

DEVELOPMENT CONTROL AND REGULATORY BOARD

23 MAY 2019

REPORT OF THE CHIEF EXECUTIVE

APPLICATION UNDER REGULATION 3 OF THE TOWN AND
COUNTRY PLANNING GENERAL REGULATIONS -
NORTH AND EAST MELTON MOWBRAY DISTRIBUTOR
ROAD

PART A – SUMMARY REPORT

- APP.NO. & DATE:** 2018/1204/06 (LCC Ref no. 2018/Reg3Ma/0182/LCC) – 8 October 2018.
- PROPOSAL:** 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 Brentingby 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 a Non-Motorised User route along Lag Lane/Sawgate Road and flood risk/drainage works (including but not limited to culverts and balancing ponds).
- LOCATION:** North and East Melton Mowbray Distributor Road, Melton Mowbray (Melton Borough).
- APPLICANT:** Leicestershire County Council
- MAIN ISSUES:** Traffic, noise, landscaping, heritage impacts and general local amenity.
- RECOMMENDATION:** **PERMIT** subject to the conditions as set out in the appendix to the main report.

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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PART B – MAIN REPORT

Background

1. In September and October 2017, Leicestershire County Council, as local highway authority, sought views on the recommended route for the Distributor Road (MMDR) to relieve congestion in Melton Mowbray, and to support plans for housing and employment growth in the town. The aim of the scheme is to improve access to potential housing and employment, reduce congestion on the town, improve access to the town centre, and reduce the number of HGVs travelling through the town centre.
2. A report which detailed the final recommended route along with results of the consultation was presented to and approved by the Cabinet in December 2017. Following this, the applicant submitted an Outline Business Case to the Department for Transport in late December 2017, to seek funding for the scheme through the Local Large Majors Fund. The Government announced in May 2018 that the scheme had been awarded a grant of £49.5m.
3. The County Council, as applicant, carried out further design work, surveys and engagement with landowners, and the route has been further refined, taking into account feedback received during the consultation. This has sought to minimise the impact on the environment, local landowners and residents, and ensure that it best supports future development and growth.

Site Location and Description

4. The application site covers approximately 200 hectares of land to the north and east of Melton Mowbray. The proposed road would run from the north west of Melton Mowbray at the A606 Nottingham Road to the south east of the town at the A606 Burton Road. It would be located around the outskirts of Melton Mowbray to the north of Melton Country Park, the east of Thorpe Arnold and the north west of Burton Lazars.
5. In addition to the road alignment itself, the submitted red line boundary incorporates land required for delivery of: improvements to footpaths, bridleways and cycle paths; construction compounds and material storage; and ecological, flood risk and landscaping mitigation and enhancement measures. The majority of the land within the red line boundary (95%) is a mix of arable and pastoral agricultural land. The remainder of the encompassed land comprises existing highways and non-motorised user (NMU) routes, abandoned buildings that form part of Sysonby Farm and watercourses.
6. The proposed road scheme would cross several arterial roads, namely Scalford Road, Melton Spinney Road, the A607 Melton Road and the B676 Saxby Road. The route would also cross the Leicester to Peterborough railway line and the former Melton Mowbray Navigation and Oakham canal. The scheme would cross six surface watercourses namely the River Eye, Scalford Brook, Thorpe Brook and three more minor Ordinary Watercourses. The section of the River Eye crossed by the scheme is designated as a Site of Special Scientific Interest (SSSI).

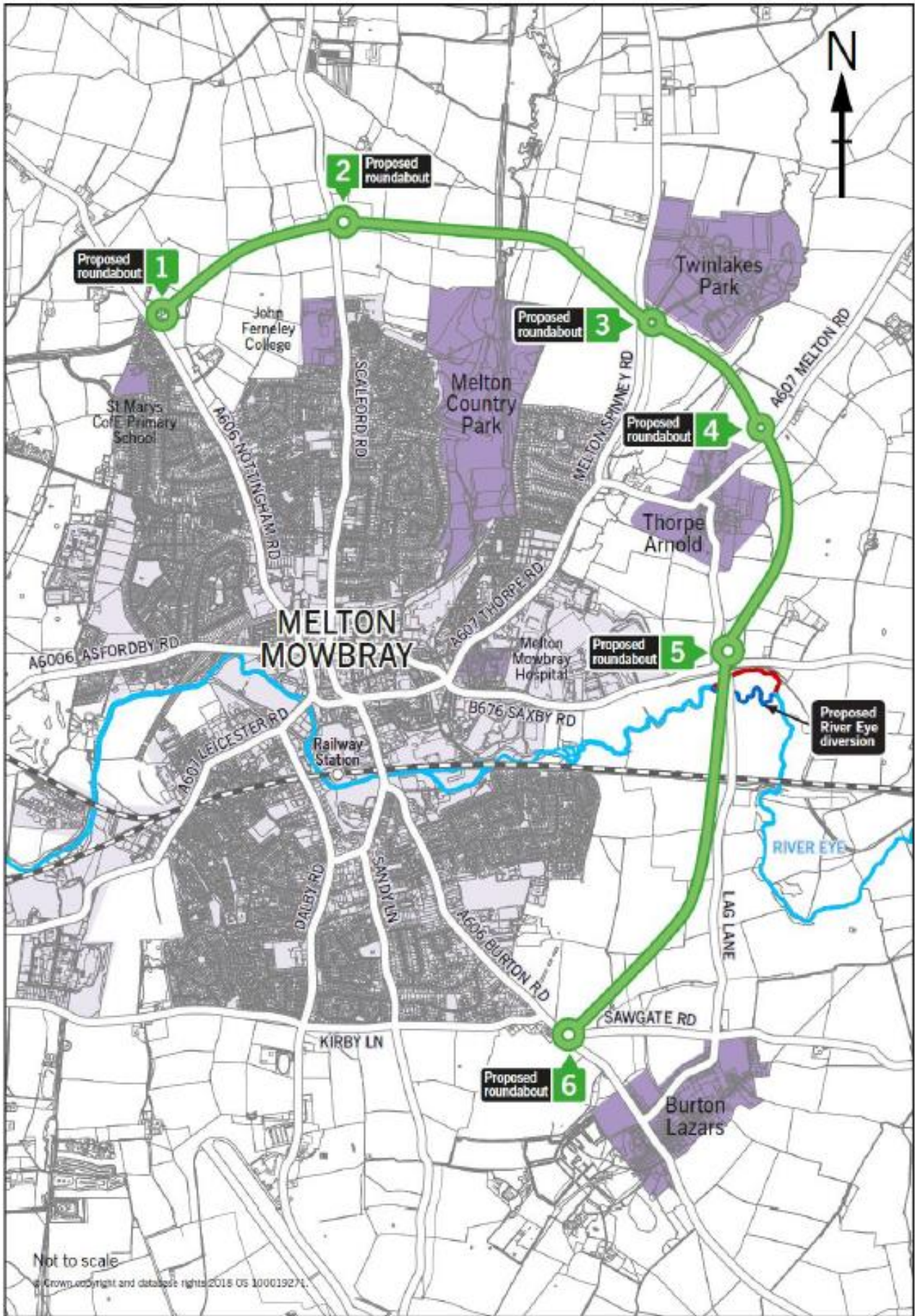
7. There are no designated built heritage assets within the site boundary. There are 11 listed buildings located within the 1km scheme study area, in Thorpe Arnold, Burton Lazars, north-west of Melton Mowbray and the urban area of Melton Mowbray itself. There are no Scheduled Monuments on the site but there are three within the 1km study area, namely:
- Sysonby Grange – located approximately 270m to the west of the proposed junction between the new road and A606 Nottingham Road;
 - Moated Grange at Spinney Farm – located approximately 175m from the site boundary and 375m north of the new road alignment between Scalford Road and Melton Spinney Road; and
 - The Scheduled Monument of the hospital, fish ponds and moated site at Burton Lazars – located approximately 350m to the south of the proposed road directly to the west of Burton Lazars.
8. There are no designated historic landscapes within the heritage study area. There are undesignated heritage assets and areas of archaeological potential within the site and surrounding area. The scheme boundary also includes parts of the River Eye SSSI and the Local Wildlife Site at Nottingham Road Hedgerows. The scheme lies in relatively close proximity to the Local Wildlife Sites at Melton Country Park (275m south of the proposed road and 77m south of the red line boundary) and Scalford Brook (approximately 220m north of the scheme).

Description of Proposal

9. The proposed scheme would deliver a 7.1km long, single carriageway road to the north and east of Melton Mowbray. The route links the A606 Nottingham Road with the A606 Burton Road, with new junctions at Scalford Road, Melton Spinney Road, A607 Melton Road and the B676 Saxby Road. Details of the various elements of the original proposals are outlined below.

Highway

10. The highway has been designed to provide the following:
- A 7.3m wide single carriageway road;
 - Six new roundabouts at the intersections of the proposed scheme with existing roads;
 - A speed limit of 40mph between the A606 Nottingham Road and Melton Spinney Road, adjacent to the proposed Northern Sustainable Neighbourhood, and a speed limit of 60mph between Melton Spinney Road and the A606 Burton Road;
 - Lanes with a width of 3.65m with an additional 1m hard strip on the nearside edge of both lanes within the 60mph section;
 - Earthwork slopes with a typical gradient of 1:3;
 - A 3m wide off-carriageway shared footway/cycleway adjacent to the north-bound lane over the full extent of the scheme and around the circumference of each roundabout. The shared route will be separated from the carriageway by the kerb and a 0.5m paved separation strip within the 40mph section and by a 1m kerbed grassed verge within the 60mph sections;
 - A 1.5m verge at the back of shared footway/cycleway and a 2.5m grassed verge on the opposite side of the road to the shared way. The verge width on both



Not to scale

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sides of the road may be increased as required to provide the appropriate sightlines around bends. Further localised increases in verge width will also be required to accommodate highway features such as signs and vehicle restraint systems;

- Uncontrolled (un-signalised) non-motorised user (NMU) crossings will be provided by splitter islands at roundabouts or pedestrian refuges at points within the carriageway where existing or proposed Public Rights of Way (PRoW) cross the highway;
- Safety barriers will be provided where required.

Structures

11. There are four main structures within the scheme:
- Scalford Brook Bridge – a single 9m clear span, open span structure across the Scalford Brook watercourse.
 - Thorpe Brook Bridge – a single 15.5m clear span bridge, open span structure across the Thorpe Brook watercourse. Thorpe Brook Bridge enables the farm track and NMU access to pass beneath the MMDR on the east side of the watercourse.
 - River Eye Bridge – a 55m, four-span bridge structure over the diverted River Eye channel. North to south the spans are as follows:
 - a) 11m flood relief span;
 - b) 14m flood relief span, including livestock underpass;
 - c) 14m span over diverted River Eye; and
 - d) 11m flood relief span including farm access track and NMU route underpass.
 - Railway Bridge – a 47m single span structure across the active Birmingham to Peterborough railway line.
12. In addition to the four main structures, there are five culverts:
- A 1.5 x 1.5m box culvert located east of Roundabout 1 (A606 Nottingham Road), passing beneath the MMDR highway at approximately Chainage 220;
 - A 1.5 x 1.5m box culvert located west of Roundabout 2 (Scalford Road) passing beneath the MMDR highway at approximately Chainage 730;
 - A 2.0 x 2.3m box culvert, located to the south of Roundabout 4 (A607 Melton Road) passing beneath the MMDR highway at approximately Chainage 3950;
 - 3.0 x 1.3m box culvert carrying the Lag Lane watercourse beneath the diverted Lag Lane north east of Roundabout 5 (B676 Saxby Road); and
 - 3.0 x 1.3m box culvert carrying the Lag Lane watercourse beneath the B676 Saxby Road and proposed bridleway east of Roundabout 5.

Lighting

13. Roundabouts and their immediate approaches would be illuminated by LED street lighting for road safety purposes. It is not intended that lighting will be provided in between roundabouts to reduce the impact of the scheme on the surrounding communities and the environment. LED lanterns would be directional to minimise light pollution beyond the extents of the highway. Outline lighting plans have been included in the application providing indicative layouts.

Drainage and Balancing Ponds

14. Ten balancing ponds have been incorporated into the design of the scheme. Appropriate locations have been selected adjacent to low points in the road to maximise the use of the local topography and enable controlled outfall into adjacent watercourses. Maintenance access tracks will be provided to the balancing ponds, along with fencing around the ponds for safety purposes.

Non-Motorised Users

15. Inclusion of the 3m shared cycleway/footway adjacent to the proposed carriageway provides NMU connectivity along the length of the route. Existing NMU facilities will also be improved where possible. Major works include creation of three new sections of bridleway, with all being suitable for equestrians, cyclists and pedestrians:
- Creation of a new bridleway between Thorpe Arnold and Melton Spinney Road. From Thorpe Arnold, the bridleway is to follow the route of the unclassified country road in alignment with footpath E25 and will be closed to motor vehicle traffic (except access). The NMU route diverges from the road at the location of the proposed balancing pond P06 and heads towards Thorpe Brook. The bridleway then passes underneath the proposed MMDR via an underpass at Thorpe Brook bridge, with the bridge lengthened to allow the bridleway to pass within its span. The bridleway would cross Thorpe Brook north of the MMDR and re-join the route of footpath E25 to Melton Spinney Road. The bridleway would cross the access to Twinlakes Theme Park by means of an equestrian crossing.
 - Byway 106, which is partly used as a bridleway, terminates on the A606 Burton Road west of Child's Cottage. A new bridleway is proposed where the existing route ends to run west from this point, crossing the A606 Burton Road by means of an uncontrolled equestrian crossing to join Sawgate Road to the east of roundabout 6.
 - Sawgate Road and Lag Lane are to be downgraded from highway to public bridleway, creating a 3.4km long new bridleway closed to through traffic (except for restricted access).

Environmental Mitigation and Enhancements

16. Key measures of the proposed mitigation and enhancement measures are summarised below:

River Eye Diversion

17. The proposed MMDR would cross the River Eye, which is a SSSI. It is proposed to divert a section of the River Eye where it currently intersects with the proposed road alignment immediately south of Saxby Road. Diverting the River Eye in this location offers the opportunity to provide environmental enhancements and mitigate the impact of the scheme on the SSSI.

Landscaping

18. A Landscape Masterplan has been included in the proposed scheme design, the objectives of which are to:
- replace trees and shrubs lost as a result of the scheme;

- replicate landscape elements such as hedge lines and woodland blocks;
- rationalise field severance and create appropriate new fields for agricultural use;
- provide screening of the proposed scheme and vehicles using landform and tree and shrub planting; and
- incorporate features of biodiversity/conservation value within the landscape.

Noise Attenuation

19. A significant proportion of the MMDR route is located within cutting with low noise surfacing proposed throughout to minimise noise impacts of the scheme. Sections of noise barrier are also proposed in the following locations to further reduce noise impacts:
- A 3m high noise barrier on the north side of the scheme for a length of 180m on the approach to the Scaford Road roundabout to shield the adjacent property (Grammar School Farm); and
 - A 3m high noise barrier from a length of 440m on the south side of the scheme east of Scaford Road roundabout to shield the area of recently constructed housing to the south.

Accommodation works

20. Where vehicular access is to be provided directly from the new road, gates will be set back from the carriageway providing sufficient room for a farm vehicle to pull off the carriageway to access the land. The bridge over Thorpe Brook incorporates a farm access underpass, maintaining connectivity between farmland north and south of the road at Thorpe Brook. The bridge over the River Eye will incorporate a shared farm access track and NMU route over the River Eye, and farm access through the flood relief spans north and south of the river. This will maintain connectivity between farmland east and west of the road at this point and north south of the diverted River Eye. Gated farm access is also proposed to the sections of Lag Lane and Sawgate Road that would become NMU routes.

Construction

21. A contractor has yet to be appointed therefore the construction arrangements proposed provide an indicative management plan. The construction period is anticipated to last approximately two years with most of the road being constructed offline. Although details cannot be finalised at this stage it is expected that most of the construction traffic would access the site from the following two main accesses:
- A606 Nottingham Road/St Bartholomew's Way junction to the north west of Melton Mowbray, with main temporary construction compound likely to be located to the north of proposed roundabout 1 and the east of the A606;
 - A606 Burton Road to the south west of the town, with a satellite construction compound likely to be located between the A606 Burton Road and Sawgate Road.
22. The A607 Melton Road north of Thorpe Arnold and the B676 Saxby Road east of Melton Mowbray would be used as secondary construction traffic access routes. Temporary site compounds would accommodate all large Heavy Commercial Vehicles, Heavy Goods Vehicles and staff/contractor parking.

23. The above roads would provide access to the internal haul routes and side tracks which would provide connectivity within the site, including between temporary site compounds. Additional access points could be utilised from Scalford Road and Melton Spinney Road with the expectation of serving smaller vehicles only.

Description of Revisions

24. During consultation on the submitted scheme, several comments were received from consultees and members of the public as a result of which, the applicant submitted revised and additional information. These include:

Scalford Brook Bridge

25. The span of the bridge has been widened from 9 metres to 14.5 metres to include a farm accommodation track to east of the brook. The proposed crossing point, with refuge island on the new carriageway, has been replaced with an underpass at the Scalford Brook bridge. This will maintain connectivity of the Jubilee Way (footpath E18) to Melton Country Park where it crosses the proposed scheme.

Public Rights of Way

26. Several changes to the proposed public rights of way arrangements. These are outlined below:
- Footpath E17 was proposed for re-routing to the east to avoid the proposed location of the balancing pond and culvert. The revised plans have altered this footpath to be re-routed to the west and to cross the carriageway via the pedestrian crossing.
 - Crossing arrangements of footpath E18 at Scalford Brook Bridge have been amended to an underpass as outlined above.
 - Footpaths F2 and F4 are now to be extinguished.
 - Realignment of Footpath E1 to follow a more direct route west of the MMDR, making use of the existing farm track.
 - Inclusion of a controlled Pegasus crossing at the B676 Saxby Road west of Roundabout 5, in place of an uncontrolled equestrian crossing.

Water Framework Directive and Flood Risk Assessments

27. The Flood Risk Assessment has been updated to reflect the changes to the Scalford Brook Bridge and to provide details of emergency and maintenance access arrangements for Brentingby Dam.
28. The Water Framework Directive Assessment has been updated with new baseline modelling and the results amended as necessary throughout.

Noise

29. Predicted noise levels at the new housing near to the northern part of the scheme have been provided, as requested by Melton Borough Council's Environmental Health Officer.

Biodiversity

30. An indicative Ecology Mitigation & Enhancement Plan has been submitted, setting out the general principles for ecological mitigation and enhancement to be delivered through the proposed scheme. The key measures include:
- Mammal tunnels at three locations along the proposed scheme, to maintain ecological connectivity, particularly for badgers;
 - Creation of two new waterbodies for Great Crested Newts to mitigate the potential functional loss of a waterbody with a known population;
 - Safe passage of mammals, such as otter and bats along existing riparian corridors, through open span bridge structures, sensitive planting/lighting and access levels at heights above flood levels;
 - Fencing to prevent mammals accessing the carriageway at strategic points along the scheme and encouraging use of underpasses; and
 - Widespread sowing of diverse grasslands and planting of native woodlands and hedges.

Landscaping and Arboriculture

31. The following additional landscaping has been included throughout the proposed scheme:
- Addition of grass verge separating the cycle way from the carriageway;
 - Addition of shrub planting at woodland edges throughout to enhance biodiversity; and
 - Species rich grassland added to embankment slopes and roundabouts throughout.
32. Following submission of the scheme, a Tree Preservation Order (TPO) within the red line boundary of the scheme at Sysonby Lodge has been identified. In addition, there are five trees which have been identified as potentially protected by a TPO, assigned by Melton Borough Council. The Arboricultural Impact Assessment and Tree Constraints Plans have not been updated to reflect these, but, through development of site clearance plans, avoidance measures are to be considered to reduce the impact of the scheme on all trees affected.

Planning PolicyNational Policy

33. The *National Planning Policy Framework* (NPPF) provides the government's policies for the delivery of sustainable development through the planning system. At paragraph 11 it advocates a presumption in favour of sustainable development and for decision-taking this means (unless material considerations indicate otherwise):
- approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which

are most important for determining the application are out-of-date, granting permission unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

34. Paragraph 102 states that 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.

Leicestershire Local Transport Plan 3 2011-2026

35. The Leicestershire Local Transport Plan 3 (LTP3) Strategy was published in 2011, with Implementation Plans published for each 3-year period. The LTP Strategy recognises that several county towns experience ‘appreciable congestion’ with Melton Mowbray identified as one of four towns mentioned and focuses on the delivery of transport scheme that will support the economy and population growth.

Development Plan

Melton Local Plan

36. The Melton Local Plan was adopted on 10 October 2018. The relevant policies are set out below.

Policy SS1 – Presumption in favour of Sustainable Development further supports the National Planning Policy Framework stance that planning applications according with the policies of the Local Plan shall be approved without delay, unless material considerations indicate otherwise.

Policy SS4 – Melton South Sustainable Neighbourhood (Strategic Development Location) outlines the policy requirements for the successful delivery of the Southern Sustainable Neighbourhood, including transport improvements by way of a strategic road link connecting the A606 to the A607 forming part of the MMDR.

Policy SS5 – Melton North Sustainable Neighbourhood outlines the policy requirements for the successful delivery of the North Sustainable Neighbourhood, including transport improvements by way of a strategic road link connecting A606 to Melton Spinney Road forming part of the MMDR and securing a route that allows north/south connectivity as part of the MMDR.

Policy EN1 – Landscape seeks to conserve and where possible enhance the character of the Borough's landscape and countryside.

Policy EN2 – Biodiversity and Geodiversity seeks to achieve net gains for nature and seek habitat creation as part of new development proposals, while also protecting and enhancing biodiversity, ecological networks and geological conservation interests throughout the Borough.

Policy EN3 – The Melton Green Infrastructure Network outlines the strategic approach to delivery, protection and enhancement of green infrastructure in order to deliver new assets where deficits have been identified and to enhance primary green infrastructure areas, including the River Eye.

Policy EN8 – Climate Change sets out the need for all new development proposals to demonstrate how the need to mitigate and adapt to climate change has been considered.

Policy EN11 – Minimising the Risk of Flooding aims to ensure that development proposals do not increase flood risk and will seek to reduce flood risk to others.

Policy EN12 – Sustainable Drainage Systems outlines the need to demonstrate through a surface water drainage strategy that properties will not be at risk from surface water flooding, allowing for climate change effects.

Policy EN13 – Heritage Assets sets out how a positive approach will be taken to conserve heritage assets and the wider environment through the protection and enhancement of Heritage Assets.

Policy IN1 – Melton Mowbray Transport Strategy (MMTS) outlines how Melton Borough will work with Leicestershire County Council and others to deliver a transport strategy for Melton Mowbray. A key component of this strategy is the delivery of the MMDR from the A606 Nottingham Road to the A607 Leicester Road following a route in accordance with the 'corridor of investigation' identified on the Policies Map.

Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan

37. The application area passes through the area included in the Neighbourhood Plan, adopted on 12 April 2018. The relevant policies are set out below.

Policy S1 – Limits to Development sets out the limits to development which are identified within the Plan. Development outside the limits is strictly controlled, however, the MMDR is specifically cited as an exception to these limits.

Policy ENV4 – Protection of Other Sites of Environmental (natural or historical) Significance

Policy ENV11 – Ridge and Furrow Fields identifies ridge and furrow fields which it states are non-designated heritage assets and the need to balance the harm against the benefits of the development having regard to the scale of harm and significance of the affected heritage assets.

Consultations

38. Melton Borough Council – Planning – Support the application as it is in line with the Melton Local Plan.
39. Melton Borough Council – Environmental Health – Raise concerns regarding the impact of noise on Grammar School Farm, particularly during the construction phase. Also request assessment of the potential noise impact on proposed new housing allocation between existing housing and proposed MMDR.
40. Leicestershire County Council (LCC) Archaeology – Insufficient information provided to identify the locations of and assess the potential impacts of the development on archaeological remains. Requires the undertaking of field evaluation work, including trial trenching, to identify and locate any archaeological remains of significance and propose suitable treatment to avoid or minimise damage by the development.
41. British Horse Society and Bridleways Authority – Require clarification regarding the suitability of the non-motorised user routes for use by horses in addition to details of equestrian crossings, bridle gates and carriage access.
42. Cadent Gas – Provided an informative to advise the applicant of instances which would require consultation with Cadent Gas' Plant Protection Team.
43. Canal & River Trust – The development lies some distance from any of the waterways or associated infrastructure owned or operated by the Trust, therefore offer no comment.
44. The Coal Authority – No comments but highlight the need to include the Authority's standing advice in any decision as an informative note in the interests of public health and safety.

45. LCC Ecology – Require further information to be confident that suitable mitigation can be achieved with regards to badgers and Great Crested Newts, particularly addressing the severance of land on either side of the road scheme's route. Suggests an opportunity to address targets for habitat creation which should be addressed in a revised landscaping scheme. Requests submission of isolux lighting plan for area around the proposed River Eye alignment to enable the assessment of potential light spill impacts on ecology.
46. Environment Agency – Require a revised Flood Risk Assessment to provide clarification of maintenance access arrangements to Brentingby Dam.
47. Health and Safety Executive – No objections to raise.
48. LCC Heritage – Raise concerns with regards to introducing an urbanising form of development and a physical barrier, which partially severs the longstanding connection between the farms and historic buildings from their wider rural hinterland. It is considered the assessment underplays the potential impact of the development on this historic functional relationship, with the new road causing damage to the wider setting and heritage value. The level of harm to the significance of the listed buildings identified in the Heritage Assessment is likely to be at the lower end of the less than substantial harm spectrum, however, it should be considered due to the over-arching statutory duty to have special regard to the desirability of preserving their setting. All the statutory listed buildings escape direct impact, although Sysonby Farm a potential non-designated heritage asset does not. It is proposed that an archaeological record is made in the assessment by way of mitigation for the loss of the Farm which would be desirable.
49. LCC Highways – Require submission of the following to fully assess the proposals:
 - Vertical alignment information;
 - Stage 1 Road Safety Audit;
 - Models and drawings used in capacity analysis data; and
 - Clarification and justification for the deviation from the design standards set out in the Leicestershire Highways Design Guide.
50. Highways England – No comments to make.
51. Historic England – Raised concerns regarding impacts on heritage assets, the 3 Scheduled Ancient Monuments at: Sysonby Grange; a moated grange at Spinney Farm; and St Mary and St Lazarus Hospital in addition to areas of undesignated archaeology. They raise objections on the basis that the scheme will mask and/or destroy historic field boundaries and some ridge and furrow with the current spur alignment from Roundabout 6, intended to adjoin an additional southern section of road. Despite their objections they have advised that if planning permission is to be granted, efforts should be made to effectively screen Roundabout 6 from St Mary and St Lazarus Hospital through the sympathetic planting of indigenous hedgerow tree and shrub species.

52. Inland Waterways Association – Concerned that the scheme does not make provisions for the Oakham Canal, preventing future restoration. Also concerned that the proposals would also stop short-term plans for a walk/cycleway between Melton and Oakham along the line of the old waterway.
53. LCC Landscape – Recommends additional planting on some of the embankment side slopes, cuttings and roundabouts to provide additional screening and to increase the biodiversity of the area.
54. Lead Local Flood Authority – Raise no objections subject to the imposition of planning conditions relating to drainage and watercourse crossings.
55. Natural England – Raise no objection subject to the imposition of planning conditions relating to the following:
- Management and monitoring plant agreement to mitigate for impact on the River Eye SSSI including Ecological Monitoring to ensure restoration to the required standard and appropriate management thereafter;
 - Surface Water Management Plan;
 - Biodiversity Net gain approach; and
 - Construction Management Plan and appointment of an ecological clerk of works.

Also provided standard advice relating to protected species and soil management.

56. Network Rail – No objections to raise.
57. Public Health England – No objections to raise.
58. LCC Public Rights of Way – Raised comments regarding the proposed arrangements for public footpaths E1, E5, E17, E18, E20, E25, F2, F3, F4, Lag Lane and Sawgate Road and raises concerns that suggested routes are diagrammatic and lack the detail required to draft the Orders for changes.
59. Leicestershire and Rutland Wildlife Trust – No comments received.
60. The following were also consulted but provided no comments – Scalford Parish Council; Burton and Dalby Parish Council; Waltham on the Wolds & Thorpe Arnold Parish Council; Mr Byron Rhodes CC (Belvoir ED); Mr Joe Orson JP CC (Melton Wolds ED); Mr Alan Pearson CC (Melton West ED); Mrs Pam Posnett MBE CC (Melton East ED); British Waterways Board; and Ramblers Association.

Publicity & Representations received

61. The application was advertised in accordance with the statutory requirements on 18 October 2018 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. 75 representations have been received comprising 46 objections, 2 in support and 27 making general comments. The main planning issues raised are summarised below:

Oakham Canal

62. The scheme does not provide a bridge over the historical alignment of the Oakham Canal which would prohibit future restoration of the canal. This severing of the former canal's alignment would also prevent the creation of walk/cycleways between Melton and Oakham as well as a west-east cycleway route from Melton Mowbray town centre.

Amenity Impacts

63. Noise, odour, air and light pollution, visual impacts and a loss of privacy and enjoyment of properties will result from the proposed route of the MMDR being near properties both when in use and during the construction phase. The speed limit of 60mph between roundabouts 3 and 6 should be lowered to 40mph to considerably reduce noise and pollution. It is likely to be worse on the shorter stretches of road between roundabouts as sharply accelerating and decelerating vehicles will create additional noise, congestion and pollution.
64. Noise attenuation measures should be installed to minimise the impacts of the road to existing and future residential properties.

Traffic, Highways and Public Rights of Way

65. Exiting properties on to the 50mph B676 road when driving a horsebox or tractor is currently dangerous. The proposed arm from Roundabout 5 on Saxby Road will further reduce sightlines to the east which will make turning out even more hazardous.
66. The location of Roundabout 3 close to the access of Twinlakes Park may give rise to queuing traffic on the approach to the roundabout on the A606 causing delays. A designated filter lane should be provided to remove the potential bottleneck.
67. Lag Lane is insufficiently wide, has blind bends with narrow verges and a 7.5 tonne weight restriction making it unsuitable for construction traffic. Following construction, as Lag Lane is to be closed to through traffic, barriers should be sited to block access and suitable road signage erected well before the 90-degree bend to warn motorists of the change.
68. No construction traffic should be allowed to travel through or park in areas which are not suitable for large vehicles and appropriately located signage should be erected on the highway. The applicant should provide a much more detailed traffic management plan for construction traffic.
69. New bridleways should have turning points or roundabouts creating a loop for the horses to turn around in. Hand gates instead of stiles for horses and cyclists to pass through and equine crossings are light controlled to make the routes safer for all users of the road and public rights of way.

70. The pathway on the southbound carriageway of the A606 north of Roundabout 6 has been omitted from the existing pathway analysis. This is a much used, vital footpath which has been replaced by a grass verge on the proposed plans. A new surfaced path should be provided to lead directly from Burton Lazars to Roundabout 6 that is wide enough for mobility scooters, and for pedestrians and cyclists to pass. This path should be set back with a grass verge separating it from the road.

Landscape and Character

71. The proposed native broadleaf woodland planting on land to the northwest and northeast of Roundabout 5 will encroach further into an area already significantly affected by land being acquired for the scheme, that the remaining areas of their land should be maximised for their existing equestrian operation. A reduction to a 10-metre-wide strip of planting to the northeast and a reduced area to the northwest have been suggested as a suitable compromise.
72. The extent of tree replacement for those being removed is not indicated in the application. Reassurances that no net loss of trees results from the proposed development is required.
73. Roundabout 2 is located at a raised level and details of landscaping in this area are not sufficient to demonstrate appropriate mitigation for the visual and noise impacts caused by the proposed road.
74. The loss of green field land will have a significant impact on the character of the area around Thorpe Arnold, with the proposed road alignment being too close to properties in the village.

Ecology

75. The route of the road to the north of Melton Country Park will sever the wildlife corridor link between the park and local countryside increasing roadkill. An extended bridge should be provided.

Flooding

76. The submitted Flood Risk Assessment does not account for the fact that Thorpe Arnold floodplains flood several times a year and the Brentingby Barrier cannot cope. The balance pond at Saxby Road looks undersized.
77. Potential flooding issues may result from the proposed development as the existing watercourses in the area are already over capacity.

Farm Access

78. The proposed farm accesses are welcomed, but no details have been provided and should be addressed.
79. Preparatory spurs from the roundabouts ahead of further development should be suitably barriered to prevent illegal trespass and enable the continuation of animal grazing on the land.

Development of Surrounding Land

80. The cut and fill strategy for construction of the new road should consider its impacts on the development of neighbouring land parcels and the extent of earthworks planned to minimise encroachment into the developable area. The proposed alignment, grading and landscaping of the road will result in sterilisation of land reducing achievable housing numbers.

Re-consultation

81. Following a request for further information under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) two re-consultations were undertaken.
82. The main addendum of further information was received on 20 March 2019 and advertised in accordance with the statutory requirements on 21 March 2019 by way of: site notices posted around the application area, a press notice in the Melton Times and direct neighbour notifications sent to 1,143 residents, including those who made representations during the original consultation period.
83. A second re-consultation was undertaken following the later submission of further information relating to Archaeology on 12 April 2019. This information was advertised on 18 April 2019 by way of: site notices posted around the application area, a press notice in the Melton Times and direct neighbour notifications sent to 1,143 residents, including those who made representations during the first re-consultation period. This consultation period expired on 21 May 2019 and therefore a supplementary report will be provided prior to the Development Control Regulatory Board meeting to address any responses received after the publication of this main report.
84. The following responses have been received following the re-consultations:
85. The Coal Authority – No further comments to add.
86. Historic England – Maintain their concerns regarding Roundabout 6 and its harm to the significance of the Burton Lazars scheduled monument. Positive changes should be made to improve detailing to Roundabout 6 to minimise harm and eliminate loss of the field of ridge and furrow.
87. LCC Landscape – The amendments to the landscaping scheme address all their previous comments.
88. LCC Public Rights of Way – Raises concerns regarding details of footpath and bridleways surfacing and connections and their compatibility with the revised landscaping plans.
89. Public Health England – No further comments to add.
90. Highways England – No objection.

91. Canal and River Trust – Acknowledge and understand the applicant’s reasoning for not amending the scheme but consider it regrettable that the prospect of restoration of the Oakham Canal will be reduced.
92. LCC Heritage – No further comments to make.
93. Lead Local Flood Authority – The proposals are considered acceptable subject to conditions in respect of a surface water drainage scheme; surface water management during construction; and an assessment of all watercourse crossings, culverts and realignments.
94. Natural England – Please refer to the previous response which refers to conditions for a river diversion monitoring plan; detailed surface water management plan; a construction environmental management plan; and a net gain approach.
95. Environment Agency - advises conditions in respect of: flood risk; protection of controlled waters; compensatory habitat creation; a landscape and ecological management plan; and a protected species and habitat protection plan.
96. LCC Ecology – recommends conditions for: a protected species surveys and mitigation plans for each phase; landscaping to be in accordance with the ecology mitigation and enhancement plan; controls over all proposed new planted stock to ensure locally native species; a construction environmental management plan; a detailed mitigation, compensation and enhancement scheme for the River Eye; and lighting lux levels.
97. LCC Highways – recommends conditions for an updated construction traffic management plan; and that the development is carried out in accordance with a schedule of general arrangement plans and non-motorised user route plans.

Representations Received

98. There have been six additional representations received: 4 objections, one in support and one with comments concerning the proposals. The issues raised in addition to those outlined above are summarised below:

Traffic and Highway Safety

99. The majority of traffic that goes into the centre of Melton is staying in the centre and not passing through. The bypass will therefore not alleviate any of this traffic. The bypass will also make a convenient diversion route for when the A1 is closed and will bring more traffic to the area.
100. The pavements into Burton Lazars are narrow and would need widening, and pedestrian crossings in the village would also need some thought as the crossing points are visually poor. Average speed cameras covering the section of road from the proposed roundabout to the village would be the best solution.

Assessment of Proposal

101. The proposal needs to be assessed against National Planning Policy and Guidance and the policies of the current Development Plan, the findings of the Environmental Statement (ES) accompanying the application and the measures it proposes to mitigate any impact that is identified. The ES that has been submitted – together with the additional addendum report – in support of the proposal, highlights several key issues and identifies where impacts will occur and what measures will be taken to mitigate them. The findings of the ES confirm that there will be overall environmental benefits from the road scheme, with a substantial number of residents benefiting from the road scheme, and its associated impacts and a relatively small number experiencing an increase in impacts. Measures are included in the proposals to off-set the impact on residents and ensure that they remain within acceptable levels.
102. Whilst some residents and consultees are requesting amendments to the alignment of the scheme and other significant changes, the applicant has provided their rationale for rejecting these options during the design stages. The Board is required to consider the application as submitted, and to decide whether it is acceptable on the basis of the relevant material planning considerations, rather than compare it to any alternative proposals. Consent should be refused only if the development would cause demonstrable harm to interests of acknowledged importance giving rise to material reasons for refusal that cannot be resolved by conditions and/or mitigation.
103. It will be necessary to consider the detailed impact of the scheme and a number of key issues have been identified as a result of the consultation process, many of which have been addressed in the findings of the ES and its addendum, and the measures set out therein to mitigate against any impacts on the environment. These are addressed below.

The Development Plan

104. The Melton Mowbray Distributor Road scheme is a fundamental element within the Melton Local Plan and the future growth strategy for the town. Land to the north, east and south of Melton Mowbray Town Centre has been identified and allocated as a “corridor of investigation” for the route of a distributor road on the Policies Map. *Policy IN1: Melton Mowbray Transport Strategy (MMTS)* outlines the Borough Council’s strategy for delivery of transport infrastructure in Melton Mowbray, with the MMDR listed as the first key component to achieving this. The policy also seeks to provide a package of complementary measures, including enhanced pedestrian and cycling facilities between the town centre and the main local journey attractors from the southern and northern urban extensions.
105. *Policy SS4 and SS5* of the Melton Local Plan outlines the Borough Council’s objectives to create the Melton South and North Sustainable Neighbourhoods. Within both policies sub-section t1A highlights the need for a comprehensive package of transport improvements including a strategic road link forming part of the Melton Mowbray Distributor Road.

Environmental and Other Impacts

Noise

106. Concerns have been raised by the Environmental Health Department at Melton Borough Council with regards to the impact of noise on Grammar School Farm, particularly during the construction phase. As set out in the ES, it has been identified that moderate adverse effects (significant) are anticipated at Grammar School Farm during the day, which is very close to the proposed scheme west of Scalford Road roundabout. As a result, specific additional mitigation in the form of site boundary solid hoarding is proposed at this location to reduce the significance of the daytime effect to slight (not significant). The performance specification of these mitigation measures would be confirmed at the detailed design stage to ensure the performance assumed in the assessment is achieved. A Construction Environmental Management Plan (CEMP) would also be implemented during the construction works which would include details of observational checks/audits to ensure compliance with working hours, working methods, mitigation measures etc.
107. As further requested, information has been provided from the applicant within the ES Addendum (March 2019) in response to concerns with regards to the potential noise impact on the proposed housing allocated between existing housing and proposed MMDR. This is illustrated in the plans provided in Appendix E of the ES Addendum (March 2019) showing the predicted noise levels at the new housing near to the northern part of the scheme. As based on the provided indicative housing layout, it is concluded that in 2036 (15 years after opening) free field LA10,18h traffic noise levels at first floor level (4m) range from 60-66 dB at the closest properties to the MMDR on the facades facing the MMDR, to around 45 dB at the furthest properties from the MMDR and other existing roads. This is considered to sufficiently demonstrate that the request regarding any potential future amenity impacts has been included for consideration in the determination of the planning application. The proposal is considered acceptable in accordance with Policy D1 of the MLP in this respect.

Archaeology

108. Concerns have been raised by LCC Archaeology with regards to the provision of insufficient information to identify the locations of and assess the potential impacts of the development on archaeological remains. It has been requested that field evaluation work, including trial trenching be undertaken, to identify and locate any archaeological remains of significance and propose suitable treatment to avoid or minimise damage by the development. As outlined in the ES, the archaeological potential at the proposed development has been assessed, with a significant number of recorded heritage assets within the study area, many of which have been identified from archaeological surveys and investigations. As part of the construction phase, it has been acknowledged that the proposed scheme has the potential to impact upon both recorded archaeological assets and potential archaeological deposits. The implementation of appropriate mitigation measures has been proposed, taking into account impact avoidance measures. Further assessments have also been undertaken indicating that with appropriate scheme design, adoption of a bespoke archaeological mitigation strategy, implementation of mitigation measures included within the Construction Environmental Management Plan and a programme of archaeological fieldwork, this would mitigate impacts and effects upon archaeological sites therefore no significant effects are anticipated

during the construction works. Subject to further evaluation of the trial trenching exercise (to be reported in the supplementary report) it is considered that the impacts on archaeological interests are capable of being satisfactorily controlled in accordance with Policy EN13 of the MLP.

Ecology and Nature Conservation

109. As requested, information has been provided by the applicant within the ES Addendum (March 2019) in response to concerns regarding outstanding information on suitable mitigation options for badgers and Great Crested Newts. An indicative Ecology Mitigation and Enhancement Plan (EMEP) is presented in Appendix F, which sets out the principles for mitigation to be delivered as part of the proposed scheme (to be read in conjunction with the revised Landscape Design Plans presented in Appendix H for the proposed scheme). This information provides a commitment that the proposed scheme has incorporated sufficient measures to mitigate any potential adverse effects on important ecological features identified in the ES. The details in this plan remain indicative at this stage, with a commitment from the applicant to provide a further detailed EMEP subject to a relevant planning condition. As further requested, a set of Lux plans to show which areas will have levels above 1 Lux have been provided. This was requested with regards to the area around the proposed River Eye alignment to enable the assessment of potential light spill impacts on ecology. This is now considered satisfactory.
110. No significant issues have been raised by Natural England, subject to the imposition of planning conditions relating to the following:
- Management and monitoring plant agreement to mitigate for impact on the River Eye SSSI including Ecological Monitoring to ensure restoration to the required standard and appropriate management thereafter;
 - Surface Water Management Plan;
 - Biodiversity Net gain approach; and
 - Construction Environmental Management Plan and appointment of an ecological clerk of works.
111. A revised Water Framework Directive report has also been provided by the applicant in response to these conditions.
112. Subject to the control of these matters (as detailed in paragraphs 94 and 96) by condition it is considered that the ecological impacts of the proposed development are capable of being satisfactorily controlled in accordance with Policies EN1, EN2 and EN3 of the MLP.

Cultural Heritage

113. Further information has been provided by the applicant in response to concerns raised by Historic England with regards to the impacts on heritage assets, the 3 Scheduled Ancient Monuments at: Sysonby Grange; a moated grange at Spinney Farm; and St Mary and St Lazarus Hospital in addition to areas of undesignated archaeology. This objection was made on the basis that the scheme will mask and/or destroy historic field boundaries and some ridge and furrow with the current spur alignment from Roundabout 6, intended to adjoin a future southern section of new road. The further information (and Environmental Statement) concludes disagreement with Historic England's view that the scheme will harm the significance of Sysonby Grange and Spinney Farm monuments. At Sysonby Grange, the land associated with the road scheme does not appear to have any historic connection with the scheduled

monument and does not make any contribution to its significance. At Spinney Farm, the proposed scheme is sufficiently distant so that the land on which it is located is not considered to contribute to the historical context of the site. The intervening trees and hedgerows prevent views across to the proposed road scheme and it is considered that visibility from the monument would be limited. It is recognised that any harm to the significance of these monuments would be at the lower end of the spectrum.

114. Consideration has been given to whether it is possible to re-design roundabout 6 (which has been located outside the area where it would cause substantial harm), such that spurs do not lead to eventual extension of the road into the area of substantial harm highlighted by Historic England. However, there is a requirement for two spurs into the southern sustainable neighbourhood (SSN) to access the proposed future residential development and provide the link to the southern MMDR. The requirements of roundabout and road design do not allow for these spurs to be closer together than proposed with the roundabout in its current position. Therefore, the roundabout cannot be re-designed without significant harm to the performance of the scheme to address Historic England's concerns and provide for future access to the proposed SSN. The landscaping plan to address Historic England's request for more planting to protect the setting of the Scheduled Monument by providing screening of the roundabout has been amended.
115. With regard to the LCC Heritage comments it is acknowledged that no listed buildings would be directly affected by the proposal and that harm to their settings, via impacts largely on the traditional farmland hinterland, would be at the less than substantial harm end of the spectrum. A proposed archaeological report of the Sysonby Farm building/site is supported.
116. In respect of the cultural heritage assets, it is noted that the proposed development would not directly result in substantial harm. In assessing the potential and likely harm, consideration has been given to the provisions of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which require special regard to be had to preserving the setting of a listed building, and special attention paid to preserving or enhancing the character or appearance of a conservation area. In addition, regard has been had to the NPPF, especially paragraphs 193 to 196, and the requirement to give great weight to the asset's conservation, regardless of whether the potential harm amounts to substantial or less than substantial, including a clear and convincing justification for any harm. In this instance, paragraph 196 requires that harm of a less than substantial nature should be weighed against the public benefits of the proposal. Consequently, it is considered that the slight adverse impact on the setting of the Scheduled Monuments, listed buildings and conservation areas, amounting to less than substantial harm is significantly outweighed by the public benefits of the North and East MMDR.

Public Rights of Way

117. In line with requests from the British Horse Society and Bridleways Authority regarding the suitability of the Non-Motorised User routes (NMU's) for use by horses, and LCC Public Rights of Way with regards to the proposed arrangements for a number of public footpaths, a summary of the evaluation of change with regard to NMUs is provided in the ES Addendum (March 2019), based on the minor alterations to the design of the NMU routes and facilities. A set of (7 no.) associated new plans showing Non-Motorised User routes, including works to existing Public Rights of Way have also been provided. This additional information is considered to sufficiently address the

key difference between the significance of effects on these NMU routes as presented in the ES and result of the assessment as presented in the ES Addendum (March 2019) due to the changes in the design. Any outstanding matters concerning the surfacing of the NMU routes and their detailed connections, including where revised landscaping features are proposed, are matters that can be controlled by planning condition in accordance with Policy EN3 of the MLP.

Highways

118. As requested by the Local Highway Authority, a Stage 1 Road Safety Audit has been provided by the applicant in response to the comments raised. Following the issue of the further information the Local Highway Authority has recommended that the proposal is acceptable subject to conditions in respect of an updated construction traffic management plan, and that the development is carried out in accordance with a schedule of general arrangement plans and non-motorised user route plans. No significant issues were raised by Highways England, with no comments put forward. Subject to control of these matters by planning condition the proposal is considered acceptable from a highway perspective having regard to the requirements of Policies IN1 and IN2 of the MLP.

Water Resources and Drainage

119. A revised Flood Risk Assessment has been provided by the applicant in response to the request from the Environment Agency, to provide clarification of maintenance access arrangements to Brentingby Dam and provide consideration to revised bridge design. The Environment Agency require conditions in respect of flood risk; protection of controlled waters; compensatory habitat creation; a landscape and ecological management plan; and a protected species and habitat protection plan in mitigation of the overall scheme.
120. The Lead Local Flood Authority raise no objections subject to the imposition of planning conditions relating to a surface water drainage scheme and management of surface water during construction.
121. Subject to the control of the above matters by planning condition it is considered that the proposed development is acceptable in terms of flood risk potential impacts on the water environment in accordance with Policies EN11 and EN12 of the MLP.

Landscape

122. Recommendations have been provided from LCC Landscape with regards to additional planting on some of the embankment side slopes, cuttings and roundabouts (including Roundabout 6 to screen the heritage asset) to provide additional screening and increasing the biodiversity of the area. A response has been provided by the applicant within the ES Addendum (March 2019) to incorporate these comments. An indicative Ecology Mitigation and Enhancement Plan is also presented in Appendix F which sets out the principles for mitigation to be delivered as part of the proposed scheme, in combination with the revised Landscape Design Plans presented in Appendix H. Description of the additional landscaping at specific locations along the proposed scheme are also provided in the ES Addendum (March 2019).
123. Subject to the control of the landscaping of the proposed development to specifically ensure that the amended landscaping proposals are fully implemented, it is considered that the landscaping provisions of the proposed road scheme are acceptable in accordance with the provisions of Policies EN1, EN2 and EN3 of the MLP.

Other Impacts

124. No significant issues have been raised with regards to gas, coal, rail, health and safety and public health disciplines.

Conclusion

125. In principle the proposal is in accordance with the policies and strategies of the Development Plan, which makes provision for an allocated corridor of investigation for the MMDR. There are no overriding objections to the proposal and the matters highlighted in the consultation responses and in the majority of representations have been addressed through the submission of the further information.
126. Subject to the control of the matters raised in the consultation process by planning condition, and given the significant public benefit likely to result from the construction of the MMDR, it is concluded that the proposal, as set out in the application, accompanying ES, the further information provided in the two Regulation 25 submissions is in accordance with national planning policy and the policies of the development plan.
127. A supplementary report will be submitted to the Board prior to its meeting regarding the archaeological issues; an evaluation of the trial trenching exercise (paragraph 108 above refers) and any consultation responses which are received in-between the publication of this report and the close of the consultation period on 21 May

Recommendation

1. PERMIT, subject to the conditions contained in the Appendix to the Main Report; and
2. To endorse, as required by The Town and Country Planning (Development Management Procedure) Order 2015 (as amended), a summary of
 - a. How Leicestershire County Council has worked with the applicant in a positive and proactive manner:

In dealing with the application and reaching a decision account has been taken of paragraph 38 of the National Planning Policy Framework.

Officer to Contact

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E-Mail planningcontrol@leics.gov.uk

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

Conditions

Scope of Permission

Commencement

1. The development hereby permitted shall be commenced within 3 years from the date of this permission.

Adherence to Approved Documents

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	60542201-ACM-ARB-GEN_GEN_ZZ_Z-RP-LV-0001 P01 S2	Sept 2018
Outline Construction Traffic Management Plan	60542201-ACM-TTM-GEN_GEN_ZZ_Z-RP-T-0001	Sept 2018
Statement of Community Engagement		Sept 2018
Planning Application Supporting Statement		Sept 2018
Transport Assessment		Sept 2018
Equality & Human Rights Impact Report	60542201-ACM-EGN-GEN_GEN_ZZ_Z-RP-LE-002-P01 S3	Oct 2018
Volume 1: Environmental Statement	60542201-ACM-EGN-GEN_GEN_ZZ_Z-RP-LE-0003 P01 S2	Sept 2018
Volume 2: Environmental Statement ES Non-Technical Summary Report & Figures	60542201-ACM-EGN-GEN_GEN_ZZ_Z-RP-LE-0006 P01 S0	Sept 2018
Volume 3: Environmental Statement ES Appendices	60542201-ACM-EGN-GEN_GEN_ZZ_Z-RP-LE-0005 P01 S0	Sept 2018
Covering Letter: LCC Responses and Further Information		18/03/2019
LCC Response to Comments Received on the Oakham Canal		07/03/2019
Stage 1 Road Safety Audit	60542201/M001/RSA/RSA1/02	21/12/2018
Applicant Response to the Historic England Objection		14/01/2019
Water Framework Directive Assessment		Mar 2019
Environmental Statement Addendum	60542201-ACM-EGN-GEN_GEN_ZZ_Z-RP-LE-0013	Mar 2019
ES Addendum - Figure 2.3 Indicative Structure Locations	60542201-ACM-EGN-GEN-GEN-ZZ-Z-DR-LE-0022 P02	
ES Addendum Appendix A - Figure 15.2 Indicative Proposed NMU Facilities	60542201-ACM-EGN-GEN-GEN-ZZ-Z-DR-LE-0049 P03	
ES Addendum Appendix A - Figure 15.2 Indicative Proposed NMU Facilities	60542201-ACM-EGN-GEN-GEN-ZZ-Z-DR-LE-0050 P03	
ES Addendum Appendix A - Figure 15.2 Indicative Proposed NMU Facilities	60542201-ACM-EGN-GEN-GEN-ZZ-Z-DR-LE-0051 P04	
ES Addendum Appendix A - Figure 15.2 Indicative Proposed NMU Facilities	60542201-ACM-EGN-GEN-GEN-ZZ-Z-DR-LE-0052 P04	
ES Addendum Appendix B – Figure 11.8 2021 Do-Something Minus 2021 Do-Minimum: Short Term Change in Traffic Noise Levels	60542201-ACM-EGN-GEN-GEN-ZZ-Z-DR-LE-0008 P02	

ES Addendum Appendix C – Addendum to Flood Risk Assessment		
ES Addendum Appendix C – Indicative Environment Agency Emergency and Maintenance Access Routes	60542201-ACM-EWE-S5_GEN_ZZ_Z-SK-HD-0002 P01	
ES Addendum Appendix D – Water Framework Directive Report (including River Eye SSSI diversion and enhancement proposals) Update		04/03/2019
ES Addendum Appendix E – Indicative Noise – 2036 DS Grid New Housing	60542201-ACM-EGN-GEN-GEN-ZZ-Z-DR-LE-0133 P01	
ES Addendum Appendix F – Response to LCC Ecologist Comments		07/03/2019
ES Addendum Appendix G – Pond 4 Great Crested Newts Mitigation		
ES Addendum Appendix G – Ecology Mitigation and Enhancement Pond 4	60542201-ACM-EGN-GEN_GEN_ZZ_Z-DR-LE-0132 P01	
ES Addendum	60542201-ACM-EHR-GEN_GEN_ZZ_Z-RP-AG-0001	11/04/2019
ES Addendum Appendix 1 – Archaeological Evaluation Report	AAL 2019044	Apr 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-S2_GEN_ZZ_Z-DR-CH-0002	P06
Red Line Boundary Annotated Sheet 3	60542201-ACM-HGN-S2_GEN_ZZ_Z-DR-CH-0003	P06
Red Line Boundary Annotated Sheet 4	60542201-ACM-HGN-S3_GEN_ZZ_Z-DR-CH-0004	P06
Red Line Boundary Annotated Sheet 5	60542201-ACM-HGN-S4_GEN_ZZ_Z-DR-CH-0005	P06
Red Line Boundary Annotated Sheet 6	60542201-ACM-HGN-S5_GEN_ZZ_Z-DR-CH-0006	P06
Red Line Boundary Annotated Sheet 7	60542201-ACM-HGN-S5_GEN_ZZ_Z-DR-CH-0007	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-S2_ML_ZZ_Z-DR-T-0004	P03
General Arrangement Plan 5	60542201-ACM-GEN-S2_ML_ZZ_Z-DR-T-0005	P03
General Arrangement Plan 6	60542201-ACM-GEN-S2_ML_ZZ_Z-DR-T-0006	P03
General Arrangement Plan 7	60542201-ACM-GEN-S2_ML_ZZ_Z-DR-T-0007	P03
General Arrangement Plan 8	60542201-ACM-GEN-S3_ML_ZZ_Z-DR-T-0008	P03
General Arrangement Plan 9	60542201-ACM-GEN-S3_ML_ZZ_Z-DR-T-0009	P03
General Arrangement Plan 10	60542201-ACM-GEN-S4_ML_ZZ_Z-DR-T-0010	P03
General Arrangement Plan 11	60542201-ACM-GEN-S4_ML_ZZ_Z-DR-T-0011	P03
General Arrangement Plan 12	60542201-ACM-GEN-S5_ML_ZZ_Z-DR-T-0012	P03
General Arrangement Plan 13	60542201-ACM-GEN-S5_ML_ZZ_Z-DR-T-0013	P03
General Arrangement Plan 14	60542201-ACM-GEN-S5_ML_ZZ_Z-DR-T-0014	P03
General Arrangement Plan 15	60542201-ACM-GEN-S5_ML_ZZ_Z-DR-T-0015	P03
General Arrangement Plan 16	60542201-ACM-GEN-S4_ML_ZZ_Z-DR-T-0016	P03
General Arrangement Plan 17	60542201-ACM-GEN-S4_ML_ZZ_Z-DR-T-0017	P03
General Arrangement Plan 18	60542201-ACM-GEN-S4_ML_ZZ_Z-DR-T-0018	P03
General Arrangement Plan 19	60542201-ACM-GEN-S5_ML_ZZ_Z-DR-T-0019	P03
General Arrangement Plan 20	60542201-ACM-GEN-S5_ML_ZZ_Z-DR-T-0020	P03
General Arrangement Plan 21	60542201-ACM-GEN-S5_ML_ZZ_Z-DR-T-0021	P03
Culvert C01 Indicative General Arrangement	60542201-ACM-STR-S1_CU_C01_Z-DR-T-0001	
Culvert C02 Indicative General Arrangement	60542201-ACM-STR-S1_CU_C02_Z-DR-T-0001	
Culvert C03 Indicative General Arrangement	60542201-ACM-STR-S4_CU_C03_Z-DR-T-0001	
Railway Bridge Indicative General Arrangement Sheet 1 of 2	60542201-ACM-STR-S5_BR_B04_Z-DR-T-0001	
Railway Bridge Indicative General Arrangement Sheet 2 of 2	60542201-ACM-STR-S5_BR_B04_Z-DR-T-0002	
River Eye Bridge Indicative General Arrangement	60542201-ACM-STR-S5_BR_B03_Z-DR-T-0001	
Revised Information - Scalford Brook Bridge Indicative General Arrangement	60542201-ACM-STR-S2_BR_B01_Z-DR-T-0001	P02
Revised Information - Thorpe Brook Bridge Indicative General Arrangement	60542201-ACM-STR-S3_BR_B02_Z-DR-T-0001	P02
Highway Cross Sections - Section 1	60542201-ACM-HML-S1_ML_M01_Z-DR-T-0001	P02
Highway Cross Sections - Section 2	60542201-ACM-HML-S2_ML_M01_Z-DR-T-0002	P02
Highway Cross Sections - Section 3	60542201-ACM-HML-S3_ML_M01_Z-DR-T-0003	P02
Highway Cross Sections - Section 4	60542201-ACM-HML-S4_ML_M01_Z-DR-T-0004	P02
Highway Cross Sections - Section 5	60542201-ACM-HML-S5_ML_M01_Z-DR-T-0005	P02

Landscape Masterplan Key	60542201-ACM-ELS-GEN_GEN_ZZ_Z-DR-T-0001	P01
Landscape Masterplan 1	60542201-ACM-ELS-S1_GEN_ZZ_Z-DR-T-0001	P04
Landscape Masterplan 2	60542201-ACM-ELS-S2_GEN_ZZ_Z-DR-T-0002	P04
Landscape Masterplan 3	60542201-ACM-ELS-S2_GEN_ZZ_Z-DR-T-0003	P04
Landscape Masterplan 4	60542201-ACM-ELS-S3_GEN_ZZ_Z-DR-T-0004	P04
Landscape Masterplan 5	60542201-ACM-ELS-S4_GEN_ZZ_Z-DR-T-0005	P04
Landscape Masterplan 6	60542201-ACM-ELS-S5_GEN_ZZ_Z-DR-T-0006	P04
Landscape Masterplan 7	60542201-ACM-ELS-S5_GEN_ZZ_Z-DR-T-0007	P04
Outline Lighting Plan 1	60542201-ACM-HLG-S1_JN_R01_Z-DR-T-0001	
Outline Lighting Plan 2	60542201-ACM-HLG-S1_JN_R01_Z-DR-T-0002	
Outline Lighting Plan 3	60542201-ACM-HLG-S1_ML_M01_Z-DR-T-0003	
Outline Lighting Plan 4	60542201-ACM-HLG-S1_ML_M01_Z-DR-T-0004	
Outline Lighting Plan 5	60542201-ACM-HLG-S1_ML_M01_Z-DR-T-0005	
Outline Lighting Plan 6	60542201-ACM-HLG-S1_JN_R02_Z-DR-T-0006	
Outline Lighting Plan 7	60542201-ACM-HLG-S1_JN_R02_Z-DR-T-0007	
Outline Lighting Plan 8	60542201-ACM-HLG-S1_JN_R02_Z-DR-T-0008	
Outline Lighting Plan 9	60542201-ACM-HLG-S2_ML_M02_Z-DR-T-0009	
Outline Lighting Plan 10	60542201-ACM-HLG-S2_ML_M02_Z-DR-T-0010	
Outline Lighting Plan 11	60542201-ACM-HLG-S2_ML_M02_Z-DR-T-0011	
Outline Lighting Plan 12	60542201-ACM-HLG-S2_ML_M02_Z-DR-T-0012	
Outline Lighting Plan 13	60542201-ACM-HLG-S2_ML_M02_Z-DR-T-0013	
Outline Lighting Plan 14	60542201-ACM-HLG-S2_ML_M02_Z-DR-T-0014	
Outline Lighting Plan 15	60542201-ACM-HLG-S2_ML_M02_Z-DR-T-0015	
Outline Lighting Plan 16	60542201-ACM-HLG-S2_JN_R03_Z-DR-T-0016	
Outline Lighting Plan 17	60542201-ACM-HLG-S2_JN_R03_Z-DR-T-0017	
Outline Lighting Plan 18	60542201-ACM-HLG-S3_ML_M03_Z-DR-T-0018	
Outline Lighting Plan 19	60542201-ACM-HLG-S3_ML_M03_Z-DR-T-0019	
Outline Lighting Plan 20	60542201-ACM-HLG-S3_JN_R04_Z-DR-T-0020	
Outline Lighting Plan 21	60542201-ACM-HLG-S3_JN_R04_Z-DR-T-0021	
Outline Lighting Plan 22	60542201-ACM-HLG-S3_JN_R04_Z-DR-T-0022	
Outline Lighting Plan 23	60542201-ACM-HLG-S4_ML_M04_Z-DR-T-0023	
Outline Lighting Plan 24	60542201-ACM-HLG-S4_ML_M04_Z-DR-T-0024	
Outline Lighting Plan 25	60542201-ACM-HLG-S4_ML_M04_Z-DR-T-0025	
Outline Lighting Plan 26	60542201-ACM-HLG-S4_JN_R05_Z-DR-T-0026	
Outline Lighting Plan 27	60542201-ACM-HLG-S4_JN_R05_Z-DR-T-0027	
Outline Lighting Plan 28	60542201-ACM-HLG-S5_ML_M05_Z-DR-T-0028	
Outline Lighting Plan 29	60542201-ACM-HLG-S5_ML_M05_Z-DR-T-0029	
Outline Lighting Plan 30	60542201-ACM-HLG-S5_ML_M05_Z-DR-T-0030	
Outline Lighting Plan 31	60542201-ACM-HLG-S5_ML_M05_Z-DR-T-0031	
Outline Lighting Plan 32	60542201-ACM-HLG-S5_ML_M05_Z-DR-T-0032	
Outline Lighting Plan 33	60542201-ACM-HLG-S5_ML_M05_Z-DR-T-0033	
Outline Lighting Plan 34	60542201-ACM-HLG-S5_ML_M05_Z-DR-T-0034	
Outline Lighting Plan 35	60542201-ACM-HLG-S5_JN_R06_Z-DR-T-0035	
Outline Lighting Plan 36	60542201-ACM-HLG-S5_JN_R06_Z-DR-T-0036	
Indicative Proposed NMU Routes Plan 1	60542201-ACM-ENM-S1_GEN_ZZ_Z-DR-T-0001	P01
Indicative Proposed NMU Routes Plan 2	60542201-ACM-ENM-S2_GEN_ZZ_Z-DR-T-0002	P01
Indicative Proposed NMU Routes Plan 3	60542201-ACM-ENM-S2_GEN_ZZ_Z-DR-T-0003	P01
Indicative Proposed NMU Routes Plan 4	60542201-ACM-ENM-S3_GEN_ZZ_Z-DR-T-0004	P01
Indicative Proposed NMU Routes Plan 5	60542201-ACM-ENM-S4_GEN_ZZ_Z-DR-T-0005	P01
Indicative Proposed NMU Routes Plan 6	60542201-ACM-ENM-S5_GEN_ZZ_Z-DR-T-0006	P01
Indicative Proposed NMU Routes Plan 7	60542201-ACM-ENM-S5_GEN_ZZ_Z-DR-T-0007	P01
Indicative Lighting Lux Contour Layout Plan 1	60542201-ACM-HLG-S1_ML_ZZ_Z-DR-T-0001	P02
Indicative Lighting Lux Contour Layout Plan 2	60542201-ACM-HLG-S1_ML_ZZ_Z-DR-T-0002	P02
Indicative Lighting Lux Contour Layout Plan 3	60542201-ACM-HLG-S1_ML_ZZ_Z-DR-T-0003	P02
Indicative Lighting Lux Contour Layout Plan 4	60542201-ACM-HLG-S2_ML_ZZ_Z-DR-T-0004	P02
Indicative Lighting Lux Contour Layout Plan 5	60542201-ACM-HLG-S2_ML_ZZ_Z-DR-T-0005	P02
Indicative Lighting Lux Contour Layout Plan 6	60542201-ACM-HLG-S2_ML_ZZ_Z-DR-T-0006	P02
Indicative Lighting Lux Contour Layout Plan 7	60542201-ACM-HLG-S2_ML_ZZ_Z-DR-T-0007	P02
Indicative Lighting Lux Contour Layout Plan 8	60542201-ACM-HLG-S3_ML_ZZ_Z-DR-T-0008	P02
Indicative Lighting Lux Contour Layout Plan 9	60542201-ACM-HLG-S3_ML_ZZ_Z-DR-T-0009	P02
Indicative Lighting Lux Contour Layout Plan 10	60542201-ACM-HLG-S4_ML_ZZ_Z-DR-T-0010	P02

Indicative Lighting Lux Contour Layout Plan 11	60542201-ACM-HLG-S4_ML_ZZ_Z-DR-T-0011	P02
Indicative Lighting Lux Contour Layout Plan 12	60542201-ACM-HLG-S5_ML_ZZ_Z-DR-T-0012	P02
Indicative Lighting Lux Contour Layout Plan 13	60542201-ACM-HLG-S5_ML_ZZ_Z-DR-T-0013	P02
Indicative Lighting Lux Contour Layout Plan 14	60542201-ACM-HLG-S5_ML_ZZ_Z-DR-T-0014	P02
Indicative Lighting Lux Contour Layout Plan 15	60542201-ACM-HLG-S5_ML_ZZ_Z-DR-T-0015	P02

Ecology

Construction Environmental Management Plan

3. Prior to commencement of construction works, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority. The CEMP shall include provision of mitigation of the effects of the development including proposed working hours.

Biodiversity Management Plan

4. Prior to commencement of construction works, a detailed Biodiversity Management Plan (BMP) shall be submitted to and approved in writing by the County Planning Authority. The BMP shall include provision for the ongoing management of biodiversity during the construction works including the full implementation of the approved landscaping works and for a five-year establishment period after completion of the landscaping works.

River Eye Mitigation, Compensation and Enhancement Scheme

5. A detailed mitigation, compensation and enhancement scheme for the River Eye as shown on the Indicative Ecology Mitigation and Enhancement Plan (60542201-ACM-EGN-GEN_GEN_ZZ_Z-DR-LE-0126 Rev P01) shall be submitted to and approved by the County Planning Authority prior to the commencement of any works on site.

The scheme shall make provision for compensatory habitat creation including its management and monitoring and shall be implemented as approved. Thereafter, the development shall be implemented in accordance with the approved scheme.

River Eye Management and Monitoring Plan

6. A detailed management and monitoring plan to mitigate for impact on the River Eye SSSI including hydro-morphological, ecological and surface water monitoring to ensure restoration to the objectives of the Water Framework Directive Report (including River Eye SSSI diversion and enhancement proposals) Update (March 2019) and to include appropriate management actions for a five-year establishment period after completion of the restoration works shall be submitted to and approved by the County Planning Authority prior to the completion of construction works. The plan shall make provision for annual monitoring visits and the submission of annual reports to the County Planning Authority during the five-year establishment period.

Lighting

7. Lighting shall be in accordance with the approved Indicative Lighting Lux Contour Layout plans 60542201-ACM-HLG-S4_ML_ZZ_Z-DR-T-0011 and 60542201-ACM-HLG-S4_ML_ZZ_Z-DR-T-0012 Rev P02 in the area of the existing and proposed River Eye crossings.

Landscaping

8. Landscaping of the application site shall be in accordance with the Indicative Ecology Mitigation and Enhancement Plan (60542201-ACM-EGN-GEN_GEN_ZZ_Z-DR-LE-0126 to 0131 Rev P01) with regard to the amount of wildflower grassland, diverse grassland and habitat enhancement. All above ground SUDs features shall be designed to maximise benefit to wildlife. The planting of all trees, wildflower grassland, scrub, hedgerows and marginal aquatic vegetation shall be locally native species. Final landscaping plans shall be submitted to and approved by the County Planning Authority prior to implementation of the landscaping works and provide for a biodiversity net gain.

Protected Species

9. Prior to implementation of each construction phase of the development a scheme of updated protected species surveys shall be agreed with the County Planning Authority. The surveys shall be completed, and the agreed mitigation plans revised, submitted and approved by the County Planning Authority at least 6 months prior to the commencement of that phase. All mitigation shall be implemented in accordance with the approved plans.
- the surveys shall include Kingfisher on the Scalford Brook, Roosting Bats at Sysonby Farm and the railway crossing, Water Voles on the River Eye, Otters on all watercourses and Barn Owl, Great Crested Newts, and Badgers throughout the whole scheme.
10. No development shall take place until a plan detailing the protection and/or mitigation of damage to populations of otter and its associated habitat has been submitted to and approved by the County Planning Authority. The plan must consider the whole duration of the development, from the construction phase through to development completion and shall be carried out in accordance with a timetable for implementation as approved. The scheme shall include the following elements:
- details of how otters will be protected during the operational phase of the development.
 - details of otter ledges within culverts used on the development.
 - details of otter proof fencing to ensure that otters are not able to access the new road development and therefore prevent otter deaths.

Landscaping

11. Having regard to the requirements of Condition No. 8 the landscaping of the application site shall be in accordance with the revised landscaping plans referenced: 60542201-ACM-ELS S1_GEN_ZZ_Z-DR-T-0001-P04; 60542201-ACM-ELS-S2_GEN_ZZ_Z-DR-T-0002-P04; 60542201-ACM-ELS-S2_GEN_ZZ_Z-DR-T-0003-P04; 60542201-ACM-ELS-S3_GEN_ZZ_Z-DR-T-0004-P04; 60542201-ACM-ELS-S4_GEN_ZZ_Z-DR-T-0005-P04; 60542201-ACM-ELS-S5_GEN_ZZ_Z-DR-T-0006-P04; and, 60542201-ACM-ELS S5_GEN_ZZ_Z-DR-T-0007-P04 and a timetable to be submitted to and agreed with the County Planning Authority prior to the commencement of any landscaping works.

Water EnvironmentSurface Water Drainage

12. No phase of the development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to and approved in writing by the County Planning Authority. This drainage scheme shall be in accordance with Appendix 16.4 Flood Risk Assessment Report and Appendix 16.6 Surface Water Drainage Plan.
13. No phase of the development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to and approved in writing by the County Planning Authority.

Flood Risk

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. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

15. The development hereby permitted shall not be commenced until such time as a scheme to provide compensatory floodplain storage (as detailed in section 4.2, p36 of the submitted FRA) has been submitted to, and approved in writing by, the County Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the County Planning Authority.

16. The development hereby permitted shall not be commenced until the final designs for the scheme to provide Environment Agency access to the Brentingby Flood Storage Reservoir both during construction and post scheme completion (as detailed in Melton Mowbray Distributor Road – Addendum to Flood Risk Assessment and drawing number 60542201-ACM-EWE-S5_GEN_ZZ_Z-SK-HD-0002 Rev P01) has been submitted to, and approved in writing by the County Planning Authority. The scheme should include the following design details:

- a) The distance of the field access gates from the road (east carriageway edge);
- b) The width of the new access road;
- c) The visibility splay distances;
- d) The proposed new access road pavement detail/proposal; and,
- e) The proposed surface for the part of lag lane from the new access road to the reservoir site entrance.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the County Planning Authority.

Contamination

17. If during construction works contamination not previously identified is found to be present at the site then no further works in the affected area shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been

submitted to, and approved in writing by, the County Planning Authority. The remediation strategy shall be implemented as approved.

Highways**Construction Traffic Management Plan**

18. No works shall commence on the site until such time as an updated construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the County Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Public Rights of Way**Surfacing of Routes and Access Details**

19. Prior to the completion of the highway construction works a scheme for the surfacing and access arrangement details of all Non-Motorised User routes as shown on Drawings referenced Indicative Proposed NMU Routes: 60542201-ACM-ENM-S1_GEN_ZZ_Z-DR-T-0001_P01; 60542201-ACM-ENM-S2_GEN_ZZ_Z-DR-T-0002_P01; 60542201-ACM-ENM-S2_GEN_ZZ_Z-DR-T-0003_P01; 60542201-ACM-ENM-S3_GEN_ZZ_Z-DR-T-0004_P01; 60542201-ACM-ENM-S4_GEN_ZZ_Z-DR-T-0005_P01; 60542201-ACM-ENM-S5_GEN_ZZ_Z-DR-T-0006_P01; and, 60542201-ACM-ENM-S1_GEN_ZZ_Z-DR-T-0007_P01 shall be submitted to and approved by the County Planning Authority.

Amenity Protection**Working Hours**

20. Apart from the following exemptions no operations shall be carried out at the site except between the following times: 0700 hours and 1900 hours Monday to Friday; and 0800 hours and 1300 hours Saturday. With the exception of work related to agreed possessions with Network Rail there shall be no operations on Sundays or public holidays.

Exemptions – Working outside of the normal working hours listed above shall be limited to:

- working to agreed possessions with Network Rail to undertake works associated with the bridge crossing; and,
- measures to minimise traffic disruption with prior notification to the County Planning Authority and in accordance with the approved Construction Traffic Management Plan.

Noise

21. Except as may otherwise be agreed in writing by the County Planning Authority, all plant, equipment and machinery used on site for the road construction, including vehicular traffic to and from the site, shall be designed and maintained to reduce noise levels to a minimum and shall be operated in accordance with manufacturer's instructions. All plant, equipment and machinery used on site, including vehicular traffic, which is capable of being fitted with the appropriate silencers, baffles, cladding, rubber linings and white noise reversing beepers shall be fitted and maintained.

Materials

22. The road shall be constructed utilising a low road noise surface material as proposed in the submitted application and all maintenance thereafter shall utilise construction materials that achieve the same or improved noise reduction properties.

Lighting

23. All lighting provision related to the development hereby permitted shall be in accordance with a detailed scheme to be submitted to and approved in writing by the County Planning Authority prior to its installation. The scheme as approved shall include details of the types and height of lights and/or light columns, their location, technical specification, means of preventing or minimising light spillage and the proposed hours of use.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to enable the development to be monitored to ensure compliance with this permission.
3. To ensure the visual and environmental amenity of the surrounding area is protected during the construction of the proposed development.
4. To provide for a biodiversity net gain as part of the development.
5. To ensure that the ecological interests of the River Eye are protected and enhanced during the construction period. There is an exceptional need here to ensure that the ecological interests of the River Eye are protected in accordance with approved measures that are in place for the commencement of development.
6. To provide for the management and monitoring of the River Eye SSSI post construction to ensure that its significance is not damaged.
7. To protect habitats at the River Eye crossings from the effects of light spill.
8. To ensure that the landscaping of the site has due regard to biodiversity enhancement and to protect the integrity of local ecological interests.

9. To afford appropriate protection to the protected species and to monitor the effects of the development on their status during the development.
10. There is an exceptional need here to ensure that appropriate protection for the otter and its habitat within the development site is available, and to avoid damaging the site's nature conservation value.
11. To ensure that the site is subject to appropriate landscaping treatments.
12. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site. There is an exceptional need here to ensure that the surface water associated within the development site development does not contribute to flooding elsewhere.
13. To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase. There is an exceptional need here to ensure that the surface water associated with the development site development does not contribute to flooding or lead to effects on the surface water management system during construction.
14. To reduce the risk of flooding to the proposed development and to prevent flooding elsewhere.
15. To ensure that there are no detrimental impacts to flood storage or flood flow routes. There is an exceptional need here to ensure that the surface water associated within the development site development does not contribute to flooding elsewhere.
16. There is an exceptional need here to ensure that the Environment Agency has access, both during the construction phase of the works and once the scheme has been completed, to undertake maintenance activities to the flood defence asset on the river Eye.
17. To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.
18. There is an exceptional need here to protect local amenity and in the interests of highway safety by reducing the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, and ensuring that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.
19. To safeguard and enhance the rights of way network.
20. To ensure that the construction works can be carried out in a reasonable manner without significant effects on local amenity and the environment.
21. To ensure that the operational noise from the construction activities has due regard to the protection of local amenity.

22. In the interests of protecting the local amenity having regard to the future use of the new carriageway and its maintenance.
23. To ensure that the illumination of the new carriageway is acceptable having regard to local amenity and highway safety.

Informatives

Protected Species.

1. With regard to condition no. 4, the agreed mitigation plans are contained within section 8.13 to 8.18 and Tables 8.6 and 8.7 of the Environmental Statement, the Environmental Statement Addendum Appendix F and G (including the Indicative Ecology Mitigation and Enhancement Plans (60542201-ACM-EGN-GEN-GEN_ZZ_Z-DR-LE-0126 to 0131 Rev P01)) and it is these that will need to be referred to and revised prior to each phase following the resurvey programme.

Environmental Permitting

2. The Environmental Permitting (England and Wales) Regulations 2016 may require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

Balancing Pond 09

3. Balancing pond P09 appears to fall within Flood Zone 3. Creating the pond in this location may compromise its effectiveness during a flood event. We suggest that this pond is relocated to higher ground outside of flood zone 3.

Considerations in relation to gas pipeline/s identified on site:

4. Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays. If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email: plantprotection@cadentgas.com Tel: 0800 688 588.

