

NORTH AND EAST MELTON MOWBRAY DISTRIBUTOR ROAD

Notes for the Public Inquiry: Alison Leeder – Note 1

Prepared by: Jonathon Simons and Alison Leeder

60542201-LCC-GEN-GEN_GEN_ZZ_Z-PE-T-0501

Leicestershire County Council

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Quality information

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	S2_SR_ZZ_Z-DR-KK-0005_C02

Appendix E – Annotated version of Sheet 6 of 21 of Core Document Ref SAD 17

1. Information Requested by the Inspector

1.1 Introduction

- 1.1.1 This note is required to respond to a question from the Inspector raised at the Public Inquiry during the examination of Alison Leeder's evidence on 23 September 2021. The query was raised on the closure of footpaths F2 and F4 and the apparent contradiction between planning application documents and what has been included within the Side Road Order (SRO) plans.
- 1.1.2 This note covers the text and plans included within the original planning application submitted in October 2018 and the revised planning documents submitted in March 2019. The documents submitted in March 2019 superseded those submitted in October 2018, but to provide the full background, both set of documents have been included as core documents for this inquiry. The documents being examined on 23 September 2021 included some superseded documents, hence the apparent contradiction.

1.2 Footpath F2

1.2.1 Footpath F2 originates North East of Thorpe Arnold on the A607 and runs eastward to Woodford Lane. It is split into two sections F2/1 and F2/2. Section F2/1 runs from the A607 to the intersection of Footpath F2 with Footpath F3. These footpaths are identified on the rowmaps website and have been highlighted on the plans included in Appendix A of this note.

Link to rowmaps website showing location:

http://www.rowmaps.com/showmap.php?place=Thorpe%20Arnold&map=BingOS&lat=52.7724&lon=0.859045&lonew=W

1.2.2 Footpath F2 is to be extinguished between the A607 and the intersection with Footpath F3 (over the extent of section F2/1). An alternative route is being provided to maintain connectivity between the location where Footpath F2 meets the A607 to the current intersection of Footpath F2 with Footpath F3. This will use the proposed footway on the realigned A607 via the splitter island of Roundabout 04 and join the current location where Footpath F3 meets the A607 north of the proposed roundabout via a dedicated crossing over a new landowner access track. An annotated version of a general arrangement plan of the area is included in Appendix B.

- 1.2.3 The original planning application submitted in October 2018 did not intend to extinguish F2/1, with the footpath shown as an 'existing footpath' in the Environmental Statement (core document P3-5) and the associated Figure 15.2 (core document P3-17). However, in March 2019 LCC submitted a revision to the Scheme that included a change to extinguish footpath F2. This change was assessed in the Environmental Statement Addendum (core document P3-75) and shown in the revised Figure 15.2 (core document P3-77). At this time, a new set of 'Indicative NMU Plans' were produced, with the revised approach to footpath F2 annotated on Plan 4 (core document P3-176).
- 1.2.4 LCC Planning undertook consultation on the revisions to the application as described in Alison Leeder's Proof of Evidence (LCC05, pages 16-19 address changes to the Scheme post submission), including consulting on the ES Addendum. No objections were received to the change to footpath F2.
- 1.2.5 For ease of reference, the extinguishment of Footpath F2 is shown within the revised planning submission documents included in Appendix A. Key extracts discussing the impact of the extinguishment of the footpath from the Environmental Statement Addendum are included in Appendix C.
- 1.2.6 The extent of the stopping up of Footpath F2 is described on Side Roads Order Plan 4 and 5 identified by the annotation S9. See Appendix D.

1.3 Footpath F4

- 1.3.1 Footpath F4 originates at the Footpath E25, east of Melton Spinney Road and terminates at the entrance to Twinlakes Theme Park.
- 1.3.2 The footpath is to be extinguished along its entire length, see Appendix A. An alternative access into Twinlakes leisure park is being provided via the footway adjacent to the new access road to the leisure park. An annotated version of a general arrangement plan of the area is included in Appendix E. This change was discussed and agreed with BB&B Leisure Parks Limited who own Twinlakes Leisure Park.
- 1.3.3 The case here is the same as for Footpath F2, in that the original intention was not to extinguish this footpath but the change was made to the Scheme post submission of the application. Again, the change was assessed in the Environmental Statement Addendum and shown in the revised plans. No objections were received to the

change. This change is also shown on Indicative NMU Plan 3 (core document P3-175) submitted with the planning application. For ease of reference the extinguishment of Footpath F4 is shown within the revised planning submission documents included in Appendix A. Key extracts discussing the impact of the extinguishment of the footpath is included in Appendix C.

1.3.4 The extent of the stopping up of Footpath F4 is described on Side Roads Order Plan 3 identified by the annotation S7. See Appendix D.

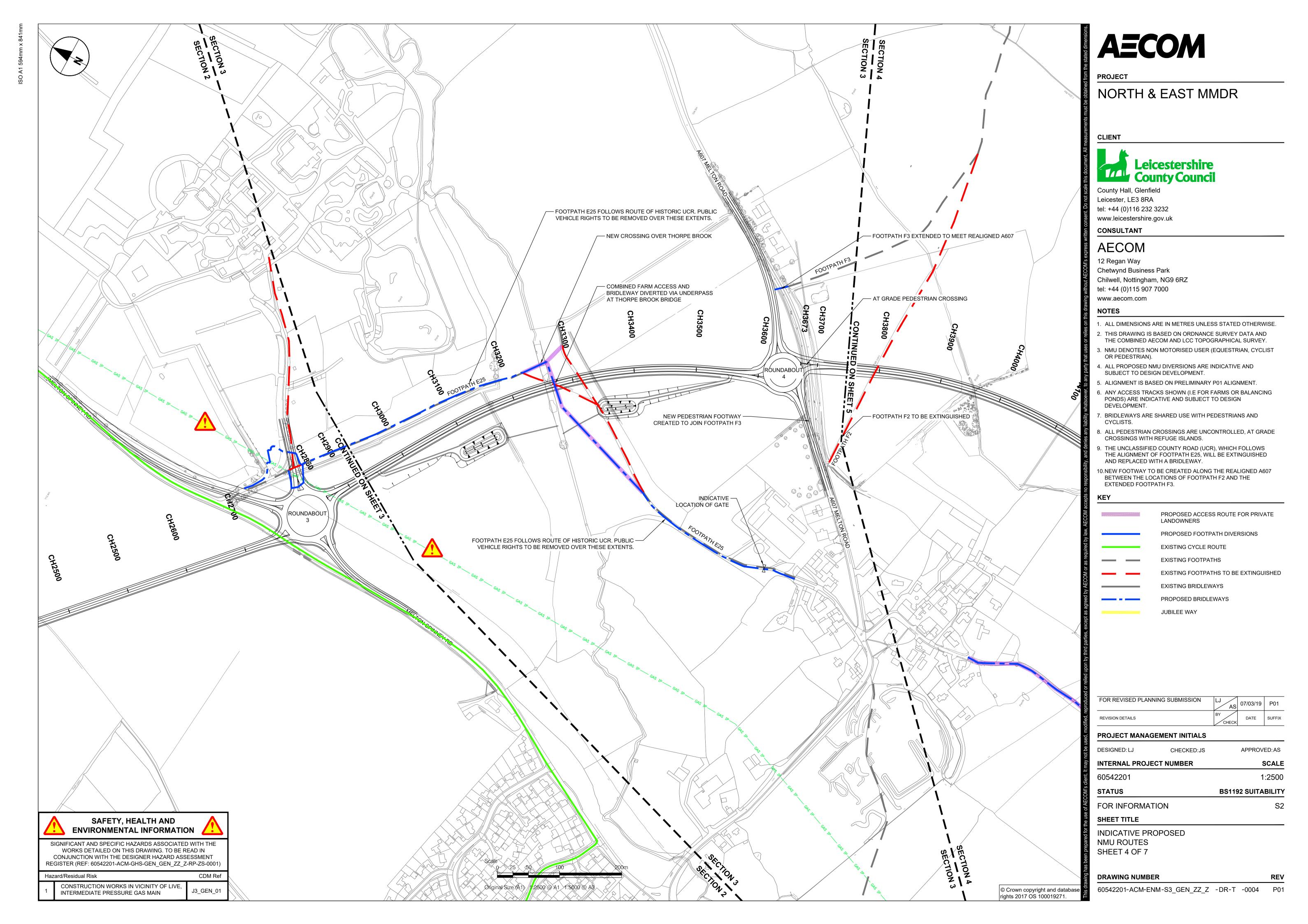
1.4 Summary

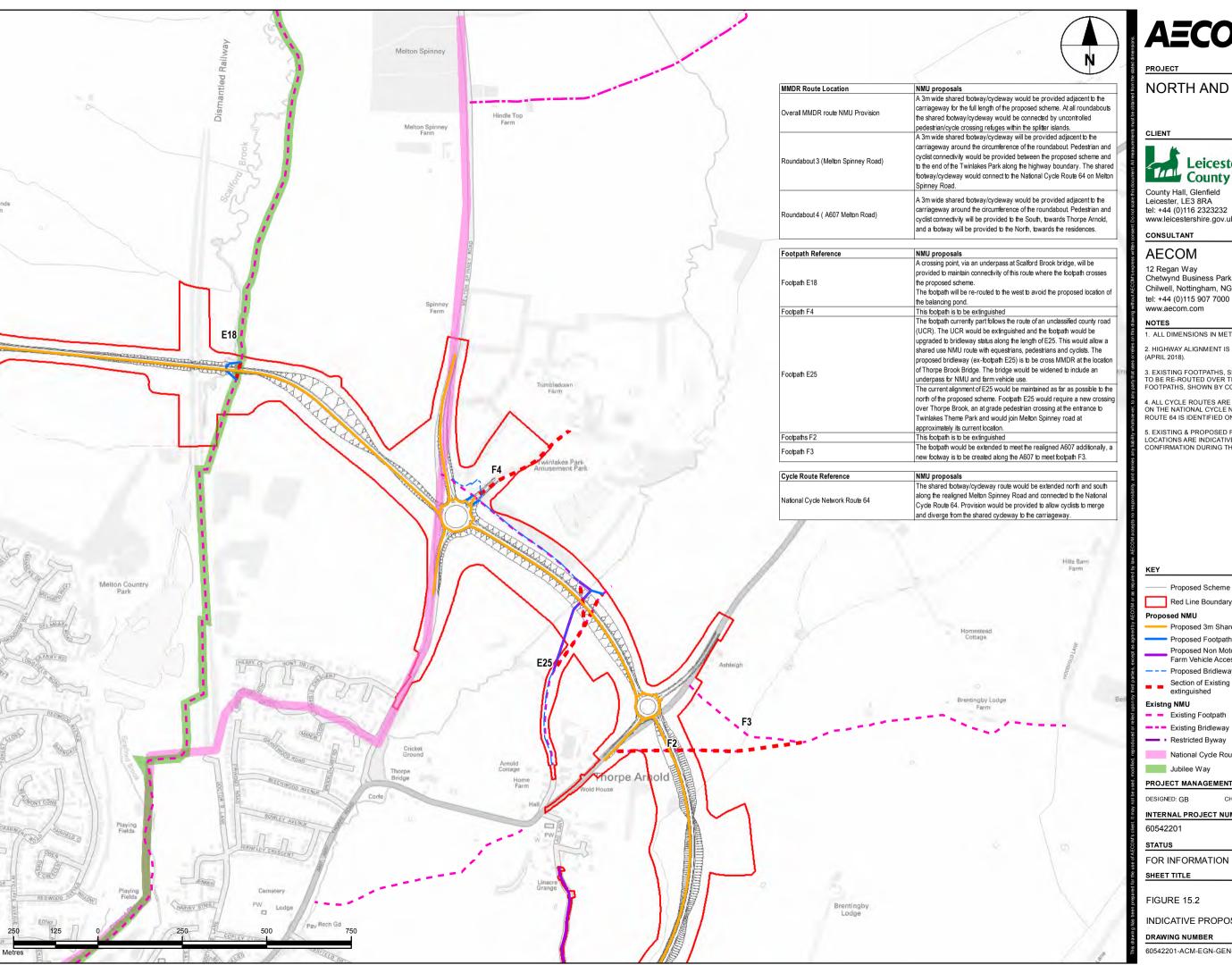
1.4.1 The extinguishment of the sections of footpaths F2 and F4 described in Alison Leeder's Proof of Evidence was referenced correctly. The Scheme that was granted planning permission included the intention to extinguish both sections of footpath and the impacts of the extinguishments were assessed in the Environmental Statement Addendum submitted in March 2019; which was the subject of a public consultation. The confusion at the Inquiry arose due to the reference to plans that have now been superseded.

Appendix A

Appendix A includes Core Documents:

- Ref P3-176 Additional Information Indicative Proposed NMU Routes Plan 4 and shows the extent of Footpaths F2 and F4 which are to be extinguished; and,
- Ref P3-77 Revised Information ES Addendum Appendix A Figure 15.2 Proposed NMU Plans Sheet 60542201-ACM-EGN-GEN-ZZ-Z-DR-LE-0050 only





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NOTES

1. ALL DIMENSIONS IN METRES UNLESS STATED OTHERWISE

2. HIGHWAY ALIGNMENT IS BASED ON PRELIMINARY DESIGN

3. EXISTING FOOTPATHS, SHOWN BY DASHED PINK LINE, ARE TO BE RE-ROUTED OVER THE EXTENT OF THE PROPOSED FOOTPATHS, SHOWN BY CONTINUOUS BLUE LINE.

4. ALL CYCLE ROUTES ARE SHOWN, INCLUDING THOSE NOT ON THE NATIONAL CYCLE NETWORK. NATIONAL CYCLE ROUTE 64 IS IDENTIFIED ON THE DRAWING.

5. EXISTING & PROPOSED FOOTPATH AND BRIDLEWAY LOCATIONS ARE INDICATIVE AND SUBJECT TO CONFIRMATION DURING THE DESIGN PROCESS.

Proposed Scheme

Red Line Boundary

Proposed NMU

Proposed 3m Shared Footway/Cycleway

Proposed Footpath Diversions (See Note 3) Proposed Non Motorised User (NMU) and

Farm Vehicle Access Only - Proposed Bridleway

Section of Existing Footpath to be extinguished

Existng NMU

Existing Footpath

Existing Bridleway Restricted Byway

National Cycle Route 64

Jubilee Way

PROJECT MANAGEMENT DETAILS

DESIGNED: GB CHECKED: MS INTERNAL PROJECT NUMBER

60542201 1:10,000 STATUS **BS1192 SUITABLITY**

APPROVED: MS

SCALE

SHEET TITLE

FIGURE 15.2

INDICATIVE PROPOSED NMU FACILITIES

DRAWING NUMBER

60542201-ACM-EGN-GEN-GEN-ZZ-Z-DR-LE-0050

Appendix B

Appendix B is taken from the Core Documents Ref SAD 17 and shows an annotated version of the General Arrangement Plan 9 of 21.

60542201-ACM-GEN-S3_ML_ZZ_Z -DR-Z -0009 P01

Appendix C

Appendix C is taken from the Core Documents Ref P3-75 Additional Information - ES Addendum

NORTH AND EAST MELTON MOWBRAY DISTRIBUTOR ROAD Environmental Statement Addendum Project Number 60542201

2. Preliminary Design Changes

2.1 **Description of Changes**

This section outlines changes to the preliminary design of the proposed scheme. Table 2.1 and Appendix A describe the changes to Volume 1 of the ES. It 2.1.1 should be noted that the descriptions of the structures and NMU proposals are indicative at this stage and could be subject to further change after a decision on the planning application.

Table 2.1: Changes to Volume 1 of the ES

ES Reference (Volume 1)	Original Design Proposal	Latest Design Proposal
Table 2.1: North & East MMDR Structures Design (Page 10)	Scalford Brook Bridge: Single 9m clear span bridge, open span structure across the Scalford Brook watercourse.	Scalford Brook Bridge: Single 14.5m clear span bridge, open span structure across the Scalford Brook watercourse. On the east side of the brook, the span includes a farm accommodation track and provides a grade separated crossing of MMDR for Jubilee Way (footpath E18).
Table 14.6: Access to Open Space and nature (Page 417)	A crossing point, with a refuge island, would be provided ensuring the safety of NMUs travelling on the Jubilee Way, which leads towards Melton Country Park. In addition, visitors will be able to access the resource without travelling through congested areas	A crossing point, via an underpass at Scalford Brook bridge, would be provided to ensure the safety of NMUs travelling on the Jubilee Way, which leads towards Melton Country Park. In addition, visitors will be able to access the resource without travelling through congested areas.
Table 15.5: North & East MMDR NMU Proposals (Page 440 - 441)	Footpath E17: The footpath would be re-routed to the east to avoid the proposed location of the balancing pond and culvert	The footpath would be re-routed to the west and cross the carriageway via the pedestrian crossing
	Footpath E18: An at grade pedestrian refuge island would be provided to maintain connectivity of this route where the footpath crosses the proposed scheme	A crossing point, via an underpass at Scalford Brook bridge, will be provided to maintain connectivity of this route where the footpath crosses the proposed scheme
	Footpath F2: An at grade pedestrian refuge island would be provided to maintain connectivity of this route where the footpath crosses the proposed scheme	This footpath is to be extinguished
	Footpath F4: The proposed NMU route on the proposed scheme would connect to this existing footpath. Some of the existing footpath would be paved.	Footpath is to be extinguished

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ES Reference (Volume 1)	Original Design Proposal	Latest Design Proposal
	Footpath E1: Footpath E1 would be intersected by the proposed route. It is not possible to include at grade crossing at this location on safety ground. The footpath is to be diverted, via Sawgate Road and the splitter islands at Roundabout 6. A new footpath is to be created to the west of the proposed scheme and re-join Footpath E1. The diversion adds approximately 350 m – 450 m to the route.	Footpath E1: Footpath E1 would be intersected by the proposed route. It is not possible to include at grade crossing at this location on safety ground. The footpath is to be diverted, via Sawgate Road and the splitter islands at Roundabout 6. A new footpath is to be created to the west of the proposed scheme and re-join Footpath E1. The diversion adds approximately 350 m – 450 m to the route. The footpath would follow a more direct route west of the MMDR, making use of the existing farm track.
	Lag Lane: Lag Lane would be closed to through traffic. Restricted access would be provided for farm vehicles, the Environment Agency, highway maintenance and NMUs (pedestrians, cyclists and equestrians). In order to maintain NMU connectivity between the sections of Lag Lane north and south of the B676 Saxby Road the following would be provided: (1) shared use underpass, beneath the proposed scheme, for farm access and NMU; (2) widening of River Eye bridge to allow shared farm access/NMU route, (3) uncontrolled equestrian crossing at the B676 Saxby Road west of Roundabout 5.	Lag Lane would be closed to through traffic. Restricted access would be provided for farm vehicles, the Environment Agency, highway maintenance and NMUs (pedestrians, cyclists and equestrians). In order to maintain NMU connectivity between the sections of Lag Lane north and south of the B676 Saxby Road the following would be provided: (1) shared use underpass, beneath the proposed scheme, for farm access and NMU; (2) widening of River Eye bridge to allow shared farm access/NMU route, (3) controlled Pegasus crossing at the B676 Saxby Road west of Roundabout 5.
Table 15.6: Effects of the proposed scheme on NMU Facilities (Page 443)	Under the Predicted Change column for the Operation of Footpath E18: it states " cross the proposed scheme via an at grade refuge island	cross the proposed scheme via an underpass at Scalford Brook bridge"
	Under the Predicted Change column for the Operation of Footpath F2 it states "The proposed scheme would provide an at-grade pedestrian refuge island for crossing south of Roundabout 4. The pedestrian refuge island would allow pedestrians to split crossing the road into two stages for each direction of traffic. This would be minor impact as the journey pattern would remain the same.	Footpath F2 runs east from the A607 to meet Footpath F3. This footpath will be permanently extinguished between the A607 and Footpath F3. A new paved footpath will be created along southern edge of the A607 to meet Footpath F3. Pedestrians will still be able to reach the intersection of Footpaths F2 and F3 by walking along the A607 and Footpath F3. The approximate additional distance required to walk is 100m.

negligible and beneficial respectively. Therefore, the conclusion as presented in the ES remains valid.

Chapter 15: People and Communities (Non-motorised Users)

3.2.3 Footpath F4: The route into Twinlakes would be extinguished and a new paved footpath would be constructed to the end of the tie in for Roundabout 3.

Construction: This route is no longer required as a public footpath therefore it would be closed during construction and potentially a diversion provided to maintain access to the Park. Due to its infrequent use, the impact of the scheme on this route would be negligible.

Operation: During operation of the proposed scheme this footpath would no longer exist as a Public Rights of Way; the impact of which would be minor adverse.

3.2.4 Footpath E17: Re-routing the footpath west and crossing the carriageway at a pedestrian crossing.

Construction: During construction of the proposed scheme, this footpath would be diverted to ensure connectivity with the wider environment. This would result in a negligible effect as this footpath is considered low sensitivity and infrequently used by pedestrians.

Operation: The new proposal for the provision of pedestrian crossing would reduce the risk for pedestrians attempting to cross the road and provides a clearly defined crossing point where pedestrians are 'expected'. This would result in a negligible effect as the journey length would not significantly change.

3.2.5 Footpath E18: "A crossing point, via an underpass at Scalford Brook Bridge, would be provided to maintain connectivity of this route where the footpath crosses the proposed scheme."

Construction: A section of approximately 270m of the footpath would lie within the land required for the construction of the proposed scheme. The footpath would not be usable during the duration of construction works. However a temporary footpath diversion or crossing would be provided during the construction phase, where necessary. This indicates a minor adverse impact.

Operation: In order for pedestrians to cross the proposed scheme an underpass at Scalford Brook would be provided instead of via an at grade refuge island. The impact of the proposed scheme on Footpath 18 is considered minor due to a small increase in journey time. The significance of effect is minor beneficial as connectivity of this route will be maintained and it reduces the risk for pedestrians attempting to cross the road.

3.2.6 Footpath F2: "Footpath F2 runs east from the A607 to meet Footpath F3. This footpath would be permanently extinguished between the A607 and Footpath F3. A new paved footpath will be created along southern edge of the A607 to meet Footpath F3. Pedestrians would still be able to reach the intersection of Footpaths F2 and F3 by walking along the A607 and Footpath F3. The approximate additional distance required to walk is 100 m."

Construction: This footpath is of low sensitivity as little or no activity was observed on it during the NMU survey. During the construction of the proposed scheme this footpath would be closed and an alternative diversion would be provided. This would result in a minor adverse effect.

Operation: During operation of the proposed scheme F2 would be closed. The provision of a new paved footpath that connects into F3 would ensure connectivity; however, due to an increase in journey length of approximately 100m, this would be a minor adverse effect.

4. Conclusion

- 4.1.1 This ES Addendum was prepared to provide additional information to support the planning application that was submitted for the proposed North and East Melton Mowbray Distributor Road scheme. Additionally, where there have been proposed changes to the preliminary design of the proposed scheme, an evaluation of the change has been undertaken and reported in this Addendum.
- 4.1.2 A summary of the evaluation of change with regard to NMUs is provided in Table 4.1.
- 4.1.3 The Table 4.1 below summarises the findings from the assessment based on minor alterations to the design of the NMU routes and facilities. The table shows the difference between the significance of effects on these NMU routes as presented in the ES and result of the assessment as presented in this Addendum due to the changes in the design.

Table 4.1: Summary of Significant Effects of the proposed scheme changes on NMU

NMU Route	Sensitivity	Predicted Change (Description of Impact)	Timescale	Significance of Effects (ES)	Significance of Effects
Footpath F4	Low	Construction: Temporary alternative route provided to maintain access. This would result in a negligible impact.	Temporary	Negligible	Negligible
		Operation: The closure of this footpath would not have a significant impact as this route is not frequently used; however it is a loss in a Public Rights of Way.	Permanent	Minor beneficial	Minor adverse
Footpath F2	Low	Construction: This footpath is of low sensitivity with little or no activity. During the construction of the proposed scheme this footpath would be closed and an alternative diversion would be provided. This would result in a minor adverse impact.	Temporary	Minor adverse	Minor adverse
		Operation: Footpath F2 would be closed. The provision of a new paved footpath that connects into F3 would ensure connectivity; however, due to an increase in journey length of approximately 100m, this would be a minor adverse impact.	Permanent	Negligible	Minor adverse

NMU Route	Sensitivity	Predicted Change (Description of Impact)	Timescale	Significance of Effects (ES)	Significance of Effects
Footpath Low E17	Low	Construction: During construction, the footpath would be diverted to ensure connectivity with the wider environment. This would be a negligible impact on nonmotorised users.	Temporary	Negligible	Negligible
		Operation: The new proposal for the provision of pedestrian crossing would reduce the risk for pedestrians attempting to cross the road and provides a clearly defined crossing point where pedestrians are 'expected'. This would result in a negligible impact as the journey length would not significantly change.	Permanent	Negligible	Negligible
Footpath N	Medium	Construction: The footpath would not be usable during the duration of construction works. However a temporary footpath diversion or crossing would be provided during the construction phase, where necessary. This indicates a minor adverse impact.	Temporary	Minor adverse	Minor adverse
		Operation: The impact of the proposed scheme on Footpath 18 is considered minor due to a small increase in journey time. The significance of effect is minor beneficial as connectivity of this route will be maintained and it reduces the risk for pedestrians attempting to cross the road.	Permanent	Minor adverse	Minor beneficial
Footpath	Medium	Construction: Same as ES	Temporary	Negligible	Negligible
E1		Operation: Same as ES except that instead of "the existing footpath would be closed;" only a section would be extinguished. The diversion and increase in journey length as a result of re-routing this footpath would result in a minor adverse impact.	Permanent	Minor adverse	Minor Adverse

NMU Route	Sensitivity	Predicted Change (Description of Impact)	Timescale	Significance of Effects (ES)	Significance of Effects
Lag Lane	Medium	Construction: Temporary access restrictions to this route during construction.	Temporary	Minor Adverse	Minor Adverse
		Operation: During operation the proposed scheme would provide added safety to users of Lag Lane.	Permanent	Moderate Beneficial	Moderate Beneficial

- 4.1.4 The impacts and effects of the proposed scheme on non-motorised users as detailed in the Environmental Statement have been reviewed in light of the proposed minor alterations to the preliminary design of the NMU facilities; it was determined that for the most part this would not change the significance of effects and conclusion of that assessment.
- 4.1.5 However, the conclusions reported in the ES for Footpath F4 and F18 would change during the operation of the scheme from minor beneficial to minor adverse and from minor adverse to minor beneficial respectively. These effects are not significant.
- 4.1.6 With regard to all other discipline topics, additional information is provided as requested by the Planning Authority to support the ES and inform the decision on the planning application. This information has not changed the conclusions in the ES.
- 4.1.7 It is therefore concluded that the proposed changes will not give rise to any materially different or additional likely significant environmental effects and the findings of the Environmental Statement ES remain valid. No further environmental assessment work is therefore required to support the planning application.

Appendix D

The following Side Roads Orders Plans are included in Appendix D:

To identify orders applied to Footpath F4

• 60542201-LCC-LSI-S2_SR_ZZ_Z-DR-KK-0003_C02.pdf - SIDE ROAD ORDERS PLAN 3 NEMMDR; MELTON SPINNEY ROAD / TWINLAKES LEISURE PARK AND UNCLASSIFIED ROAD (E25)

To identify orders applied to Footpath F2 new connection to F3

- 60542201-LCC-LSI-S3_SR_ZZ_Z-DR-KK-0004_C03.pdf SIDE ROAD ORDERS PLAN 4 RBT 3 THORPE ARNOLD E25-PROW & F2-PROW
- 60542201-LCC-LSI-S4_SR_ZZ_Z-DR-KK-0005_C02.pdf SIDE ROAD ORDERS PLAN 5 NEMMDR; LAG LANE, THORPE ARNOLD TO B676 SAXBY ROAD

Appendix E

Appendix E is taken from the Core Documents Ref SAD 17 and shows an annotated version of the General Arrangement Plan 9 of 21.