

APPLICATION FORM FOR

1



Hinckley & Bosworth
Borough Council

PUBLIC PATH DIVERSION ORDER

SECTION 257 TOWN AND COUNTRY PLANNING

ACT 1990

HOW TO APPLY

To: Development Services
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley LE10 0FR

1. You should not do anything which will obstruct or in any way make impassable an existing public right of way until the necessary Order has been both made and confirmed. Anticipating an Order could prejudice its chances of confirmation and could render you liable to a fine on summary conviction for offences under the Highways Act 1980.

The statutory procedure to make an Order usually takes several weeks. However, if any objections are submitted, the Order has to be referred to the Secretary of State for the Environment Food and Rural Affairs for determination

Please complete this section in BLOCK LETTERS

4. PERSON OR ORGANISATION APPLYING FOR THE ORDER

Name: WOOD FARM HOLDINGS LTD

Address:
2ND FLOOR GASPE HOUSE,
66-72 ESPLANADE,
ST. HELIER,
JE1 1GH
JERSEY

Telephone No:

Email:

5. Do you wish an agent to deal with correspondence about this application on your behalf? **YES**. If **YES**, please give details:

Name: Benjamin Wilkinson (Oxalis Planning)

Address:
OXALIS PLANNING,
TOLL BAR HOUSE,
LANDMERE LANE
EDWALTON
NOTTINGHAM
NG12 4DG

Telephone No: 01159 845 009

Email: admin@oxalisplanning.co.uk

6. a) Who is the Hinckley & Bosworth Planning Officer detailing with your planning application?
Lesley Keal/David Spring
b) what is the planning application reference?
23/00954/CONDIT (also see 21/00531/HYB)
c) has planning permission been granted - **Yes**
d) is the application made pursuant to s 257 (1)(A)? - **Yes**

7. Why do you want the Council to make the Order? Please outline your reasons and supply the Planning Application Number.

Application number: 23/00954/CONDIT (Section 73 application to ref. 21/00531/HYB) – This application is sought for the proposed diversion of Footpath R9 from its current route (which dissects the south-east corner of the proposed New Farm scheme off Stanton Lane), to alongside the eastern boundary of the site. The proposed diversion was shown on the approved plans of the original hybrid permission, ref. 21/00531/HYB (see Illustrative Landscape Plan, ref. 6756-L-10B) and the proposed diversion been discussed with Andrew Poole (PROW Officer) at Leicestershire County Council.

In terms of safety, the proposed diversion will address concerns relating to the current route which has an immediate drop from the existing stile onto Stanton Lane and forces users directly onto the grass verge beside the road, with only a narrow strip for landing, which poses risks of falling into the road. The proposed diversion will improve safety for uses by terminating at the gate/vehicular entrance along Stanton Lane, where the verge between the road and proposed stile is significantly greater than the current route and which will provide greater visibility for oncoming traffic and users of the footpath.

The proposed diversion also relates well to the permitted New Farm scheme which includes a drainage pond being installed in close proximity to the existing R9 route, which would present safety concerns for footpath users unless diverted.

It should also be noted that current users of the R9 footpath use the proposed diverted route rather than the actual route as it is the path of least resistance.

Separate to this application, a variation to the existing s106 for the original permission 21/00531/HYB is being sought and in relation to the R9 footpath, this would see the following three works included as part of the R9 route:

- Existing stile at the end of the existing R9 route closed up;
- Existing stile relocated to eastern site boundary to the diverted R9 route;
- Two existing stiles at the R9 eastern bridge crossing upgraded to LCC specification.

EXISTING FOOTPATH/BRIDLEWAY

Please see attached guidance notes re need to liaise with LCC

8. Specify location and identify terminal points of both ends of footpath/bridleway and any intermediate points Stanton Lane, Stanton-under-Bardon, LE67 9TJ Start of path: Easting – 446110.38 Northing – 310202.30 End of path: Easting – 446064.45 Northing – 310161.59
9. Reference number of footpath or bridleway to be extinguished, stopped up or diverted R9
10. Length(s) in metres of section(s) to be extinguished, stopped up or diverted c. 61m
11. Description of length(s) to be extinguished, stopped up or diverted by reference to terminal points The pathway is currently unsurfaced, and no physical path exists. The path crosses arable farmland which primarily houses cattle with no existing buildings. When the consented New Farm scheme is developed, the surrounding context for the path will change and it will be in closer proximity to farm buildings and farm manager dwellings, with new attenuation features and landscaping adjacent.
12. Width of section(s) of the footpath(s)/bridleway(s) to be extinguished, stopped up or diverted There is not a physical path to measure widths.
13. Who owns the land on either side of the footpath(s)/bridleway(s) to be extinguished, stopped up or diverted
Name: Miles Thomas Lawrence-Baines Address: Wood Farm, Stanton Lane, Ellistown, Coalville, LE67 1FF Email: N/A Name: Lloyd Thomas Lawrence-Baines Address: Bramblewood, Stanton Lane, Ellistown, Coalville, LE67 1FF

The following questions 14 - 18 are to be completed only in the case of an application for the diversion of a footpath or bridleway

Proposed footpath/bridleway (again please refer to accompanying guidance notes re Need to liaise with LCC

14. Proposed length(s) in metres of section(s) of alternative footpath/bridleway

C. 57m

15. Description of length(s) of alternative footpath bridleway by reference to terminal points

The pathway is currently unsurfaced, and no physical path exists. The path would run parallel with the eastern field boundary through arable farmland which primarily houses cattle, with no existing buildings. When the consented New Farm scheme is developed, the surrounding context for the path will change and it will be in closer proximity to farm buildings and farm manager dwellings, with new attenuation features and landscaping adjacent.

16. Proposed width of section(s) of alternative footpath(s)/bridleway(s)

There is no physical path to measure widths.

17. Who owns the land to be crossed by the alternative footpath(s)/bridleway(s)

Name: Miles Thomas Lawrence-Baines

**Address: Wood Farm,
Stanton Lane,
Ellistown,
Coalville,
LE67 1FF
Email: N/A**

Name: Lloyd Thomas Lawrence-Baines

**Address: Bramblewood,
Stanton Lane,
Ellistown,
Coalville,
LE67 1FF**

18. If the applicant is not the owner of the land crossed by the alternative footpath(s)/bridleway(s) has the owner any objections to the diversion

N/A

TO BE COMPLETED BY LANDOWNERS OTHER THAN THE APPLICANT

I am the owner of the land falling either side of the existing, and proposed diverted footpath route marked in black on the attached map which will be affected by the diversion of Public Path number R9 in the Ward(s) of Markfield, Stanton & Fieldhead

As proposed by Wood Farm Holdings I confirm that I have no objections to these changes and I will not claim compensation from Hinckley & Bosworth Borough Council in respect thereof.

FULL NAME

SIGNED:

FULL NAME

SIGNED:

TO BE COMPLETED BY THE APPLICANT

I/ we agree to meet the fees of and costs incurred by HBBC in the processing of this application and the making of this order in accordance with the S257 Regulations

I/we undertake not to make any claim for compensation from HBBC in respect of the diversion of the public footpath referred to in this application

I/we attach a suitable scale map showing the sections of the path to be diverted which I /we have signed and dated

I/we attach a land ownership register of title for the land falling either side of the path to be diverted

Where the proposed path is physically undefined the width shall be, for a footpath, not less than 2 metres and for a bridleway, not less than 3 metres

The surface, signage and way marking of the proposed path shall be to a standard acceptable to HBBC and the County and be brought to such a standard at the applicant's own expense

Name: WOOD FARM HOLDINGS LTD

**Address:
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66-72 ESPLANADE,
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JE1 1GH
JERSEY**

FULL NAME:

SIGNED:

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