

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.



Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS

Planning Application Number: 25/00233/OUT

Highway Reference Number: 2025/0233/04/H

Application Address: Land North Of Woodlands High Tor East Earl Shilton Leicestershire

Description of Application: Outline planning permission for the erection of a single (self-build) dwelling (All matters reserved except access)

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.

The Applicant is advised to note that High Tor East has two statuses as both a private street and public right of way Footpath U27 for the first 82 metres from Keats Lane. Footpath U27 continues along a corridor on the north side of the property called Palma Nova. Private rights for vehicular access along High Tor East are a matter for all the adjoining property owners, who share responsibility for maintaining the lane for vehicular traffic.

The LHA is satisfied that the proposed development should not adversely affect the public right of way but, for the avoidance of doubt, the following informatives below should be drawn to the Applicants attention:

Informatives

- a) Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
- b) Public Rights of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- c) If there are any Public Rights of Way which the applicant considers impracticable to retain on their existing lines, a separate application for diversion is required. It should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of a Public Right of Way until a Diversion Order has been confirmed and become operative.
- d) If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to

networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.

- e) Public Rights of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- f) Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
- g) No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.

Date Received
18 March 2025

Case Officer
Ania Mokrani

Reviewer
GG

Date Issued
2 April 2025