

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: 24/00477/OHL

Highway Reference Number: 2024/0477/04/H

Application Address: Land Adjacent To Battleflat Lodge Farm West Lane Stanton Under Bardon
Leicestershire LE67 1FA

Application Type: Full

Description of Application: Application to install overhead electricity lines

GENERAL DETAILS

Planning Case Officer: Stephen Sarfo

Applicant: Jessica Bates

County Councillor: Cllr Peter Bedford

Parish: Stanton-under-Bardon

Road Classification: Adopted Unclassified

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 advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 115 of the National Planning Policy Framework (December 2023), subject to the conditions and/or planning obligations outlined in this report.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been notified by Hinckley & Bosworth Borough Council as the Local Planning Authority (LPA) of an application to install overhead electricity lines on land adjacent to Battleflat Lodge Farm, West Lane, Stanton Under Bardon.

After liaising with the LPA, it is understood the actual application for the works is made to the Secretary of State for Energy Security and Net Zero under Section 37 of the Electricity Act 1989. The LPA have advised they will include the LHA's comments within the Applicants Form B and their report. This will then inform the decision by the Secretary of State.

Public Rights of Way/ Construction Management Plan

Public Footpath R114 runs near the proposed development site. For information, the LHA has provided a drawing of the Proposed Plan overlaid with an extract from the Definitive Map of Public Rights of Way in Figure 1 overleaf.

**Extract from the Definitive Map
of Public Rights of Way for Leicestershire**
24/00477/OHL near Battleflat and Public Rights of Way

Footpaths
Bridleways
Restricted Byways
Public Byway (BOTAT)



Environment & Transport Department,
County Hall, Glenfield,
Leicestershire LE3 6RJ
Email footpaths@leics.gov.uk
Director Ann Carruthers

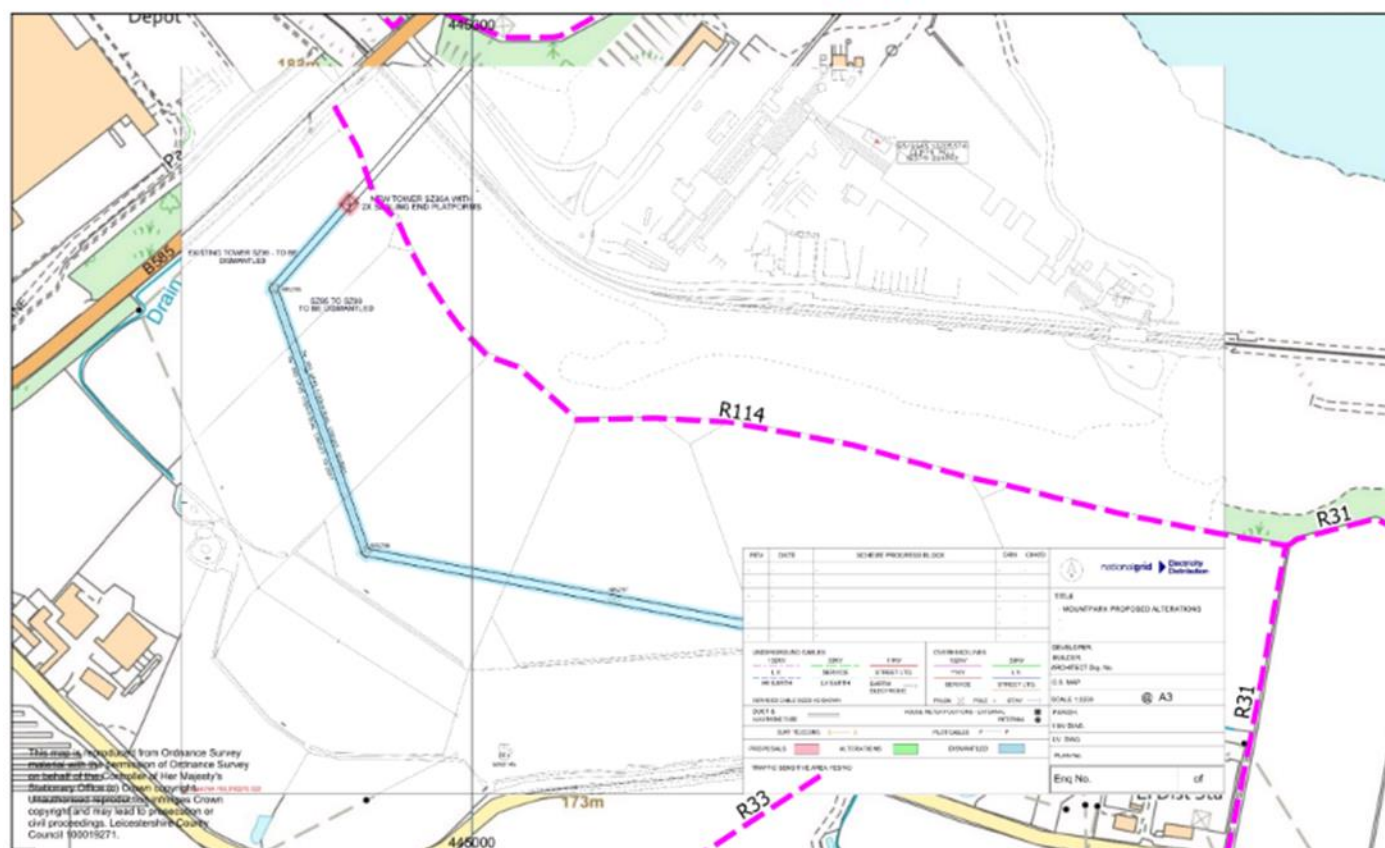


Figure 1: Proposed Plan overlaid with an extract from the Definitive Map of Public Rights of Way (Not to scale).

Public Footpath R114 is part of a network of paths that form a circular walk around the New Cliffe Hill quarry. The location of the new overhead line tower is within the same field and, at its closest, only 15 metres away from the legally-defined alignment of the public right of way.

The LHA advise that should the proposals be granted planning permission; a Construction Management Plan is conditioned as part of the proposals. This should include measures to ensure that users of the Public Footpath are not put at risk during construction.

Condition

1. 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.

Reason: to ensure the Public Right of Way is safe and available during the period of construction in the interests of protecting and enhancing Public Rights of Way and access in accordance with Paragraph 104 of the National Planning Policy Framework 2023

Informatives

- It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

- To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- 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.
- The Public Right(s) 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.
- The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
- 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.
- 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.
- 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
31 May 2024

Case Officer
Ben Dutton

Reviewer
DH

Date issued
17 June 2024