

**DEVELOPMENT CONTROL AND REGULATORY BOARD****23<sup>rd</sup> MAY 2019****REPORT OF THE CHIEF EXECUTIVE****SUPPLEMENTARY REPORT**

**North and East Melton Mowbray Distributor Road. New distributor road and 3m shared cycle/footway around Melton Mowbray from west of A606 Nottingham Road at St Bartholomew's Way to west of the A606 Burton Road at Sawgate Road including: six new roundabouts; bridges at Scalford Brook, Thorpe Brook, River Eye and the Leicester-Peterborough railway line (to the east of Lag Lane Brenting by Junction); and ancillary development including works to connecting roads, diversion of River Eye, creation of new and enhanced habitats, landscaping, demolition of Sysonby Farm, works to cycleways and footpaths, development of an NMU route along Lag Lane/Sawgate Road and flood risk/drainage works (including but not limited to culverts and balancing ponds) – (Borough of Melton)**

**2018/Reg3Ma/0182/LCC (18/01204/CM) – 1<sup>st</sup> October 2018**

**Part A – Members Site Visit**

1. This application was the subject of a site visit by members of the Development Control and Regulatory Board which took place on the morning of 21<sup>st</sup> May 2019. The site visit was attended by the Chairman and seven other members of the Board.
2. Members travelled along the A607 Melton Road, towards Nottingham Road to the location of proposed roundabout 1. Questions were raised by members regarding local housing allocations. Afterwards, members travelled up Scalford Road to observe the location of the proposed roundabout 2 and a nearby residential property which would be screened by noise barriers and landscaping works.
3. Members travelled through Scalford and southwards along Melton Spinney Road to observe the location of proposed roundabout 3. Questions were raised about the direct access to Twinlakes Park via a spur road and also regarding the proximity of the scheme to Melton Country Park. Members then travelled towards Thorpe Arnold and observed the location of proposed roundabout 4.
4. Following this, members travelled to Saxby Road, where it meets Lag Lane, to the location of proposed roundabout 5 and observed part of Lag Lane which is proposed to be changed from a public highway into a public right of way. Members observed the section of the River Eye which would be diverted. Questions were raised by members as to what would happen to the current river location. The current location would be retained as a wildlife habitat. Members then viewed the route of the proposed road from the existing railway crossing, where it intersects Lag lane. They observed the interface distance to existing houses visible to the west of the proposed route.

2018/1204/06 (2018/Reg3Ma/0182/LCC) – continued

5. Members then travelled to observe the existing Lag Lane railway bridge. Questions were raised regarding proposed surfacing of the road. It was clarified that low noise surfacing is proposed. Members then travelled to the A606 Burton Road to observe the location of proposed roundabout 6. Local objections were discussed, including the proximity of the road and the roundabout to residential properties, as well as the presence of the nearby Scheduled Ancient Monument.

### **Part B – Additional Information and Further Consultation**

6. During the original consultation process which began on the 16<sup>th</sup> October 2018, comments were provided by LCC Archaeology. It was advised that it was not possible to finalise archaeological advice on the proposed scheme owing to a lack of sufficient information. Following this, additional information to address the comments made by Archaeology was submitted by the applicant. A further Regulation 25 consultation was undertaken in accordance with the Regulations.

#### **Consultation Responses**

8. Canal & River Trust – No further comment.
9. Highways England - No objection.
10. LCC Landscape – No further comment.
11. LCC Archaeology - Assessment of the Leicestershire and Rutland Historic Environment Record (HER), further informed by the results of the archaeological investigation detailed in the applicant's Environmental Statement (ES) and recently submitted addendum, shows that the proposed distributor road impacts upon a landscape of significant known and potential archaeological interest. However, the impacts of the scheme can be adequately addressed by the provision of archaeological mitigation works. Therefore, it is recommended that any planning permission be granted subject to a planning condition to safeguard any important archaeological remains potentially present. This planning condition should require a written scheme of investigation to be submitted and approved by the County Planning Authority in writing.
12. Lead Local Flood Authority – Amendment to previously recommended planning conditions. The Lead Local Flood Authority advises that the proposals are considered acceptable and advise that planning conditions relation to the provision of a surface water drainage scheme and details relating to the management of surface water onsite, be submitted to the County Planning Authority for approval.
13. Public Health England – No further comment.
14. The following were also consulted but provided no comments; Leicestershire and Rutland Wildlife Trust, LCC Public Rights of Way, Network Rail, Natural England, Inland Waterways Association, Historic England, LCC Highways, LCC Heritage, Health and Safety Executive, Environment Agency, LCC Ecology, The Coal Authority, Melton Borough Council (Planning), Melton Borough Council (Environmental Health), Archaeology (Leicestershire County Council), British Horse Society and Bridleways Authority and Cadent Gas.

2018/1204/06 (2018/Reg3Ma/0182/LCC) – continued

Publicity & Representations received

15. The application was advertised in accordance with the statutory requirements on the 18<sup>th</sup> April 2019 by way of: site notices posted around the application area, a press notice within the Melton Times and direct neighbour notifications sent to 1,069 residents.
14. Additional representations from members of the public were received within the statutory consultation period. One comment was received regarding the diversion of the River Eye. It was commented that it should be proposed to make provision for the eventual restoration of the Oakham Canal.
15. Two objections were received regarding the proposed location of the road scheme.
16. Mr. J. B. Rhodes CC provided comment on the application to note that he is in favour of the application. Mr. J. T. Orson CC also provided comment on the application to note that he supports the recommendation on page 30 of the main report; to permit subject to the conditions in the Appendix.

Assessment of Supplementary Information

17. Overall, it is considered that the final comments provided by LCC Archaeology do not change the assessment of the proposal and the Recommendation contained in the main report to the Development Control & Regulatory Board on the 23<sup>rd</sup> May 2019.
18. Therefore, it is recommended that subject to the imposition of a planning condition to preserve the historic and natural environment, with particular respect to archaeology, the development is found to accord with Policy SS1 (Presumption in favour of Sustainable Development), Policy EN13 (Heritage Assets), Policy ENV4 (Protection of Other Sites of Environmental (Natural or Historical) Significance and Policy ENV11 (Ridge and Furrow Fields) of the Melton Local Plan and Section 16 of the NPPF, in addition to those policies outlined in the main board report.
19. Therefore, it is recommended that the following condition (in bold text) be added into the Appendix of the main report and added onto the report and decision notice as Condition no. 24;

Archaeology

**24. No development, operations or construction shall commence until a written scheme of investigation (WSI), informed by an initial stage of exploratory investigation to target the River Eye diversion and associated works has been submitted to and approved by the County Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and**

- **The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works**

- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

2018/1204/06 (2018/Reg3Ma/0182/LCC) – continued

**Reason:** To ensure satisfactory archaeological investigation and recording.

20. The following supplementary informative is also advised (bold text);

**The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor. The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.**

### **Part C – Proposed Amendment**

21. Additionally, for clarity purposes it is also proposed to amend Condition no.2 to read as follows (bold text);

2. Unless otherwise required by the permission the development shall be carried out in accordance with the following details:

Document Name	Document Reference	Document Date
Application Form		01/10/2018
Arboricultural Impact Assessment (sections 6.1.3-6.1.6)	60542201-ACM-ARB-GEN_GEN_ZZ_Z-RP-LV-0001 P01 S2	Sept 2018
Volume 1: Environmental Statement (as amended) mitigation and enhancement measures	60542201-ACM-EGN-GEN_GEN_ZZ_Z-RP-LE-0003 P01 S2 as amended by:  Environmental Statement Addendum 60542201-ACM- EGN-GEN_GEN_ZZ_Z-RP-LE-0013; and  Environmental Statement Addendum (including Appendix 1) 60542201-ACM-EHR-GEN_GEN_ZZ_Z-RP-AG-0001	Sept 2018  March 2019  April 2019

Drawing Name	Drawing Number	Rev
Location Plan	60542201-ACM-GEN_GEN_GEN_ZZ_Z-DR-T-0002	P02
Red Line Boundary Annotated Sheet 1	60542201-ACM-HGN-S1_GEN_ZZ_Z-DR-CH-0001	P06

Red Line Boundary Annotated Sheet 2	60542201-ACM-HGN-S1_GEN_ZZ_Z-DR-CH-0002	P06
Red Line Boundary Annotated Sheet 3	60542201-ACM-HGN-S1_GEN_ZZ_Z-DR-CH-0003	P06
Red Line Boundary Annotated Sheet 4	60542201-ACM-HGN-S1_GEN_ZZ_Z-DR-CH-0004	P06
Red Line Boundary Annotated Sheet 5	60542201-ACM-HGN-S1_GEN_ZZ_Z-DR-CH-0005	P06
Red Line Boundary Annotated Sheet 6	60542201-ACM-HGN-S1_GEN_ZZ_Z-DR-CH-0006	P06
Red Line Boundary Annotated Sheet 7	60542201-ACM-HGN-S1_GEN_ZZ_Z-DR-CH-00017	P06
General Arrangement Key Plan	60542201-ACM-GEN_GEN_GEN_ZZ_Z-DR-T-0001	P02
General Arrangement Plan 1	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0001	P03
General Arrangement Plan 2	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0002	P03
General Arrangement Plan 3	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0003	P03
General Arrangement Plan 4	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0004	P03
General Arrangement Plan 5	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0005	P03
General Arrangement Plan 6	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0006	P03
General Arrangement Plan 7	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0007	P03
General Arrangement Plan 8	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0008	P03
General Arrangement Plan 9	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0009	P03
General Arrangement Plan 10	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0010	P03
General Arrangement Plan 11	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0011	P03
General Arrangement Plan 12	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0012	P03
General Arrangement Plan 13	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0013	P03
General Arrangement Plan 14	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0014	P03
General Arrangement Plan 15	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0015	P03
General Arrangement Plan 16	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0016	P03
General Arrangement Plan 17	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0017	P03
General Arrangement Plan 18	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0018	P03
General Arrangement Plan 19	60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0019	P03
General Arrangement Plan 20	60542201-ACM-GEN-	P03

	<b>S1_ML_ZZ_Z-DR-T-0020</b>	
<b>General Arrangement Plan 21</b>	<b>60542201-ACM-GEN-S1_ML_ZZ_Z-DR-T-0021</b>	<b>P03</b>
<b>Culvert C01 Indicative General Arrangement</b>	<b>60542201-ACM-STR-S1_CU_C01_Z-DR-T-0001</b>	
<b>Culvert C02 Indicative General Arrangement</b>	<b>60542201-ACM-STR-S1_CU_C02_Z-DR-T-0001</b>	
<b>Culvert C03 Indicative General Arrangement</b>	<b>60542201-ACM-STR-S4_CU_C03_Z-DR-T-0001</b>	
<b>Railway Bridge Indicative General Arrangement Sheet 1 of 2</b>	<b>60542201-ACM-STR-S5_BR_B04_Z-DR-T-0001</b>	
<b>Railway Bridge Indicative General Arrangement Sheet 2 of 2</b>	<b>60542201-ACM-STR-S5_BR_B04_Z-DR-T-0002</b>	
<b>River Eye Bridge Indicative General Arrangement</b>	<b>60542201-ACM-STR-S5_BR_B03_Z-DR-T-0001</b>	
<b>Revised Information - Scalford Brook Bridge Indicative General Arrangement</b>	<b>60542201-ACM-STR-S2_BR_B01_Z-DR-T-0001</b>	<b>P02</b>
<b>Revised Information - Thorpe Brook Bridge Indicative General Arrangement</b>	<b>60542201-ACM-STR-S3_BR_B02_Z-DR-T-0001</b>	<b>P02</b>
<b>Highway Cross Sections - Section 1</b>	<b>60542201-ACM-HML-S1_ML_M01_Z-DR-T-0001</b>	<b>P02</b>
<b>Highway Cross Sections - Section 2</b>	<b>60542201-ACM-HML-S1_ML_M01_Z-DR-T-0002</b>	<b>P02</b>
<b>Highway Cross Sections - Section 3</b>	<b>60542201-ACM-HML-S1_ML_M01_Z-DR-T-0003</b>	<b>P02</b>
<b>Highway Cross Sections - Section 4</b>	<b>60542201-ACM-HML-S1_ML_M01_Z-DR-T-0004</b>	<b>P02</b>
<b>Highway Cross Sections - Section 5</b>	<b>60542201-ACM-HML-S1_ML_M01_Z-DR-T-0005</b>	<b>P02</b>

22. Following technical discussions with the Environment Agency a minor amendment to Condition no.14 is proposed. It is proposed that it is amended as follows (bold text);

**14. The development shall be carried out in accordance with the submitted flood risk assessment (ref: MMDR – 60542201, dated September 2018, produced by AECOM) and the following mitigation measures it details:**

- **The soffit level of the River Eye bridge is to be set no lower than 76.18mAOD (section 3.1.1 page 23).**
- **The soffit level of any of the bridge spans are to be set no lower than 74.97mAOD (section 3.1.1 page 23).**

**These mitigation measures shall be fully implemented prior to first use of the development and then subsequently in accordance with the scheme's timing/phasing arrangements.**

### **Circulation Under the Local Issues Alert Procedure**

Mr. J.T. Orson JP, CC; Mr. A.E. Pearson, CC; Mrs. P. Posnett MBE, CC; and Mr. B. Rhodes, CC.

### **Officer to Contact**

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