



APPLICATION BY NATIONAL HIGHWAYS FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR A46 NEWARK BYPASS LIMITED.

WRITTEN SUMMARY ON BEHALF OF LINDUM DEVELOPMENTS LIMITED (IPR -20049504 RR- 037

PLOTS NOS 5/15a, 5/15b,5/15c and 5/16a

1. This is a written summary is made on behalf of Lindum Developments Limited ('Lindum'] of the oral submission made to the Examination at the Compulsory Acquisition Hearing 2 on the morning of the 3rd December. Lindum was also due to appear at the specific site hearings on the afternoon of the 3rd December and the morning of the 4th September however it was agreed with the examining authority that this was not necessary as Lindum's position was understood from the submissions made on the morning of the 4th December.
2. Lindum owns or has an interest in plots 5/15a, 5/15b,5/15c and 5/16a (the Plots') and surrounding land north of the A17 coloured yellow on sheet 5. Lindum's land is allocated for development for mixed commercial/employment purposes in the adopted Newark & Sherwood Allocations and Development Management DPD (2013) with site reference NUA/MU/1 and it represents a significant opportunity to create employment in the area and contribute to the Government's growth agenda. The land is currently the subject of an application for planning permission by Lindum which is awaiting determination (Planning reference 23/02281/OUTM with Newark and Sherwood District Council).
3. The DCO application proposes a new cycleway/footpath across Lindum's land (the 'Application Route') which would dissect the land and substantially limit the amount of development on the NUA/MA/1 land due to the need to work around it. An alternative route for a new cycleway/footpath is available which would run around the Lindum land along the A46 and then south to the A17 (the 'Alternative Route'). This Alternative Route is entirely within the ownership of Lindum and would not materially limit the development of the NUA/MU/1 land. The Alternative Route has been agreed in principle by the applicant, National Highways, and a plan showing the Alternative Route in pink, provided by National Highways follows –



4. The acquisition of the Plots is not necessary. There is an Alternative Route that has been agreed in principle on land which Lindum own and which Lindum is in principle happy to convey to National Highways by agreement.
5. The Application Route would significantly limit the opportunity to develop the NUA/MU/1 site for employment purposes thus having a negative impact on economic well being and the Alternative Route, which has been agreed in principle, is a reasonable alternative
6. It would not be in the public interest to provide the Application Route due to the impact it would have on the ability to fully develop allocated site NUA/MU/1 when there is a reasonable Alternative Route which would not have a material negative impact on the development of the NUA/MA/1 site for employment purposes .
7. The application should therefore be varied to show the Alternative Route instead of the Application Route. Alternatively, the applicant, National Highways, could enter into a legal agreement with Lindum not to implement the DCO in respect of the Application Route but to construct the Alternative Route instead. Since the hearing on the 4th December the applicant has sent a draft agreement to Lindum and Lindum are in the process of considering this.

12th December 2024

Schofield Sweeney

On Behalf of Lindum Developments Limited.

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