

Planning Committee 25th April 2023
Report of the Head of Planning (Development Management)

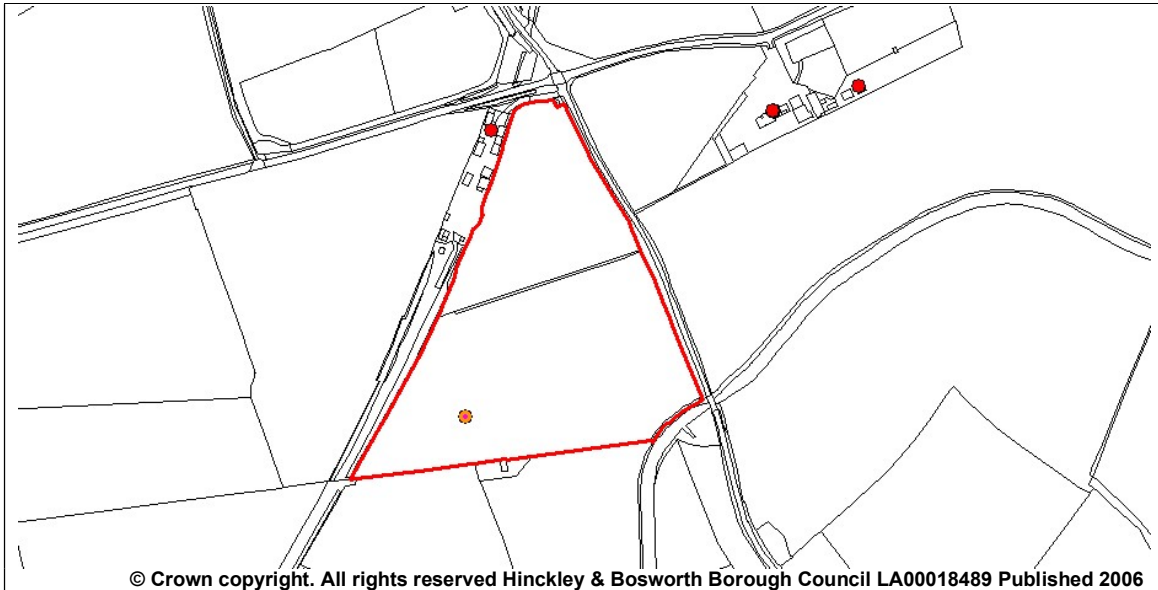
Planning Ref: 23/00088/FUL
Applicant: Mrs Gemma Tallis
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Land To The West Of Shenton Lane Dadlington

Proposal: Proposed erection of sculpture work (The Storm Breaks)



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report
- That the Head of Planning be given powers to determine the final detail of planning conditions

2. Planning application description

2.1. This planning application seeks full planning permission for the erection of a sculpture at the Land to the west of Shenton Lane, Dadlington. The location of the development is in a private field accessed via existing Public Rights of Way (PRoW) and a new permissive footpath. The sculpture represents the enormity of The Battle of Bosworth and sits astride the PRoW.

2.2. The proposal is for the installation of a new sculpture of stone in an abstract design depicting the combatants of The Battle of Bosworth, entitled, "The Storm Breaks." The stone figure representing Henry Tudor is built from red sandstone, and the stone figure representing King Richard III is built from a white Portland. The other stone figures depict significant barons involved in the battle, with the choice of stones connecting them to their locality. Each of the stones has blasted heraldic patterns to help identify them.

2.3. The sculptures lie each side of a drystone path revetment that leads along the line of the existing footpath. The dimensions of the sculpture are 4.5m in height, with a

base of around 19m in diameter. The foundations are 3.6m in diameter and they are 0.8m deep.

- 2.4. Two interpretation panels are to be implemented within this site; however their exact locations are currently unconfirmed.
- 2.5. Landscaping improvements to the site are mainly focused around Fenn Lanes and the disused railway embankment area. The stiles on each side of Fenn Lanes, are replaced with kissing gates and improvements are made to the existing steps over the railway embankment. A permissive pathway has also been agreed and the involved parties in the process of drawing up the agreement. The permissive pathway allows doe easier access to the sculpture via the Ashby Canal towpath, Sutton Wharf car park, and the Shenton Lane bridge.
- 2.6. This development is part of the Bosworth 1485 Sculpture Trail. The Sculpture Trail is a walking trail that is approximately 12 miles long and encompasses five artwork sculptures that tell the story of the places and their roles within The Battle of Bosworth.
- 2.7. This project is a joint undertaking between Hinckley and Bosworth Borough Council and tourism specialists, Leicestershire Promotions Ltd, to provide a physical experience of moving through the landscape of The Battle of Bosworth. The sculptures aim to have a lifespan of at least 50 years, and they will remain the property of Hinckley and Bosworth Borough Council throughout.
- 2.8. This application is in tandem with the application for the erection of structures at St. James Church of England Parish Church, Bosworth Road, Sutton Cheney (23/00087/FUL), and at Bosworth Battlefield Centre, Ambion Lane, Sutton Cheney (23/00089/FUL), which are also part of the proposed Bosworth 1485 Sculpture Trail.

3. Description of the site and surrounding area

- 3.1. The sculpture is located in a field outside of any identified settlement boundaries in the open countryside to the northwest of the village of Dadlington, and to the east of Shenton Lane. The site is accessed via two Public Rights of Ways (T55 and U75) via Fenn Lanes to the north. There is a single dwelling to the southwest, which is separated from the site by an agricultural field, and there is an agricultural use to the north of the site. To the west lies the line of the former Ashby and Nuneaton Joint Railway, as a raised embankment, which has truncated the original rectangular shape of the field. Beyond these elements is open countryside.
- 3.2. The Battle of Bosworth took place on 22 August 1485, and it is considered a pivotal event in English History because the battle saw the death of the last Plantagenet king, King Richard III, and the crowning of Henry Tudor. It is often seen as marking the end of the War of the Roses, and the transition between the medieval and post-medieval period in England.
- 3.3. The site of the battle was designated in 1995 in recognition of its national importance. The purpose of designation to offer it protection through the planning system and to promote a better understanding of its significance and public enjoyment. The principal reasons for its designation are provided by Historic England within the designation description (National Heritage List for England 1000004):

- **Historical importance:** an iconic event in English history, the Battle of Bosworth brought the Tudor dynasty to the throne and saw the last death of an English king in battle;
- **Topographic integrity:** while agricultural land management has changed since the battle, the battlefield remains largely undeveloped and permits the site of encampments and the course of the battle to be appreciated;
- **Archaeological potential:** recent investigation has demonstrated that the area of the battlefield retains material which can greatly add to our understanding of the battle;
- **Technological significance:** Bosworth is one of the earliest battles in England for which we have clear evidence of significant use of artillery.

3.4 On the day of the battle, evidence indicates that Henry's army advanced from the west along Fenn Lanes while Richard's forces gathered below Ambion Hill. The sides moved through the landscape to the focus of the battle, located in the valley bottom, and around an area of marshy ground (known as Redemore Plain) thought to be to the east of the modern Fenn Lane Farm. Lord Thomas Stanley and his brother Sir William Stanley watched the battle unfold from a strategic position on high ground, thought to be just north of Dadlington, before engaging their considerable forces on Henry's side.

3.5 As referenced in the designation description, despite changes in agricultural practices which does include the erection of some modern large farm buildings throughout the area, the battlefield does remain rural in character, largely undeveloped, and retains a topographic integrity which enables the observer to appreciate key views. This permits the site of encampments and the course of the battle to be fully appreciated and understood. The battlefield also has high archaeological potential, retaining evidence which can greatly add to our understanding of the battle.

4. Relevant planning history

4.1 None relevant

5. Publicity

5.1 The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.

5.2 One member of the public supports the planning application as it encourages much needed tourism to the local economy. Market Bosworth Society also made comments in support of the planning application.

5.3 No further responses have been received.

6. Consultation

6.1 There have been no objections from the following consultants:

- Hinckley & Bosworth Borough Council (HBBC)'s Conservation Officer (subject to conditions)
- Leicestershire County Council (LCC)'s Archaeology Team (subject to conditions)
- Local Highway Authority (LHA) (subject to conditions)

6.2 Historic England notes the positive intentions of the Bosworth 1485 Sculpture Trail to increase public accessibility and engagement with battlefield and has no objection in principle to the scheme. Historic England consider the project to have a positive and welcome ambition to widen interaction and understanding of the Battle

of Bosworth, both within and beyond the boundary of the registered battlefield. However, they expressed concerns regarding the curatorial sensitivities of the scheme and its impact on the landscape and rural character of the battlefield.

- 6.3 The Local Highway Authority have concerns that the structure obstructs the PRowS as the application as submitted suggests that the PRow runs through the middle of the proposed structure location. However, the LHA are satisfied that this concern can be mitigated via planning conditions.
- 6.4 LCC's Archaeology Team have requested a pre-commencement planning condition requiring a Written Scheme of Investigation (WSI) for archaeological recording.
- 6.5 The Battlefield Trust has made comments in support of the planning application because the development has a positive impact on attracting visitors to, and raising interest in, the battlefield at Bosworth. However, the Battlefield Trust has recommended that the foundations of the sculpture are dug with a mechanical digger taking off 10cm spits of earth and the spoil and exposed earth is then detected again. This process should be repeated until the required depth is reached. This has been discussed with LCC's Archaeology Team and is secured within their recommended WSI pre-commencement planning condition.
- 6.6 No further responses have been received.

7. Policy

7.1 Core Strategy (2009)

- Policy 23: Tourism Development

7.2 Site Allocations and Development Management Policies (SADMP) DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities

7.3 National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

7.4 Other relevant guidance

- Bosworth Battlefield Conservation Plan: The Way Forward (BBCP) (2013)
- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG)
- National Design Guide (2019)

8. Appraisal

8.1. The key issues in respect of this application are therefore:

- Principle of development
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Principle of Development

- 8.1 Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the adopted SADMP set out a presumption in favour of sustainable development, and state that development proposals that accord with the Development Plan should be approved unless other material considerations indicate otherwise. Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions.
- 8.2 Paragraph 12 of the NPPF states 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, development permission should not usually be granted unless other material considerations indicate otherwise.
- 8.3 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 spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.
- 8.4 Both the adopted Core Strategy and the SADMP are over 5 years old, and Paragraph 33 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Therefore, this report sets out the relevant adopted Core Strategy and SADMP policies and refers to the NPPF and notes any inconsistencies between them.
- 8.5 Outside the defined settlement boundaries, the countryside is not regarded as a sustainable location for new development. Section 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. "To protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development," by the Council via Policy DM4 of the SADMP.
- 8.6 Policy DM4 of the SADMP considers development in the countryside sustainable where:
- (a) It is for outdoor sport or recreation purposes when it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries
 - (b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting
 - (c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses
 - (d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2 (Renewable Energy and Low Carbon Development)
 - (e) Or where it relates to the provision of accommodation for a rural worker in line with Policy DM5 (Enabling Rural Worker Accommodation)
- 8.7 Section 16 of the National Planning Policy Framework (NPPF) encourages building a strong, competitive economy. In accordance with Paragraph 84(c), planning

policies and decisions should enable, “Sustainable rural tourism and leisure developments which respect the character of the countryside.”

- 8.8 Policy 23 of the adopted Core Strategy supports tourism development where the development:
- Can help to support existing local community services and facilities
 - Is of a design and at a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping
 - Adds to Hinckley & Bosworth’s local distinctiveness
 - Complements the tourism themes of the Borough
 - Adds to the economic wellbeing of the area
- 8.9 Policy DM24 of the adopted SADMP seeks to support the development of new cultural and tourism facilities across the Borough. The development is classified as a, “Visitor attraction,” which is considered a cultural and tourism facility. Visitor attractions provide a focus for tourism provision in the Borough, support local jobs, raise the Borough’s profile, and increase economic activity, particularly in the rural area. They also provide educational services and often preserve and broaden understanding of the history and cultural past of local people.
- 8.10 The scheme is outside of any identified settlement boundary in the open countryside, and it does not comply with any of the requirements of Policy DM4 of the SADMP. However, the development does not undermine the physical and perceived separation and open character between settlements, nor does it create or exacerbate ribbon development. The application site is not located within a Green Wedge, and it is not within the National Forest.
- 8.11 Moreover, the scheme is classified as a visitor attraction that is an element of a larger proposed cultural and tourism facility. The development is considered to contribute to the local distinctiveness and sustainable rural tourism within the Borough and complement its tourism themes. Therefore, the application is supported by Section 16 of the NPPF, Policy 23 of the adopted Core Strategy, and Policy DM24 of the SADMP. Given the above, the principle of the development is subject to the assessment of the impact of the development on the intrinsic value, beauty, open character, and landscape character of the countryside.

Design and Impact upon the Character of the Area

- 8.12 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features. Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.13 Section 16 of the Nation Planning Policy Framework provides the National Policy on conserving and enhancing the historic environment. When considering the impact of a proposed development on the significance of a designated historic asset, great weight should be given to the asset’s conservation. Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and

convincing justification, and for that harm to be weighed against the public benefits of a proposal.

- 8.14 Public benefits from developments can be anything that delivers economic, social or environmental progress as described in the NPPF (Paragraph 8). Public benefits may include heritage benefits as specified in the Planning Practice Guidance (Conserving and Enhancing the Historic Environment – Paragraph 20), such as:
- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
 - Reducing or removing risks to a heritage asset
 - Securing the optimum viable use of a heritage asset in support of its long-term conservation
- 8.15 The Planning Practice Guide (PPG) and Historic England Advice Note 2 (HEAN2) Making Changes to Heritage Assets sets out how the policies of the NPPF are expected to be applied and includes guidance on the conservation of and making changes to the historic environment.
- 8.16 Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD seek to protect and enhance the historic environment and heritage assets. Policy DM11(a) and (b) requires all development proposals to demonstrate an understanding of the significance of the heritage asset and its setting, and the impact of the proposal on the significance of the asset and its setting, including measures to minimise or avoid these impacts. Policy DM12 states that development proposals which adversely affect the Bosworth Battlefield, or its setting, should be wholly exceptional and accompanied by clear and convincing justification. Policy DM13 of the SADMP provides the policy to preserve the Borough's archaeology.
- 8.17 Guidance for those involved in managing change in the battlefield is provided within the Bosworth Battlefield Conservation Plan: The Way Forward (BBCP) (2013)
- 8.18 As the development proposal includes foundations, services, and landscaping, there is potential that archaeological remains associated with the battlefield will be disturbed or revealed by the proposed works. To ensure that any archaeological remains present are dealt with appropriately, Leicestershire County Council Planning Archaeology have recommended the Applicant should provide for an appropriate level of archaeological investigation and recording. This requirement is secured via a planning condition.
- 8.19 Historic England has raised concerns that the scale of the sculpture has the potential to draw the eye and distract from the wider story as told by the landscape itself. Development within the battlefield also has the potential to impact upon its rural character, further eroding the ability to understand and appreciate the battle's contemporary landscape and how this influenced the course of the event.
- 8.20 A Landscape and Visual Impact Assessment (LVIA) has been undertaken to demonstrate the visibility of the sculptures in the wider landscape, considering key views within the battlefield area and its setting which allow for an appreciation of the significance of the battlefield. The LVIA identifies that the location of the sculptures has been chosen with the intention of minimising potential visual impacts, and that their design has considered strategies for mitigation against potential negative impacts through reduction in the footprint and scale and considering the existing character of the landscape through its materiality. The LVIA establishes that there

are not any direct views of the sculptures from key areas within the battlefield and its context, so the visual impact on these areas is negligible.

- 8.21 Overall, it is considered that the impact upon the character and the significance of the battlefield from the erection of this proposed artwork is not adverse. Furthermore, it is considered that the public benefits of this scheme to widen interaction and understanding of the Battle of Bosworth, as welcomed by Historic England, outweighs the level of harm that the scheme has within this location.
- 8.22 The interpretation panels are proposed to accompany development with the exact siting and form of the panels to be determined. The content of the panels is to be developed to allow for appropriate curation and for a proper understanding of the artworks, what they represent, and to reflect that their siting and form is based on the most up-to-date understanding of the battle events. Following advice from the Council's Conservation Officer and Historic England, and to ensure that the panels are instigated as a key component of the Trail concept, a planning condition that secures the installation of the panels within the development and requires the details concerning their content, siting, form, and dimensions to be submitted to, and approved in writing by, the Local Planning Authority.
- 8.23 For the reasons specified above, the proposal is considered to be an appropriate development within the registered Battle of Bosworth Field. The application is considered to preserve its significance and as result of this, the scheme is regarded as in accordance with Policies DM11, DM12 and DM13 of the SADMP, and Section 16 of the National Planning Policy Framework.

Impact upon Residential Amenity

- 8.24 Paragraph 130(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users. Policy DM10 of the SADMP also states that proposals should not adversely affect the occupiers of the neighboring properties or the future occupiers of the property. The Good Design Guide SPD outlines that development will need to demonstrate that it will not result in loss of amenity to neighbouring properties by way of overlooking, overshadowing or noise.
- 8.25 There are residential dwellings near the application site and the development is not considered to result in any significant adverse impacts to residential amenity in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.26 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.27 Policy DM24 of the adopted SADMP supports the development of new cultural and tourism facilities across the Borough. To reduce reliance on the private car, where new facilities are to be established, it should be demonstrated that they can be accessed by a range of sustainable transport modes.

8.28 The 'Sculpture Trail' is a walking trail of approximately 12 miles in total. Paragraph 3 of Section 4.6 of the Design and Access Statement highlights that there are options to undertake the walk in small sections. Paragraph 4.6 also identifies a number of car parks, which can be utilised by walkers when undertaking the 'Sculpture Trail,' and the Local Highway Authority (LHA) do not dispute these findings.

8.29 Given the above, the LHA do not consider the proposals to constitute a material impact on the public highway, and therefore the proposal does not create an unacceptable impact on highway safety or the road network in accordance with Policies DM17 and DM18 of the SADMP, and the Leicestershire Highway Design Guide (LHDG).

9. Equality implications

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

- (1) 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.

9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

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

9.4 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).

10. Conclusion

10.1 The proposed development is considered to be compliant with the relevant national and local policy as it:

- Is an appropriate scale and design
- Preserves the significance of the registered Battle of Bosworth Field
- Does not have an adverse impact upon the character and appearance of the area
- Does not have a significant adverse impact upon the amenity of neighbours
- Does not have a significant adverse impact upon highway safety

10.2 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report
- That the Head of Planning be given powers to determine the final detail of planning conditions

11.2 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 not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- Block Plan (submitted: 01.02.2023)
- Sculpture Detail – The Storm Breaks 1 of 3 (submitted: 01.02.2023)
- Sculpture Detail – The Storm Breaks 2 of 3 (submitted: 01.02.2023)
- Sculpture Detail – The Storm Breaks 3 of 3 (submitted: 01.02.2023)
- Sculpture Detail – The Storm Breaks aerial view plan (submitted: 01.02.2023)
- Site Location Plan (submitted: 01.02.2023)

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. No demolition/development shall take place/commence until a Written Scheme of Investigation (WSI) has been submitted to, and approved in writing by, the Local Planning Authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: To ensure a satisfactory historic building survey and to record and advance understanding of the significance of the affected resource prior to its loss and recording as specified in *Historic England's Good Practise Advice Note 2, Managing Significance in Decision-Taking in the Historic Environment (p. 11)* and to advance the understanding of, and safeguard the significance of the heritage asset in a manner proportionate to its importance in accordance with Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 205 and Section 16 of the National Planning Policy Framework.

4. No development shall take place until the exact location of the structure in relation to the public right of way is clarified to the satisfaction of the County Council, and a scheme for the management of the public right of way during construction as been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed 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.

5. The Proposed Permissive Path link between Footpaths T55 and U75 should be signposted at either end with yellow-topped waymark posts conforming to County Council specification drawing SD/FP/6. The developers should work with the County Council to arrange installation of appropriate waymark arrows labelled 'Permissive Path' and also to ensure the new route is shown appropriately on Ordnance Survey maps.

Reason: To enhance the Public Rights of Way and add a link to the existing network in accordance with Paragraph 100 of the National Planning Policy Framework 2021.

6. Prior to the installation works commencing on the sculpture, details of the location, form and dimensions of each associated interpretation panel and the proposed content of the panel(s) shall be submitted to and approved in writing by the Local Planning Authority. The installation of the panel(s) shall be carried out in accordance with the approved details and installed no later than three months following the date of final installation of the sculpture.

Reason: To preserve the significance of Bosworth Battlefield in accordance Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) section 16 of the National Planning Policy Framework.

11.3 Notes to applicant

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 WSI must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme has been secured, the Applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.
3. The LHA note the Applicant is proposing a permissive path link between PRoW's T55 and U75. The Applicant should signpost the route at either end with Leicestershire County Council (LCC) approved signage. This should conform to LCC specification drawing Ssd/FP/6. This can be found at: <https://resources.leicestershire.gov.uk/environment-and-planning/planning/leicestershire-highway-design-guide>

And select - 'Rights of Way'.

The Applicant should contact 'footpaths@leics.gov.uk' to arrange the installation of appropriate waymark arrows labelled 'Permissive Path'.

The Applicant should also ensure the new route is shown appropriately on Ordnance Survey maps.

4. 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.
5. 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.
6. The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
7. 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.
8. 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.
9. 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.