

**Delegated Report
Discharge of Conditions**

Planning Ref: 23/00608/DISCON
Applicant: Mr Daniel Corcoran
Ward: Barlestone Nailstone And Osbaston



Hinckley & Bosworth
Borough Council

Site: Church Farm Washpit Lane Barlestone

Application to discharge condition 25 (Public right of way) attached to planning permission 21/01395/FUL

Conditions and supporting details submitted to apply for the conditions to be discharged:

Condition 25

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).

Received 1 November 2023
C25 P23-0657_TR01 Rev.A_OCT23_Stoneshollow

Consultees / Assessed by:

Leicestershire County Council Highways / Footpaths

Conclusion / Summary:

Condition 25

A revised public rights of way strategy has been submitted, Rev A on 1st November 2023 and assessed by the local highway authority at Leicestershire County Council (LHA). The LHA have advised that the details are acceptable as the scheme now demonstrates satisfactory how they propose to protect and enhance the public right of way and access in accordance with Paragraph 100 of the National Planning Policy Framework (2023)

Officer Recommendations:

Condition 25 PRow – Discharge

Informative:

The following notes should be drawn to the applicant's attention: 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) 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. c) The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001. 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) 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. f) 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.