

TOWN AND COUNTRY PLANNING ACT**HIGHWAY REPORT ON PROPOSALS FOR DEVELOPMENT**

DISTRICT:	Newark	Date received	24/10/2023
OFFICER:	Amy Davies		
PROPOSAL:	Proposed ground mounted photo voltaic solar farm and battery energy storage system with associated equipment, infrastructure, grid connection and ancillary work.	D.C. No.	N/23/01837/FULM
LOCATION:	Land To The West Of Main Street Kelham		
APPLICANT:	Assured Asset Solar 2 Ltd - Mr Innes		

The highway authority provided observations on this planning application on 31/10/23 and 15/2/24. A meeting was held with the applicant's agents and the local planning authority on 10/5/24. The applicant has submitted revised proposals. Of particular interest to the highway authority are the revised site access scheme, the amended site layout, public access details, and the construction traffic management plan (CTMP).

Site Access Details Plan

The site access details plan, and the site access scheme presented in the CTMP (Sanderson Associates' drawing number 153626-001 Rev E), now show proposals for gates on the access road within the site which are some distance from the A617. Such gates would, together with the site access/access road layout, form a large, paved area all with open access to/from the A617. The layout could encourage people to drive into the site access and park on this area which would be obstructive and undesirable in highway safety terms. The previously submitted site access scheme (Sanderson Associates' drawing number 153626-001 Rev C) showed gates located between the A617 and the on-site access road which would be preferable.

Use of the site access, following construction of the proposed development, must be limited only to maintenance and emergency vehicle access. Revised gate details will therefore be needed, to be secured by planning condition.

Planning conditions are necessary to provide for the proposed access scheme (substantially as illustrated on Sanderson Associates' drawing number 153626-001 Rev E, save for the gate arrangements) to be approved and implemented prior to development commencement and for the provision and maintenance of appropriate visibility splays (as shown on Sanderson Associates' drawing number 153626-002 Rev D).

Paras 3.3.6 of the CTMP suggests that the existing field access to the north of the proposed site access will be used by NH during construction of flood compensation works as part of the Newark Bypass scheme. NH have not referred to this in their consultation responses on the planning application. NH will have to come forward with

their own proposals for use of that field access which would have to be substantially improved to accommodate construction access. Alternatively, construction access for the NH works could be taken via the proposed solar farm access arrangements, without the need for further direct access onto the A617. This would be preferable.

The field access would have to be closed in due course in any event. It is inappropriate for the solar farm scheme not to provide for closure of the redundant access on the basis that it might be used to accommodate works which have not yet been approved/permitted and which, if approved, may not be undertaken for some time after construction of the solar farm scheme.

Para 3.3.7 of the CTMP suggests that retention of the field access would not give rise to highway safety issues. The highway authority takes a different view. The field access is clearly visible on the A617 approach with road markings which confirm its availability. It sits to the north of the proposed site access (the direction to/from which most construction traffic would use) and provides views into the development site, including a clear view of the proposed internal site access road. Drivers could therefore confuse this access for the proposed development access and could either attempt to turn into the field access, and find that they must then reverse out, or slow down on the A617 when approaching it. Either outcome could give rise to interruption to free flow on the A617 which is objectionable in highway safety terms.

The highway authority therefore considers that the northern field access onto the A617 should be stopped up, with hedgerow planted along the highway boundary, the existing dropped kerb and footway replaced with a full height kerb and footway, and with road markings amended to suit. A planning condition is required to secure such works, with details to be approved prior to development commencement.

Construction Traffic Management Plan (CTMP)

The applicant has submitted a draft CTMP (dated 21/6/24). Para 1.5 of the CTMP states that “It should be noted that a more detailed CTMP will be submitted following the granting of planning permission, with specific details to be addressed in the detailed submission, which have only been outlined in this document at this stage.”

The submitted CTMP lacks detail and firm commitments in relation to a number of proposals (e.g. staff arrival/departure times). It also includes information (e.g. accident analyses, development description) which is superfluous and not relevant to a CTMP.

It is therefore appropriate for the applicant to submit a detailed CTMP for approval prior to development commencing. National Highways (NH) have asked to be consulted on the CTMP and have recommended a planning condition requiring submission of a CTMP.

A planning condition is therefore recommended, based on the draft condition recommended by NH but amended to address the interests of the County Council as local highway authority.

The CTMP proposes that, to minimise impacts on the A617 at Kelham Bridge, deliveries to site will not take place between 8am and 9.30am or 4.30pm and 6pm. Such arrangements are more appropriately secured by a specific planning condition to ensure an appropriate enforcement mechanism.

Car Parking

Details of parking provision for construction staff and visitors are illustrated in the CTMP. Overspill parking is inconveniently located. The location of, and space available for, parking will change during construction of the proposed development. The CTMP includes initial proposals for development phasing and shows the implications on car parking provision. Provision for review of parking requirements, provision and phasing can be addressed in the CTMP.

Construction Staff Travel Plan (CTSP)

The CTMP (paras 4.4.1 and 4.5.8) refers to construction staff travelling by “crew cab” to minimise traffic impact and car parking demand. However, details of this scheme are limited and the scheme lacks firm commitment. It is therefore appropriate for the applicant to submit a CSTP for approval prior to development commencing.

NH have asked that construction staff shift start and finish times should not coincide with normal highway peak periods (8am to 9am and 5pm to 6pm). Whilst this matter could be addressed in the CTSP or CTMP, it is likely to be better enforced through a specific planning condition.

Highway Condition Survey (HCS)

The CTMP (para 4.10.1) refers to the provision of a highway condition survey. Details are lacking. A planning condition is needed to secure an appropriate form of survey together with mechanisms for approval of the surveys and for securing any necessary remedial works.

Emergency Access

It is noted that Nottinghamshire Fire and Rescue have raised concerns relating to the geometry of the on-site access roads and whether they can accommodate emergency vehicles. A planning condition to require submission and approval of the on-site road details is therefore appropriate.

Public Access Details

The applicant has submitted a plan showing proposals for public access to/from and around the site. This shows a proposed permissive access route, shared with the on-site access track, which emerges onto the A617 via the proposed site access.

There is no public pedestrian/equestrian access onto the A617 at this location at present and new provision would be inappropriate in highway safety terms. It would also be inconsistent with proposals for gating the proposed access as indicated on the

The highway authority therefore recommends a planning condition to prevent public access via the proposed site access.

Rights of Way

The County Council's Rights of Way Officer has responded to the planning application, with recommendations relating to protection of the existing rights of way on the site. The Local Planning Authority should consider attaching planning conditions to secure the recommended measures.

A planning condition is needed to prevent construction traffic from entering the site via Broadgate Lane (which provides access to the public right of way).

Decommissioning

The proposed development is anticipated to have a life of 40 years, after which it may be decommissioned. The proposed site access may, subject to review at the time, be suitable for use in decommissioning the site. Following decommissioning, it may be appropriate to remove the proposed site access and/or replace it with a field access. The Local Planning Authority should consider how best to secure this, either by planning condition or section 106 agreement with the provision of a financial contribution to secure the cost of removal/amendment of the site access at the applicant's expense.

Recommended Planning Conditions

The highway authority has no objection to the application subject to the following conditions:

1. Prior to the commencement of the development hereby approved, a detailed Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the highway authorities for the A1 and A46 trunk roads and the A617. Construction of the approved development shall be carried out in accordance with the approved CTMP unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interest of highway safety and capacity.

2. Notwithstanding the submitted drawings, the A617 site access, as indicatively shown on drawing number 153626-002 Rev D (save for the provision of gates), shall be constructed in accordance with a detailed design to be first submitted and approved in writing by the Local Planning Authority. The approved access shall be maintained for the life of the development.

REASON: In the interests of highway safety.

3. The 2.4m x 160m site access visibility splays, as indicatively shown on drawing number 153626-002 Rev D, shall be provided prior to the A617 access being brought into use. For clarity, any hedge or other vegetation within 1m of the rear of the visibility splays shall be removed and the splays shall then be kept clear of all obstructions of 0.26m above adjacent carriageway level for the lifetime of the development.

REASON: In the interests of highway safety.

4. The development hereby approved shall not be commenced until the A617 site access has been completed.

REASON: In the interests of highway safety.

5. Notwithstanding the submitted drawings, gates at the A617 access shall be constructed in accordance with a detailed design to be first submitted to and approved in writing by the Local Planning Authority. The approved gates shall be maintained for the life of the development.

REASON: In the interest of highway safety.

6. Prior to the commencement of the development hereby approved detailed proposals for the closure of the existing field access on the A617 to the north of the proposed site access shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be commenced until the approved scheme has been completed.

REASON: In the interest of highway safety.

7. There shall be no vehicular or pedestrian access into the development site via Broadgate Lane.

REASON: To prevent development traffic from using Broadgate Lane for access, or for parking in connection with access, to the proposed development in the interest of residential amenity and highway safety.

8. The development hereby permitted shall not commence until a highway condition survey has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The survey shall be undertaken on the A617 between a point 160m to the south of the development access and a point 50m to the north of the A617 field access to the north of the development access. The survey shall include a plan, along with photographic evidence detailing the condition of the A617 surface, footways, verges, fences, and any trees and hedgerows. A subsequent survey following the same methodology shall be undertaken within 3 months of the completion of the development, with any defects noted alongside proposals to make good any defects which could be reasonably attributed to construction of the development. The survey report shall be submitted to and approved in writing by the Local Planning Authority. Any works deemed necessary shall then be undertaken within 3 months of approval

of the report.

REASON: To rectify any damage to the highway due to cumulative dynamic loading by development traffic, in the interest of highway safety.

9. No part of the development hereby permitted shall be occupied until a Construction Staff Travel Plan has been submitted to and approved in writing by the local planning authority. The Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the Local Planning Authority and shall include arrangements for monitoring of progress of the proposals. The Plan shall be implemented in accordance with the timetable set out in the Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of free flow and safety on the A617 and to reduce car parking demand within the site.

10. Construction staff shall not travel to and from the site between the hours of 8am to 9am and 5pm to 6pm.

REASON: To minimise development traffic impact on highway capacity.

11. Construction delivery vehicles shall not enter or leave the site between the hours of 8am to 9.30am and 4.30pm to 6pm or during darkness hours.

REASON: To minimise the impact of the development on highway capacity and in the interest of free flow and safety on the A617 at Kelham Bridge.

12. Details of measures to prevent and reduce the deposit of mud/debris on the public highway and measures to remove any such materials which may be deposited shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The approved measures shall be implemented prior to any other works commencing on site.

REASON: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.) in the general interests of highway safety.

13. The development shall not be commenced until the temporary car park for operatives and the on-site material set down area have been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

REASON: To reduce the risk of the development leading to parking on the public highway, in the general interests of highway safety.

14. The A617 access shall be used only by construction-related traffic, traffic associated with future maintenance of the development and emergency vehicles. No other vehicles shall use the access and the access gates must be always closed other than to allow passage of the aforementioned vehicles.

REASON: In the interests of highway safety.

15. The A617 access and field access closure schemes shall not be constructed until after comprehensive signing, to indicate construction traffic routing, and traffic management arrangements have been provided in accordance with a scheme to be first submitted and approved in writing by the Local Planning Authority. The measures shall be removed within 6 months of completion of the development or following completion of any remedial works identified in the highway condition survey should implementation of such works take longer than 6 months after the development is complete.

REASON: In the interests of highway safety.

16. Prior to commencement of the development hereby approved detailed proposals for the proposed on-site access roads shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be commenced until the approved scheme has been completed.

REASON: In the interest of highway safety.

17. On-site access routes shall be kept clear of obstruction to permit access by construction and emergency vehicles.

REASON: In the interests of highway safety.

The following informatives should be appended to the decision notice:

Notes to applicant

1. To carry out the off-site works required, the applicant will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which the applicant has no control. To undertake the works, which must comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the applicant will need to enter into an Agreement under Section 278 of the Act. The Agreement can take some time to complete as timescales are dependent on the quality of the submission, as well as how quickly the applicant responds with any necessary alterations. Therefore, it is recommended that the applicant contacts the Highway Authority as early as possible. Work in the public highway will not be permitted until the Section 278 Agreement is signed by all parties.
2. Any details submitted in relation to a reserved matters or discharge of condition planning application, are unlikely to be considered by the Highway Authority until technical approval of the Section 278 Agreement is issued.
3. Planning permission does not provide permission to work on or from the public highway. To ensure all necessary licenses and permissions are in place the applicant must contact licences@viaem.co.uk

4. Correspondence with the Highway Authority should be addressed to hdc.north@nottsc.gov.uk

5. It is an offence under Sections 148 and 151 of the Highways Act 1980 to deposit mud on the public highway and the developer should undertake every effort to prevent this occurring.

SD; NCC HDC; 12/7/24.