

**The Highways Act 1980
The Acquisition of Land Act 1981
The Compulsory Purchase Act 1965
The Town and Country Planning Act 1990**

LINCOLNSHIRE COUNTY COUNCIL

NORTH HYKEHAM RELIEF ROAD

STATEMENT OF REASONS

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for

**THE LINCOLNSHIRE COUNTY COUNCIL (A1461 NORTH HYKEHAM RELIEF ROAD,
CLASSIFIED ROAD) (SIDE ROADS) ORDER 2024**

and

**THE LINCOLNSHIRE COUNTY COUNCIL (A1461 NORTH HYKEHAM RELIEF ROAD)
COMPULSORY PURCHASE ORDER 2024**

September 2024

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1. Introduction.

1.1 This Statement of Reasons (“Statement”) has been prepared by Lincolnshire County Council (“the Council” or “LCC”). It introduces the Council’s published proposals for the North Hykeham Relief Road (“NHRR” or the “Scheme”), which will provide a new road to link the Lincoln Eastern Bypass with the Lincoln Western Bypass to create a complete ring road around the city. It will also support the Lincolnshire Coastal Highway. The overall Scheme is shown, highlighted in red, in Figure 1.

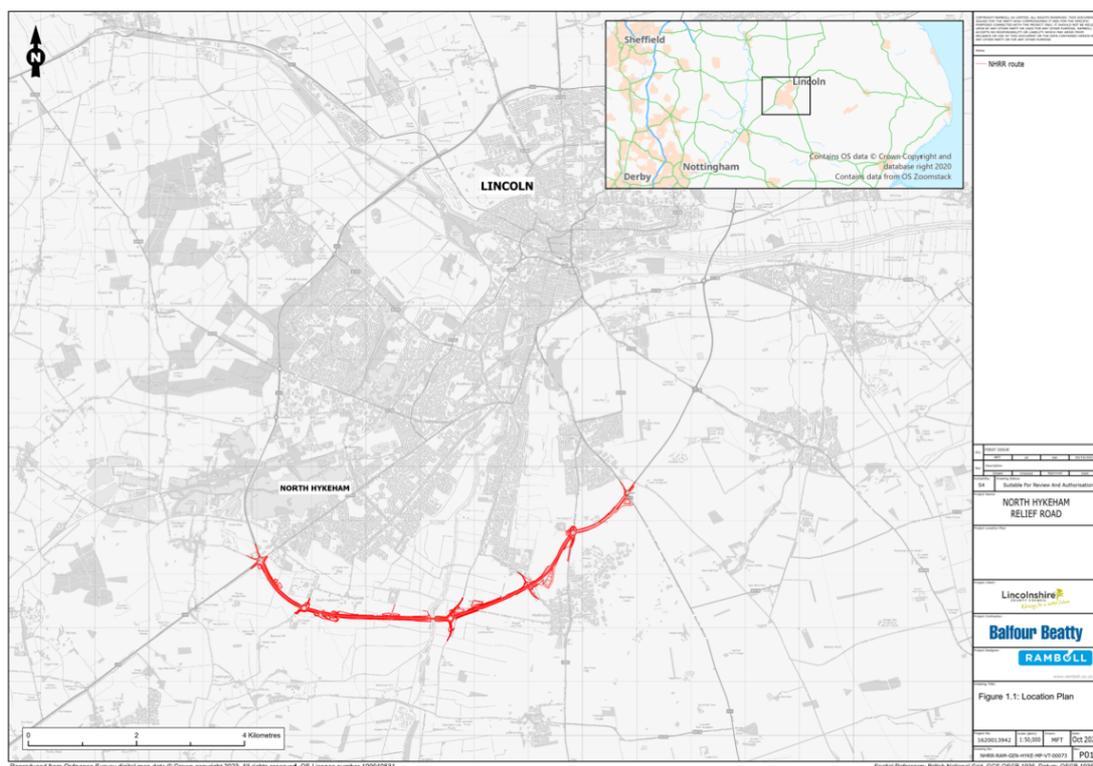


Figure 1 Location Plan

1.2 This Statement justifies and explains the need for the Compulsory Purchase Order (“CPO”) to enable land and any other interests in the land that is not within the ownership or control of the Council to be acquired to permit works to be carried out to deliver the Scheme. The Order made is The Lincolnshire County Council (A1461 North Hykeham Relief Road) Compulsory Purchase Order 2024 (“CPO”).

1.3 In addition to making the CPO, the Council has made The Lincolnshire County Council (A1461 North Hykeham Relief Road, Classified Road) (Side Roads) Order 2024 (“SRO”) in order to carry out works to existing highways as well as private means of access (“PMA”) that are necessary to enable the Scheme to be built and to meet the statutory requirements in respect of such matters.

- 1.4 The two Orders, when referred to collectively in this Statement will be called the Orders. Otherwise, they will be referred to by name or as CPO or SRO as appropriate.
- 1.5 This Statement is a non-statutory statement provided in compliance with the Department for Levelling Up, Housing and Communities, and Local Government's "Guidance on Compulsory Purchase Process and the Crichel Downs Rules July 2019 (the "DLUHC Guidance") and the Department for Transport's ("DfT") Note on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State is the Confirming Authority, Circular 2/97. It is not intended to discharge the Council's requirement to produce, nor is it to be taken as its "Statement of Case" in the event that the Secretary of State should convene a public inquiry to be held to consider any objections received to the Orders.
- 1.6 Planning Permission in respect of the proposals was applied for pursuant to a full application dated the 31st of October 2023 and registered as valid on the 14th of November 2023. The planning application was supported by a full Environmental Statement, which met the requirements of the relevant Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as well as additional information supplied at a later stage. Consultation in respect of that planning application was completed on the 11th of January 2024 and further details were submitted to the determining authority pursuant to a statutory request dated the 16th of February 2024. The application was determined at the Lincolnshire County Council Planning Committee meeting on the 13th of May 2024 with planning permission being granted on the same date, subject to 34 planning conditions. The planning permission comprises 8km of dual all-purpose carriageway with a 70mph speed limit (120kph design speed) and associated structure, earthworks, drainage, street lighting, traffic signals, utility diversions and installations, pipeline diversion, temporary material processing, landscaping and highway features at the land between the A46 and the A15 whilst accommodating all the existing roads and other tracks and PMA's in the vicinity affected by the Scheme as well as necessary mitigation including dedicated provision for bats.
- 1.7 The planning permission provides LCC with the necessary planning consent to undertake the construction of the NHRR as currently envisaged and allow for its operation.

- 1.8 LCC intends, subject to the decision on the Orders, to implement the NHRR at the earliest opportunity. The current programme expects construction to commence during the Autumn of 2025. LCC would wish to make it clear however that it intends to carry out early activity on the Site of the Scheme where such work is feasible and sensible in order to implement the planning permissions where such work does not prejudice or prejudice the consideration of the Orders themselves.
- 1.9 This Statement describes the land and interests to be acquired under the CPO as identified in the Schedule attached to it and sets out LCC's purpose in seeking acquisition and the justification for the use of compulsory purchase powers in general terms. The Statement describes the Scheme and explains the planning position and policy context within which the planning decisions will be taken. Other matters are also considered including the Human Rights and Equalities implications and other special considerations.
- 1.10 The Statement also describes the Side Roads Order and the requirements that arise to enable LCC to construct the NHRR. Given that part of the Scheme requires changes to be made to existing highway within the responsibility of National Highways as the responsible highway authority, this statement will describe the steps which have been taken to enable that to be considered as part of the overall Scheme. National Highways has been fully informed throughout the design process and has taken an active role within it. National Highways has, following that involvement with the design process and the acceptance of the Scheme as proposed, entered into an agreement with Lincolnshire County Council pursuant to section 6 and section 8 of the Highways Act 1980 relating to the highway works which form part of the Trunk Road located at the A46 Hykeham Roundabout to the south-west of Lincoln. The necessary powers to deliver the NHRR and which are ordinarily enjoyed by National Highways as the Strategic Highways Company have been delegated to the Council such that the scheme is able to come forward and the Council is able to promote the Orders.
- 1.11 LCC has published this Statement of Reasons to accompany the CPO and the SRO and copies of it will be served directly on all owners and occupiers directly affected by the NHRR as well as various statutory bodies. Copies will be placed on deposit at Lincolnshire County Council, County Offices, Newlands, Lincoln LN1 1YL.

- 1.12 The purpose underlying the publication of this Statement of Reasons is to explain LCC's proposals and to provide sufficient detail about the extent and nature of the land required for the proposals as well as the effects of the works on side roads, including those that are to be stopped up, to inform those affected as well as others of the effect of the NHRR.
- 1.13 All documents referred to in this Statement, which may be relied upon by the Council, are listed in *Section 15* below and details of how these can be inspected are set out in *Section 14* of this Statement.

2. Description of the Land, its Location, Topographical Features and Use.

- 2.1 The Scheme for the NHRR requires the acquisition of land and interests in respect of which LCC has made the relevant CPO. The land and new rights proposed to be acquired (the "Order Land") have an area of 191 hectares, the extent of which is shown on the plan to the CPO which is comprised of 6 sheets. The Order Land is in approximately 60 separate freehold/leasehold ownerships. The majority is in the freehold ownership of approximately 20 individuals and or companies, and with some of the land being occupied by agricultural tenants.
- 2.2 The Order Land for the route of the NHRR is located to the south of the City of Lincoln. The route starts at the existing roundabout on the A46 Hykeham Roundabout, which is under the control of National Highways as it is part of the Strategic Road Network and runs for approximately 8 km to join with the A15 Sleaford Road Roundabout at the western end of the recently constructed Lincoln Eastern Bypass ("LEB"). The Scheme runs largely through rural countryside from the A46 through to the A15. It runs south of existing conurbations of North and South Hykeham, crosses the River Witham, which is not a navigable river, crosses Station Road, where some residential property will need to be demolished before climbing the hill side connecting with Grantham Road and then progressing to the north of Waddington Airfield to join with Sleaford Road at the new LEB roundabout, which itself will be modified. The termination points are therefore at the existing roundabouts on both the A46 and the A15 which strongly influenced the route choice for the Scheme itself. Throughout the history of the development of proposals to provide for a scheme the terminal points have remained the same. The whole of the Order Land falls within the following six administrative areas, namely South Hykeham, Waddington, Bracebridge Heath, Thorpe on the Hill and Harmston Parish Councils, being five of the six and within the North Kesteven District Council area as the remaining one.
- 2.3 The topography of the landform along the route is essentially in two forms. The first, running from the A46 through to Station Road is essentially flat with only very minor variations, including in the vicinity of the River Witham. The second is that part of the route from Station Road up to the point where it joins with the A15. The landform rises steeply to the east of Station Road and the route crosses ground forming the scarp slope of the hillside climbing up towards Waddington Airfield. Some of that land is unstable, which has had an effect on the Scheme proposals

in that area. As the route reaches the top of that slope it becomes generally flat again up to the point it connects with the A15.

- 2.4 Land use in the immediate vicinity of the NHRR can be described as follows. From the A46 the route corridor runs across where the land use is currently agricultural. Fields are of some size and are separated by a series of hedges with trees in certain locations. The route avoids developed areas and runs south of the biodigester located in the southern part of South Hykeham. The route selected in that location, which is slightly different to the route originally protected for a potential scheme many years ago, was chosen and authorised by the Council, to avoid that biodigester plant. The route crosses the various roads that run north south through the area as well as the River Witham. The river is a well-used amenity resource, albeit not navigable, and the Scheme avoids direct intrusion into the “in-bank” area although the route has to cross it. After that the route continues to run through agricultural land until the point where it crosses Station Road, which is a linear feature where 6 residential properties will need to be removed to accommodate the Scheme. The Council has acquired a number of properties within that location including all those that will need to be demolished. After that the NHRR will continue up the hillside where the land use remains agricultural all the way to the A15. The Scheme has therefore been developed and brought forward to minimise impact on buildings and property, including the River Witham, although the loss of agricultural land and associated features such as hedgerows and trees cannot be avoided.
- 2.5 One matter that requires particular mention is the existence of a pipeline at the western end of the proposals. That pipeline, although not a land use as such, as it is a subterranean feature, is a constraint that has to be accommodated as part of the Scheme proposals. It is situated in such a location that it will need to be moved as part of the proposals and the Scheme has been drawn up to accommodate it. Given the security implications arising from the pipeline the Council will not show or describe the details of such a diversion, despite the fact that they are known to the Council. Its alteration is part of the current proposals and will be undertaken as part of the works. The diversion will be located within the lands falling within the CPO.
- 2.6 Within the area crossed by the route there are a number of roads, small lanes, tracks and private means of access that are affected by the Scheme proposals. The Council, as part of the Scheme, has sought to address all such known facilities

by providing for them using an alternative provision to cross the new carriageway, diversions, or by other means where appropriate. As part of that approach, the Council has taken the opportunity to improve some aspects, which has required the land to be acquired under the CPO not only for the main carriageway but also to enable the track or path to be altered, improved, or otherwise changed to accommodate various aspects required by the Scheme. The track, known as Meadow Lane, running west east from the properties in South Hykeham to the River itself is a clear example of that. That change will enable users to follow a route that will allow the new road to be crossed at a point alongside the River without having to cross the carriageway itself. Part of the Scheme will also improve the options for non-motorised users (“NMU”) to move throughout the area by providing additional routes for such users as well as diverting, where appropriate existing ones. Some of those have been achieved by making additional provision which meets one of the Council’s aims for enhancing the use of NMU within the County generally.

2.7 The principal watercourse in the vicinity of the NHRR is the River Witham, which has to be crossed by the Scheme, as would any proposal running between the A46 and the A15. The Council has chosen a square crossing of the River in order to minimise any potential effect, as it will be the most direct way to cross the river and therefore have the least effect on the water environment. In order to construct the works a temporary bridge will be required and that has been accommodated within the CPO as published and is located proximate to the permanent crossing point to the north. Additionally, there is a network of smaller streams, drains and ditches throughout the corridor.

2.8 Other items of note including matters of heritage value have been fully investigated as part of the Scheme development. These have been recorded in detail in the supporting documents which accompanied the planning application and were considered prior to the planning permission being granted. The location of and relevance to the Scheme to areas designated as Conservation Areas, the presence of Listed Buildings, land owned or used in a particular way, such as by the National Trust, as Common Land, land held for Ecclesiastical purposes or Burial Grounds or Crown Land has been identified and considered; these are referred to in greater detail in Section 11 below under the Heading of Special Considerations.

2.9 There are a number of Public Rights of Way (“PRoW”) that are within, cross or are close to the NHRR boundary. The Scheme has a direct effect on a number of those rights of way, which will be diverted as part of the proposals. These are listed in Table 2-1 below:

Table 2-1 Public Rights of Way directly affected by the Scheme

PRoW Number and Description	Proposals during construction	Proposed reinstatement/diversion (Permanent)
Footpath TOTM/17/1 Originates at Middle Lane, continues through Lincoln Golf Centre, passes through farmland, terminating at the A46 crossing on North Hykeham Roundabout.	Public footpath is to be retained.	The footpath will be extinguished between the golf club and the A46. Re-routed new provision from the golf course to the NMU provision, provided by the Scheme.
Footpath TOTM/17/2 Originates at crossing of A46 at North Hykeham Roundabout, passes through streets of South Hykeham before terminating at A1434 Newark Road.	A small section, which runs along the east side of the A46, will be closed and temporarily re-routed around the new embankment works (approximately 3m away from the existing provision)	The footpath will be extinguished. It links to TOTM/17/1 which will be extinguished and therefore will be redundant. Users will now use current facilities on A1434 which connects to the new provision provided for within the Scheme.
Footpath SHYK/20/1 Originates as a split off from footpath SHYK/9/2 in farmland, continues through fields (crosses through the fields proposed for North Hykeham Relief Road.) terminates at A46.	The Footpath will be extinguished. Users will continue to use the existing footway/cycleway, and provision provided by the Scheme and SHYK/9/2, in lieu of the extinguished SHYK/20/1.	The footpath will be extinguished, as it will no longer be required, as the new provision for the Scheme (south of the A46) will allow users to access SHYK/9/2 to the north of the Scheme.

PRoW Number and Description	Proposals during construction	Proposed reinstatement/diversion (Permanent)
<p>Footpath SHYK/9/2</p> <p>Footpath is a continuation from footpath SHYK/5/1, begins at Boundary Lane, continues to cross through farm fields, terminates at North Hykeham roundabout A134 Newark Road.</p>	<p>The northernmost section of SHYK/9/2 will be extinguished (42m), with the remaining length to remain.</p> <p>Access from the current provisions to the east of A1434 will be provided to SHYK/9/2 for the duration of the works.</p>	<p>The final 42m of the footpath will be extinguished due to the Scheme proposals and is replaced by new provision provided by the Scheme, which provides access to the severed point of 9/2.</p>
<p>Footpath SHYKE/1/1</p> <p>Originates in farmland near Beacon Hill, passes through further farmland (including land required for North Hykeham Relief Road), terminates at Wath Lane (when met with SHYKE/2/2)</p>	<p>The northernmost section of SHYKE/1/1 shall be extinguished from the southern boundary of the Scheme to its connection with SHYKE/2/2.</p> <p>New provision, provided by the Scheme, will route users between SHYKE/1/1 to SHYKE/2/2 to the south of the Scheme.</p>	<p>The Footpath is to be severed with part being directly affected by the Scheme. The remaining part of the severed 1/1 will connect to new provision provided by the Scheme including the southern PMA and new Wath Lane Overbridge.</p>
<p>Public footpath/ bridleway SHYKE/2/2</p> <p>Originates at Blackmoor Road, passes over River Witham, continues up Wath Lane, terminates at Long Lane</p>	<p>Temporary closure for surfacing works (Wath Lane), no alternative diversion.</p> <p>During construction works including new overbridge, 2/2 (Wath Lane) shall be diverted around the works for Private means of access.</p>	<p>The extinguished section of the Bridleway will be replaced by the new Wath Lane overbridge connecting north and south to the existing 2/2.</p>

PRoW Number and Description	Proposals during construction	Proposed reinstatement/diversion (Permanent)
<p>Public Bridleway SHYK/906/1</p> <p>Originates in Meadow Lane, continues down the lane, until terminates at River Witham</p>	<p>Eastern end of 906/1 will be extinguished. Nothing proposed as it is not part of an ongoing route and doesn't provide access to the river.</p> <p>The western section (805m) of 906/1 will be maintained for access.</p>	<p>The Eastern end of 906/1 will be extinguished and connected to the re-routed section of PMA Bridleway for the Scheme.</p>
<p>Public footpath WDCN/9/1</p> <p>Originates at Somerton Gate Lane, passes through further farmland, terminating in Waddington.</p>	<p>Extinguished for its entire length (Somerton Gate Lane to 101 Station Road Farm) as it is not necessary however there are alternative routes in the area.</p>	<p>Extinguished for its entire length (Somerton Gate Lane to 101 Station Road Farm) as it is not necessary however there are alternative routes in the area.</p>

PRoW Number and Description	Proposals during construction	Proposed reinstatement/diversion (Permanent)
Public footpath WDGN/3/2 (Viking Way) Originating in farmland West of Grantham Road, termination at Dowding Road	Extinguish from junction with WDGN 1122/1 and WDGN 3/3. Users will be re-routed along WDGN 1122/1, existing provision along Grantham Road and WDGN 13/1.	<p>On the North side of the Scheme the Footpath will be retained to its point of interaction with the Scheme, where a new PRoW will be provided to provide access to Station Road Facilities.</p> <p>On the North side of the Scheme it will also connect to the new provision provided by the Scheme, including The Viking way overbridge and re-routed section of the Viking Way (provided for by the Scheme) to the existing WDGN 3/2 south of the Scheme.</p> <p>The southernmost section, from its connection with WDGN/3/3, will be reopened to connect to the new footway / cycleway provision provided by the Scheme on the south of the Scheme.</p>

2.10 Table 2-2 shows PRoW's close to the Scheme boundary which are not affected by the Scheme; which are included for the purposes of completeness.

Table 2-2 Public Rights of Way not affected by the Scheme

PRoW Number and Description	Proposals during construction	Proposed reinstatement / diversion (Permanent)
Footpath SHYK/5/1 Originates from Long Lane, Crossing through farmland until termination at Boundary Lane crossing.	Public footpath is to be retained.	Public footpath is to be retained.

PRoW Number and Description	Proposals during construction	Proposed reinstatement / diversion (Permanent)
Public footpath NHYK/1/1 Originates at Russel Avenue, passes through further farmland, terminates at Meadow Lane.	Public footpath to be retained.	Public footpath to be retained.
Public footpath WDGN/3/3 Originating in Far Lane, terminating in farmland.	Public footpath to be retained.	Public footpath to be retained.
Public footpath WDGN/13/1 Originating on Mill Mere Road, continuing and terminating in farmland.	Public footpath to be retained.	Public footpath to be retained.
Public Bridleway WDGN/1122/1 Originates at Grant Road, continues through farmland, termination at Grantham Road.	Public bridleway to be retained.	Public bridleway to be retained.
Public footpath BRAC/3/1 Originating at A607 Grantham Road, continues down the path until terminated at Sleaford Road.	Public footpath to be retained.	Public footpath to be retained.
Public Bridleway BRAC/1200/1 Bloxholm Lane.	Public bridleway to be retained.	Public bridleway to be retained.
Public Bridleway BRAN/6/1 Originates on Bloxholm Lane.	Public bridleway to be retained.	Public bridleway to be retained.

- 2.11 The Scheme is not located within an Air Quality Management Area (AQMA). The nearest is Lincoln AQMA, which is located approximately 4.5km to the north of the site boundary. It is understood that this site last reported an exceedance in nitrogen dioxide in 2018 and the City of Lincoln Council intend to revoke the AQMA in 2024 if the concentrations remain below the national air quality objective. Whilst that matter remains under review the potential beneficial effects of the Scheme remain relevant.
- 2.12 Concentrations of nitrogen dioxide and particulate matter as a result of the Scheme have been predicted for a number of worst-case locations that represent existing sensitive receptors close to the Affected Road Network (“ARN”). Predicted concentrations are below the relevant objectives at all of the existing receptor locations in 2028 with the Scheme in place. There is also predicted to be no significant effect on the designated habitats within the study area. The operational air quality effects of the Proposed Scheme are therefore considered not to be significant for both human health and ecological receptors.
- 2.13 The Scheme will redistribute traffic from other areas (and therefore improve air quality in those areas) improving off route areas in line with LCC’s aims and benefits of the Scheme is to ‘improve the quality of life in central Lincoln and surrounding area’. The Scheme will reduce traffic levels on local urban and rural roads in the South of Lincoln by the transfer of strategic traffic to appropriate routes, likely to improve air quality in those areas

3. The Enabling Powers.

- 3.1 The Highways Act 1980, (“the 1980 Act”), empowers LCC to acquire land compulsorily which it requires to construct and improve the highway. The 1980 Act gives similar powers to National Highways to enable it to carry out proposals on the Trunk Road network. As stated above, those powers have been delegated to the Council by National Highways pursuant to an agreement made in accordance with Section 6 and Section 8 of the 1980 Act.
- 3.2 Section 239 of the 1980 Act enables the Council as the Highway Authority for the area to “acquire land required for the construction of a highway, other than a trunk road, which is to become maintainable at the public expense”, as well as any land required for the improvement of a highway. This section also enables the Strategic Highways Company to acquire land it needs for its purposes, which have been delegated to the Council in respect of this Scheme.
- 3.3 Section 240 of the 1980 Act provides that LCC as Highway Authority may acquire land required for the use in connection with construction or improvement of a highway.
- 3.4 Section 246 of the 1980 Act allows LCC to acquire land for the purpose of mitigating any adverse effect that the existence or use of the highway may have on its surroundings.
- 3.5 Section 250 of the 1980 Act allows LCC as the acquiring authority to acquire rights over land, both by acquisition of those already in existence and by the creation of new rights.
- 3.6 Section 260 of the 1980 Act allows LCC to override restrictive covenants and third-party rights where land acquired by agreement is included in a compulsory purchase order.
- 3.7 Section 14 of the 1980 Act authorises LCC as the Highway Authority to stop up, divert, improve or otherwise deal with a highway that crosses or enters the route of the road to be provided.
- 3.8 Section 125 of the 1980 Act empowers LCC to deal with any private means of access affected by the new road including the provision of a new means of access.
- 3.9 Finally, the contents of Section 327 of the 1980 Act should be noted. That empowers LCC to enter agreements, including with other Highway Authorities so that powers to carry out activities rest with the Council.

3.10 The purpose of seeking to acquire land and new rights compulsorily is to enable the NHRR to be constructed. These proposals would enable LCC, using both the powers it enjoys as a Highway Authority and those delegated to it by National Highways, to provide the Scheme that would meet its statutory purposes. The purpose of seeking powers under the SRO is to ensure all other related aspects can be accommodated in a correct and lawful manner.

4. A Brief Description of Existing Land Ownership and the Council's Approach.

4.1 The Order land being the land and interests and new rights over land proposed to be acquired compulsorily pursuant to the CPO constitutes approximately 191 hectares. The Council has, so far, only obtained a limited amount of land required for the Scheme in addition to the land it holds as Highway Authority. The Council has acquired land at Station Road, Waddington. The properties acquired are as follows: -

- 46 Station Road (acquired 15 July 2009);
- 48 Station Road (acquired 20 August 2008);
- 50 Station Road (acquired 17 July 2008);
- 52 Station Road (acquired 24 August 2007);
- 56 Station Road (acquired 17 June 2024);
- The Lodge, 58 Station Road (acquired 6 February 2009);
- 58A Station Road (acquired 25 July 2008);
- 58B Station Road (acquired 5 August 2008);
- 67 Station Road (acquired 26 November 2010); and
- Parcel of Land adjacent 67 Station Road (acquired 17 October 2008).

4.2 LCC has let the properties acquired in the period August 2007 to November 2010 whilst the Scheme has been in development by way of Assured Shorthold Tenancy agreements. In doing so, LCC has relied on the exemption at paragraph 3 of schedule 1 to the Housing Act 1985, which will enable possession to be obtained. In November 2020, whilst in the process of marketing The Lodge, 58 Station Road, the property was significantly vandalised. Fixtures and fittings had been stripped out, fires lit, and outbuildings partly destroyed. After careful consideration, LCC decided to demolish the property. The Lodge, 58 Station Road was demolished in autumn 2021.

4.3 The Order land is in various ownerships, as shown within the CPO Schedule with the majority being in arable use, although it does also include highway and other uses. Full details of the Order land appear in the schedule to the Order. Details of known interests and new rights to be acquired are recorded in the schedule. All

land ownership information has been obtained from an inspection of Land Registry title documents and information provided by owners and occupiers following service of requests by LCC under the relevant powers using s16 inquiries. Further due diligence has been met by re-issuing to non-respondents and requesting if landowners adjacent to unregistered land had a claim of ownership. This was further validated through requesting any documentation and or evidence that the land was in their possession.

4.4 Further information gathering was undertaken to identify as far as possible nonregistered interests, this included but was not limited to gathering information from open-source data to identify, Public Rights of Way, Drainage interest and Adopted Highway status. Checks were undertaken for utilities using data gathered through enquires to Line Search. Further to these additional checks are/were undertaken to ensure any changes to HMLR in the design and consultation phase has been captured. During early scheme development, 3 public information exhibitions (“PIEs”) were held to update the local communities and affected landowners. Each PIE consisted of 3 separate events at Waddington, Bracebridge Heath and South Hykeham.

4.5 Details of the interest to be acquired and land over which rights are to be acquired are more particularly described in the schedule annexed to the Order. These include areas, sometimes referred to as licenced areas, where land is required to enable construction of the Scheme to take place but where the land is capable of being offered back to the owners on the completion of the works. The areas are set out in Table 4-1 below for the purpose of clarity. The table identifies each plot number in turn and the purpose for which freehold title is required. The purposes noted are generic, to cover in broad terms how the land is to be used.

Table 4-1 Areas required as part of the construction work for the Scheme which may be capable of being offered back to the owners

CPO Plot Number	Purpose for which freehold title is required
1	Construction Haul/Access Road, Construction Working Space
2	Construction Haul/Access Road
3	Construction Haul/Access Road, Construction Working Space
4	Construction Compound, Construction Haul/Access Road, Topsoil Storage
5	Construction Haul/Access Road, Topsoil Storage
11	Construction Working Space
13	Construction Working Space

CPO Plot Number	Purpose for which freehold title is required
19	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond
20	Construction Working Space
23	Construction Working Space
25	Construction Working Space
27	Construction Working Space
28	Construction Working Space
32	Construction Haul/Access Road, Topsoil Storage, Material Storage
35	Material Storage, Construction Working Space
36	Construction Haul/Access Road
37	Construction Haul/Access Road
38	Construction Haul/Access Road, Topsoil Storage
41	Construction Haul/Access Road, Topsoil Storage
42	Construction Haul/Access Road, Topsoil Storage, Material Storage
44	Construction Haul/Access Road, Topsoil Storage, Material Storage
46	Construction Haul/Access Road, Topsoil Storage, Material Storage
47	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
48	Construction Haul/Access Road, Construction Working Space
49	Construction Haul/Access Road, Construction Working Space
52	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
56	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
57	Construction Haul/Access Road, Topsoil Storage, Construction Working Space
59	Construction Working Space
60	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
62	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
64	Construction Haul/Access Road, Construction Working Space
69	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
71	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
72	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
73	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space

CPO Plot Number	Purpose for which freehold title is required
76	Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
82	Topsoil Storage, Material Storage, Construction Working Space
83	Topsoil Storage, Material Storage, Construction Working Space
85	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
88	Topsoil Storage, Material Storage, Construction Working Space
90	Topsoil Storage, Material Storage, Construction Working Space
91	Topsoil Storage, Material Storage, Construction Working Space
97	Topsoil Storage, Material Storage, Construction Working Space
98	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
101	Topsoil Storage, Material Storage, Construction Working Space
102	Topsoil Storage, Material Storage, Construction Working Space
105	Topsoil Storage, Material Storage, Construction Working Space
106	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
107	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
109	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
111	Topsoil Storage, Material Storage, Construction Working Space
114	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
118	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
119	Topsoil Storage, Material Storage, Construction Working Space
124	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
126	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
128	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space

CPO Plot Number	Purpose for which freehold title is required
130	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
132	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
133	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
135	Topsoil Storage, Material Storage, Construction Working Space
137	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
140	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
141	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
142	Topsoil Storage, Material Storage, Construction Working Space
147	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
148	Construction Haul/Access Road, Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
151	Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
153	Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
157	Topsoil Storage, Material Storage, Construction Working Space
163	Construction Haul/Access Road, Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
165	Construction Haul/Access Road, Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
166	Construction Haul/Access Road, Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
168	Construction Haul/Access Road, Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
171	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
174	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space

CPO Plot Number	Purpose for which freehold title is required
175	Construction Haul/Access Road, Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
177	Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
179	Topsoil Storage, Material Storage, Crane/Piling Platform, Construction Working Space
180	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
181	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
182	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
183	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
184	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
189	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
190	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
191	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
198	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
199	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
203	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
207	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
211	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
213	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
217	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
218	Topsoil Storage, Material Storage, Construction Working Space
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220	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
222	Topsoil Storage, Material Storage, Construction Working Space

CPO Plot Number	Purpose for which freehold title is required
224	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
225	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
227	Topsoil Storage, Material Storage, Construction Working Space
228	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
232	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
239	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
241	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
258	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
259	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
265	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
267	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
276	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
285	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
288	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
290	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
292	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
295	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
296	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
297	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
298	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space

CPO Plot Number	Purpose for which freehold title is required
299	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
301	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
302	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
309	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
310	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
312	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
313	Construction Compound, Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Crane/Piling Platform, Construction Working Space
315	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
316	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
317	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
318	Construction Haul/Access Road, Topsoil Storage, Material Storage, Temporary Water Pond, Construction Working Space
320	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space
324	Construction Haul/Access Road, Topsoil Storage, Material Storage, Construction Working Space

- 4.6 The areas required for site compounds/construction areas and for the temporary storage of topsoil referred to in Table 4-1 are necessary to provide the essential means for the Scheme to be constructed as authorised by the planning permission and as required to bring the Scheme forward.
- 4.7 The Council has no powers at present to seek to acquire land on a temporary basis and therefore to bring forward the proposals the land and rights shown in the CPO are required. The Council has carried out diligent enquiry to identify all persons with an interest in the land affected by the proposed compulsory acquisition.
- 4.8 The Council has engaged with owners of the land within the CPO in order to acquire any affected parties' interests voluntarily and is progressing such discussions. Although the Council remains committed to this approach, it is necessary for it to have the ability to acquire the land interests by compulsory

acquisition, if necessary, to ensure that the Scheme can be delivered in an efficient and certain timescale so as to avoid delay in the Scheme. The Council is satisfied that the acquisition of all the land interests and new rights is necessary to enable the Scheme to proceed. The Council will continue to review the acquisition of land as the Scheme is progressed to ensure that remains the situation.

- 4.9 Following such discussions if final agreement is reached that will be followed but in the absence of such agreement in respect of the whole Scheme then following the decision to confirm the CPO the standard approach would be followed applying the Compensation Code in the usual way, although that is not a factor relevant to the confirmation of the Orders on the basis promoted.

5. The Need for the Scheme.

5.1 The purpose of this section of the Statement of Reasons is to demonstrate the overall need for the NHRR and consequently the need to use compulsory purchase powers. This has been undertaken by considering the overall aims and benefits which arise from the proposals. These can be summarised in the following terms:

- To assist the sustainable economic growth of Lincoln and Lincolnshire;
- To reduce congestion in and around North Hykeham and the surrounding villages;
- To improve the quality of life in the Lincoln area;
- To maximise accessibility to central Lincoln; and
- To improve road safety in central Lincoln and the other nearby settlements.

5.2 It is not intended to set out all the detailed information supporting the promotion of the NHRR in this Statement of Reasons but rather to provide a summary of the situation to enable the Council's reasons for promoting the CPO and the SRO following the successful grant of planning permission for the Scheme to be understood. The detail in respect of the promotion of the Orders can be ascertained from the various documents listed in *Section 15* of this Statement of Reasons as indicated earlier. These include all relevant documents including the application for planning permission and accompanying documents.

5.3 The NHRR, which historically was also known as the Lincoln Southern Bypass, has been a long-term aspiration of both the Council and the District Council over a period of many years. As long ago as 2005 authority was given by the Council to undertake public consultation in respect of a southern bypass to Lincoln. That work was undertaken and led ultimately to further work to seek to determine a preferred route for the bypass in 2006 and the adoption of such a route shortly thereafter.

5.4 Progress on that proposal was delayed as the matter was subject to further consideration as part of a wider solution to the transport and movement problems within and around Lincoln, which included proposals to build other roads and to provide other transport interventions, including traffic management and public transport measures. The Council therefore adopted an approach whereby the

Lincoln Integrated Transport Strategy (“LITS”) was developed and brought forward to provide a comprehensive approach to the problems and needs facing Lincoln and Lincolnshire more generally. This included the movement into, through and around Lincoln including the desire to support the Lincolnshire Coastal Highway.

- 5.5 The NHRR is the last major highway scheme contained within the LITS. Further the NHRR will provide the last element of a complete ring road around greater Lincoln urban area comprising both Lincoln and North Hykeham. That ring road is formed from the Lincoln Western Bypass and the Lincoln Northern Relief Road, which both opened to traffic in 1985, and the recently completed Lincoln Eastern Bypass.
- 5.6 Once complete it will enable traffic approaching Lincoln to follow a route which avoids the need to enter the City, including the ancient medieval quarter, unless it needs to do so. It will cater for traffic from all directions in avoiding the City centre.
- 5.7 The principle of a relief road has been developed as part of various transport strategies, including those identified within not only LITS but also in the various Local Transport Plans and Transport Strategies as well as in Development Plan documents. Following the identification of the preferred route in 2006 the route was incorporated into the Development Plan as that was progressed as a protected route. It was identified in the Central Lincolnshire Local Plan adopted in 2017 and further it appeared in the replacement Plan adopted in 2023. The potential for such a route south of Lincoln has therefore been known about for many years and a route has been incorporated into the Development Plan for the area since at least 2017.
- 5.8 The route shown in the Development Plan was a broadly indicative line running from the A46 through to the A15. It was shown as crossing roads as well as the river but without showing any detail in the form of dimensions, connections into the local road network or any other detail. It was therefore a broad indication of an intention based on the work which had been carried out to that time but without any detail as to provision, layout, connection or precise location. Such a situation is entirely normal with the detail being brought forward when more information was to hand.
- 5.9 That information has now been obtained to the extent necessary to bring forward the planning application and further to be able to promote the CPO and SRO required to ensure the proposal, as authorised by the planning consent, can be

brought forward. The alignment as indicated within the planning permission granted shows a deviation from the broad indication given within the Development Plan, but such change is not material in planning terms and has been adopted to achieve the most advantageous route for the NHRR. That change of route was approved by the Council in October 2023, as a change to that previously adopted in 2006, and it was the route for which planning permission was obtained.

- 5.10 The NHRR provides economic, environmental, social and transport benefits which justify the grant of planning permission and the consequential use of CPO powers to acquire land and interests to achieve its ambitions as well as the SRO.
- 5.11 The Council identified certain key issues which exist within Lincoln and its environs and from that developed a robust set of objectives to use to identify the nature of the response required. This process formed an essential and integral part of the development of the Outline Business Case which had to be submitted to central Government to achieve financial assistance. That Outline Business Case sets out the detail but in essence the position can be summarised as follows.
- 5.12 The existing road network in Lincoln consists of a number of regionally important routes through and around the City as well as major routes into the City centre and local roads. Lincoln acts as a hub and resembles a wheel whereby the roads approach from all directions and meet at the hub before progressing through it to move beyond. The main orbital routes and strategic roads include the A46 Western and Northern Relief Roads, which are part of the strategic road network, along with the A57, the A15 and the A1434 as well as other roads that lead into the City centre.
- 5.13 The A46 is the responsibility of the strategic highway authority. The A57 provides a key east -west route into the City, whereas the A15 including the new LEB provides for major north-south movements including movements to the Humber Ports and airport. The A1434 is a further route into the City passing through largely residential areas on the way. The road network is therefore complex and heavily used in carrying the traffic it does.
- 5.14 Lincoln currently suffers from high levels of congestion from local and strategic traffic movements. That has an impact on the quality of life for local residents, acts as a constraint on the economy and reduces attractiveness of the City for visitors

and investors. Three key issues arise in that respect which act to justify the provision of the additional highway capacity in the location envisaged.

- 5.15 The first issue is the constraint from the network itself. There are few major, strategic routes through and around Lincoln with the majority of such routes being single carriageway. The effect of that is traffic is forced to use either the A46 or the A1434 and A15 to pass by or through the City. At peak times those routes operate at or close to capacity. That is compounded by the lack of crossing points of the River Witham and the Fossey Navigation which cut through the City in an north-south and east-west direction respectively as well as the location of the railway lines. The consequence is that use is made of local roads with many running through residential areas causing issues for local residents in terms of accessibility, noise, and air pollution. For example, several routes in the Hykeham area regularly carry circa 10,000 vehicles per day on roads such as Moor Lane, Mill Lane and Station Road where residential properties are located immediately adjacent to the carriageway.
- 5.16 The second issue relates to the network resilience. Events and closures on strategic routes result in long diversion routes through urban areas, including residential locations, which are unsuited to the large volumes of traffic with proportions of HGV traffic included. That has a negative impact on local communities including noise, air quality, severance and longer journey times to access employment and services.
- 5.17 The third issue is the network capacity. The A46, the original A15 and A1434 currently operate at or close to capacity during the peak hours and in some respects during the inter peak. The effect of that is the low average speeds, unreliable journey times and delays for all road users including those using buses.
- 5.18 Allied to the identification of those various issues is the fact that Lincoln has been identified as a location where growth is expected to take place and the various Development Plan policy envisage that it will. Within Lincoln there are four Sustainable Urban Extensions (“SUE”) with planned growth amounting to a 50% increase in dwellings by 2036; two of those SUEs are proximate to the proposals.
- 5.19 The provision of the LEB, which historically was intended to be part of a road continuing from the A15 to cross to the A46, has provided some relief to the situation but that now needs additional infrastructure. The lack of a realistic

alternative to travel east-west from the A15 to the A46 remains a significant problem which continues to exacerbate the existing congestion problems on radial routes into Lincoln.

5.20 In addition to that there is the consideration of the anticipated travel demand increasing over the next twenty years. Forecasts show an increase in vehicle trips by 20% by 2036 which will result in a further deterioration on key areas of the network, with the effect being manifested in terms of link capacity, junction capacity and average speed indicating a worsening of the congestion in the area.

5.21 Based on the work that has been undertaken and which is described in the supporting documents the anticipated situation can be described as follows.

- There will be a lack of strategic connectivity between Lincoln and the wider economic areas such as the Humber ports and airport. Congestion will be exacerbated adversely affecting traffic movements through the area.
- Economic growth will be constrained as the transport network is forecast to face increasing congestion which will impact the areas ability to deliver sustainable economic growth.
- There will be an impact on housing targets with the ability to deliver more housing compromised.
- There will be an impact on the Major Road Network with congestion hindering the potential for routes to operate as part of that network.

5.22 From that identification of issues, problems and responding to forecasts the Council drew up a robust set of Objectives as part of the Outline Business Case to respond to the issues and development intentions up to 2036. Those Objectives have been identified as being.

- To improve east-west connectivity in the south of Lincoln for strategic and local traffic.
- To reduce traffic levels on local urban and rural roads in the south of Lincoln through the transfer of strategic traffic to appropriate routes.
- To reduce NMU severance in south Lincoln caused by heavy levels of traffic on the local road network and lack of east-west connectivity.
- To support the delivery of the SUE's by improving access to the identified sites.

- To support the delivery of the Southwest Quadrant through the provision of additional network capacity and NMU infrastructure necessary for the delivery of new housing.
- To reduce traffic levels and congestion around Lincoln and on key routes through the City to support improved access into central Lincoln, the improvement of access to the Humber Ports and Airport and of access to the Lincolnshire Coast.
- To improve the resilience of the orbital and key network through and around Lincoln and reduce the impact of major incidents.

5.23 In so doing it is anticipated that the Scheme will provide benefits. By providing an alternative route choice for the A46 users to travel around or to bypass Lincoln urban area, journey time savings are made for medium and longer trips on those routes. Congestion is reduced on some radial routes into the city centre, in particular on the A1434 and A15 corridors plus Brant Road and the A607 Grantham Road. Congestion is also reduced within the Lincoln urban area, in particular in North Hykeham and Waddington, which reduces travel time for shorter trips in those areas. Financial assessments of those various savings is forecast to be about £152.1m for business users and £179.6m for other users when discounted to the DfT's base year, which is 2010.

5.24 Benefits also arise from journey time reliability through providing additional network capacity and route choice. That arises in particular from an enhancement in the east-west movement and as an alternative route to one that would otherwise have to transit through the City.

5.25 An overall improvement in the performance and reliability of the local transport network will arise which will improve the efficiency of business and promote sustainable economic growth. The Scheme increases effective business catchment areas, which has a positive benefit for labour supply and a move to more productive jobs.

5.26 The NHRR, as a vital link in the transport plans, will support the growth of its priority economic sectors related to agri-food, manufacturing and the visitor economy, and supported by other elements related to sustainable and renewable industry. This will be achieved by improving the efficiency of the strategic road network and the

links to the major national and international gateways as well as supporting the creation of new housing.

- 5.27 The Scheme unlocks the South West Quadrant SUE which is wholly dependent on the NHRR. It is a large scale multi use proposal of some significant size. The development will be led by the residential accommodation incorporating circa 2,000 dwellings. It also incorporates up to 5ha of additional employment land along with retail and community uses, including a new primary school, open space and formal sports pitches.
- 5.28 Overall, the NHRR is intended to address a large number of different issues and problems as well as open up large areas of land for development in accordance with the Development Plan for the area. It is a Scheme which is needed to enable that to be achieved and the CPO and SRO should be considered on that basis.

6. Description of the Scheme.

- 6.1 The Scheme is an approximately 8km 120kph dual all-purpose 2 lane carriageway running from the A46 throughout to join to the A15. The route is south of Lincoln, runs primarily over rural farmland crosses the River Witham and climbs the hills side to the west of Waddington Airfield. Along that route the connection with the A46 roundabout requires some alterations including the means by which the Services at that junction are accommodated, some demolition of property at Station Road and a slight change to the A15 roundabout provided as a consequence of the construction of the LEB itself.
- 6.2 The route runs southeast as it leaves the A46 roundabout for about a kilometre before turning to head generally east until a point just after crossing of the River Witham and then heading northeast to meet with the A15. Along the route there are a number of facilities which influence the choice of route. A pipeline exists from the A46 roundabout for about 2km, which will need to be diverted as a consequence of the Scheme to ensure it is protected, which is why the diversion was included within the current planning application and is part of the planning permission granted. The route is located to the south of an existing flood storage area known as Witham Washlands, parallel with the Scheme between Wath Lane and the River Witham. This feature was installed by the Environment Agency originally and is comprised of a grassed embankment. The Councils approach is to avoid development and impact on this feature by leaving it in situ, as it currently reduces the potential for flood risk in the area in its function as a flood defence and storage feature.
- 6.3 The River Witham crossing is best achieved by a direct square crossing to minimise impact and the route across Station Road, which requires the demolition of residential properties, is in cutting and direct to minimise impacts. The route up the hillside requires unstable land to be crossed which necessitates a broad area of land being taken to ensure that construction, including the cutting, can be achieved in the most effective and acceptable way. The route avoids the concentration of known Roman remains that has been identified to the west of Grantham Road, north of Waddington, where a geophysical survey and subsequent trial trenching undertaken for the Scheme has identified archaeological features dating to the Roman period which has been interpreted as a probable Romano-British villa complex. A number of other archaeological

features dating to the prehistoric and Roman period have been identified to the east of Grantham Road. Site investigations (geophysical survey and trial trenching) undertaken indicate relatively low archaeological potential along the route and these archaeological features are likely to be of low (local) heritage significance. Then from the roundabout on Grantham Road to the roundabout at the end of the LEB the route is direct.

- 6.4 Throughout the route the horizontal alignment of the road follows a fairly level approach other than where it is necessary to avoid features or where headroom is required for particular actions. The Scheme Plans show all relevant details.
- 6.5 In terms of the key features on the Scheme, other than the main carriageway itself, they consist of the following on a west to east basis; footways, cycleways and bridleways are addressed separately below. The National Highways controlled roundabout on the A46 is where the Scheme commences. The Council has been in discussion with National Highways about the proposals for that junction. It currently experiences congestion, and the intention is, to ensure that it can accommodate the NHRR acceptably, for it to be enlarged and changed to accommodate the Scheme. The arrangement is that it will be increased in size with the number of circulatory lanes increasing as well. An additional arm will be connected into the roundabout to accommodate the Scheme and signalisation will be added to the roundabout to regulate flows. The NMU facilities at the roundabout have also been examined and the intention is to change them and increase the provision being made. All such matters are currently under discussion with National Highways. Furthermore, National Highways have been fully involved in the design of the Scheme as it effects their interests and support the Scheme.
- 6.6 The Scheme runs east from that roundabout and connects with the South Hykeham Road at a new priority roundabout to accommodate all movements. In addition, there will be a crossing facility to the north of the roundabout. East of that point a further bridge will be constructed, solely for bats to cross the new carriageway safely and that bridge will be connected to local hedgerows to influence bat movement. The superstructure will comprise a single-span composite steel deck, supported by reinforced concrete abutments seated on reinforced concrete columns. The clear span of the deck will be approximately 33m. Following consultation with qualified ecologists and LCC's highways and maintenance teams, it has been determined that the bridge will have a maximum

width of 8m, suitable to accommodate a double hedgerow with a minimum maintained 2m gap between the hedge lines and suitable pedestrian access for maintenance.

- 6.7 Leaving South Hykeham, the route continues east and approaches Wath Lane. Proximate to Wath Lane a further bridge structure will be provided with a dual purpose. It will act to accommodate NMU usage for anyone using the lanes in that location and further as an accommodation bridge for other use.
- 6.8 The next feature to note will be the bridge being provided to cross the River Witham. A permanent structure will be provided to cross the river directly at right angles to minimise the effect on the river. The bridge underside will be at 6.8 metres above the river surface and will be over widened to allow access alongside the river itself under the bridge to include agricultural vehicles on the western side. This will enable vehicles to pass under the bridge but further will act as a corridor for the movement of wildlife. No part of the bridge structure will be in the watercourse itself with works being limited to those necessary to ensure the bank is strong enough to cater for the works. In order to construct the works a temporary crossing structure will be required. This will be provided north of the main permanent crossing point and will be in place for the duration of the construction works. Necessary measures will be in place to prevent pollutants escaping to the water course.
- 6.9 At the point where the Scheme crosses Brant Road a new priority roundabout will be constructed to allow for connection with the local road network and will cater for all movements. Two additional features will also be incorporated at this location. A crossing facility to the north of the roundabout will be provided and Somerton Gate Lane will be realigned to connect into it. Approximately 500 metres east of that roundabout a culvert is to be provided. That culvert, known as the Somerton Gate Lane Bat culvert, is intended to cater for bats crossing the line of the Scheme. Once again suitable connections with local vegetation and an increase in such provision will be put in place to encourage the use of the facility.
- 6.10 The replacement Station Road bridge is the next feature on the Scheme. The new Station Road bridge will be constructed to the west of the existing Station Road and further away from the current residential properties. Once available, traffic will be taken by the new bridge and the existing Station Road will be closed off and serve only to retain vehicular access to residential properties either side of the new main NHRR carriageway. The new bridge will also provide NMU use to be made

of it as required. Space left between the old road and the new will be subject to landscape treatment.

- 6.11 Leaving Station Road, the route climbs the hillside and meets with Grantham Road. At that location provision is made not only for a priority roundabout to cater for all traffic movements but an additional provision for the NMU network. An existing signalised junction at the A607 Grantham Road / High Dyke is to be modified to incorporate a pedestrian crossing facility to enhance the safety of users at that location.
- 6.12 Finally, the route connects into the LEB at the A15 and includes alterations to accommodate the connection, a widening of 190 metres of the LEB and an associated crossing facility north of the roundabout.
- 6.13 The Scheme will be brought forward as described and as shown within the planning permission which has been granted. The Scheme has been designed using Sustainable Drainage Systems (“SuDS”) and other features to manage diffuse pollution in line with current standards and in accordance with the local authority’s requirements, such as the Design Manual for Roads and Bridges (“DMRB”) LA113 and CIRIA 753: The SuDS Manual. That includes a drainage system throughout the Scheme which will seek to catch surface water and ensure that it is treated by passing through appropriate treatment measures in line with SuDS guidance, including balancing ponds at relevant locations identified on the approved plans. The extent of the drainage system will be sufficient to cater for flows envisaged in the appropriate storm event and will follow a gravity led system meaning that different elements of the Scheme will follow different routes, discharging at rates that have been agreed with the relevant authorities. No surface water will discharge into the River Whitham or directly into any water course without first having travelled through the system itself. Drainage of the scheme will, therefore, be in accordance with relevant standards and will incorporate attenuation ponds where required; these are shown on the Scheme plans. Additional wildlife ponds, mitigation and enhancement features will also be incorporated as part of the Scheme as shown on the plans.
- 6.14 The junction areas described for the Scheme will be lit for safety reasons in accordance with the applicable standards. Noise attenuation bunds and barriers will be provided where the beneficial effect justifies the action, these are set out in Table 6-1 and as shown on the plans approved by the grant of planning permission.

Table 6-1 Location and description of noise attenuation features

Location (on NHRR)	Description
South Hykeham Road to Brant Road	2m barrier on 2m bund on the eastbound carriageway to the south of South Hykeham
Brant Road to Grantham Road	2m bund on the eastbound carriageway to the west of Station Road
Brant Road to Grantham Road	2m bund on the westbound carriageway to the west of Station Road
Brant Road to Grantham Road	2m barrier on the eastbound carriageway from the west of Station Road through the escarpment cutting
Brant Road to Grantham Road	2m barrier on the westbound carriageway from the west of Station Road through the escarpment cutting
Grantham Road to Sleaford Road	2m barrier on the eastbound carriageway to the south of Grange Farm
Grantham Road to Sleaford Road	3m barrier on the eastbound carriageway on the immediate approach to Sleaford Road Roundabout

- 6.15 The Council has agreed, as part of the planning application, to use low noise surfacing on the high-speed sections of the road to assist with the noise implications of the Scheme. Low noise surfacing is proposed for all dual carriageway (mainline) links, with the exception of the areas on the immediate approach to the junctions, due to lower speeds on exit and approach not offering the noise reduction benefits required and also adversely affecting the pavement life in the hard-wearing areas. Finally, landscape provision will be made in accordance with approved plans. These measures will be comprised of suitable treatment at the locations identified.
- 6.16 The final matter to mention as part of the overall description of the Scheme is that there is a need for and a benefit from areas, identified within the CPO to be used as compounds, storage of materials and in one respect the treatment of material to make it suitable for use as part of the construction. Seeking land for compounds and for storage of material that needs to be moved but is later required as part of the Scheme is common practice. Showing such areas and seeking acquisition of them is now a common feature of proposals such as this and the acquisition is justified by that need. The ability to obtain material from a scheme, to store it, alter it on site and then reuse it as part of the construction is not so common although

it was an approach followed successfully on the construction of the LEB. That same approach, given that the excavation of material from the hillside is anticipated to provide suitable material to be used in the construction of the Scheme is being followed here. Land for that purpose has been identified within the CPO. The advantage of doing so in terms of movement of material is obvious and justifies the approach being taken.

- 6.17 The treatment of footways, cycleways and bridleways as part of the Scheme is of particular importance to the Council as the opportunity arises in carrying out what is required for the Scheme itself for a wider Council objective of enhancing such provision can also be met. There are a number of well known, highly regarded and attractive rights of way which local community groups and others wished to see protected. The Council's approach is to ensure in meeting the task that it has followed an approach whereby any further advantage that can be achieved is done so, provided the acquisition of any land required is justified by the Scheme itself.
- 6.18 To that end a combined footway/cycleway will run the length of the Scheme to connect the existing NMU facilities on the A46 with those provided on the LEB. The provision will run adjacent to the eastbound carriageway between the A46 and the Station Road bridge before crossing the new road on that bridge and continuing across the escarpment to connect into the network running towards Grantham Road. To the west of Grantham Road, the new route will cross the Scheme via a new bridge being provided to accommodate a re-routed Viking Way and then run through adjacent to the eastbound carriageway to the A15. Where the new provision runs alongside the new carriageway there will be a minimum separation between them of four metres except for the location where the route crosses the River Witham bridge where it will be 2.5 metres.
- 6.19 As for the Viking Way itself, which is a highly regarded local resource the intention is to ensure that its use and attraction remains. The intention is to re-route the path along the top of the cutting to the south of the Scheme to connect to the proposed bridge adjacent to Grantham Road. By doing that the long-distance views down over the plain below will be retained. Additional amenity footpaths will then be created within the overall land take for the Scheme to the north of the new road east of Station Road to ensure that connection is retained. All those rights of way are shown on the approved drawings. It marks an enhancement to the current provision and will ensure that a circular walk exists as part of the proposals.

6.20 The provision of the accommodation bridge at Wath Lane, required to ensure access exists for the movement north to south will also be available for use by NMU users. Associated access tracks will also be designated as a public bridleway between Wath Lane and the River Witham to create a circular route providing additional amenity facilities.

7. The Need and Justification for the Compulsory Purchase Order.

- 7.1 The purpose of seeking to acquire land and new rights compulsorily is to enable the NHRR to be constructed. These proposals would enable LCC to meet its statutory purposes within the shortest realistic timescale in the most appropriate way.
- 7.2 LCC recognises that a CPO for the NHRR can only be made if there is a compelling case in the public interest which justifies the acquisition of private rights and interests in land and the creation of new rights sought to be acquired. A compelling case exists here. A CPO is necessary and justifiable in the public interest.
- 7.3 LCC has made the Order to secure the outstanding interests and new rights required to enable implementation of the NHRR, which is necessary to achieve LCC's objectives for the area. Given the history of the development of the Scheme proposals, including the extensive public consultation exercises that have been undertaken, as well as other publicity of the proposals the Council's intentions will be well known. In fact, the Council has responded to the service of Statutory and Discretionary Blight Notices and has acquired some property directly affected by the Scheme as detailed in Section 4 above. In addition, discussions have taken place with others. This includes the known owners of land, statutory undertakers and others where possible. LCC intends to hold discussions with the owners of relevant interests in an attempt to reach agreement, but the CPO remains necessary to ensure that the NHRR can proceed.
- 7.4 The CPO is necessary to facilitate the NHRR and satisfies the statutory requirements for use of CPO powers pursuant to the 1980 Act.
- 7.5 As such the objectives established for the Scheme as set out above will be met. This is why it is necessary to acquire land as shown in the CPO now to allow the Scheme to proceed and without it the Scheme cannot be built.

8. The Need for and Justification of the Side Roads Order.

8.1 The purpose of the Side Roads Order is to maintain access to all land and property directly affected by the Scheme and to make necessary changes to the highway network. In order to build the new road, it is necessary to improve, or stop up existing highways and construct new highways to link into the new road. It will also be necessary to stop up some existing private means of access to land or premises and to replace those where necessary with new means of access. To enable it to carry out those works LCC is promoting the Side Roads Order.

9. The Planning Position

- 9.1 The following paragraphs provide an overview of the various applicable planning and related policies as contained within the published documentation which demonstrate how the NHRR is consistent with and will contribute to meeting national and local priorities. Given that planning permission has been granted for the Scheme, following a thorough assessment by the relevant planning authorities, and found to be acceptable in planning terms, the process now requires the adoption of the means necessary to bring the Scheme forward.
- 9.2 In respect of that examination by the planning authority, with input from subsidiary authorities, it is worth noting two particular matters of significance. The first is that the potential route for a southern bypass of Lincoln connecting the A46 at the Roundabout with the A15 has been known about for many years. It was indicated as a preferred route in 2006, after which it was incorporated into the Development Plan in 2017, following the promotion of the Plan for the area and it was further incorporated into the replacement plan in 2023. The fact that the 2006 preferred route alignment was adopted in one form and the subsequent planning documents adopted a slightly different route in part does not alter the support for it from the Development Plan. The grant of planning permission given that history is to be expected.
- 9.3 That position does not alter given that the final route selected and promoted for consideration under the planning application is slightly different from the 2023 identification. In respect of all such Planning Documents the indication is that a broad line shown on the plan would be the protected route and whereas the detail of the information obtained and taken into account in bringing forward a scheme is more extensive which often causes the detailed route to be slightly different.
- 9.4 In this case a route has existed since 2006, relevant standards to apply and the approach to be followed has changed and the Scheme itself now reflects the most appropriate option and that is reflected in the grant of planning permission.
- 9.5 The second point is that even with that planning policy support behind the Scheme the assessment of the proposal, the application of the proper planning considerations and the consideration against policy was still undertaken appropriately and with vigour. The fact that despite the application being made supported by extensive information further details were required under the section 25 process before it was agreed to. All those various matters were identified in the

Officer's Report to the Planning Committee and the Report itself is shown as being on the document list in Section 15.

- 9.6 It is not necessary to set out in this Statement of Reasons the full and extensive detail in respect of the planning determination and the various planning policy references relied upon. All that is set out in detail in the planning application itself with emphasis drawn out within the Officer's Report. Duplication of all that material is not required in this Statement but rather an overview is necessary. That overview will start with reference to the National Policy approach followed by the indication given from the Development Plan. In this case the Development Plan policy is supported by reference to certain Neighbourhood Plans which are identified separately despite being essentially consistent.
- 9.7 **The National Planning Policy Framework** ("the NPPF").
- 9.8 The NPPF was originally published in March 2012 and has been updated since with the most recent being in December 2023. It provides guidance on national planning policy. It replaces the previous planning guidance, and it is supported by the National Planning Policy Guidance information. The NPPF places an emphasis on supporting sustainable development, advising that environmental conditions are to be considered alongside economic and social considerations as all three elements contribute to the approach.
- 9.9 The NPPF recognises the role which the planning system is to play as contributing to the achievement of sustainable development. The Core Planning policies contained within the NPPF are relevant to the promotion of the NHRR. These include the following:
- Paragraph 7 of the Framework which explains that, 'the purpose of the planning system is to contribute to the achievement of sustainable development' which can be summarised as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'.
 - Paragraphs 8 and 9 identifying 3 overarching objectives including an economic, a social and an environmental objective delivered through the preparation and implementation of plans. The principle of the NHRR is safeguarded in the Central Lincolnshire Local Plan 2023 by means of an indicative route running between the A46 and the A15.

- Paragraph 11 (c) noting that development proposals that accord with an up-to-date development plan should be approved without delay.
- Paragraph 86 (c) noting that planning policies should seek to address potential barriers to investment such as inadequate infrastructure.
- Paragraph 108 which states: 'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:
 - a. the potential impacts of development on transport networks can be addressed;
 - b. opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
 - c. opportunities to promote walking, cycling and public transport use are identified and pursued;
 - d. the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
 - e. patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places'.
- Paragraph 110 which confirms at sub-paragraph b) that planning policies should be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils; at sub-paragraph c) that policies should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development; and sub-paragraph d) provide for attractive and well-designed walking and cycling networks.

9.10 The NHRR fulfils the aims underlying the NPPF as it supports the goal of sustainable development. The consideration by the Planning Authority in light of the description given within the Officer Report confirms that position. Amongst other factors the Scheme enables the South West Quadrant SUE to come forward with the benefits that has, it enables the provision of additional housing,

commercial, retail and community facilities to be developed within that extension. Such provision will not otherwise be achieved and that is in accordance with the applicable planning policy for the area. In addition, the Scheme will provide traffic relief to the town centre and its historic core which will bring forward environment as well as transportation benefits both locally and further afield as access to the ports and airport.

9.11 The National Planning Policy is strongly supportive of the proposal.

9.12 **Development Plan Provisions.**

9.13 Although formally part of the Development Plan the Minerals and Waste Local Plan for Lincolnshire has nothing of direct relevance to the issues and as such attention should be directed to the Central Lincolnshire Local Plan 2023 (the CLLP).

9.14 There are a number of policies within the CLLP of relevance and these are set out in the Officer's Report.

- Policy S1: The Spatial Strategy and Settlement Hierarchy states that the focus is on delivering sustainable growth for Central Lincolnshire.
- Policy S2: Growth Levels and Distribution seeks to meet the housing and employment needs of Central Lincolnshire.
- Policy S10: Supporting a Circular Economy provides support to development proposals which are compatible and further a strong circular economy.
- Policy S11: Embodied Carbon states that all development should, where practical and viable, take opportunities to reduce the development's embodied carbon content, through the careful choice, use and sourcing of materials. Full justification is required for development proposals which involve demolition of buildings.
- Policy S21: Flood Risk and Water Resources requires that development proposals are not at risk from flooding and do not increase flood risk; that the development will be safe during its lifetime; and incorporates Sustainable Drainage Systems. Development proposals are required to demonstrate protection of the water environment.
- Policy S45: Strategic Infrastructure Requirements states that all new development should be supported by, and have good access to, infrastructure.

- Policy S46: Safeguarded Land for Future Key Infrastructure seeks to ensure that development proposals on or near the preferred route of the North Hykeham Relief Road do not prejudice the efficient and effective delivery of the project.
- Policy S47: Accessibility and Transport supports development which contributes towards an efficient and safe transport network and offers a range of transport modes for the movement of people and goods.
- Policy S48: Walking and Cycling Infrastructure requires development proposals to facilitate active travel, with priority given to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport.
- Policy S53: Design and Amenity requires all development to achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. The policy sets a range of criteria against which development proposals will be assessed.
- Policy S54: Health and Wellbeing states the potential for achieving positive mental and physical health outcomes will be taken into account when considering all development proposals. For developments of 5 hectares or more, developers are required to submit a Health Impact Assessment and demonstrates how the conclusions have been taken into account.
- Policy S56: Development on Land Affected by Contamination requires development proposals to take into account potential environmental impacts of the development itself and impacts as a result of any former use of the site. Where development is proposed on a site which is known to be, or has the potential to be, affected by contamination, a preliminary risk assessment must be Undertaken.
- Policy S57: The Historic Environment states that development proposals should protect, conserve and seek opportunities to enhance the historic environment. The policy sets a range of criteria to be considered in relation to designated and non-designated heritage assets. Proposals affecting archaeological remains should take every practical and reasonable step to protect, and where possible, enhance their significance and applications should be accompanied by appropriate and proportionate assessments and include appropriate mitigation strategies.
- Policy S58: Protecting Lincoln, Gainsborough and Sleaford's Setting and Character sets out the key principles which proposed development in Lincoln should contribute

to, including the protection of the dominance and approach views of Lincoln Cathedral, Lincoln Castle and uphill Lincoln on the skyline.

- Policy S59: Green and Blue Infrastructure Network seeks to safeguard green and blue infrastructure and integrate this within development proposals. It states that opportunities should be sought to improve and expand assets such as public rights of way, cycleways and bridleways.
- Policy S60: Protecting Biodiversity and Geodiversity states that all development should protect, manage and enhance biodiversity and geodiversity and deliver measurable and proportionate net gains in biodiversity. The policy sets out the expectations in relation to designated sites, species and habitats of principal importance and the mitigation of potential adverse impacts.
- Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains sets out the requirement for development proposals to deliver at least a 10% measurable net gain in biodiversity, with a preference for this to be delivered on-site where possible. The policy establishes the requirement for robust evidence to demonstrate biodiversity net gains and losses at pre- and post-development stages.
- Policy S62: Area of Outstanding Natural Beauty and Areas of Great Landscape Value states that a high level of protection will be afforded to Areas of Great Landscape Value reflecting their locally important high scenic quality, special landscape features and sensitivity. Criteria are set within the policy against which development proposals will be assessed.
- Policy S63: Green Wedges establishes the function of Green Wedges and sets out the circumstances in which development in Green Wedges is allowable and what such development is expected to have regard to.
- Policy S66: Trees, Woodland and Hedgerows seeks to protect trees, woodlands and hedgerows, securing the retention and integration of these within development proposals where possible. Where appropriate, opportunities for new tree planting are encouraged.
- Policy S67: Best and Most Versatile Agricultural Land seeks to protect such land and requires the submission of an agricultural land classification report for sites of 1 hectare or larger involving the loss of the best and most versatile agricultural land,

setting out the justification for such a loss and the benefits and / or sustainability considerations which outweigh the need to protect the land.

- Policy S68: Sustainable Urban Extensions sets out the expectations for the allocated Sustainable Urban Extensions.
- Policy S76: Residential Development on Sustainable Urban Extensions allocates Sustainable Urban Extensions of up to 3,400 dwellings at the South East Quadrant (NK/CAN/003) and up to 1,300 dwellings at the South West Quadrant (NK/NHYK/001).
- Policy S80: Housing Sites in Large Villages allocates housing sites at land south of Bracebridge Heath (NK/BBH/003) and land north of Waddington (NK/WAD/023).

9.15 In addition, there are three Neighbourhood Plans with relevant planning policy to apply.

9.16 **Thorpe on the Hill Neighbourhood Plan.**

9.17 The Thorpe on the Hill Neighbourhood Plan was made part of the development plan in March 2018. The following policies are of relevance in this case:

- Policy 3: Biodiversity seeks to protect and enhance biodiversity.
- Policy 4: Green Spaces and Green Infrastructure seeks to protect public rights of way and, where necessary to mitigate the impacts of development, seek improvements and new green spaces and green infrastructure.
- Policy 5: Landscape and Views seeks to ensure that the gap between the village curtilage and the A46 is not diminished and preserves important views.
- Policy 6: Design and Character of Development sets out the criteria against which new development proposals should be considered, including visual impacts and the use of Sustainable Urban Drainage.

9.18 **Hykeham Neighbourhood Plan.**

9.19 The Hykeham Neighbourhood Plan was made part of the development plan in September 2018. The following policies are of relevance in this case:

- Policy HNP1: Design of New Development seeks to secure high standards of design and sustainable construction techniques.

- Policy HNP5: Transport Plans requires development proposals with significant traffic impacts to demonstrate impacts can be effectively mitigated. This policy also encourages travel on foot and cycle.
- Policy HNP6: Pedestrians and Cyclists states that development proposals should aim to enhance cycling and walking networks and provides support for proposals which complete gaps in the network and encourage more localised walking and cycling journeys.

9.20 **Bracebridge Heath Neighbourhood Plan.**

9.21 The Bracebridge Heath Neighbourhood Plan was made part of the development plan in April 2022. The following policies are of relevance in this case:

- Policy 17: Protecting Existing and Establishing New Non-Vehicular Routes for Pedestrians and Cyclists encourage the incorporation of safe and direct routes for pedestrians and cyclists and states that development proposals should not restrict existing footpaths or cycle routes.

9.22 **Lincoln Transport Strategy.**

9.23 The new Lincoln Transport Strategy (“LTS”) has been developed by Lincolnshire County Council, City of Lincoln Council, North Kesteven District Council and West Lindsey District Council for the period 2020-2036. The LTS provides future-ready travel options that improve access and supports people, businesses and organisations to meet their daily needs. It builds on previous versions of LTS and LITS first endorsed by the councils in 2006. As with those previous versions, the strategy is delivered through a variety of initiatives and funding sources over several Local Transport Plan periods.

9.24 The LTS aims to improve accessibility across Lincoln and support the delivery of a number of economic activities and services. The strategy sets out a number of objectives which are shaped around the key elements of the strategy’s vision: supporting economic growth, rebalancing movement towards more sustainable modes and improving quality of life for all. The objectives are set out below:

- To prepare the strategy area for future mobility including electric, shared, connected and automated mobility as well as the business models that support them.
- To reduce traffic in the urban area.

- To deliver inclusive access by ensuring a customer-focussed approach and providing a wider choice in whether, when and how people travel.
- Promote technologies to allow more people the ability to work, learn, manage health care, shop and socialise without the need to travel.
- To support and help grow Lincoln's economy by improving access to employment, education, resources and markets.
- To increase partnership working and shared responsibility for the improvement of accessibility and transport.
- To improve rural accessibility to the wider strategy area and beyond.
- To provide an efficient strategic road and rail network for long-distance connections to other major centres and international gateways.
- To increase access to education while reducing the impacts of physical access to schools, colleges and universities.
- To rebalance movement towards walking, cycling and multi-occupancy, shared mobility and passenger transport options.
- To enhance the health and wellbeing of communities through improved air quality increased physical activity and safety.
- To protect and enhance the historic and cultural environment of Lincoln.
- To minimise the impact of transport on the natural environment and improve access to open space, particularly with green corridors.
- To reduce carbon emissions to enable the county council to reach its zero emission target in 2050 and mitigate the impacts of climate change.
- To manage and support new housing and employment sites, including the sustainable urban extensions, ensuring that they mitigate their impacts whilst also delivering exemplar sustainable infrastructure to connect with the wider strategy area.

9.25 The strategy is made up of a number of connected components that, together, help to achieve the vision and objectives. This includes both primary infrastructure interventions and primary service & policy interventions.

- 9.26 The NHRR is in fact the final major development within the original Strategy and is identified as a primary infrastructure intervention in the current LTS. The NHRR provides an east-west route for local and strategic traffic, reducing rat-running, improve resilience and route choice, and reduce traffic congestion of the existing network. The NHRR also unlocks land allocated for development. within the Lincoln Policy Area including the South West SUE.
- 9.27 In particular, the NHRR, as a pivotal part of the LTS, is an essential element in the continued growth and development of Lincoln. Lincoln currently suffers from a number of longstanding transport related problems and issues that have a significant impact on journey reliability, journey times and network reliability throughout the city. These, in turn, have a negative impact on the wider Lincoln economy and act as a restraint to regeneration and the city's development aspirations.
- 9.28 Lincoln's city centre currently suffers from high levels of congestion from local and strategic traffic movements which impacts on the quality of life for local residents, acts as a constraint to the economy and reduces the attractiveness of the city for visitors and investors.
- 9.29 The transport problems and congestion within central Lincoln are exacerbated by a lack of route choice for east-west movements and lack of alternative river crossings. At present several key routes converge on the city centre and with few viable alternative routes, this results in significant levels of strategic traffic, including HGVs, being channelled through the centre of Lincoln. It also results in strategic traffic, including HGVs, to rat-run, using inappropriate routes to the south of Lincoln and through villages including Aurbourn and Harmston.
- 9.30 The NHRR is an intrinsic part of the Lincoln Transport Strategy and is an integral part of the plan to help alleviate the high levels of congestion that currently affects the centre of Lincoln. It will provide an additional crossing of the River Witham and an appropriate route for strategic traffic removing the need for much of this traffic to travel through the centre of the city. The Scheme is also fundamental in providing the necessary infrastructure improvements that will unlock the city's development potential.
- 9.31 **Local Transport Plan 5.**

9.32 The publication of a local transport plan is a statutory duty for local transport authorities under the Local Transport Act 2008. The 5th Local Transport Plan (“LTP5”) was adopted by LCC in 2022 and covers the period 2022-26. It focuses on what is needed to continue to support the sustainable growth agenda of delivering new houses and jobs, whilst reducing carbon emissions and supporting the recovery from the COVID-19 pandemic.

9.33 The LTP5 itself comprises four parts. At its core is the Lincolnshire Integrated Transport Strategy provides the context, evidence and the high-level policy and strategy content. Part 2 comprises the delivery and implementation plan. Parts 3 is supplementary and supporting modal strategies and road safety. Part 4 is monitoring and evaluation.

At the time the LPT5 was adopted, LCC had already received confirmation of funding for the NHRR. Nonetheless, the Scheme continues to support the key themes, in particular, supporting economic growth. This is achieved by:

- Improving connectivity within Lincolnshire and to the East Midlands, the rest of the UK and beyond;
- Providing a resilient and reliable transport system for the movement of people, goods and services;
- Supporting the vitality and viability of Lincoln city centre and rural communities;
- Improving connectivity to jobs and employment opportunities; and
- Providing a transport system that supports the priority sectors identified in the Lincoln Integrated Transport Strategy.

9.34 **Overall Conclusion.**

9.35 As identified within the Officer Report into the planning application there is a clear need for the proposal to go ahead and that informs the case for making the CPO and its related SRO. The Scheme is a top priority in order to reduce congestion, facilitate new development and provide better connections across Lincolnshire. The NHRR is part of the solution to the City’s transport problems and is a key piece of infrastructure required to facilitate the growth needed. Without this road the sustainable urban extension planned for south of Lincoln will not be achieved and the ambitions identified within the LTS will not come about.

- 9.36 Policy 46 of the CLLP safeguards a route for the proposed NHRR albeit slightly different to that now being pursued in some limited locations. Those changes have been explained and are justified by the fact that the Scheme as described achieves the best and most appropriate solution to the problem it is intended to address as described by the LTS. It is the final piece in the road system around Lincoln to allow for movement of traffic in the most appropriate way.
- 9.37 The question as to whether the alteration in the precise route to be followed from that shown in the CLLP was discussed within the Officers Report with the decision being that it was not a departure and as such consistent with the Development Plan.
- 9.38 The Scheme meets the requirements that might be said to apply in the context of the Transport and Active Travel implications and in addition to the road itself the opportunity to meet other Council objectives has been pursued. This applies in the context of PRow'S, with accommodation of what exists at present with an enhancement of the provision where that is appropriate. All matters related to heritage considerations, flooding and the water environment (especially given the crossing of the River Witham) have been accommodated satisfactorily. In fact, the need to ensure that is the case some land has been identified within the CPO to ensure it can be carried out. Special provision to accommodate the movement of bats across the route of the Scheme has been incorporated into the Scheme to accommodate and facilitate the movement, by means of a dedicated landscaped bat bridge and also an underpass.
- 9.39 The Scheme will have a landscape impact which has been mitigated in the most appropriate way, again through the provision of land and further noise amelioration measures have been incorporated into the Scheme where an advantage can be achieved.
- 9.40 One final point to note is that treatment of stone removed from the line of the new road will be stored and treated on site for reuse. That is advantageous as it prevents unnecessary movement of material to and from the site as well as the need for it to be obtained elsewhere. All other consequences arising from the proposals have been identified and considered during the planning application process.

- 9.41 In addition to those various consequences the financial case for the Scheme has also been examined. The overall conclusion to be drawn from that assessment is that the economic case, taking into account a monetary value for all the potential effects of the Scheme, allows for a conclusion to be drawn that the Scheme meets the High value for money category. It has a sound financial case and is affordable and the commercial case for pursuing the Scheme has been established to enable the conclusion to be drawn that it is commercially viable.
- 9.42 Based on that overall assessment, the NHRR will meet the policy ambitions as set out in the NPPF. In addition, the NHRR, given that the proposal has been promoted through local planning documents and is widely supported, the principles of “Localism” have been met and the identification of the Scheme in not only the relevant planning document, namely the CLLP but further within the LTS indicates a Scheme with the justification given.
- 9.43 **Conclusion on Policy.**
- 9.44 The Scheme has been promoted through significant number of policy documents published by both the County Council and NKDC. The need for the Scheme, the benefits it will bring are widely recognised and that has been reflected in the grant of planning consent. The proposal fits well within the applicable policy and is supported at both local and national level.

10. Funding Including Scheme Costs.

- 10.1 The Council will keep the funding arrangements, which includes the costs projections and the means by which the Scheme is to be funded under review as required to do so during the preparation and pursuit of a Scheme of this sort. The Council has submitted its Outline Business Case and has been successful in seeking the consent to progress the Scheme and the matter will next be reviewed at the full business case stage after the CPO and SRO have been considered now that planning permission has been granted.
- 10.2 The Council is content that the necessary funds for land acquisition and subsequent construction of the Scheme will be available. The financial case has demonstrated that the Scheme is affordable, that risks have been taken into account in the costings and are being actively managed with efficiency targets being in place and being managed.
- 10.3 The most likely cost of the Scheme is estimated at £193.9m within an overall range of £180.4 to £208.2m, which was reported to the Executive in October 2023. That reflected the Scheme as shown in the planning application itself.
- 10.4 The funding arrangements for the proposal are also known and will be delivered by relying on three sources of income. The first (currently shown as just over £110m) from the Department for Transport, the second just under £74m from LCC itself and thirdly £10m from developer contributions. Taken together the anticipated cost of the Scheme is covered by the combination of the three sources of income.
- 10.5 In addition, on the 4th October 2023 the Government published “Network North: transforming British Transport” which altered the funding arrangements following the announcement of the withdrawal from parts of HS2. That indicated that for certain projects, including the NHRR whereas previously only a percentage of the costs indicated at outline business case stage would be covered by the Department, in future 100% of the cost identified would be awarded. Although the details of that arrangement are not yet known to the Council it is anticipated that the figure given above from the Department will be increased.
- 10.6 Taken together the Council is aware of the proposals in detail, it is aware of the costs involved and has identified how those costs would be covered. The funding does not therefore present any impediment to the Scheme going ahead or to the consideration of either the CPO or the SRO required to enable it to do so.

11. Special Considerations.

- 11.1 Within this section of the Statement of Reasons various matters are brought together which are potentially relevant to the consideration of the Scheme as they relate to a number of different considerations. Each will be addressed in turn with an indication of the potential for the Scheme to effect each of them. It starts with those matters where there is no effect before moving onto consider various Heritage Assets where an element of judgment is required to assess the potential. The conclusion to be drawn is that in respect of all matters there is no impediment to the Scheme progressing and the grant of planning permission in respect of it confirms that position.
- 11.2 The Scheme does not impact on ecclesiastical or burial grounds.
- 11.3 The Scheme does not affect any Common Land, or any area identified as public open space, nor any land owned by the National Trust.
- 11.4 The Scheme avoids any land take from the Waddington Airfield and landscape mitigation measures have been developed in the knowledge of the airfield's requirements.
- 11.5 The Scheme does not affect any Crown Land that has not been accommodated for within the proposals.
- 11.6 Part of the Order Land is in the ownership of the Lincolnshire County Council, a statutory body charged with the provision of highway facilities in the area. LCC supports the Scheme and its statutory obligations, rights and powers have been taken into account in the development proposals. Parts of the route of the Scheme fall within land controlled by National Highways, the Strategic Highway Company charged with the control of the Truck Road Network. National Highways supports the proposals which affect its direct interests and further supports the Scheme.
- 11.7 Equipment and structures of the Statutory Undertakers will be protected, diverted, extended or improved as required by the Scheme. The affected Statutory Undertakers consist of the bodies listed in Table 11-1 below. Enquiries with the affected parties has followed the process as defined in the New Road and Street Works Act 1991 ("NRSWA"). The current position in respect of each of these bodies is included in Table 11-1.

Table 11-1 Statutory Undertaker and NRSWA status

Statutory Undertaker	C2*Status	C3* Status	C4* Status
Anglian Water (Potable)	Received	Received	In progress
Anglian Water (Sewer)	Section 185 application in progress		
Severn Trent Water (Sewer)	Section 185 application in progress		
Cadent (Gas)	Received	Received	In progress
National Grid (400KV)	n/a - no conflict with apparatus	n/a - no conflict with apparatus	n/a - no conflict with apparatus
Openreach (Telecom)	Received	Received	Received
Virgin Media (Telecom)	Received	Received	Received
National Grid Electricity Network	Received	Received	Received
UPP Telecoms	Not Received	Not Received	In progress

***Note:**

C2 = Scheme Identification and Preliminary Enquiries – obtain details of apparatus being considered for alteration from the statutory undertakers.

C3 = Budget Estimates – submit details of the proposals to the statutory undertakers who respond with preliminary details of the effects including any special requirements and a budget estimate to include all likely costs.

C4 = Detailed Estimates – submit final design to the statutory undertakers who respond with details and specifications of the necessary measures, detailed estimate, provisional programme, and all other necessary information.

11.8 The Council will continue to liaise with all affected Statutory Undertakers as the Scheme progresses.

11.9 The Exolum Pipeline does not appear in that list as that is not considered to be a Statutory Undertaker in the form envisaged. In any event specific and detailed discussions have been held with them to identify what is required and how it can be accommodated. The diversion is permitted by the grant of the planning permission and the detail of how it will be undertaken will continue to be developed with the operators themselves. The land on which the diversion is to take place is

within the CPO and must therefore be acquired to enable that to take place. The CPO is justified to allow that to happen. The Council has entered into an agreement with Exolum to undertake the detailed design for the pipeline and procure long lead in time materials. That agreement also includes for land and legal matters with a view to securing the necessary rights to undertake the diversion by negotiation with the affected landowners. Discussions will continue with Exolum but they do not affect the CPO or SRO itself.

- 11.10 The next matter relates to the potential for the Scheme to affect Heritage Assets and this is addressed in more detail given that an element of judgment is required, and that judgment can only be exercised if factors relevant to informing it are known and are taken into account. That exercise was undertaken in detail as part of the consideration of the planning application and prior to its approval. It is not intended to repeat the contents of the information supplied as part of that process especially as it is listed as being available through the documents referred to in *Section 15* of this Statement.
- 11.11 The approved Heritage Statement, submitted as part of the Planning Application for the Scheme concluded that there will be a moderate adverse effect on known and as of yet unknown archaeological remains, prior to any mitigation works. That information was available to and considered prior to the grant of planning permission for the Scheme. Conclusions can be drawn from the analysis which has been undertaken and the decision to give consent following it.
- 11.12 There will be no designated heritage assets, namely those aspects of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural, or artistic interest, directly affected by the Scheme. The Scheme has therefore avoided any direct physical effect on any such asset.
- 11.13 The potential for related affects remains and any such affect needs to be taken into account. In that regard the approach the Council has followed is one where if there is a possibility of the Scheme falling within the setting of either conservation areas and/or buildings that has been identified so that it can be taken into account as well.
- 11.14 The Scheme has been treated as located within the setting of eight listed buildings and three conservation areas, even though some of those designated buildings

and areas are some distance from the Scheme with intervening built form, vegetation and other activity.

- 11.15 In addition, given that much of the land required to be used for the Scheme is undeveloped agricultural land the potential would exist for other finds to be made. The condition included within the planning permission related to further heritage-based investigation will address that.
- 11.16 The first point to note is that there are no scheduled monuments or listed buildings directly affected by the Scheme.
- 11.17 The view has, however was taken that it can be considered that the Scheme is located within the setting of the following listed buildings, with each of them being assessed at the stage the Environmental Statement was produced, these were:
- Grade II* Church of St Michael's;
 - Grade II Church Farmhouse;
 - Grade II Grange Farmhouse;
 - Grade II The Manor House;
 - Grade II Gates and Walls at the Manor House;
 - Grade II Farm Buildings at the Manor House;
 - Grade II Beacon Hill Cottage; and
 - Grade II Mere Hall Farmhouse.
- 11.18 Each of them has been looked at although in respect of Mere Farmhouse the combination of distance from the Scheme at 2km, large established trees and vegetation would mean that there was no alteration to its setting and as such was judged not to be within the setting of the Scheme.
- 11.19 In addition to those listed buildings three Conservation Areas were assessed against the Scheme. Although none of them were directly affected three were identified where it was considered that there was the potential for the Scheme to be judged as being within the setting of the designated area. These were:-
- Waddington Conservation Area;
 - Cathedral and City Centre Conservation Area; and
 - Harmston Conservation Area.

- 11.20 Each of those listed buildings and Conservation Areas is addressed in turn, for a full and detailed assessment the supporting Heritage Statement should be looked at.
- 11.21 **Grade II* Church of St Michael and Grade II Church Farmhouse.**
- 11.22 The Church is located some 285 metres north of the Scheme and is set within its own grounds set back from the adjacent road and accessed from a path. The surrounding graveyards gives the location a sense of peace which is supported by the heavily treed and landscaped grounds, which separates it from the adjacent school and village properties. The tower provides a landmark feature. The Church Farmhouse is slightly closer to the Scheme but is still some 245 metres away within the village itself.
- 11.23 A change to the current situation is acknowledged as arising from the Scheme but in respect of both the construction phase and following that once the Scheme becomes operational, that effect is assessed as being at the lower end of the scale. That arises from the distance from the Scheme, the fact that there is no direct effect on the buildings or grounds and that embedded mitigation in the Scheme proposals will have a beneficial effect.
- 11.24 **Grade II Grange Farmhouse.**
- 11.25 Grange Farmhouse is approximately 400 metres north from the Scheme located in a mixed urban/rural location. It is assessed that the listed building may experience a temporary change during construction, arising principally from noise but with no effect during the operational phase. The potential effect, given the distance from the Scheme, intervening vegetation and built form will be at the lower end of the scale.
- 11.26 **Grade II The Manor House and associated buildings and gates and walls.**
- 11.27 This group of buildings and structures is approximately 70 metres north of the Scheme on Sleaford Road, where the current setting is formed from a mixture of open fields, modern residential development, light industrial units along with the recently constructed LEB, with some parts enclosed by walls and vegetation. Temporary affects during construction are recognised arising principally from dust, noise and vibration which may give rise to some effect at the lower end of the scale, but almost no change is anticipated to occur with the Scheme in operation

due to existing vegetation and the enclosed nature of the asset. The overall operational effect being judged, once again to be at the lower end of the scale.

11.28 Grade II Beacon Hill Cottage.

11.29 This asset is located some 780 metres from the Scheme and is enclosed by large mature trees with additional vegetation between the building and the Scheme itself. It is not assessed that due to distance and the current circumstances that there will be any change to the existing setting with both construction and operational effects to be negligible.

11.30 Grade II Mere Hall Farmhouse.

11.31 This was addressed earlier.

11.32 Waddington Conservation Area.

11.33 The boundary for the Conservation Area, which was established by the local planning authority as an area of special architectural or historic interest, is located some 180metres south of the Scheme. The setting is comprised of a mix of elements, including rural fields, modern residential development and the airfield itself. It is therefore an area subject to change with features of modern development and the effects arising from them in terms of activity, noise, dust and vibration. Mitigation measures embedded in the Scheme will address construction activity although a residual effect is acknowledged. There is one important aspect which arises that the Council has paid specific attention to and that is the view (see RV9 in the LVIA) which was identified within the conservation area appraisal, which will be altered. Following the construction of the Scheme, including the embedded mitigation measures an adverse effect will remain which has been judged to be moderate adverse (permanent, long term) significance of effect.

11.34 Cathedral and City Centre Conservation Area.

11.35 Although located some 3km north of the Scheme and separated from it by built form, existing vegetation and roads the potential affect has been assessed. That affect has been assessed as being at the lower end of the scale, which arises from a combination of those factors mentioned, arising in part from the importance and significance of the asset itself. The conservation area sits on a high topographical location, with prominent and significant buildings, including the cathedral and castle, and forms a prominent and identifiable landmark feature. The Scheme is

therefore taken to be within the setting of such an important feature but the effect of it is judged to be at the lower end of the scale.

11.36 Harmston Conservation Area.

11.37 This conservation area is located approximately 1.9km to the south of the Scheme and is essentially in a rural setting, although modern development has eroded that character somewhat. There is a long-distance view from the Lincoln Edge which will overlook the Scheme which will be affected by construction activity for a short period of time with the operational phase also creating some changes to the view. Overall, such changes were assessed to be at the lower end of the scale.

11.38 Conclusion on Heritage Asset.

11.39 Following a thorough assessment of the potential for the Scheme to affect interests of Heritage value the conclusion can be drawn that the approach identified not only the assets potentially affected but also the potential effect of the Scheme on them. In essence the majority of these assets will experience only a minor or negligible change in their setting. It is only in respect of the Waddington Conservation Area, the Cathedral and City Conservation Area and the Grade II* Church of St Michael's where the potential arise for there to be a change in the setting that has the potential to affect the significance and in respect of each of them embedded mitigation measures will reduce the harm.

12. Draft Orders and Programme.

- 12.1 The Scheme will be implemented by the Council. The current intention, subject to completing the relevant procedures to acquire the land, is to start work on site in the Autumn of 2025. The works are currently programmed to take approximately three years from starting on site with completion by 2028. The Council does intend to carry out preliminary pre-commencement works on land for which planning permission exists and which is within its ownership or control at the earliest opportunity to bring forward the completion date for the overall Scheme where that is feasible.
- 12.2 The Council is of the view that Autumn 2025 is the earliest possible start date allowing for the successful completion of the Orders and that is the timescale that the Council has been using in discussions with land and business owners affected by the Scheme.
- 12.3 The Council is satisfied that there are no foreseeable barriers to the implementation of the Scheme and that funds will be available to secure the Scheme as shown within the planning permission granted. All relevant considerations are in place to achieve the start date subject to the successful outcome of the consideration of the Orders.

13. The Human Rights Act 1998 and The Equality Act 2010.

13.1 The Council has addressed the implications arising from the Scheme in respect of the Human Rights Act 1998. The Human Rights Act 1998 incorporated the European Convention on Human Rights (the “Convention”) into domestic law. The Convention includes provisions in the form of Articles, the aim of which is to protect the rights of the individual.

13.2 Paragraph 12 of the DLUHC Guidance sets out how applicants should approach the issue of human rights. It states: -

“An acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention.”

13.3 In resolving to make the Orders, the Council has carefully considered the rights of property owners under the Convention against the wider public interest, having particular regard to the following Articles from the Convention.

13.4 Article 1 of the First Protocol to the Convention.

13.5 This protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the relevant national and international laws.

13.6 Article 6.

13.7 This entitles those affected by the Scheme to a fair and public hearing. This includes property rights and can include opportunities to be heard in the consultation process.

13.8 Article 8.

13.9 This protects private and family life, home and correspondence. No public authority can interfere with these interests except if it is in accordance with the law and is necessary in the interests of national security, public safety or the economic well-being of the country.

13.10 Article 14.

- 13.11 This protects the right to enjoy rights and freedoms in the Convention free from discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, or national or social origin.
- 13.12 The European Court of Human Rights has recognised that “regard must be had to the fair balance that has to be struck between competing interests of the individual and of the community”. Both public and private interests are to be considered in the exercise of the Council’s powers and duties as a local authority. Any interference with a Convention right must be necessary and proportionate.
- 13.13 In light of the significant public benefit which would arise from the implementation of the Scheme, the Council has concluded that it would be appropriate to make the Orders. It does not regard the Orders as constituting any unlawful interference with individual property rights.
- 13.14 In addition to the publicity and consultation on the planning application for the Scheme, during which anyone with an interest in the land would have had the opportunity to comment on the proposals, all known owners, and occupiers of land within the Order Land have been contacted regarding the Scheme. The Council has had regard to landowner feedback in both the initial design of the Scheme and in iterative design decisions and changes made throughout the life of the development of the Scheme.
- 13.15 Further representations can be made by way of objections to the Orders in the context of any public inquiry that the Secretary of State decides to hold in connection with the Orders. Those parties, whose interests are acquired under the CPO, will be able to claim compensation under the relevant provisions of the Compensation Code.
- 13.16 The Public Sector Equality Duty (“the PSED”) was introduced by the Equality Act 2010 (“the 2010 Act”) as part of the government’s aim to protect people from discrimination in the workplace and in wider society. The PSED came into force on the 5th of April 2011 and means that public bodies have to consider all individuals when carrying out their day-to-day work including when shaping policy and delivering services.
- 13.17 Section 149 of the 2010 Act established the general equality duty which is that all public authorities are required in the exercise of their functions to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster

good relations between different people when carrying out their activities. Advancing equality of opportunity means, in particular, having due regard to the need to remove or minimise disadvantages suffered by people due to their protected characteristics; take steps to meet the needs of people with certain protected characteristics where these are different from the needs of others; and encourage people with certain protected characteristics to participate in public life where their participation is disproportionately low.

- 13.18 The legislation is not prescriptive about the approach that a public authority should take in order to comply with the PSED. However, principles from case law suggest that each public authority should keep in mind, amongst other things, that the duty must be complied with before and at the time that a particular policy is under consideration, as well as when a decision is taken; and that a public authority must consciously think about the need to do the things set out in the PSED as an integral part of the decision making process, exercising the duty in substance, with rigour and with an open mind.
- 13.19 In the light of this, an Equality Impact Assessment (“EqIA”) screening was undertaken in June 2023, using the National Highways Equality, Diversity and Inclusion Tool (EDIT) and Equality Impact Assessment Screening Analysis and Monitoring Template. It was conducted in accordance with National Highways’ guidance for EqIAs, dated 2017. The guidance provides information on:
- how to deliver an EqIA that enables decision makers to give 'due regard' to their equality duty in the decisions they take regarding the built environment and demography;
 - screening, in order to detect the likelihood of impacts on certain protected characteristic groups based on aspects such as age, disability, sex or religion; and
 - how to use the Equality, Diversity and Inclusion Tool (EDIT) as a means of understanding whether there are any high-density areas of protected characteristic groups in the surrounding area and undertake a full analysis of the impacts.
- 13.20 The screening analysis concluded that a full EqIA is not required for NHRR, as NHRR proposals were robust in terms of equality. The impact on different groups

was considered to be 'neutral' with no risk of discrimination and the proposals will not have a disproportionate impact on persons with protected characteristics.

- 13.21 Nevertheless, the Council considers that any potential negative impact that might be seen to arise from the Scheme can be outweighed significantly by the benefits. Further the Council is confident that it can mitigate any potential issues to minimise impacts on those with protected characteristics and the public generally.

14. Contacts and Additional Information.

- 14.1 Owners and Tenants of properties affected by the Orders who require information about the Council's intentions or the process itself can contact Lincolnshire County Council, County Offices, Newlands, Lincoln LN1 1YL, or telephone 01522 782070.
- 14.2 Copies of the Orders, the Order Maps, Schedule to the Orders and this Statement of Reasons for making the Orders can be inspected during normal office hours at the following locations:

Lincolnshire County Council
Newland
Lincoln
LN1 1YL

North Kesteven District Council
District Council Offices
Kesteven Street
Sleaford
NG34 7EF

- 14.3 The Order documents will also be made available on LCC's website at www.lincolnshire.gov.uk/nhrr

15. Documents, Maps or Plans Relied on.

15.1 If relevant and applicable objections are received to the various Orders and a public local inquiry is held, LCC may refer to some or all of the documents set out below. Copies of these documents (or relevant extracts) will be available for inspection by members of the public and can be inspected during normal office hours at LCC'S offices at County Offices, Newland, Lincoln LN1 1YL and also North Kesteven District Council, District Council Offices, Kesteven Street, Sleaford, NG34 7EF. Details will also be made available on LCC's website www.lincolnshire.gov.uk/nhrr

15.2 The Council reserves the right to introduce such additional documents as may be relevant to any public inquiry in respect of the Orders and will endeavour to notify the public inquiry and any statutory third parties of any such documents as soon as possible prior to the opening of such inquiry. Further LCC may update this list of documents at the time that any Statement of Case is produced.

15.3 List of Documents

- Order Documents
 - Compulsory Purchase Order and maps
 - Side Roads Order and plans
 - Engineering drawings
- Legal Documents
 - The Highways Act 1980 (<https://www.legislation.gov.uk/ukpga/1980/66>)
 - The Acquisition of Land Act 1981 (<https://www.legislation.gov.uk/ukpga/1981/67/contents>)
 - The Compulsory Purchase Act 1965 (<https://www.legislation.gov.uk/ukpga/1965/56/contents>)
 - The Town and Country Planning Act 1990 (<https://www.legislation.gov.uk/ukpga/1990/8/contents>)
 - The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (<https://www.legislation.gov.uk/uksi/2017/571/contents>)
 - The Humans Rights Act 1998 (<https://www.legislation.gov.uk/ukpga/1998/42/contents>)
 - The Equality Act 2010 (<https://www.legislation.gov.uk/ukpga/2010/15/contents>)
- National Policy Documents

- Major Road Network and large Major Programme
(<https://www.gov.uk/government/publications/major-road-network-and-large-local-majors-programmes-investment-planning/major-road-network-and-large-local-majors-programmes-investment-planning-guidance>)
- Compulsory Purchase Process and the Criche Down Rules
(<https://www.gov.uk/government/publications/compulsory-purchase-process-and-the-criche-down-rules-guidance>)
- The Department of Transport Local Authority Circular 2/97
- Transport Analysis Guidance (<https://www.gov.uk/guidance/transport-analysis-guidance-tag>)
- National Planning Policy Framework
(<https://www.gov.uk/government/publications/national-planning-policy-framework--2>)
- Local Policy Documents
 - Central Lincolnshire Local Plan (<https://www.n-kesteven.gov.uk/central-lincolnshire>)
 - Lincoln Transport Strategy (<https://www.lincolnshire.gov.uk/directory-record/64728/lincoln-transport-strategy>)
 - Local Transport Plan 5 (<https://www.lincolnshire.gov.uk/directory-record/61695/local-transport-plan>)
 - Greater Lincolnshire Local Enterprise Partnership Local Industrial Strategy (<https://www.greaterlincolnshirelep.co.uk/priorities-and-plans/strategies-and-plans/local-industrial-strategy>)
 - Thorpe on the Hill Neighbourhood Plan (<https://www.n-kesteven.gov.uk/your-community/localism-your-community/neighbourhood-plans/thorpe-hill-neighbourhood-plan-made>)
 - Hykeham Neighbourhood Plan (<https://www.n-kesteven.gov.uk/your-community/localism-your-community/neighbourhood-plans/hykeham-neighbourhood-plan-made>)
 - Bracebridge Heath Neighbourhood Plan (<https://www.n-kesteven.gov.uk/your-community/localism-your-community/neighbourhood-plans/bracebridge-heath-neighbourhood-plan-made>)

- Decision Making
 - Report to Executive dated 5 December 2006 "Preferred Route for Lincoln Southern Bypass"

(<https://lincolnshire.moderngov.co.uk/ieListMeetings.aspx?CommitteeId=121>)
 - Report to Executive dated 2 October 2018 "North Hykeham Relief Road"

(<https://lincolnshire.moderngov.co.uk/documents/s23624/NH%20RR%20-%20Cover%20Report.pdf>)
 - Report to Executive dated 5 April 2022 "North Hykeham Relief Road (NHRR)" (<https://www.lincolnshire.gov.uk/downloads/file/6501/nhrr-executive-report>)
 - Report to Executive dated 3 October 2023 "North Hykeham Relief Road"

(<https://lincolnshire.moderngov.co.uk/documents/s59146/North%20Hykeham%20Relief%20Road.pdf>)
 - Report to Executive dated 6 February 2024 "North Hykeham Relief Road (NHRR) - Land Assembly Preparation and Highways Matters" (
 - <https://lincolnshire.moderngov.co.uk/documents/s60786/North%20Hykeham%20Relief%20Road%20-%20Land%20Assembly%20Preparation%20Highways%20Matters.pdf>)
 - Report to Planning and Regulation Committee dated 13 May 2024 "County Council Development - 23/1447/CCC"

(https://lincolnshire.moderngov.co.uk/documents/s62182/1.%2023_1447_CCC%20North%20Hykeham%20Relief%20Road.pdf)
 - Report to Executive dated 2 July 2024 "North Hykeham Relief Road (NHRR) – Compulsory Purchase Order and Side Roads Order"

(<https://lincolnshire.moderngov.co.uk/documents/s62835/North%20Hykeham%20Relief%20Road%20-%20Compulsory%20Purchase%20Orders%20and%20Side%20Roads%20Orders.pdf>)
- Design Documents
 - Design Manual for Roads and Bridges

(<https://www.standardsforhighways.co.uk/dmrb>)

- Lincolnshire County Council Highway Design
(<https://www.lincolnshire.gov.uk/highways-planning/Guidance-for-developers>)
- CIRIA SUDs Guidance Manual (C753)
(https://www.ciria.org/CIRIA/CIRIA/Item_Detail.aspx?iProductCode=C753)
- Planning Application Documents (all items below available at:
<https://lincolnshire.planning-register.co.uk/Planning/Display?applicationNumber=PL%2F0087%2F23>)
 - Planning Application including:
 - Application Form
 - Cover Letter
 - Design and Access Statement
 - Health and Impact Assessment
 - Landscape and Ecology Management Plan
 - Landscape Strategy
 - Planning Statement
 - Public Engagement report
 - Transport Assessment
 - Water Quality Assessment
 - Written Scheme of Investigation for Archaeological Works
 - Environmental Statement Volume 1 Non-technical Summary
 - Environmental Statement Volume 2
 - Environmental Statement Volume 3
 - Environmental Statement Volume 4
 - Red Line Boundary Location Plan
 - Location Plan
 - Location Plans 1 to 17
 - Detailed Planting Plans 1 to 17
 - Ecological Mitigation Details
 - General Arrangement Sheets 1 to 18
 - Lighting Layout Sheets 1 to 6
 - Landscape Masterplan Sheets 1 to 17
 - Cross Sections
 - Plan and profile for Main Carriageway

- River Witham General Arrangement Sheets 1 to 2
- Scheme Plan and Long Section
- Somerton Gate Lane Bat Culvert
- Station Road Overbridge General Arrangement
- Viking Way Footbridge General Arrangement
- Wath Lane Footbridge General Arrangement
- Regulation 25 Notice / Request
- Regulation 25 Response Part A
- Regulation 25 Response Part B
- Increase in Noise Barrier Height Note
- Committee Report 13 May 2024
- Decision Notice
- Other Documents
 - Outline Business Case
 - Agreement between National Highways Limited and Lincolnshire County Council pursuant to section 6 and section 8 of the Highways Act 1980 relating to highway works at A46 Hykeham Roundabout to the south-west of Lincoln