

**Delegated Report
Discharge of Conditions**

Planning Ref: 25/00026/DISCON
Applicant: Mr Richard Stevenson
Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: Ashfield Farm Kirkby Road Desford

Application to discharge condition 4 (Pedestrian Enhancement Scheme) attached to planning application 22/01227/OUT on Appeal Decision APP/K2420/W/23/3320601

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

Condition 4

Notwithstanding the details provided on drawing ADC1969-DR-002-P5 (Proposed Pedestrian Enhancements), no commencement of the scheme shall be undertaken until a scheme ("the footpath scheme") has been submitted to the local planning authority for either:

- a. A continuous 2m footway along the southern edge of Kirkby Road between the appeal site and the existing access into Desford Community Primary School; or
- b. A continuous 2m footway/footpath to the south of Kirkby Road between the appeal site and Desford Community Primary School, connecting with a new gated access to the school on the south-western boundary of the school site.

No part of the development hereby permitted shall be occupied until such time as the footpath scheme has been approved and has been implemented in full.

Received 14 January 2025

**C4, Pedestrian Enhancements, Drg No. ADC1969-DR-008 Rev P3
C4, Footpath Scheme - Road Safety Audit Response Report**

**Consultees / Assessed by:
LCC Highways**

Conclusion / Summary:

Condition 4

Condition 4 was imposed by the Planning Inspectorate at appeal. The applicant has confirmed their preference of option (b) as detailed in the condition and has provided documents to support this option. Prior to submission of the approval of details reserved by condition the applicant met with Leicestershire County Council (LCC) and Desford Parish Council to discuss how the applicant can facilitate option b of the condition. LCC (the school) and Desford Parish Council have agreed that the applicant can facilitate the footpath enhancement by using a small slither of land along the recreation ground and in the front of the school. This enables the applicant to provide a 2m width continuous pathway from the development to the school instead of the pathway only being able to accommodate 1.6m for some small elements of the path. A controlled crossing is to be provided which was identified as required following the Stage One Road Safety Audit together with obstructions within the verge which have been addressed. The details submitted have been reviewed by Leicestershire County Council Highways who have advised that they have no objection to this proposal and that these final details will be covered by a Section 278 Agreement which will be made between the developer and the Highway Authority for the external works

outside the development site which will ensure that the Highway Authority adopt the proposals.

Once the works have been completed there will be a continuous 2m width pathway which will serve the residents to mitigate the impact of the development, in the interests of highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD (2016).

Officer Recommendations:

Condition 4 Pedestrian Enhancement Scheme – Discharge