

**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: 25/00983/NMA

Highway Reference Number: 2025/0983/04/H/R1

Application Address: Land South Of Sketchley Grange Hotel Sketchley Lane Burbage
Leicestershire

Application Type: Non-material amendment

Description of Application: Re-consultation. Non material amendment to planning permission 23/01204/REM. Amendment to widen the public right of way, create a new footpath and relocate the play area and subsequent amendments to condition 5 and 7

GENERAL DETAILS

Planning Case Officer: Sullivan Archer

Applicant: Ms Esther Wiles

County Councillor: Burbage ED - Cllr Barry Walker

Parish: Burbage

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:

Objection

Objection to Discharge of Conditions 5 and 7

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) has been consulted by the Local Planning Authority (LPA) on a non-material amendment to planning permission 23/01204/REM. The Applicant is applying for the amendment to widen the public right of way, create a new footpath and relocate the play area and subsequent amendments to condition 5 and 7. The site is located at Land South Of Sketchley Grange Hotel Sketchley Lane Burbage Leicestershire.

The LHA has previously provided a response in respect of the proposals on 30th May 2025 as part of application reference 25/00243/NMA, to which the LHA advised additional information was required.

In support of this application the Applicant has submitted the following relevant documents:

- Response to Highways Comments Dated 30th May 2025 (dated 25th July 2025, authored by Charles Church)

- The Greenfield Design drawing number TGDP/SG-BH/CPLI Rev. O (Colour Planning Layout)
- James Blae drawing number JBA 23/348-04 Rev. S (Detailed Soft Landscaping Proposals)

Conditions 5 and 7

For the avoidance of doubt, Conditions 5 and 7 are provided below:

No development above floor plate level shall take place until a scheme for the treatment of the Public Rights of Way (Footpath U64 and Bridleway U67) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of, but not limited to, the surfacing, width, depth, and landscaping of the Public Rights of Way, and their associated way marking, and accessibility improvements, together with a timetable for its implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetables.

Reason: In in the interests of protecting and enhancing Public Rights of Way and their access in accordance with Paragraph 104 of the National Planning Policy Framework (December 2023).

Prior to the development being first occupied details of the pedestrian link from Public Right of Way Bridleway U67 to Troon Way immediately to the east of Plot 24 to link in to the existing hard-surfaced link to Troon Way shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include, but not be limited to, the link's surfacing, depth, width, landscaping, and timetable for implementation. The proposed scheme shall be implemented in accordance with the approved details and shall be retained available for use thereafter.

Reason: To promote travel by sustainable modes in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and Section 9 of the National Planning Policy Framework (December 2023).

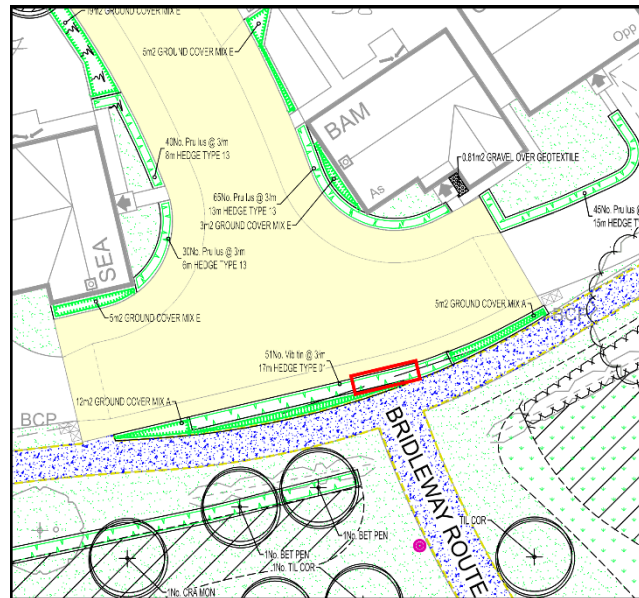
Highways Comments:

This application site includes public rights of way Footpath U64 through the northwest corner and the two branches of Bridleway U67 through the eastern part of the site.

The U67 eastern branch is remaining in its location, and the LHA will be adding to an improved surface, funded by a previous development to the south. For historical reasons the U67 western branch has been inaccessible, and this development includes resolving that. That will require a separate legal order made by the LPA. At the applicant's request, the LHA has supplied a plan for the legal diversion order. Any such diversion application must be both submitted and legally confirmed before the development is substantially complete. An early application is strongly advised.

Part of the diverted Bridleway U67 western branch will eventually be subsumed by estate roads which are due to be adopted. From the southern end of the estate roads there is to be a newly constructed path to the south-eastern site corner and a junction with the rest of route U67. This current application includes amended plans confirming this newly constructed path will have a width of 3 metres which reflects the national consensus and the Leicestershire Highways Design Guide requirement for bridleways particularly where use will mainly be pedestrians and pedal cyclists.

However, the newly submitted Detailed Soft Landscape Proposals (plan 04S) shows a hedge blocking direct access between the end of the estate road and direct line of the bridleway. What is proposed is impractical and would form an unlawful highway obstruction. This is shown here on an extract of Landscape Plan 04. The future adopted estate road is tinted yellow. The Bridleway Route is labelled. The obstructing section of hedge is marked by a red box. What is needed here is a wide gap and a dropped kerb suitable for a route being used by cyclists.



If further information is required, the Applicant can contact the Public Rights of Way (PRoW) team (0116) 305 0001 or footpaths@leics.gov.uk.

Date Received **Case Officer**
20 November 2025 **Ben Dutton**

Reviewer
GG

Date issued
02 January 2026