

Delegated Report

Planning Ref: 23/01038/FUL
Applicant: Mr & Mrs Blackmore
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: Moor Barns Farm, Pipe Lane, Orton on the Hill, Atherstone

Proposal: Proposed replacement of dwelling and annexe with associated landscaping

Recommendations

Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

Planning application description

The application seeks planning permission for a replacement dwelling, including replacement annex buildings. The new main house would have a traditional appearance on the front elevation (with brick façade, parapet gable walls and chimneys) and a contrasting contemporary rear and side extension. The rear elevation would be largely glazed and would incorporate three gables of varying sizes and a catslide roof between.

The side extension / projection to the new house would be constructed in a combination of matching brickwork to the main dwelling, and black cladding with a glazed linking section offering visual separation between the two different elements. The ground floor of the dwelling would largely be open plan with separate boot room, utility and office rooms.

The existing single storey outbuilding would be demolished, and the existing annex would be replaced with another annex of similar size, containing two bedrooms, a bathroom, an open plan living area and a gym. The Annex would be constructed of a combination of brick and black cladding, in similar design to the extension.

In terms of scale, the proposed dwelling measures: maximum ridge height: 9.5m, maximum eaves height: 6m, maximum width: 22m, maximum depth: 11.7m

The existing dwelling measures: maximum ridge height: 6.4m, maximum eaves height: 4m, maximum width: 27m, maximum depth: 8.7m

The proposed annexe measures: ridge height: min. 5.5m max. 6.2m, eaves height: min. 2.4m max. 2.9m, width: 18.5m, depth: min 5.9m max. 10.7m

The existing annexe/outbuilding measures: ridge height: min. 3.7m max. 6.2m, eaves height: min. 1.6m max. 2.4m, width: 19m, depth: min 4.5m max. 10.5m

Following the initial submission, revised drawings were received with minor changes to the design of the side and rear extension and annexe, and the projection of the main dwelling.

Description of the site and surrounding area

The application site is an existing dwelling and outbuildings known as Moor Barns Farm, which is located approximately 800m south of the village of Orton-on-the-Hill. The site is accessed via Pipe Lane and features a sweeping driveway with a central landscaped area in front of the house.

The main dwelling is a substantial two storey building with a cranked footprint. The building is traditional in its construction with brick walls and tiled roofs and features include a catslide roof and substantial chimneys. It is understood that the original farmhouse on the site was demolished, and the existing main dwelling is a heavily modified outbuilding that was once associated with the original farmstead.

To the South of the main house is a single storey brick and tile building and to the West is a single storey Annex. The built development encloses a large garden area to the East of the house, which is further enclosed by mature landscaping. To the east of the residential garden are paddocks and fields, whilst there are stables to the south and agricultural buildings to the west.

Relevant planning history

- N/A.

Publicity

A site notice was put up in the local vicinity and letters were sent out to neighbouring/nearby properties.

One objection was received, stating the following concerns:

- Access bridleway is not owned by the applicant and is not easily accessible for HGVs etc.
- Harm to ecology and biodiversity
- Increase in traffic
- Design not in keeping with the surrounding area
- Historical relevance – sited within a medieval village and old Moorbarns Hall
- Environmental impact of demolition and rebuild
- Noise and disturbance including dust pollution

One letter of support was received, on the basis that the proposal would replace a 'dilapidated old building with a new eco-friendly house'.

Consultation

No objection has been received from:

- HBBC Environmental Services (subject to a condition)
- HBBC Drainage
- HBBC Waste (subject to a condition)
- Local Highway Authority (subject to conditions)
- LCC Ecology
- LCC Archaeology (subject to a condition)
- Twycross Parish Council – Objection - *"Twycross Parish Council are very concerned that adequate consultation has not taken place with local residents with regards to this application."*

This is a very small, single track lane with very tight bends which will not be supportive of such a large project.

We also have been informed that part of Pipe Lane is privately owned and the owner has not been notified of the project.

Twycross Parish Council objects to this application until such time as local residents are properly and fully consulted about it.

Officer note – following the objection from Twycross Parish Council, the LPA consulted additional neighbouring dwellings along Pipe Lane.

Policy

Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM14: Replacement Dwellings in the Rural Area
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

Appraisal

Key Issues

- Principle of development
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Ecology and biodiversity
- Flooding and Drainage
- Other matters

Principle of development

Paragraph 2 of the National Planning Policy Framework (NPPF) (2023) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.

Using the standard method as outlined by MHCLG, Hinckley and Bosworth Borough is able to demonstrate 4.89 years of deliverable housing at 1st April 2022. Due to this and the change in the housing figures required for the Borough paragraph 11(d) of the NPPF is triggered. Therefore, this application should be determined in accordance with Paragraph 11(d) of the National Planning Policy Framework (NPPF) whereby permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is weighed in the balance of the merits of the application when considered with the policies in the SADMP and the Core Strategy which are attributed significant weight where they are consistent with the Framework.

The current development plan consists of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).

The site is located outside of any settlement boundary and is therefore in the countryside as defined in the adopted SADMP. Policy DM4 of the adopted SADMP states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. This aligns with paragraph 180b of the NPPF which states that planning policies should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Policy DM4 goes on to list a number of categories of development that would be considered sustainable in the countryside subject to meeting a number of other material planning criteria. These include proposals that involve the change of use, re-use or extension of existing buildings which leads to an enhancement of the immediate setting. However, forms of development that the policy may consider to be sustainable in the countryside do not include new residential development unless it relates to the provision of rural worker accommodation. Policy DM14 of the SADMP relates specifically to replacement dwellings in the rural area.

Policy DM14 states that the demolition and rebuild of an existing dwelling outside the settlement boundary will be supported where:

- It leads to an enhancement of the immediate setting and general character of the area; and
- The new dwelling is proportionate to the size, scale, mass and footprint of the original dwelling and situated within the original curtilage; and
- The proposed development accords with Policy DM10, DM11 and DM12.

The proposed dwelling is sited within the original curtilage and is larger in terms of its cubic massing due to an increase in depth of the proposed dwelling. Policy DM14 goes on to say that modest increases in size from the original dwelling will normally be acceptable. Whilst the Council agrees that the proposed scale of the dwelling exceeds Officers' interpretation of 'modest', it is agreed that the replacement dwelling would result in a more visually appealing dwelling which represents a betterment in design terms. It is considered that the proposed replacement dwelling would lead to the enhancement of the immediate setting and general character of the area. It is also considered that the replacement dwelling is proportionate in the existing setting.

Therefore, a replacement dwelling in this location, although of larger built form than the original dwelling, is considered to offer a minor enhancement to the immediate setting and general character of the area in accordance with Policy DM14 of the SADMP.

The annex is larger than a 'standard' annex and contains accommodation that could permit it to be used as an independent dwelling. However, it is highly material that the annex replaces existing similar accommodation. A condition is recommended ensuring the annex is ancillary to the host dwelling which is sufficient to control its ancillary nature and would not permit an additional unit which may not comply with the relevant policies in the SADMP.

Design and impact upon the character and appearance of the area

Policy DM4 of the SADMP, seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside. Development in the countryside will be considered

sustainable where it does not have a significant adverse effect of the intrinsic value, beauty, open character, and landscape character of the countryside.

Policy DM10(c), (d) and (e) of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.

The Good Design Guide outlines that building plots should be a similar size to the wider context and the layout should not adversely impact upon the prevailing grain of development. Built development should also be of similar scale, mass and roof form to the wider context, allowing it to sit comfortably within the street scene.

Policy DM14 of the SADMP requires that replacement dwellings in the countryside lead to an enhancement of the immediate setting and general character of the area and that the new dwelling is proportionate to the size, scale, mass and footprint of the original dwelling and situated within the original curtilage.

The proposed design would result in a notable increase in overall massing and scale compared to the original dwelling. However, it is acknowledged that the existing dwelling is in need of renovations and is sited within a large plot which can easily accommodate a larger dwelling without appearing incongruous. Furthermore, due to the rural location, there is no predominant architectural style in the area, the proposed design is considered to be high quality with appropriate materials and architectural features (subject to conditions).

The ridge height of the dwelling is proposed to be increased by approximately 3 metres, however it is acknowledged that the original dwelling but the width of the dwelling was demolished many years ago and would likely have been larger than the existing dwelling which is likely to have been an outbuilding which has been added to and modified over time.

The width and depth of the dwelling would not increase significantly, and the overall increases in scale and massing are considered to be modest on balance. It is considered necessary to remove permitted development rights relating to extensions, alterations and outbuildings to ensure the development safeguards the character and appearance of the area and remains in compliance with SADMP Policy DM14.

The replacement dwelling combines a traditional Georgian style, with a wide footprint and relatively shallow depth, symmetrical front elevation with chimneys, and large paned sash windows, and utilising pale buff brickwork, stone windows headers and cills, and dark grey clay tiles. The side and rear extension features a contemporary and contrasting design, with a single, subordinate gable on the front elevations, and three rear gables to the rear, featuring extensive glazing and dark metal cladding. It is considered that the contrasting design and offset positioning ensures that the main traditionally designed dwelling is visually separated from the modern extension, and the overall design is of a high quality that will enhance the immediate setting and character of the area.

The proposed annex would be sited on the same footprint and is broadly the same scale as the existing annex and, when taken as a whole the development would be proportionate to the existing situation. The proposed design provides continuity from the main dwelling, with a similar design concept and matching materials, and would result in an enhancement to this part of the site.

Overall, the scheme is considered to be acceptable in design terms and would result in an enhancement of the setting of the area subject to the conditions imposed. The proposal is therefore in compliance with Policies DM4, DM10 and DM14 of the SADMP, the Good Design Guide SPD and the requirements of the NPPF.

Impact upon neighbouring residential amenity

Policy DM10 (a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.

Paragraph 185 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

There has been an objection from one neighbour in relation to residential amenity issues, however this concerns the construction/demolition phase. This is considered to be a temporary issue which will not result in permanent noise and disturbance to occupiers living close to Pipe Lane.

HBBC Environmental health have queried the use of the neighbouring agricultural yard with concerns over its proximity to the annexe and whether it could lead to any noise, disturbance or odours. It is understood this yard is used for storage purposes only, with no livestock present, and use of the area is infrequent.

The site does not have any neighbouring dwellings in the vicinity, with the closest neighbours more than 500m north. The property is detached with adequate private amenity space and there are appropriate separation distances from the nearest neighbouring properties.

Subject to conditions it is considered that the proposal is acceptable in residential amenity terms and in compliance with Policy DM10 of the SADMP, The Good Design Guide SPD and the requirements of the NPPF.

Impact upon highway safety

Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).

Paragraph 115 of the NPPF (2023) outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The site is accessed via a long drive located south east off of Pipe Lane to the South East of the village. The LHA are satisfied that the site access is sufficient as the proposal is a replacement dwelling for an access already used. The proposal does not indicate any intensification on the access road to site.

The internal layout of the proposals are detailed on Format Architects drawing number A-L-110, dated October 2023. The Design and Access statement indicates that the proposed development would consist of four bedrooms. Based on Part 3, Para. 3.151 of the

Leicestershire Highway Design Guide the development would require three car parking spaces and there are six existing spaces.

The application form indicates the applicant intends to keep all existing spaces. On this basis, the LHA consider it is unlikely the proposals would lead to an increase in on-street parking in the area. The LHA is satisfied that adequate turning provision is proposed in respect of all parking areas to enable vehicles to arrive and depart from the site in a forward gear.

Public Footpath T1 runs along the private road to Moors Bans Farm or 510 metres before the route separates 184 metres before the application site. The applicant should undertake measures to ensure the safety of Public Right of Way users during construction works.

It is therefore considered that the proposal is acceptable in highway terms and satisfies Policy DM17 and DM10(g) and the requirements of the NPPF.

Ecology and biodiversity

Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation. If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.

LCC Ecology were consulted and requested the submission of a nocturnal survey report in addition to the submitted Preliminary Roost Assessment (August 2023). The nocturnal survey was undertaken in May 2024 and was considered acceptable by LCC Ecology confirming that the structures impacted by the proposals do not support an active bat roost and therefore there is no further requirement to undertake any additional surveys or mitigation. There has been a recommendation made to consider potential impacts of artificial lighting due to the presence of commuting and foraging bat species recorded within the site. This has been added as a condition.

Overall, subject to conditions, the proposed development would have no adverse impact upon protected species and is in accordance with Policy DM6 of the SADMP and the general principles of the NPPF.

Flooding and Drainage

Policy DM7 of the SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding.

Paragraph 167 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 169 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should take account of advice from the LLFA, have appropriate proposed minimum operating standards, have maintenance arrangements for the lifetime of the development and where possible provide multifunctional benefits.

The HBBC Drainage Officer has no objections and has recommended notes to the applicant regarding soakaway drainage and permeability of hardstanding areas within the site. In summary, the development is considered to satisfy policy DM7 and the NPPF.

Other matters

County Archaeology were consulted and advised that the buildings are present on the 1st edition Ordnance Survey map and appear to be of heritage interest. It was acknowledged that the original farmhouse has previously been demolished and the current dwelling is likely

to be a modified outbuilding that once served the farm. Therefore, considering the significant alterations that have taken place a reduced level of work for the dwelling to provide a basic visual record and to demonstrate its wider context should be sufficient. The consultation response goes on to recommend conditions both for photographic survey and a Written Scheme of Investigation, however officers consider that a WSI would be superfluous in this instance, and a photographic survey is sufficient.

Conclusion

The proposal for the demolition of the existing dwelling and erection of a replacement dwelling is acceptable in principle due to its siting within the curtilage of the existing dwelling and close to the existing footprint, with a notable but modest increase in size and scale which is considered proportionate.

The design and appearance of the replacement dwelling is considered acceptable subject to conditions and would result in the enhancement of the immediate setting of the site. There are no concerns regarding neighbouring amenity, highway safety, flooding, and drainage.

In summary the proposal is in accordance with Policies DM1, DM4, DM7, DM10, DM14, DM17 and DM18 of the adopted SADMP and is therefore recommended for approval subject to conditions.

Equality implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

There are no known equality implications arising directly from this development.

The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Recommendation

Grant planning permission subject to the following conditions:

Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be built in accordance with the following details only:
 - Site Location Plan – Project Ref. 2046 – Drawing No. A-L-005 Rev 01
 - Proposed Site Plan – Project Ref. 2046 Drawing No. A-L-110 Rev 03
 - Proposed House Elevations and Floor Plans - Project Ref. 2046 Drawing No. A-L-210 Rev 02
 - Proposed Annex Elevations and Floor Plans - Project Ref. 2046 Drawing No. A-L-215 Rev 02

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The material to be used on the external elevations of the development hereby permitted shall accord with the approved Materials Schedule - 2046-A-R-240708-01-Materials Spec – received by the LPA on 08.07.24.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A – E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling shall be carried out unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM4, DM10 and DM14 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Format Architects drawing number A-L-110, dated October 2023. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

6. Prior to construction, measures should be taken to ensure that users of the Public Footpath T1 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 100 of the National Planning Policy Framework 2023.

7. No demolition/development shall take place prior to the submission of a scheme of building recording (photographic survey) of the dwelling, annex and shed, in accordance with guidance produced by Historic England (Understanding Historic Buildings: A guide to good recording practice, HE 2016).

The Specification should comply with the above-mentioned Brief, with this Department's "Guidelines and Procedures for Archaeological Work in Leicestershire and Rutland" and with relevant Institute for Archaeologists "Standards" and "Code of Practice". It should include a suitable indication of arrangements for the implementation of the historic building recording, and the proposed timetable for the development.

Reason: To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance in accordance with Policy DM13 of the adopted Site Allocations Development Management Policies Development Plan Document (2016).

8. During the construction period, none of the trees or hedges indicated to be retained on the approved plans, shall be cut down, uprooted or destroyed, nor shall be topped or lopped other than in accordance with the approved plans, without the written approval of the Local Planning Authority. If any of the trees or hedges to be retained are removed, uprooted or destroyed or dies, a replacement shall be planted at the same place and that tree or hedge shall be of such size and species, and shall be planted at such time, as maybe specified in writing by the Local Planning Authority.

Reason: To ensure that the existing trees on the site are retained and protected in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 180 of the National Planning Policy Framework (2023).

9. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the first dwelling being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. The annexe hereby permitted is for use as ancillary accommodation to the dwelling known as Moor Barns Farm, Pipe Lane, Orton on the Hill, CV9 3NF. The annexe shall not be occupied as an independent unit of residential accommodation.

Reason: To ensure that the annexe is not occupied as an independent unit of accommodation which may have additional impacts on highway safety and amenity, in accordance with Policies DM4, DM10, DM17 and DM18 of the Site Allocations and Development Management Policies DPD 2016.

Informatives

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance, or alternatively assembled from modular surface water storage/soakaway cell systems, incorporating silt traps. Design and construction of all types of soakaway will be subject to the approval of the Building Control Surveyor.
3. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.
4. Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).
5.
 - a) Prior to construction, measures should be taken to ensure that users of the Public Right of Way are not exposed to any elements of danger associated with construction works.
 - b) The Public Right 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 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.

