

Public Rights of Way Strategy

**21/01395/FUL Church Farm, Washpit Lane,
Barlestone, Nuneaton, Leicestershire
(Stoneshollow Solar Farm)**

On behalf of JBM Solar Project 26 Ltd.

Date: June 2023 | Pegasus Ref: P23-O657 TR01



Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
01	June 2023	AG	KS	-



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1. Introduction

- 1.1. This Public Rights of Way (PRoW) Strategy has been prepared by Pegasus Group on behalf of JBM Solar Project 26 Ltd to discharge Condition 25 of planning application 21/01395/FUL for the construction and operation of a solar farm on land at Church Farm Washpit Lane, Barlestone, Leicestershire. The site is known as Stoneshollow solar farm.
- 1.2. The scheme comprises the development of a Solar Photovoltaic (PV) Farm comprising modules, power inverter cabinets and transformer station. It was granted planning permission by Hinckley and Bosworth Borough Council, subject to conditions, in November 2021.
- 1.3. The planning application was supported by a Transport Statement (TS) and Construction Traffic Management Plan (CTMP) which include details of the agreed site access arrangements and general management and mitigation measures for the construction phase of development.
- 1.4. Condition 25 of the Decision Notice dated 22nd November 2021 states the following:

'No development shall take place until a scheme and timetable for delivery for the treatment of Public Rights of Way has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for their management during construction (including any arrangement for a temporary diversion), fencing, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Council Guidance Note for Developers. Thereafter the development shall be carried out in accordance with the approved scheme and timetable.'

Reason: To protect and enhance Public Rights of Way and access in accordance with Paragraph 100 of the National Planning Policy Framework (2021).'
- 1.5. This ProW Strategy therefore sets out the following:
 - i. The routes of the PRoW which interact with the solar farm site.
 - ii. Proposed management of PRoW during the construction and operational phases.
 - iii. Proposed mitigation, including details of vehicular crossing points, surfacing, fencing, widths, structures, signing and landscaping.
- 1.6. The PRoWs within the site are proposed to remain open during the construction phase with no requirement for temporary or permanent diversions. All management and mitigation measures set out within this report will be implemented prior to construction activities at the site commencing.
- 1.7. It will be necessary to lay a cable beneath the PRoW. If the site is not to be implemented by a Utility Company, a Section 50 licence will be submitted in due course with confirmation of the approach to the management of the PRoW during this time confirmed as part of that process.
- 1.8. This report has been prepared with reference to Leicestershire County Council's 'Development and Public Rights of Way' Guidance Note for Developers (2011).

- 1.9. It will be the responsibility of the appointed contractor to comply with all statutory regulations and guidelines as appropriate, in relation to construction and movement activities.
- 1.10. The appointed contractors will be provided with a copy of this PRow Strategy and will adhere to it as part of the planning consent. The PRow Strategy will form part of the information provided as part of construction personnel's on-site induction process. The contact details of the contractor, including a 24-hour emergency contact number, and those of the highway department at Leicestershire County Council (LCC) will be exchanged before commencement of works on site.

2. Site Context

Site Location

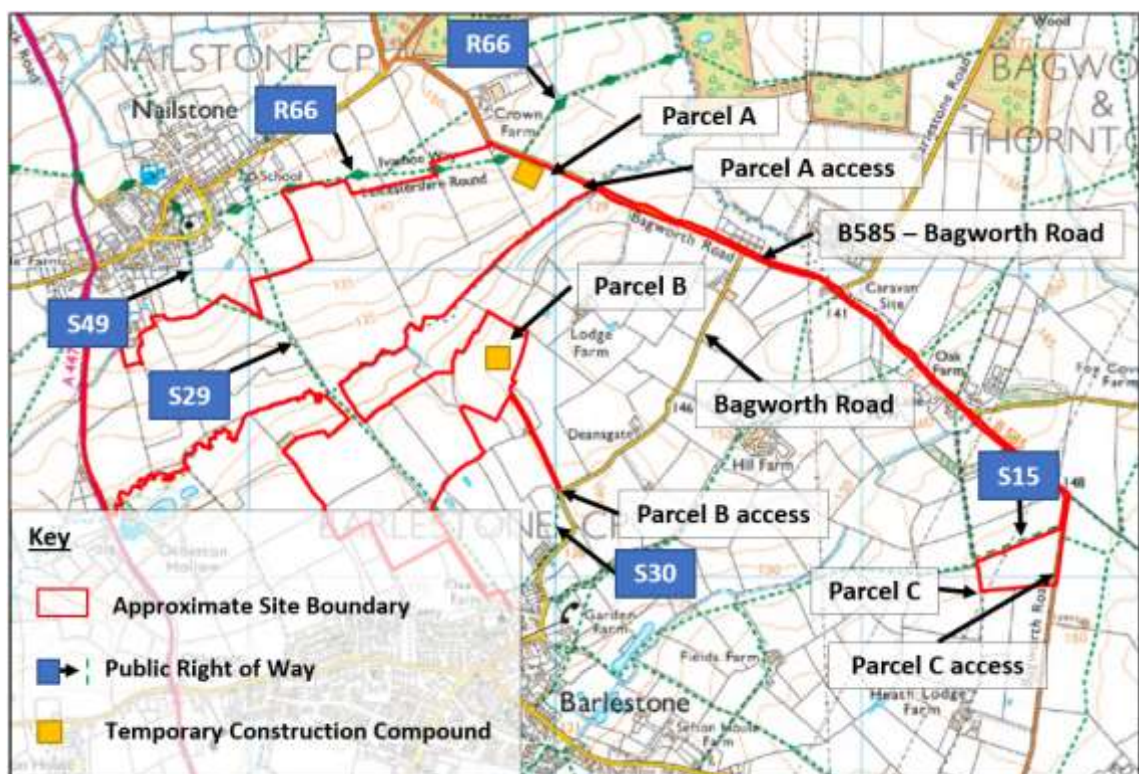
2.1. The site is located between the villages of Barlestone in the south and Nailstone in the north, around 11 kilometres north of Hinckley and 15 kilometres west of Leicester, as shown at **Figure 2.1**. It comprises three land parcels as follows:

- i. Parcel A (North-western Parcel) – Solar Farm (72.3 hectares).
- ii. Parcel B (Central Parcel) – Solar Farm (28.1 hectares); and
- iii. Parcel C (South-eastern Parcel) – 132kV DNO substation (3.5 hectares).

Access Arrangements

- 2.2. The access arrangements serving the site were agreed as part of the planning application submission and are secured by conditions 22, 23 and 24 of the decision notice.
- 2.3. Access to parcel A will be provided via an upgraded field access with the B585 Bagworth Road. Access to parcel B will be provided via an upgraded field access with Bagworth Road. And access to parcel C will be provided via an upgraded field access with the B585 Bagworth Road.
- 2.4. The site location and agreed points of access in the context of the surrounding area is illustrated at **Plate 2.1**.

Plate 2.1 – Site Location, Access Points and Public Rights of Way



Public Right of Way Network

- 2.5. There are three PRoWs that cross parcels A and B of the solar farm site (S29, S49 and R66), all of which are footpaths, as shown on **Plate 2.1** and **Figure 2.1**.
- 2.6. There are no PRoWs which cross parcel C, but footpath S15 abuts the northern site boundary. There is also a footpath (PRoW S30) within the vicinity of the access to parcel B. However, neither of these routes enter the red line boundary of the site and therefore the routes of the PRoW will be unaffected by the proposals.
- 2.7. The definitive widths of each of the PRoW have been requested from LCC. LCC has confirmed that where a PRoW is within a corridor between two defined features a presumed 'hedge to hedge' width will be applied. With reference to paragraph 26 of the 'Development and Public Rights of Way (2011) document, where a PRoW is currently not enclosed, a width of two metres with a one metre buffer either side is considered appropriate.
- 2.8. None of the affected PRoW are enclosed (they all cross open fields) and as such have a presumed definitive width of two metres.

PRoW S15

- 2.9. PRoW S15 is a footpath adjoining the B585 Bagworth Road at its eastern end and Bagworth Road in Barlestone at its western end. The PRoW is around 1.65 kilometres long and is routed along the northern boundary of Parcel C.

PRoW S29

- 2.10. PRoW S29 is a footpath routed between Barlestone in the southeast and Nailstone in the northwest. It is around 1.8 kilometres in length and is routed through parcels A and B in a northwest to southeast direction.

PRoW S30

- 2.11. PRoW S30 is a footpath routed between PRoW S29 in the west and Bagworth Road in the east. It is around 330 metres in length and the eastern end of the footpath emerges on to Bagworth Road in the vicinity of the access to parcel B.

PRoW S49

- 2.12. PRoW S49 is a footpath routed between PRoW S29 in the east and Church Road in Nailstone in the north. It is around 580 metres in length and the southern section of the footpath is routed through the northern portion of parcel A in a southeast to northwest direction.

PRoW R66

- 2.13. PRoW R66 is a footpath adjoining Church Road in Nailstone at its western end. The PRoW forks in the east and joins the B585 Bagworth Road in two locations, the southernmost of which crosses the north-eastern part of parcel A. The footpath continues east, adjoining PRoW B65 around 630 metres to the east of the B585. PRoW R66 forms part of both the 'Leicestershire Round' and 'Ivanhoe Way' walking routes. It is around 1.63 kilometres in length.

3. Public Rights of Way Management and Mitigation

- 3.1. The PRoWs within the site are proposed to remain open during the construction phase with no requirement for temporary or permanent diversions as a result of the scheme. All management and mitigation measures set out within this report will be implemented prior to construction activities at the site commencing.
- 3.2. Two designated crossing points will be provided, as shown at **Figure 2.1**. The northern-most crossing point will be located where PRoWs S29 and S49 diverge, within parcel A, and the southern-most crossing point will be provided on PRoW 29 within parcel B. The crossing points will only be used by vehicles to transport materials between the construction compounds and the western sections of parcels A and B.

Widths and Fencing

- 3.3. Prior to construction, the PRoWs which route through parcels A and B will be fenced off. Fencing will consist of timber posts and wire, with gaps for mammals to freely move throughout the site, details of which were submitted with the planning application.
- 3.4. In line with LCC's 'Development and Rights of Way' (2011) document and guidance received from LCC PRoW officers, the width of PRoWs S29, S49 and R66 will be maintained at two metres with an additional one metre buffer provided on both sides (i.e. the total corridor width between fencing will be four metres).
- 3.5. Once the solar farm is operational, the PRoW will not be obstructed by any fencing and the definitive widths and routes will be retained.

Surfacing

- 3.6. The existing surfaces of the PRoW within the site will not be affected as part of the proposals.
- 3.7. Where construction vehicles will be required to cross PRoWs S29 and S49, the surface of the footpaths will be protected in those locations. This is set out in more detail in paragraph 3.15 below.

Signage

- 3.8. Signage will be erected at either end of the affected PRoWs in the vicinity of the site, as illustrated at **Appendix A**, advising users of ongoing construction activities at the site and asking them to keep to the footpath.

Landscaping

- 3.9. A plan showing the landscaping proposals was submitted as part of the planning application and is included at **Appendix B**.
- 3.10. All PRoW within the site will be within green corridors and no solar panels will be sited immediately adjacent to footpaths.

- 3.11. As shown at **Appendix B**, at its southern end PRow S29 will be routed through an existing pasture area. At the northern end, the PRow will pass through a new area of wildflower meadow. PRows S49 and R66 will route through an area of wildflower meadow.

Designated Crossing Points

- 3.12. As illustrated at **Figure 2.1**, vehicles will be required to cross PRows S29 and S49 within parcel A and PRow S29 within parcel B. Vehicles will only be permitted to cross the PRows at these designated crossing points.
- 3.13. Temporary construction compounds will be provided within parcels A and B in the locations shown at **Figure 2.1**. The largest heavy goods vehicles (HGVs) associated with the delivery of materials to the site will unload within these construction compounds where it will be decanted on to smaller vehicles such as tractor and trailer and transported around the site. Only smaller vehicles will be required to cross PRows S29 and S49 at the designated crossing points.
- 3.14. The landowner already uses these routes with agricultural vehicles, but the crossing points will be formalised during the construction phase for safety reasons. The majority of agricultural vehicle trips which cross the PRow will no longer be required and will be temporarily replaced by the construction traffic associated with the proposed solar farm.
- 3.15. For the duration of the construction phase, the surfacing of the PRow at crossing points will be protected by temporary ground protection matting. The matting will be non-slip on the upper side for pedestrians. The matting will protect the surface of the PRow beneath and will be removed upon completion of the construction phase.
- 3.16. In addition to the signage described at **paragraph 3.8**, further signage will be positioned on approach to either side of each crossing point for both construction traffic and PRow users.
- 3.17. Two temporary gates will be installed at each of the designated crossing points to safely segregate construction vehicles and users of the PRows. The crossing points will be supervised by banksmen and the gates will be re-opened after each crossing by a construction vehicle to ensure minimum disruption to PRow users. Users of the PRow will always be given priority over construction traffic.

Cable Run

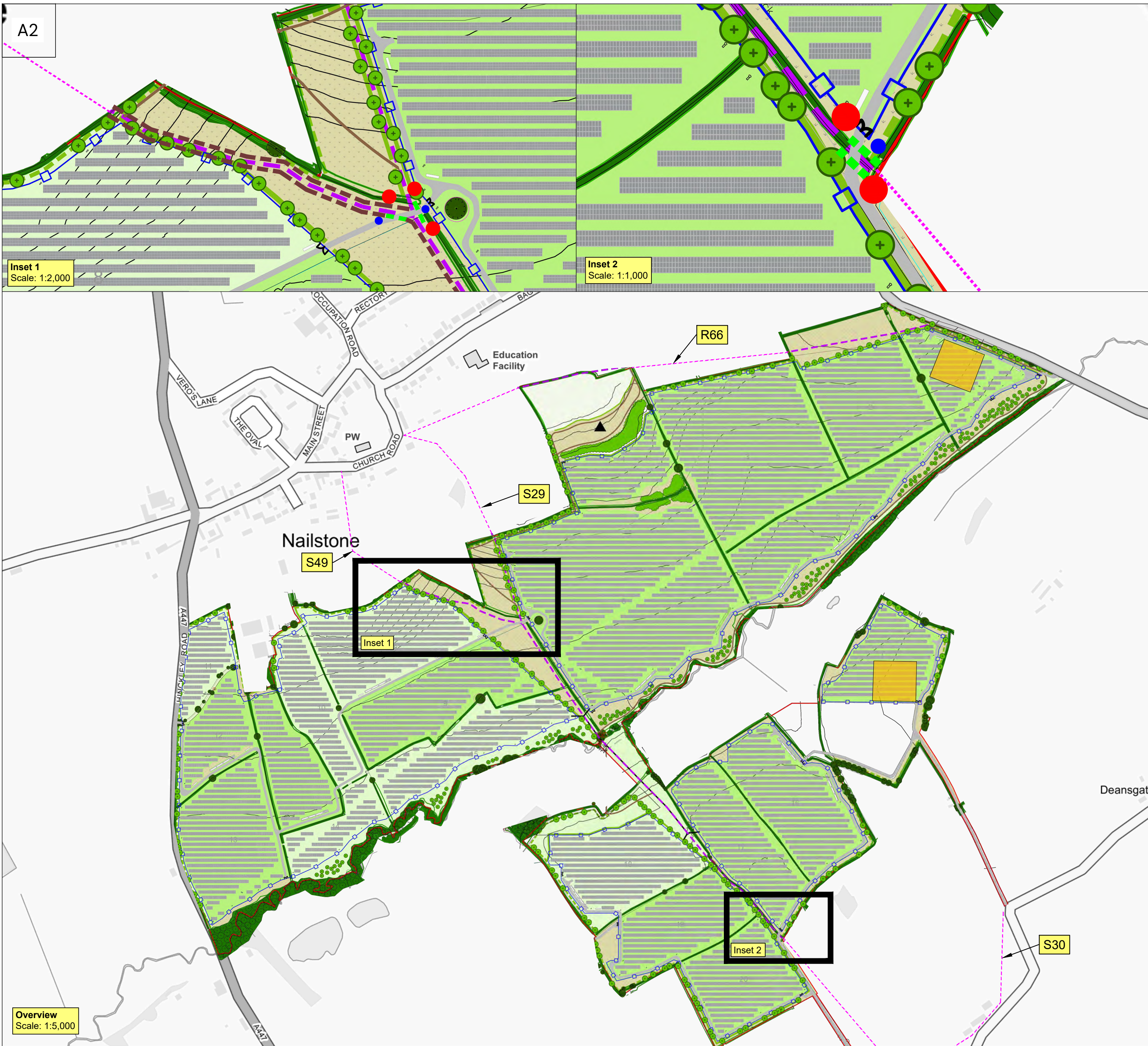
- 3.18. It will be necessary to lay a cable beneath the PRow. The cable will be installed by an approved Independent Connection Provider contractor capable of building it to the standards required for Distribution Network Operator (DNO) ownership.
- 3.19. If the site is not to be implemented by a Utility Company, a Section 50 licence will be submitted in due course. If necessary, appropriate street works notices will be secured prior to commencement of works. If required, the contractor will obtain a New Roads and Street Works Act (NRSWA) Section 50 Street Works Licence and/or a Section 171 application to make excavations in the highway from the highway authority at Leicestershire County Council (LCC). Suitable management procedures will be implemented along the cable route to minimise disruption to PRow users as part of this process.

4. Summary and Conclusions

- 4.1. This Public Right of Way (ProW) Strategy has been prepared by Pegasus Group on behalf of JBM Solar Project 26 Ltd to discharge Condition 25 of planning application 21/01395/FUL for the construction and operation of a solar farm on land at Church Farm Washpit Lane, Barlestone, Leicestershire. The site is known as Stoneshollow solar farm.
- 4.2. The ProWs within the site are proposed to remain open during the construction phase with no requirement for temporary or permanent diversions as a result of the scheme. All management and mitigation measures set out within this report will be implemented prior to construction activities at the site commencing.
- 4.3. There are three ProWs that cross parcels A and B of the solar farm site (S29, S49 and R66), all of which are footpaths.
- 4.4. Two designated crossing points will be provided to enable materials to be transported between the construction compounds and the western sections of parcels A and B. Vehicles will only be permitted to cross the PProWs at these designated crossing points which will provide gates and banksmen to ensure the safe movement of construction vehicles and users of the PProW. PProW R66 is unaffected by the construction phase.
- 4.5. The existing surfaces of the PProW within the site will not be affected as part of the proposals. Where construction vehicles will be required to cross PProWs S29 and S49, the surface of the footpaths will be protected in those locations.
- 4.6. Signage will be erected at either end of the affected PProWs in the vicinity of the site, advising users of ongoing construction activities at the site and asking them to keep to the footpath.
- 4.7. Once operational, the PProW will be routed through areas of pasture and wildflower meadows with at least four metres between fences.
- 4.8. It is therefore concluded that the PProW at the site will be suitably managed during the construction phase and maintained during the operational phase.



Figures



N

1:1
0 25mm 50mm

Key:

- Approximate Red Line Boundary
- Public Right of Way
- Internal Road
- Approximate Position of Signage
- Approximate Position of Gate
- Approximate Position of Banksman
- Construction Compound
- Temporary Fencing



DD.MM.YY				
REV	DATE	DESCRIPTION	REVISED BY	APPROVED BY

PROPOSED INTERNAL PUBLIC RIGHTS OF WAY MITIGATION MEASURES

STONESHOLLOW SOLAR FARM

CLIENT:
JBM SOLAR PROJECTS 26 LTD

DATE: 17/05/2023 SCALE: AS SHOWN DRAWN/CHECKED BY: JAN/AG APPROVED BY: KSS

DRAWING NUMBER:
P23-0657 - FIGURE 2.1

REVISION No: -
PEGASUS GROUP



Appendix A



WARNING

Construction Works In Progress.

Please Proceed With Caution And
Keep To The Footpath. Thank You.

2. Temporary Footpath Signage



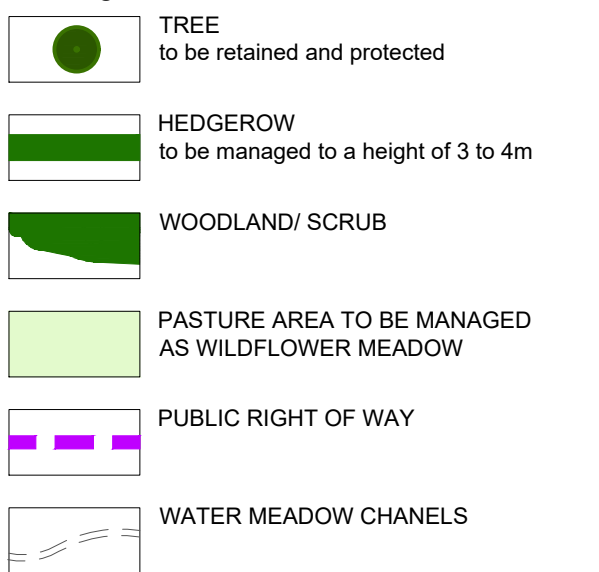
Appendix B



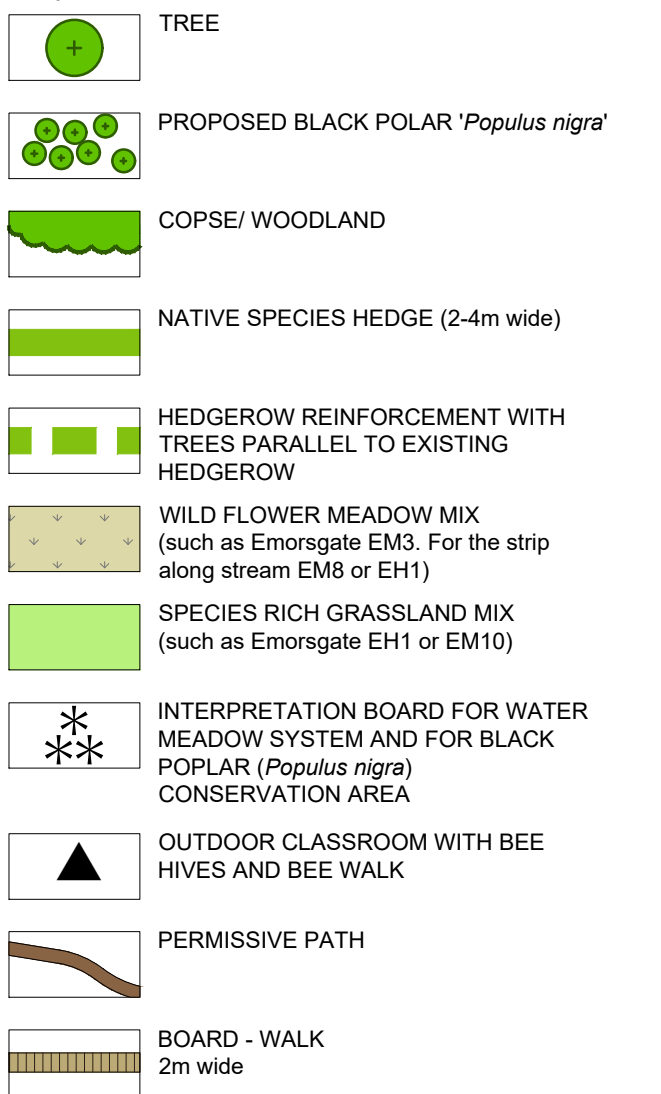
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KEY

Existing elements



Proposed elements



H	Revised layout and boundary planting	JMB	CD	06.05.22
G	Updated to LA comments Number of panels reduced	JMB	RB	06.05.22
F	Solar panels toned down	GL	CD	10.12.21
E	Annulation added	SH	CD	06.12.21
D	Figure number revised	MW	CD	15.11.21
C	Revised Red Line boundary	MW	CD	29.10.21
B	Permissive path added	JMB	CD	12.10.21
A	Revised to new layout	JMB	CD	5.10.21
Rev	Description	By	CB	Date



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Client **JBM Solar**

Project **Stoneshollow Solar Farm**
Barlestone

Title Landscape Proposals

Status	Drawn By	PM/Checked by
For planning	JMB	JB/CD

Job Ref	Scale @ A1	Date Created
JSL4005	1:2500	Sep 21

RPS Drawing / Figure Number	Rev
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