate shall only report significant effects where increases in *greenhouse gas emissions will have a material impact on the ability of Government to meet its carbon reduction targets".* This also aligns with paragraph 5.17 of the 2015 NPSNN, which states that "*It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets.*" The 2015 NPSNN is the NPS against which the Secretary of State will make their decision whether to consent the application for development consent. Although an updated version of the NPSNN was designated on 24 May 2024, and the gov.uk website states that "*The 2015 NNNPS has effect for any applications for development consent accepted for examination prior to 24 May 2024.*" As the Scheme was accepted for examination before the designation date it will be assessed and decided against the 2015 NPSNN. However, for completeness the Applicant notes that the 2024 NPSNN

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			includes the following statement in Paragraph 5.42, "*Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. Therefore, approval of schemes with residual carbon emissions is allowable and can be consistent with meeting net zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent*". Chapter 14 (Climate) of the Environmental Statement [APP-058], describes the climate assessment, setting out any likely significant climate effects for both construction and operation. This assessment includes predicted emissions (tCO2e) during construction and operation. Construction of the Scheme, which is spreads across carbon budget 4 and carbon budget 5, is estimated to result in 143,887 tCO2e, which is a 44% reduction in emissions compared to the initial baseline assessment (254,536 tCO2e) as presented in Section 14.8 of the Chapter 14 (Climate) of the Environmental Statement [APP-058]. This reduction is the result of significant efforts to minimise the greenhouse gas emissions associated with the Scheme design and identify opportunities to improve resource efficiency and reduce carbon, such as reuse of existing carriageway infrastructure, use of precast materials where possible and provision of renewable energy for the site compound. The carbon management and mitigation approach for the Scheme aligns with PAS 2080 best practice, via an iterative system which repeatedly evaluates the Scheme, for example the use of low carbon solutions or techniques that reduce resource consumption. The output is a Scheme which is optimised as far as reasonably practicable. The operational assessment includes the emissions from road users (sometimes referred to as tailpipe emissions). The road user assessment captures the impacts from the change in traffic flows caused by the Scheme. This assessment, as described in Section 14.5 Chapter 14 (Climate) of the Environmental Statement [APP-058], compares the baseline without Scheme scenario (Do Minimum) to the with Scheme scenario (Do Something). This comparison gives an estimate of the impact on traffic flows, and this is used to estimate impact on carbon emissions. The operational emissions, as presented in Section 14.11 of Chapter 14 (Climate) of the Environmental Statement [APP-058], over the 60-year assessment period result in 539,312 tCO2e, with the largest contributor, being 523,019 tCO2e from the road user emissions, summarised in Table 14.19 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The road user assessment presents a worst-case scenario, as the assumptions of electric vehicle uptake are likely underestimated with the assessment as the policy commitments within the Transport's Transport Decarbonisation Plan (TDP) (published July 2021) are not included within the version of the Emission Factor Toolkit (v11) that was used for the assessment. As detailed above, the assessment of significance is based on a comparison to the impact on the UK Government in meeting its carbon commitments. The estimated emissions for the relevant carbon budgets from the Scheme (including construction and operation) are 107,915 tCO_2e for carbon budget 4, 76,573 tCO_2e for carbon budget 5 and 41,991 tCO2e for carbon budget 6, Table 14.21 of Chapter 14 (Climate) of the Environmental Statement [APP-058]. The assessment has identified that the emissions arising from the Scheme represent less than 0.007% of the total emissions in any five-year UK legally binding carbon budget during which they would arise. Therefore, the assessment concludes that the greenhouse gas emissions impact of the Scheme would not have a material impact on the Government's ability to meet its carbon reduction targets in any of the carbon budgets within which the Scheme falls. Noise impacts of the Scheme are set out in detail in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] including both construction noise and operational noise. Construction noise impacts are assessed within Section 11.11 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] for affected representative receptors which are shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement [AS-065], while Figure 11.9 (Short-term Noise Change) [AS-063] and Figure 11.10 (Long-term Noise Change) [AS-064] of the Environmental Statement show the operational noise impact in the short-term and long-term respectively. Operational noise impacts may be described as adverse in some areas and beneficial in others however none of these are significant. The objectives of the NPSNN for noise are set out in paragraphs 11.3.11 to 11.3.19

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			of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] which refers to Sections 11.5, 11.10 and 11.11 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] that contains the evidence to demonstrate the scheme aligns with all NPSNN noise related objectives. The need and economic case for the Scheme is summarised in the Case for the Scheme [APP-190]. The benefits and costs are combined and produce an overall Value for Money assessment. This is presented in the Analysis of Monetised Costs and Benefits table in Chapter 5 (Economic Case for the Scheme) of the Case for the Scheme [APP-190]. While the Value for Money statement places the Scheme in the low value for money category, the forecast return of £1.20 for every £1 spent still represents a significant level of economic benefit, particularly given the complexity of the works and structures associated with the Scheme. The Value for Money statement does not capture all the benefits the Scheme will deliver such as facilitating economic growth in the area. As detailed within Chapter 3 (The Need for the Scheme) of the Case for the Scheme [APP-190], the Scheme would help to unlock employment growth within Newark by facilitating the delivery of regional and local business developments. For example, the Newark Business Park concentrates a significant part of Newark's growth but is currently limited in its development by the lack of capacity at Brownhills Roundabout, as set out in the Newark and Sherwood Infrastructure Delivery Plan (2017). The Scheme would fulfil the economic objective of sustainable development by increasing capacity and reducing congestion on the strategic road network. This could help to facilitate the growth of a number of economic sectors, such as food and logistics, which are reliant on journey time reliability. As well as the economic benefits detailed in Chapter 5 (Economic Case for the Scheme) of the Case for the Scheme [APP-190], the Scheme will result in journey time savings and improved safety as detailed in the Transport Assessment [APP-193]. The Scheme would also result in a number of environmental benefits, including improved habitat connectivity through newly created habitats as well as increased accessibility via the new walking and cycling routes. As outlined in the Case for the Scheme [APP-190] the operational performance of the A46 single carriageway around Newark is at odds with other sections, where the road is a dual carriageway. This manifests itself in a bottleneck with higher levels of congestion and lower average speeds (typically between 22 and 45 mph in contrast to 60 mph elsewhere). The key issues are: • Poor time reliability – with variances expected to increase in the future • High level of low-speed shunts – which impact on turning lanes at junctions; • High traffic flows, which exceed the design capacity; • Congestion on the key A1/A46 junction at Brownhills which results in mainline queuing on the A1; • The lack of a grade separated junction at Cattle Market junction, which is being compounded by queuing on the main B-road because of frequent rail level crossing downtimes; and • It forms part of a major freight route, and an alternative to the M1 corridor particularly to / from the Humber ports. The Scheme will tackle the current issues on the A46 by addressing the delays and congestion; improving journey time reliability; improving safety; supporting and helping to unlock local economic aspirations; boosting strategic connectivity; achieving better environmental outcomes; and supporting local transport networks.
RR-074	UK Health Security Agency	Thank you for your consultation regarding the above development. The UK Health Security Agency (UKHSA) welcomes the opportunity to comment on your proposals at this stage of the project. Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided is sent on behalf of both UKHSA and OHID. We can confirm that: Environmental Public Health This section details UKHSA's comments in relation to the environmental public health aspects of the proposed scheme. We make the	The Applicant confirms Chapter 5 (Air Quality) of the Environmental Statement [AS-021] follows guidance set out in the Design Manual for Roads and Bridges (DMRB) LA 105 Air Quality. The Applicant understands the Interested Party's position is to support approaches which minimise and mitigate exposures to non-threshold airborne pollutants and acknowledges that the Scheme predicts both improvements and deterioration in air quality. Whilst the Applicant acknowledges that the assessed pollutants are 'non-threshold', there are regulatory air quality objectives and limit values in England pertaining to these pollutants. The purpose of Chapter 5 (Air Quality) of the Environmental Statement

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		following observations: • The Promoter's assertion that the scheme would not cause significant air quality (AQ) impacts is mainly premised that there will be no predicted exceedances of nitrogen dioxide (NO2) at human health receptors in the Opening Year. The Promoter's assessment predicts improvements in local air quality from preferential use of the bypass, however, there is also predicted a deterioration of local air quality at selected human health receptors in the Do Something (DS) scenario (Opening Year of 2028). • With regards to particulate matter, PM2.5, the Promoter effectively scopes PM2.5 out for detailed assessment concluding that with reference to their PM10 modelling that PM2.5 concentrations will not cause an exceedance of the annual mean National Air Quality Objective (of 20 µg/m3). • Furthermore, the Promoter predicts that the Scheme will not impact the achievement of the PM2.5 annual average target concentration of 10 µg/m3 by 2040, based on the premise that PM2.5 concentrations from changes in road traffic are very small and are mainly influenced by existing background concentrations which are currently below this future target. This conclusion is drawn without a full quantitative assessment and discounts the interim annual mean target of 12 µg/m3 by 2028 (with reference to the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023). • We maintain the position stated in our Scoping and Public Consultation responses with regards to supporting approaches which minimise and mitigate exposures to non-threshold airborne pollutants (such as particulate matter and nitrogen dioxide) and encourage their consideration during development design, environmental and health impact assessments, and development consent. Human Health and Wellbeing - OHID This section of OHIDs response, identifies the wider determinants of health and wellbeing we expect the Environmental Statement (ES) to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are: • Access • Traffic and Transport • Socioeconomic • Land Use Having considered the consultation documents, OHID wish to make the following comments and recommendations. Vulnerable populations Chapter 12 Population and Human Health utilises both DMRB LA112 and IEMA guidance for Determining Significance for Human Health in Environmental Impact Assessment. The Chapter does not adequately identify local vulnerable populations and report on potential effects on these groups in addition to the general population. Some groups of individuals may be particularly vulnerable to changes in biophysical and socio-economic factors (adversely or beneficially) whereby they could experience differential or disproportionate effects when compared to the general population. While the average local health circumstance across a defined population may be considered good, there may be groups of individuals within that defined population who are particularly sensitive and could experience disproportionate or	[AS-021] is to enable the decision-making process to set out in the NPSNN to be followed. This process requires the Applicant to identify potential significant air quality effects, which in accordance with National Highways' Design Manual for Roads and Bridges LA 105 Air Quality is determined with reference to the air quality objectives and limit values. During operation of the Scheme there are not predicted to be any exceedances of the NO_2, PM_{10} or $PM_{2.5}$ air quality objectives (40ug/m^3 for NO_2 and PM_{10}, and 20ug/m^3 for $PM_{2.5}$) at any human health receptors within the study area. As such, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the NO_2, PM_{10} and $PM_{2.5}$ air quality objectives. Therefore, in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. In accordance with paragraph 2.80 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] also concludes that the Scheme would not affect the UK's reported ability to comply with the Air Quality Directive (2008) in the shortest timescales possible. In addition, and as indicated by the modelled results for NO2, the Scheme has a beneficial effect within Newark-on-Trent by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help reduce population exposure to road vehicle emissions in Newark-on-Trent. The Applicant acknowledges that IEMA guidance for Determining Significance for Human Health in Environmental Impact Assessments identifies that it may be appropriate to consider relevant sub-populations. For the A46 Newark Bypass Scheme it was not considered necessary to consider groups with more sensitivities in Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] as vulnerable population groups have been assessed in the Equality Impact Assessment (EqIA). However, the Applicant considers that the Equality Impact Assessment (EqIA) [APP-195] draws on the findings of Chapter 5 (Air Quality) [APP-022], Chapter 7 (Landscape and Visual Effects) [APP-051], Chapter 11 (Noise and Vibration) [APP-055] and Chapter 12 (Population and Human Health) [APP-056] of the Environmental Statement. The EqIA appropriately identifies and assesses differential and disproportionate impacts of the Scheme on populations that share protected characteristics (as set out under the Equality Act 2010). Section D of the EqIA [APP-195] assesses the impact of the Scheme on the local gypsy, Roma and traveller communities in the vicinity of the Scheme, identifying a disproportional impact associated with changes in noise exposure. The assessment concludes a 'neutral' effect following the implementation of proposed noise mitigation. To avoid repetition, the Applicant therefore feels it is appropriate for the Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] to assess the impact of the Scheme on the general population, with the impact on vulnerable population groups set out in the EqIA [APP-195]. Section 12.8 of Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] acknowledges the presence of the Farndon Unit. Risk of death by suicide is not within the scope of DMRB LA112 and IEMA guidance for Determining Significance for Human Health in Environmental Impact Assessment as such it has not been considered within Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]. The Applicant considers that no specific activity associated with the Scheme is likely to increase the risk of death by suicide for local population groups, including residents of the Farndon Unit. Indeed, the Scheme will reduce interaction between pedestrians and the A46, via the closure of an at-grade public right of way crossing over the A46 and active travel route improvements, therefore reducing the risk of collisions. The Applicant confirms that the National Highways Suicide Prevention Toolkit will be utilised during the development of the detailed design for the Scheme. CD 353, Design criteria for footbridges, is applied to the design of pedestrian footbridges of which do not form part of the Scheme.

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		differential effects. On this basis the IEMA guidance for Determining Significance for Human Health in Environmental Impact Assessment identifies it may be appropriate to consider relevant sub-populations, i.e., groups of more sensitive individuals. The equalities impact assessment identifies two local gypsy, Roma and traveller communities (Tolney Lane and Bridge House Farm), which are to be considered vulnerable populations, but have not been included within the population and human health chapter. The population and human health chapter should be revised and report any differential or disproportionate effects on vulnerable populations, when compared to the general population. Suicide Prevention There is a privately run mental health facility at the western end of the scheme (Farndon Unit), specialising with women with mental health or learning difficulties. The report does not address potential suicide risk, despite the local concerns over suicide rates in Newark and Sherwood - Committee report template (with guidance) (nottinghamshire.gov.uk) and Suicide prevention (2023) - Nottinghamshire Insight The environmental statement does not consider the potential for increased risk of suicide or attempted suicide posed by the new highway design, including temporary or permanent bridge structures. Suicide risks should be addressed in accordance with CD 353, Design criteria for footbridges (Note to Para 2.4) and National Highways Suicide prevention strategy (2022) Further assessment is required in relation to risks from suicide and the existing or additional mitigation to be delivered by the scheme. National Highways have previously created Suicide Prevent Strategy Reports, which should also be generated and included within the ES for this scheme. The suicide prevention strategy report and supporting assessments, alongside any proposed additional mitigation measures should be agreed with OHID, the local Director of Public Health and the local Real Time Surveillance Working Group. We can confirm that we have registered an interest on the Planning Inspectorate Website. Please do not hesitate to contact us if you have any questions or concerns.	
RR-075	W A Rainbow & Sons Ltd	Our Company, support the proposed project. The current A46 layout causes significant traffic congestion at peak times (such as Friday afternoons). The traffic congestion is not limited to the A46 itself, and spills into Newark town as motorists use their satnavs to try and work around queues. The road's busy roundabouts also cause significant queues on other A roads adjoining those roundabouts. It is not uncommon for locals to avoid Newark town as a whole during these busy periods, leading to a loss of both economic activity and general sense of community within the town. It is currently very difficult to run a business from the town, with unpredictable traffic adding sometimes significant delays (and cost) to a) staff getting to and from work, b) driving staff performing their duties, and c) customers and other parties visiting our location. The traffic congestion also increases air pollution in the area. I have heard more than once that the town's traffic problems is a contributing factor to people's decisions in leaving our employment. Removing the roundabouts and upgrading the single carriageway link to be a dual carriageway will in my view dramatically cut down on this traffic congestion. It will change the town's perception by others as a place to be avoided due to its traffic problems. It will remove uncertainty in forecasting journeys and workloads for driving staff, and mean less time wasted. It will genuinely make Newark a better place. The project is long overdue, and I implore the Planning Inspectorate to do the right thing for the local people in approving the works.	The Applicant acknowledges the comment received by the Interested Party and welcomes the support for the Scheme.

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RR-076	Wendy Catherine Greenwood	Concern over the impact dualling of the A46 around Newark will have on future flooding events in Newark and the surrounding areas, despite information received advising that mitigating plans are in place to address this. Will these plans really compensate for the large amount of floodplain that will be built upon; land that currently acts as a measure to prevent flooding to both homes and businesses throughout the Newark area? The flooding over this winter was the worst it has been since I moved to the area 27 years ago; climate change will only increase the likelihood of increased flooding events - events that surely will be negatively impacted by this project. Concern over the cost of the project at a time when funds will be needed by the new Government for more worthwhile purposes. The costs of this project are likely to increase during construction since a lot of the land that will be built upon is regularly underwater due to flooding events - 5 times this winter. This will mean delays to the construction work, which will surely mean that the already huge cost of the project will only increase.	Please see Table 11.1 of Appendix 13.2 Flood Risk Assessment of the Environmental Statement [APP-177] which records that the baseline (existing) fluvial flood risk is high in the vicinity of the Scheme, as evidenced by recent flooding events. To compensate for the effects of the Scheme on flood risk, the Scheme however incorporates three FCAs at Kelham and Averham, Farndon East and Farndon West. The purpose of the FCAs is to provide an equivalent volume of floodplain storage to that affected by the Scheme by excavating land at similar elevations to that which would be displaced by the Scheme. The Flood Risk Assessment [APP-177] already makes provision for the predicted impacts of climate change and uses the 'Higher End' allowance for the '2080s epoch' (1% Annual Exceedance Probability (AEP) plus 39% climate change). Table 13-10 of Chapter 13 Road Drainage and Water Environment of the Environmental Statement [APP-057] considers operational likely significant effects to rivers and other receptors in the floodplain. The mitigated magnitude of impact of the Scheme to surface water bodies and residential receptors is considered, to be either 'no change' or negligible. The Applicant confirms the Scheme has an estimate of £686.4m, including allowances for risk and inflation at the date of application. This estimate includes all costs to deliver the Scheme from Options stages through to the opening for traffic. The estimate has been prepared in accordance with National Highways procedures and, in combination with the approved budget, provides sufficient cost certainty to enable the Applicant to confirm the viability of the Scheme. Chapter 5 of the Case for the Scheme [APP-190] outlines the economic case for the Scheme. The Scheme demonstrates a significant number of benefits, building upon previous improvements to the A46 between Nottingham and Lincoln and contributing to wider economic benefits along the wider A46 corridor. These include: • Large level of user benefits of £248.5m over a 60-year appraisal period, of which the bulk are travel time savings as well as reduction in vehicle operating costs; Journey time reliability benefits of approximately £29.4m over the same period as well as accident savings of £29.3m over the same period; and • In terms of wider economic benefits, the Scheme is likely to result in a £67.5m gain, with agglomeration improvements arising from improved connectivity. In terms of non-monetised impacts, the Scheme will provide: • Benefits in terms of changes to physical activity, journey quality, severance; and • Disbenefits (ranging from slight adverse to moderate adverse) for landscape, townscape, historic environment and biodiversity. As a result, the Value for Money statement places the Scheme as having low value for money with a Benefit to Cost Ratio (BCR) of 1.20. This must be seen in the context of the level of works and structures associated with this Scheme, which are complex compared to the neighbouring stretches of the A46, which were largely dual carriageway over relatively unchallenging landscape. It should be noted that the Value for Money statement does not capture all the benefits the Scheme will deliver such as facilitating economic growth in the area.
RR-077	Winthorpe Family Settlement 1990	Pre Examination Comments A46 Newark Bypass Winthorpe Family Settlement 1990 The following comments are made on behalf of the landowners of title number NT448560. 1. It would be useful for justification to be provided regarding the extent of their land that is required on the north side of the A46. From reviewing the working plans, it appears that there will be a large amount of land taken to create embankments and floodplains with further land taken for a new pedestrian right of way. In order to reduce the amount of land required, it would be prudent to create the pedestrian right of way along the top of the embankment. Please provide justification as to why this has not been considered. 2. The land being acquired isy parkland that significantly contributes to the setting and character of Winthorpe. Please can justification be provided as to why no land is being acquired on the south side of the A46 as this would minimise the impact on the parkland.	The Applicant confirms the routes selected and shown within the General Arrangement Plans [AS-007] were developed further following statutory consultation where the Interested Party requested a route from Winthorpe village to the Showground entrance as well as the one to connect the village to the south of the existing A46. • The route to the west of Hargon Lane is combined with the vehicular access route which reduced the carbon footprint and land required, this provided the link to the south of the existing A46. • The route to the east of Hargon Lane to the A1133 crossing at Winthorpe Roundabout was added to provide a link to the Showground entrance which offered a route from the centre of Winthorpe village and that was integrated into the landscape design. A route along Thoroughfare Lane and then running along the A1133 was considered but it was discounted due to landowner concerns raised when discussed with them in response to Statutory Consultation and its location was not as beneficial to all Winthorpe residents.

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		3. The land located on the west side of the A1 is being acquired as a whole, however the proposed works do not cover the full extent of the land. Therefore, we would be willing to provide this land under licence on a temporary basis to allow future use of the remaining parcel of land once the new road has been constructed. The design should allow for access to be provided to this retained parcel of land. 4. There has been significant interest from developers for both commercial and residential opportunities on this land which will need to be taken into consideration when acquiring this land. 5. Please provide clarity on 'limits of deviation of drainage assets'. For example will this be below ground works?	It is not possible to run the walking and cycling route along the top of the bund as suggested by the Interested Party due to the following reasons: • By placing the route on top of the bund, the provision of screening planting would either not be achievable at all or be less effective than the current proposed design presented in Figure 2.3 Environmental Masterplan of the Environmental Statement [AS-026]. • In certain areas where space limitations necessitate a combined landscape bund and fence solution, space would not be sufficient to accommodate the pedestrian/cyclist route. • Ramps with a minimum gradient of 1:12 would need to be provided at each end of the bunds which would reduce the height of the bund over a length of 24m thus reducing its effectiveness for reducing noise, light pollution and visual impact. The floodplain at this location is not affected by the proposals, as no embankment is proposed within the floodplain. Land to the north side of the A46 including areas of landscape bunding and planting have been included within the design to provide essential environmental mitigation for the purposes of visual screening of views from Winthorpe. This mitigation would not have functioned if it had been proposed to the south of the A46. The application has minimised land take where possible to achieve mitigation required whilst limiting impacts upon the parkland character of the area. All plots associated with the Interested Party are as shown within the Book of Reference Version 2 [AS-096] and shown on Sheet 5, of the Land Plans [AS-004]. No plots of land owned by the Interested Party are designated as Special Category Land and they are therefore not included in Part 5 of the Book of Reference Version 2 [AS-096] or shown on the Special Category Land Plans [AS-018]. There are a number of works to the west of the A1 within the land title NT448560 and land parcel 5/7a as shown on Sheet 5 of the Land Plans [AS-004]. These works include Work Numbers 80, 81, 82, 83, 84, 86, 87 and 89 as shown on the Works Plans [AS-005]. The extent of the permanent works can be seen on the General Arrangement Plans [AS-007] and Figure 2.3, Environmental Masterplan of the Environmental Statement [AS-065]. These plans show the extent of the permanent works on the west side of the A1 and within plot 5/7a. The majority of this plot is utilised for the alignment of the new dual carriageway (Work No. 76), the Brownhills junction roundabout (Work No. 83) and attenuation ponds (Work Nos 82 and 89). These assets need to be maintained by the Applicant as part of the Strategic Road Network therefore there is no residual land in this plot that could be offered under licence Plots 5/7a, 5/7b, 5/7c, 6/1a and 6/1b identified within the Book of Reference Version 2 [AS-096] and shown on sheets 5, 6 and 7 of the Land Plans [AS-004] show the land required for acquisition of all rights and interests, temporary possession and permanent acquisition of rights. The Applicant is seeking to acquire all rights and interests in the plots which are needed for construction of the Scheme by agreement in the first instance. The Applicant is content to enter into an agreement with the Interested Party, either to acquire the land by agreement in line with the requirements identified in the Land Plans [AS-004] or to explore alternative options to allow future use of the remaining parcel of land if the landowner wishes to retain ownership which will not form part of the Strategic Road Network and is looking to progress matters with the Interested Party. The Applicant confirms the limits of deviation may for example relate to the horizontal and vertical position and size of balancing ponds highlighted within the Works Plans [AS-005] as these may change in size and location during detailed design within the highlighted area. However, the limits of deviation will be constrained to those limits set out in Article 10 of the draft Development Consent Order [APP-021]. Drainage is generally below final ground level but may also take the form of ditches and swales which may vary in height and position within the limits of deviation set out.
RR-078	Winthorpe Primary School	**1)** The underpass - Our children and school community use the underpass to cycle and walk to school. Some of our pupils take this route by themselves. It is imperative for the school that the cycling and walking route remains open without long detours during all construction phases as up to 27% of Winthorpe Primary School pupils can use this route to and from	Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] recognises Winthorpe Primary School as a key community asset and considers the impact of the Scheme on it. The underpass under the A1 (between Newark and Winthorpe) forms part of National Cycle Route 64 and the Trent Valley Way and it is acknowledged that the route is used daily for recreation and commuting purposes. As set out in Table 12-12 of Chapter 12 (Population and

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		school. As well as remaining open, the route also needs to remain accessible and free of long detours to enable everyone to be able to get to and from school easily and safely, along with the pushchairs, scooters etc. that accompany the school run. **2)** Road access to the school – Only 26% of our school population live in Winthorpe. We encourage as many families as possible to walk and cycle to school, but a large proportion travel to school from outside of Winthorpe village. During the construction phase it is essential that these children can continue to get to and from school easily on a daily basis. Long detours and delays caused by the road improvements could have a devastating effect on our pupil numbers and threaten the viability of the school. **3)** Increased pollution levels around the school – We are concerned that the school may be adversely effected by noise and air pollution during the construction stage. We try to spend as much time as possible outside in our lovely school grounds and are concerned that our ability to do this may be impeded or spoilt during the construction phase. In addition, will there be increased noise and air pollution within the school grounds once the road improvements have been completed. Have mitigating factors been identified to limit the impact of the construction and road pollution on the school? **4)** Thoroughfare Lane – Could Thoroughfare Lane be utilised and improved to enable a safe pedestrian and cycle route to both the school and the village? **5)** Safety – Due to the school site being in close proximity to a national infrastructure construction zone, what factors will be put in place to protect the children and staff?	Human Health) of the Environmental Statement [APP-056], there will be temporary changes in access to the route throughout the construction phase, resulting in a slight adverse effect. However, as access will be maintained throughout the construction period and would not require the use of lengthy diversions, the effect is not expected to be significant. Section 2.3.20 to 2.3.22 of the Outline Traffic Management Plan [APP-197] and sections 2.6.144 to 2.6.160 describe the temporary provisions for the walking and cycling route along the Winthorpe Road and the construction phasing that will be utilised to provide safe access along this route during construction. Once operational, the permanent realignment or the route will increase the distance of the route by 105 metres (as set out in Table 12-16 Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]). The assessment concludes that the realignment would result in a moderate adverse effect due to the daily use of the route. However, the realignment will result in an upgraded, segregated route for walkers and cyclists, which is anticipated to be safer to use for users. The new route will also include a signalised crossing of the Brownhills Junction slip road which will further improve safety. In conclusion, the existing route will be retained whilst the new Brownhills Underbridge is constructed, it will then be moved onto its permanent alignment thus avoiding closures and long diversions. Table 12-13 of Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] considers the impact on road access to local services within Winthorpe, including Winthorpe Primary School, as a result of construction activities associated with the Scheme. In line with National Highways' Design Manual for Roads and Bridges, the sensitivity of the school is identified as high, in recognition of the daily use of the school. The realignment of Winthorpe Roundabout will temporarily affect 400 metres of the A1133. While the A1133 is the primary route between Winthorpe and Newark-on Trent and the A46, access via this route will be maintained throughout the construction period with construction traffic managed via a Traffic Management Plan which will be based on the Outline Traffic Management Plan [APP-196] and secured through Requirement 11 of the draft Development Consent Order [APP-021]. As such, the assessment concluded there is a slight adverse effect on users accessing local services within Winthorpe during the construction period. The effect is not expected to be significant. The Outline Traffic Management Plan [APP-196] describes the closures and diversion routes that would be required to construct the Scheme. The diversion routes for closures specific to the A1133 are detailed in section A.1.6 and these would be limited to night-time only. During construction, the Scheme has the potential to affect air quality due to dust-generating activities and changes in emissions associated with traffic management measures and changes in traffic flows. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] confirms that the impact of emissions from construction traffic is not considered to have the potential to result in significant air quality effects as the predicted change in construction traffic is temporary, not programmed to last more than two years and there are no locations within the study area at risk of exceeding air quality objectives. Modelled base year (2022) concentrations presented in Table 1-1 of Appendix 5.1 (Air Quality Receptor Results) of the Environmental Statement Appendices [APP-128] also show that modelled pollutant concentrations are well below the air quality objectives. Therefore, existing and modelled concentrations in the study area comply with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007. The assessment also confirms that temporary traffic management measures will not have a significant effect on air quality. This is due to the temporary nature of overnight road closures and temporary reductions in speed limits not significantly affecting emissions. Chapter 5 (Air Quality) of the Environmental Statement [AS-021] presents the construction dust assessment and has followed National Highways' Design Manual for Roads and Bridges LA 105 Air Quality guidance. The construction dust assessment identifies sensitive receptor locations within 200 metres of any construction activities and construction compounds to determine the risk potential. The identified receptors include Winthorpe Primary School, which falls within the 100-200 metres distance band presented in Table 5-11 of Chapter 5 (Air Quality) of the Environmental Statement [AS-021] and is shown in Sheet 1 Figure 5.3 Air Quality Construction Dust Buffer of the Environmental Statement [AS-030]. Construction dust will be controlled using best practicable means, such as wetting down and

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			minimising the height of stockpiles, and effects at the identified receptors, which include Winthorpe Primary School, are not predicted to be significant. The mitigation (dust control) measures are secured in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [APP-184]. For the operational phase assessment and following National Highways' Design Manual for Roads and Bridges LA 105 Air Quality, human health receptors included in the dispersion model were those within 200 metres of the affected road network selected at locations likely to have the highest pollutant concentrations (such as those closest to the road or junction) or anticipated to experience the highest level of change (next to roads where the Scheme is predicted to cause the largest change in traffic). The affected road network is made up of roads which meet the DMRB LA 105 Air Quality traffic scoping criteria i.e. a change of over 200 and 1,000 movements per day respectively for heavy-duty vehicle and total daily traffic, as well as changes in speed band and carriageway alignment of at least 5 metres. Winthorpe Primary School is located approximately 230 metres from the affected road network and is therefore not included as a modelled receptor. However, human health receptors along the A46 on the outskirts of Winthorpe, which are within 200 metres of the affected road network, have been included in the assessment. The modelled human health receptor closest to Winthorpe Primary School is R29 located on Hargon Lane approximately 100 metres from the A46 (see Sheet 7 Figure 5.1 Air Quality Receptors of the Environmental Statement Figures [AS-028]. At R29 the predicted annual mean NO2 concentration is 17.2µg/m3 in the opening year (2028) which is below the air quality objective and the change in predicted concentration is expected to be imperceptible (less than 0.4µg/m3). The predicted change and total concentration at Winthorpe Primary are expected to be lower than R29, given that the school is approximately 500 metres from the A46 and 100 metres from the A1133). During operation of the Scheme there are not predicted to be any exceedances of the NO2 or particulate (PM10 and PM2.5) air quality objectives (40ug/m3 for NO2 and PM10, and 20ug/m3 for PM2.5) at any human health receptors within the study area and therefore, the Scheme complies with the Air Quality (England) Regulations 2000 (as amended) and Air Quality Strategy 2007, which set out the air quality objectives. Therefore, in accordance with paragraph 2.90 of DMRB LA 105, Chapter 5 (Air Quality) of the Environmental Statement [AS-021] has concluded no likely significant effect for human health. On this basis, air quality mitigation measures are not required for the operational phase of the Scheme. Paragraph 11.7.3 of Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] explains that National Highways' Design Manual for Roads and Bridges LA111 notes that a study area of 300 metres from construction activity is normally sufficient to encompass sensitive receptors that may be affected by construction noise. In this case the school lies within the construction noise study area as shown in Figure 11.2 (Construction Noise Study Area) of the Environmental Statement Figures [AS-056]. The nearest representative noise sensitive receptor for which construction noise calculations have been carried out is 127111 as shown in Figure 11.11 (Construction Noise and Vibration Assessment Locations) of the Environmental Statement Figures [AS-065] which is slightly closer to the works than the school. Tables 11-14, 11-15, 11-17, 11-22, 11-23, and 11.29 in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055] present daytime construction noise levels relevant to this representative receptor, indicating that the baseline noise level of 58dB(A) is only exceeded during one construction phase, with highest predicted level of 61dB(A) during the bulk fill activity which would be classified as a minor impact i.e. no significant effect is anticipated / no mitigation is required to address construction noise. Low noise surfacing will be used to mitigate the effect of operational noise on the school and in the vicinity of the Scheme in general, and Winthorpe in particular, as well as noise barriers from the Esso Service Station to the Winthorpe Roundabout, transitioning at the midpoint from barrier at the roadside to barrier on the crest of the adjacent bund. These mitigation measures are shown on Figure 2.3 (Environmental Masterplan) of the Environmental Statement [AS-026]. While operational noise impacts of the Scheme are adverse in some areas and beneficial in others, none of these are significant and in particular the estimated noise level change at the school is assessed as negligible in both the short-term and long-term as shown in Figure 11.9 (Short-term Noise Change) [S-063] and Figure 11.10 (Long-term Noise Change) of the Environmental Statement [AS-064] respectively.

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			Requirement 16 of the draft Development Consent Order [APP-021] secures the provision of the noise mitigation measures presented within Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [AS-026] and as set out in Chapter 11 (Noise and Vibration) of the Environmental Statement [APP-055]. The route to the east of Hargon Lane to the A1133 crossing at Winthorpe Roundabout was selected to provide a link to the Showground entrance which offered a route from the centre of Winthorpe village which was also integrated into the landscape design. A route along Thoroughfare Lane and then running along the A1133 was considered but it was discounted due to concerns raised that animals within fields will be disturbed and its location was not as beneficial to all Winthorpe residents. The proposed construction phasing for the new Brownhills Junction has been developed to maintain a safe pedestrian access along Winthorpe Road which is used by the residents of Newark and Winthorpe, including those delivering and collecting children from school. The construction phasing for the Brownhills Junction is set out in section 2.6.144 to 2.6.160 in Chapter 2 (The Scheme) of the Environmental Statement [APP-046]. Secure fencing will be erected along the boundary of the work site to prevent unauthorised access. The Outline Traffic Management Plan [APP-197] has identified Gainsborough Road as a restricted route for construction traffic. Table 2-3 of the Outline Traffic Management Plan [APP-196] states that this road will not be used by HGV's or LGV's during the construction of the Scheme. Access will be limited to cars/vans that need to access the technology and electrical infrastructure adjacent to the A1 underpass therefore removing construction traffic from using the route. This approach will not increase safety hazards along the route and will not impact on school safety as the increase in traffic will be limited to a few journeys per week. The Applicant will liaise with the local schools in advance of construction commencing to arrange educational events involving Science, Technology, Engineering and Mathematics (STEM) subjects and promoting awareness of the hazards of construction sites. Details of the events will be agreed with the schools and detailed in the construction communications plan which is referenced within 2.17.6 of the Outline Traffic Management Plan [APP-196].
RR-079	Winthorpe and Langford Parish Council	On behalf of Winthorpe with Langford Parish Council, our general concerns regarding the proposed dualling of the A46 around Newark concern: 1. Risk of flood and water course contamination during the construction phase - particularly The Fleet and Slough Dyke, which will be re-directed. 2. Minimising of restricted access to Winthorpe village during construction of the enlarged Winthorpe Roundabout - which will include temporary closure of the A1133 3. General disruption to the Winthorpe village community and loss of land (permanent and temporary) during the 3.5 year construction phase 4. Impact on Winthorpe School and village pub during the nearby construction upheaval - resulting in an inclination to avoid, with potentially severe repercussions 5. Given the 50mph speed limit on the new A46 route between Newark and Winthorpe roundabout, which we welcome, it makes no sense to revert back to national speed limit from Winthorpe Roundabout along the (modified) A1133 towards Langford, which is recognised as a dangerous stretch for drivers exiting Winthorpe onto the A1133. This limit should be reduced.	The Applicant confirms that flood risk during the construction phase of the Scheme is set out in Chapter 9 of Appendix 13.2 Flood Risk Assessment of the Environmental Statement [APP-177]. Chapter 9 of the Flood Risk Assessment [APP-177] conservatively considers the flood risk for the short period towards the end of the Scheme, when both temporary and permanent works may simultaneously be in place. Figure 9-1 of the Flood Risk Assessment [APP-177] predicts that in the vicinity of Slough Dyke (The Fleet), flood depth differences in the 3.33% Annual Exceedance Probability (AEP) event are negligible compared to the baseline. Therefore, the flood risk from rivers to the Winthorpe village community will be unchanged during and post Scheme construction. Construction phase impacts to water quality are considered in Chapter 13 Road Drainage and Water Environment of the Environmental Statement [APP-057], with specific reference to Slough Dyke (The Fleet) realignment. The assessment in Table 13-9 of Chapter 13 Road Drainage and Water Environment of the Environmental Statement [APP-057] includes consideration for Slough Dyke (The Fleet) realignment activities, including altered flow dynamics, over-pumping, temporary culverting, sediment mobilisation and bank stability works. Mitigation measures for Slough Dyke realignment, inclusive of pollution prevention measures and emergency response procedures as specified in the First Iteration Environmental Management Plan [APP-184], result in a magnitude of impact which is negligible. Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] assesses the impacts of the Scheme on land take and access to local businesses, homes, and community services during construction and operation, including those in Winthorpe. As set out in Table 12-12 Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056], it was acknowledged that the realignment of Winthorpe Roundabout will temporarily affect 400 metres of the A1133. However, as access will be maintained to Winthorpe throughout the construction period with no construction traffic using Gainsborough Road, with disruption minimised via the implementation of a Traffic Management Plan which will be based on the Outline Traffic Management Plan [APP-196]

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			(secured by Requirement 11 of the draft Development Consent Order [APP-021]), any delays are expected to be minimal and therefore are not considered significant. The Outline Traffic Management Plan [APP-196] has identified Gainsborough Road as a restricted route for construction traffic. Table 2-3 of the Outline Traffic Management Plan [APP-196] states that this road will not be used by HGVs or LGVs during the construction of the Scheme. Access will be limited to cars/vans that need to access the technology and electrical infrastructure adjacent to the A1 underpass. Regarding the concern relating to the loss of land, the Applicant understands that there are no parcels of land (permanent or temporary) owned or occupied by the Interested Party. Land needed for the Scheme is either individually owned or by an organisation that have been informed of land take or land use requirements for the Scheme. The Applicant has taken measures to minimise land take during the design and by only taking land, which is necessary, either temporarily or permanently, for the scheme and returning land to the landowner where only temporary acquisition is required. The Applicant acknowledges the comment and future engagement and notifications will inform the Winthorpe Village Community of the Scheme schedule and programme. The impact of the construction of the Scheme on local community facilities and services within Winthorpe, including Winthorpe Primary School, the local pub and other local businesses, is considered within Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]. In line with the Design Manual for Roads and Bridges LA 112 Population and Human Health, the sensitivity of the community assets in Winthorpe is assessed as High, in recognition of their daily use. As stated previously, the realignment of Winthorpe Roundabout will temporarily affect 400 metres of the A1133. However, as access will be maintained to Winthorpe throughout the construction period, with disruption minimised via the implementation of a Traffic Management Plan, which will be based on the Outline Traffic Management Plan [APP-196] any delays are expected to be minimal. Additionally, access to community assets in Winthorpe via active travel routes, including the underpass upon which the National Cycle Route 64 and Trent Valley Way follow, will additionally be maintained throughout the construction of the Brownhills Junction. This will be along the existing route whilst Brownhills Underpass is constructed and then be transferred through Brownhills Underpass along the new permanent route. This is set out in Table 12-12 of Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056]. Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] also considers the impact of the Scheme on amenity. Changes in amenity result from a combination of significant residual (post-mitigation) effects reported in other topics, specifically noise, vibration, air quality and visual effects. For an amenity effect to be identified, at least two residual effects must combine at the same location. As no significant residual noise or air quality impacts were reported at Winthorpe Primary School or the village pub, Chapter 12 (Population and Human Health) of the Environmental Statement [APP-056] concludes that there is no effect on amenity, and therefore human health, during construction or operation of the Scheme. The Applicant discussed the speed limit along the A1133 as part of the consultation process with Nottinghamshire County Council who are responsible for speed limits along the route and required the national speed limit to be retained as they could not see any justification to restrict the speed limit in this area.
RR-080	Trustees of Newark Ransome and Marles Cricket Club	The Trustees received the attached notice which stated they had until the 24 July 2024 to submit their Representation, I note on your website that there is no longer the facility to submit reps and contact should be made either using the email (used above) or phoning 0303 444 5000. Please find below Reps we would like submitted into the examination on behalf of my client. Comments submitted by Lucie Muddiman (Savills (UK) Ltd) on behalf of to: "Register to have your say about a national infrastructure project due by 14 July 2024" Land Parcels 3/5a, 3/2c, 3/7b and 3/7c **1.0** Preamble **1.1** Savills (UK) Ltd 'Savills' has been asked to act on behalf of the Trustees of Newark Ransome and Marles Cricket Club, Savills land agent leading on this matter is Lucie	The Applicant has acknowledged the comments and updated the Book of Reference Version 2 [AS-096] to refer to 'Trustees of Newark Ransome and Marles Cricket Club' rather than the different Trustees individually referenced. The initial reasoning for listing the trustees individually was because the section B proprietorship entries from land registry title NT292220 displayed the names and addresses of each of the Trustees. The Applicant can confirm the access track is identified within Works No. 37, as shown on sheet 3 of the Works Plans [AS-005]. This consists of the construction of attenuation basins, access track and associated drainage infrastructure, to the south of the A46 southbound on-slip. The Applicant would advise that these works are within land plots 3/7d and 3/12a as shown on sheet 3 of 7 of the Land Plans [AS-004]. The access track would be used for the maintenance of the highway in operation, including maintenance of the attenuation ponds, landscaping and access to the southern portal

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		Muddiman. Having reviewed the documents submitted in conjunction with the A46 Newark Bypass DCO application our comments are as follows:- **2.0** Main Points **2.1** Formalising The Trustees ownership of Parcel 3/2c **2.2** Update The Book of Reference and Statement of Reasons so that any ownership Category 1, Category 2 (and where relevant Category 3) refers to Trustees of Newark Ransome and Marles Cricket Club rather than the different Trustees. **2.3** Engagement of National Highways with The Trustees and Savills to formalise temporary acquisition and any permanent rights required. **2.4** Address concerns over Access and Maintenance Track in 3/1j. **2.5** Address concerns regarding drainage renovation and redevelopment improvement works proposed by The Trustees amounting to circa £750,000 - £850,000. **2.6** Boundary fencing – new, existing and ongoing maintenance . **3.0** Ownerships (Parcel 3/2c) **3.1** This Parcel is shown as unregistered. The Trustees of Newark Ransome and Marks Cricket Club "The Cricket Club" believe this is owned by them, it has always been occupied as part of the cricket club and used as an access track, and maintained as such. They are willing to complete a statement of truth, stat dec to this affect. In the Book of Reference it only states they are Category 2 and we believe they should be treated as Category 1. **4.0** Inconsistency with naming of affected person (Parcel 3/5a) **4.1** In the Book of Reference it names Andrew Jonathan Fearn, Patrick John Burke and Luc Chignell as owners. They are Trustees of Newark Ransome and Marks Cricket Club (NR&MCC), in the Statement of Reasons there is Andrew Jonathan Fearn (in association with Newark Ransome and Marles Cricket Club), Luc Chignell, Patrick John Burke, Robert Doncaster all named as owners. This is confusing, please can we change all reference to 'the owners' in Category 1, 2 and (if relevant) 3 to Trustees of Newark Ransome and Marles Cricket Club c/o Luc Chignell. **5.0** Negotiations for temporary acquisition (Parcel 3/5a, 3/2c, 3/7b and 3/7c) **5.1** The Book of Reference says Luc Chigwell has responded in connection with land they own (3/5a) and land they have an interest in (3/2c, 3/7b and 3/7c (these are used as an access) on the 31.10.2023 to say the Trustees will enter into negotiations, however nothing has been forthcoming, there is and has been a lack of meaningful engagement. Securing a continued access to the cricket club during and post construction is vital to ongoing operations, this is the only means of access into The Club; we require engagement from the Project Team to formalise access and maintenance arrangements. **6.0** New Access and Maintenance Track located in 3/1j (Parcel 3/5a, 3/2c, 3/7b and 3/7c impacting retained land to the west of this) **6.1** GENERAL ARRANGEMENT PLANS REGULATION 5(2)(o) SHEET 3 OF 7 shows a new 'Private Means of Access' (labelled 'Access and Maintenance Track' on other documents). This is a new access and has potential to create a nuisance and anti-social behaviour. We require this gated at each end and a formal agreement with National Highways to undertake maintenance and replacement of the gates (if damaged) to ensure no trespass onto The Trustees retained land which forms the cricket pitch so the Trustees and other users of the Cricket Club can enjoy the Property without being affected by anti-social behaviour, at no additional cost or disruption to the Trustees and users of the Cricket Club. **7.0** Drainage	of the flood relief culvert (Work No. 50a as shown on the Works Plans [AS-005]). Access to the track would be restricted to authorised highway personal only via a locked gate where the access track joins Kelham Road. The Applicant will need to replace approximately 60 meters of existing post and four rail boundary fence between the A46 highway and plots 3/5a and 3/2c (refer to sheet 3 of 7 in the Land Plans [AS-004]). The remaining fence to the west of plot 3/5a will remain as existing. The section of fence to be removed will facilitate the construction of a new retaining wall, shown as Works No. 35 on sheet 3 of 7 of the Works Plans [AS-005]. The Applicant will replace the removed section of fence with a new post and four rail fence and hedge, consistent with the existing boundary condition. The Applicant acknowledges the comments raised with regards to 'believed' ownership of parcel 3/2c (land and highway known as Kelham Road). By checking the HMLR (His Majesty's Land Registry) the extent of the parcel of land is still showing as unregistered land. As mentioned by the Interested Party the land is occupied as part of the Cricket Club and used as an access track, and maintained as such; amendments can be made to update the Book of Reference Version 2 [AS-096] to illustrate the 'Trustees of Newark Ransome and Marles Cricket Club' to be shown within Part 1, category 1 of parcel 3/2c *'as presumed owners'* alongside an unknown owner (already cited within the Book of Reference Version 2 [AS-096]) entry within this parcel. Further details on why each plot of land is required to deliver the Scheme with reference to the Land Plans [AS_004] and Works Plans [AS-005] can be found at Annex A of the Statement of Reasons [APP-025] The Applicant can confirm the access track is identified within Works No. 37 as shown on sheet 3 of the Works Plans [AS-005]. This consists of the construction of attenuation basins, access track and associated drainage infrastructure, to the south of the A46 southbound on-slip. The Applicant would advise that these works are within land plots 3/7d and 3/12a as shown on sheet 3 of 7 of the Land Plans [AS-004]. The access track would be used for the maintenance of the highway in operation, including maintenance of the attenuation ponds, landscaping and access to the southern portal of the flood relief culvert (Works No 50a as shown on the Works Plans [AS-005]). Access to the track would be restricted to authorised highway personal only via a locked gate where the access track joins Kelham Road. Points 5.0 and 5.1 – note to logistics team: further comments regarding engagement to be addressed by NH Lands Team with regards to current state/schedule of negotiations to discuss the maintenance arrangements. Lands team have provided the following text to support the response: The Applicant met with representatives from the cricket club on site on the 17 September 2024 to clarify certain questions within the Relevant Representation. During this visit it was confirmed by a representative of the Cricket Club, that there are no National Highways drains within the cricket club land. The drain referred to in the relevant representation is the National Highways drainage ditch at the toe of the A46 embankment. This ditch is for the drainage network associated with the strategic road network and does not drain the cricket club land. Representatives from National Highways have inspected the ditch with a representative from the cricket club in October 2020 and again in February 2024. On both visits the highways ditch was observed to be functioning and draining the highway water to the outfalls. The eastern cricket pitch is approximately one meter below the level of the highway ditch. The highway ditch does not form part of the cricket pitch drainage system. The standing water observed on the cricket pitch in February 2024 is a result of the storm events in the winter of 2023/2024. At the site visit in September 2024 the representative of the cricket club confirmed that there is no positive drainage outfall for the eastern pitch and that it is in a low spot. The representative from the cricket club did maintain that the highway ditch was still a contributor to the ability of the flood water to dissipate. This position is not accepted by the Applicant given the existing topographical constraints that the eastern pitch is located within. The Applicant was informed that the cricket club and the English Cricket Board have commissioned a consultant to develop solutions for the eastern pitch. The Applicant will engage with the cricket club when information is available to understand the interface with the Scheme. The Applicant confirms the Farndon East FCA would drain into the Old Trent Dyke.

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		7.1 The Cricket Club is affected almost annually by flooding with damage to both the pitch and buildings. The Cricket Club are currently undertaking a project to build new changing rooms at a cost of £0.5 million, the England Cricket Board (ECB) are planning to spend between £150,000 - £250,000 on flood restoration works to include land drainage; it is vital that the existing problem caused by flooding and lack of maintenance to the National Highways drain on Trustees land is addressed. We also require the proposed drainage and flood mitigation works for the A46 widening take into account the Cricket Club and the drainage improvement works they plan to undertake to ensure synergy in the two designs. The Cricket club has a National Highways drain on their land which runs to The Old Trent Dyke, this National Highways drain is frequently blocked due to lack of maintenance and not fit for purpose, it does not allow sufficient water to get away into The Old Trent Dyke. **7.2** Having reviewed the documents we note the following:- **7.2.1** App - 57 ES Volume 6.1 Chapter 13 Road Drainage and the Water Environment at 13.10.14 states that Farndon East Flood Compensation Area (FCA) would drain into the Old Trent Dyke. **7.2.2** App - 57 13.11.4 states that construction and modification of culverts and bridges as part of the Scheme along the Old Trent Dyke have potential to cause disruption to the natural hydraulic and sediment transport. **7.2.3** App – 57, further on in Table 13-9: Assessment of likely significant effects during construction it states culvert extensions and works within both 'Farndon East and Farndon West FCAs' have the potential to affect this (Old Trent Dyke) watercourse. Construction works associated with these activities may result in a temporary change in quantity of water within the watercourse during construction, as well as a potential risk of scouring from temporary over-pumping. This has the potential to alter the flow within the watercourse, however this would be short-term and localised. Mitigation Measures will be addressed in The Second Iteration EMP. **7.2.4** App – 57 13.11.15 states that receding floodwater at Farndon East FCA and Farndon West FCA will flow into the Old Trent Dyke in a flood event, 13.11.34 states that there could also be a ground water element that would flow from the FCA's into the Old Trent Dyke. **7.2.5** Table 13-10: Assessment of likely significant effects (Operation) states there is a potential for contaminated surface water runoff to be discharged into surface waterbodies if the drainage design is overloaded, although the risk is considered acceptable and it states that mitigation measures will include maintenance of the drainage network to reduce the risk of blockages. **7.2.6** In App-179 6.3 Appendix 13.4 Drainage Strategy Report it states that for Catchment C9 (which is the embankment which runs alongside the cricket ground) it is assumed that run-off is conveyed down to the drainage ditch, at the toe of the embankment, prior to discharging uncontrolled into the Old Trent Dyke. **7.2.7** The Drainage ditch at the toe of the embankment on Cricket Club land is constantly blocked by debris from the road and foliage, we would dispute point 4.2.2 in App-179 that the drainage system is fully functional, rather any excess surface water overflows onto the cricket pitch which allows it to get away from the main road. To ensure the drainage system works effectively, regular maintenance needs to happen. **7.2.8** We require pre and post construction land drainage plans to be made available asap and designed in synergy with The Cricket Clubs appointed Sports Drainage Consultant. **7.2.9** We require the drainage consultant employed by the Cricket Club as part of their	The Applicant has assessed the increased footprint of the A46 and the associated changes to culverts and structures for scour and there are no areas that are worse than the current situation. Flow rates within the Old Trent Dyke are to be managed with an overflow into Farndon East FCA so that the dyke capacity is not exceeded. In addition, the Applicant has introduced attenuation storage within the east and west FCA which will reduce the volume of water travelling down the Old Trent Dyke. Receding floodwater at Farndon East FCA and Farndon West FCA would flow into the Old Trent Dyke in a flood event which is consistent with the existing flood mechanism for this land, there could also be a ground water element that would flow from the FCA's into the Old Trent Dyke. Highway water run-off will be transported to the attenuation basins located along the Scheme where it is treated along the swales and within the basins themselves prior to outfalling into water courses where it will be below acceptable pollution limits stated within National Highways' Design Manual for Roads and Bridges. Should a spillage occur on the highway which has the risk of polluting water courses then this will be intercepted at carriageway level to prevent it entering the swales and basins. Each basin also has a penstock fitted, these will be closed during such an event to remove the risk of contamination entering the basin and ultimately outfalling into a watercourse. The existing carriageway is drained by gulleys on the eastern kerb line. As-built records show that these gulleys outfall into the toe of batter ditch, this ditch then outfalls into the Old Trent Dyke the flood relief culvert at Cattle Market roundabout. The Applicant does not agree to the cricket club's drainage consultant becoming a consultee for the Second Iteration Environmental Management Plan as the development is located outside of the Order Limits and will not be impacted by the Scheme. The Applicant will engage with the cricket club when their proposals for their flood alleviation scheme become available. Given the proximity of the cricket club's proposed works to the Scheme it is likely that the National Highways, in their role as maintainer and operator of the Strategic Road Network, will be asked to make formal representation on any planning application that is made. The Applicant would encourage the Cricket club to share their outline proposals at their earliest convenience. The Applicant has informed the appropriate persons within National Highway about the condition of the sports fencing and the vegetation. National Highways undertook an inspection on the 3rd of October 2024 and will be contacting the Interested Party to discuss the findings and recommendations. The Applicant is content to enter into an agreement with the interested party in respect of temporary acquisition, rights of access and maintenance in connection with 3/5a, 3/2c, 3/7b and 3/7c. The Applicant will work to develop any such agreement with the intent to conclude before the end of Examination.

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		facilities improvement to be consulted when finalising the Second Iteration EMP to highlight any areas of concern within the Second Iteration EMP and the facilities and drainage improvement works planned for the Cricket Club. It is vital that in forming a plan to address the drainage at the Cricket Club, the Cricket Club's drainage consultant has the most recent modelling of the drainage mitigation works and any amendments included in the Second Iteration are designed with consideration for the Cricket Clubs drainage remediation works. We require any additional costs incurred by the Cricket Club's drainage consultant to be covered and full disclosure and co-operation between the Acquiring Authority and the Cricket Club drainage consultant to ensure synergy between the two schemes to avoid any future preventable losses by the Cricket Club and future claims by the Cricket Club against National Highways. **7.2.10** We require a formal agreement for periodic maintenance of the internal drain on Cricket Club land. **8.0** Boundary Fencing **8.1** The existing fencing between The Cricket Club and the A46 is Sports Fencing; due to lack of maintenance on National Highways side, trees have grown up and are leaning on the fence undermining it with the fence leaning onto the internal access track serving the cricket pitch. Despite numerous requests by The Trustees to National Highways this has not been addressed and poses a significant Health and Safety risk to users of the Cricket Club as they are concerned the fence could fall on a car. **8.2** We require the existing fence re-building and reinstating and the problem trees removing. We also require provision within the accommodation works for the road scheme to ensure that adequate Sports Fencing is included as part of these accommodation works and the land on National Highways side maintained to prevent future problems and a dangerous Health and Safety risk. **9.0** Recommendations **9.1** The Cricket Club to formalise the ownership of Parcel 3/2c and to be treated as owner. **9.2** Amend the Book of Reference and Statement of Reasons so there is consistency when referencing Category 1 and Category 2 owners / interests for 3/5a, 3/2c, 3/7b and 3/7c so it reads Trustees of Newark Ransome and Marles Cricket Club c/o Luc Chignell. **9.3** Formalise an agreement for temporary acquisition, rights of access and maintenance in connection with 3/5a, 3/2c, 3/7b and 3/7c, National Highways to issue a set of Heads of Terms. **9.4** Provide further details regarding the Access and Maintenance Track (3/1j) and confirmation that there will be gates at either end to prevent access onto The Cricket Pitch. **9.5** A meeting to be set up between The Cricket Club's drainage consultant and the relevant drainage consultants at National Highways to address existing drainage issues and to inform The Club's flood restoration plans and National Highway's Second Iteration EMP. **9.6** With immediate effect please address the current issues with the Sports Fencing at The Cricket Club. As part of the accommodation works following construction of the road, ensure that the section of road that runs contiguous with The Cricket Club has adequate sports fencing and that National Highways land is maintained in the future to ensure no future problems from trees and foliage.	

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AS-101	Castlegate Pension Administration	PENDENNIS FOODS LTD PENSION SCHEME Castlegate Trustees Limited as Trustees of the Pendennis Foods Ltd Pension Scheme, owners of the above property have recently been made aware of the proposed A46 Newark Bypass. The proposed bypass severely impacts negatively on the property, both physically and financially. In the view of this we wish to raise an objection to the National Highways proposal. Our agents, Savilla, have contacted the VOA to discuss the mdtter in more detail. In the meantime, we would be grateful if you could acknowledge out objection.	The Applicant notes the interested party's concerns, a meeting took place between the Applicant's valuer (VOA) and the landowner's valuer (Savills) on 7 October 2024 to discuss the matter in more detail. The Applicant will work with the interested party to find a resolution to their concerns and to progress matters by agreement.