

**Planning Committee 10 February 2026**  
**Report of the Assistant Director Planning and Regeneration**

**Planning Ref: 25/00700/FUL**  
**Applicant: Davidson Developments Limited**  
**Ward: Markfield Stanton & Fieldhead**



Hinckley & Bosworth  
Borough Council

**Site: 215 Leicester Road Field Head Markfield**

**Proposal: Full planning application for works to include, resurfacing and the installation of lighting columns to the existing access track from Leicester Road to the adjacent land (which is subject to a planning application for residential development under CBC reference: P/22/1031/2) for the use of pedestrians and cyclists, with retained vehicular access for the existing residential property (removal of CCTV from description)**



**1. Recommendations**

**1.1. Grant planning permission subject to:**

- Planning conditions outlined at the end of this report

**1.2. That the Assistant Director Planning and Regeneration be given powers to determine the final detail of planning conditions.**

**2. Planning application description**

- 2.1. This application relates to a larger major development in Charnwood Borough (P/22/1031/2) which is an outline planning application for the demolition of 287 Markfield Lane, and the development of up to 115 dwellings, together with open space and drainage infrastructure (All Matters Reserved except Access). This application was approved at CBC Plans Committee on 13<sup>th</sup> November 2025.
- 2.2. The application is cross boundary with Charnwood Borough Council (CBC) for the proposed upgrade of the full length of the pathway. HBBC will determine only the area within the red line which falls within its jurisdiction. A corresponding application for the section of pathway within CBCs jurisdiction (P/25/1333/2) was approved at the CBC Plans Committee on 13<sup>th</sup> November 2025.
- 2.3. The application proposes to upgrade the surface of the existing concrete access track with a rolled asphalt surface. It is also proposed to erect four lighting columns, with a maximum height of 2.2 metres. The hedge located at the entrance from Leicester Road is proposed to be cut back.
- 2.4. The application is being presented at Planning Committee due to Member call in and the number of objections received, in accordance with the HBBC Scheme of Delegation.

### **3. Description of the site and surrounding area**

- 3.1. The application site forms part of an existing vehicular and pedestrian access track that covers a rectangular area of approximately 53 square metres, being 18 metres long with a minimum width of approximately 3.4 metres. The access track connects to a gated access into an existing open area of land, located to the east and south east of the access track. That site is subject to an outline planning application for a residential development for 115 dwellings under panning reference: P/22/1031/2.
- 3.2. The access track curves to the north, giving vehicular access to a residential dwelling (No.215 Leicester Road). The dwelling sits in a backland position, behind existing built form along Leicester Road and Markfield Lane frontages.
- 3.3. The existing access track is bordered by approximately 1.8-metre-high timber fencing that encloses residential gardens either side of the access track. The track in the application site is surfaced with unkempt concrete hardstanding. A large double garage is situated at the edge of the site where it meets the Borough boundary with Charnwood Borough Council.
- 3.4. The site is situated between two linear forms of development between Leicester Road and Markfield Lane and situated in the open countryside for the purposes of the Development Plan.

### **4. Relevant planning history**

- N/A.

### **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, and a notice was displayed in the local press.
- 5.2. As of 12 November 2025, 31 objections have been received from 16 separate addresses regarding the following:

- Failure to meet Highway design standards
- Conflict with vehicular access at 215 Leicester Road
- Privacy and safeguarding issues (relating to CCTV)
- Light pollution/amenity harm
- Police requested safety infrastructure not included
- No vehicle restriction/safety signage
- Biodiversity harm
- Police advice ignored
- Out of character with the surrounding area
- Unsafe exit onto Leicester Road
- Risk of antisocial behaviour
- Noise pollution
- Application should be considered as part of the wider application
- Fails to meet width of pathway in Leicestershire Highway Design Guide
- Poor visibility/safety concerns
- No bins provided
- Poor drainage

## **6. Consultation**

6.1. No objections, some subject to conditions from:

- HBBC Drainage
- LCC Highways
- LCC Ecology
- HBBC Pollution
- HBBC Tree Officer
- LCC Archaeology
- Leicestershire Police

## **7. Policy**

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester

7.2. Markfield Neighbourhood Plan 2020-2039 (2021)

- Policy M4: Ecology and Biodiversity
- Policy M5: Trees
- Policy M10: Design

7.3. Site Allocations and Development Management Policies DPD (2016)

- DM1: Presumption in Favour of Sustainable Development
- DM3: Infrastructure and Delivery
- DM6: Enhancement of Biodiversity and Geological Interest
- DM7: Preventing Pollution and Flooding
- DM10: Development and Design
- DM17: Highways and Transportation
- DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Leicestershire Highways Design Guide
- Good Design Guide (2020)
- National Design Guide (2019)

## 8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon the highway
- Impact upon ecology
- Other matters

### Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) (2024) 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.
- 8.3. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (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. The development plan in this instance consists of the adopted Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).
- 8.4. The application site lies within the settlement boundary of Markfield and is associated with an Outline Planning Application (P/22/1031/2, resolution to grant subject to Legal Agreement 13.11.25) for a major housing development within Charnwood Borough Council (CBC). There is also a corresponding full application for the delivery of the footpath upgrade for the section of footpath within CBCs jurisdiction, which was approved on 13.11.25 (P/25/1333/2). These are both material considerations to be considered alongside this application, and the key aims of the proposal are to seek upgrades to an existing track, to provide connectivity to nearest settlement of Markfield, encouraging the occupiers of the proposed housing development to use more sustainable modes of travel. Therefore, subject to consideration of the design, residential amenity, biodiversity, and highway safety, the principle of the development is considered to be acceptable.

### Impact upon the character of the area

- 8.5. Policy DM10 states that developments will be permitted providing that the following requirements are met: it complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural

features; it incorporates a high standard of landscaping where this would add to the quality of design and siting.

- 8.6. The track is semi-urban in character and will be re-graded for the whole width, which is considered appropriate when considering the residential character of the area whereby lighting sources are prominent and exist from the existing properties.
- 8.7. The proposal relates to the installation of a four lighting columns to be 'rooted' into the track. They each measure approximately 2.2 metres at their highest point and will be positioned at 15m – 17m intervals. The existing concrete track is proposed to be surfaced with tarmac.
- 8.8. The Lighting Technical Report prepared by Designs for Lighting (DFL) explains how the lighting to be installed will be in accordance with the relevant British Standard for external artificial lighting.
- 8.9. The report assesses the surrounding area and acknowledges that no formal lighting exists along the existing track, although it also states that "Residential dwellings along Leicester Road are likely to have domestic external lighting, including wall lights and occasional floodlights. To the north, Markfield Lane exhibits a similar lighting environment". Based on the assessment of the area, the report considers the site to be in a suburban area. In terms of the proposed lighting, it is confirmed that the luminaries will incorporate integral LED lights that will distribute the light downwards to reduce the potential for both light spill onto the boundaries and upwards towards the sky. It is proposed the lighting would emit a warm white temperature light for the purposes of wayfinding only. They will be controlled by a solar time clock which will turn them on at dusk and off at dawn.
- 8.10. The environmental health team (EHO) has been consulted and have no objections to the proposed lighting. Officers consider that in the interests of consistency with the CBC application, the provisions of section 8 of the lighting technical report is also secured by planning condition.
- 8.11. In terms of the proposed upgrade to the existing track, it is currently laid to concrete in a poor state of repair. The upgraded surface would consist of rolled asphalt that would provide a betterment in terms of visual appearance.
- 8.12. Furthermore, the introduction of the lighting scheme is considered not to have any detrimental impact in terms of the character of the area.
- 8.13. The proposal is therefore considered acceptable in accordance with Policy DM10 of the SADMP and Policy M10 of the Markfield Neighbourhood Plan.

#### Impact upon neighbouring residential amenity

- 8.14. DM10 of the SADMP seeks to ensure that development proposals do not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.15. The closest dwellings to the site are located adjacent to the access track – 213a and 217 Leicester Road. Whilst it is acknowledged that there would be increased levels of activity should the upgrades associated with the new housing development be approved, it is not considered that they would lead to unacceptable levels of noise and disturbance for existing residents as there would be no additional vehicular use, only pedestrian and cycle users.

- 8.16. Numerous objection letters have been received relating to the safety and the use of the track for pedestrians, as well as light and noise pollution concerns. The comments are acknowledged and officers acknowledge that whilst there will be increased footfall and general use of the track, this would not result in unacceptable levels of noise and disturbance as motorised vehicles would be prevented from accessing the new residential development via the track (access will continue to be provided for the residents of 215 Leicester Road).
- 8.17. In terms of the proposed lighting scheme, the three 2.2m lighting columns are situated on either side of the track. The submitted Technical Lighting report states that the lighting will be distributed downwards, to reduce the potential for light spill onto the boundaries and would emit a warm white temperature light for the purposes of wayfinding only and will be controlled by a solar time clock.
- 8.18. The HBBC Environmental Health (Pollution) Team has been consulted and has no objections to the proposed lighting arrangement. Notwithstanding this, the CBC application was approved with conditions relating to the development being carried out in accordance with the submitted Lighting Strategy, and the lighting column not being installed until a long-term maintenance and lighting servicing plan had been submitted to and approved by the LPA. These conditions are considered reasonably necessary and have been repeated in this report for consistency.
- 8.19. In conclusion, the proposal is considered to accord with Policy DM10 of the SADMP in regard to neighbouring amenity impacts.

#### Impact upon highway safety

- 8.20. Policy DM17 of the Site Allocations and Development Management Policies DPD states that development proposals will be supported where they demonstrate that there is not a significant adverse impact upon highway safety and that the development is located where the need to travel will be minimised.
- 8.21. Policy DM18 states that proposals will be required to provide adequate levels of parking provision of an appropriate design.
- 8.22. The LHA advised that it has previously responded to planning application P/22/1031/2 within Charnwood Borough and note that it commented in observations that:

*'Section 2.20 of the submitted Transport Assessment states 'The access will become a pedestrian and cycle only link to create a direct route between the site and Markfield, in addition to the vehicular access.' As per the LHA's previous observations, ordinarily a new pedestrian and cycle link should comply with LTN 1/20 requirements and should ideally be 3.0m wide. Appropriate signage should also be provided once the link is completed, and measures may be required to prevent inappropriate vehicle use.*

*However, the LHA also note that access to 215 Leicester Road is provided by this route and therefore, the vehicular access must be protected.*

*The LHA note the comment that 'the access is 3.4m wide at its narrowest, which is an appropriate width for a pedestrian cycle connection'. The LHA note that as per Manual for Streets (MfS) Paragraph 7.2.3 single lane widths should be no more than 3.5m and that widths between 2.75m and 3.25m should be avoided in most cases, since they could result in drivers trying to squeeze past cyclists.*

*It is noted that the existing access route falls outside of the red line application boundary, however following dialogue with the LPA, the LHA have agreed conditions to secure this route. The conditions are listed within the relevant section below.'*

- 8.23. The LHA welcome the submission of ADC Infrastructure drawing reference 1970-ADC-HGN-XXDR-CH-0100 S1 Rev. P02 which shows a private drive with a minimum width of 3.42m serving the existing property (215 Leicester Road) and providing a shared surface pedestrians and cyclists associated with planning application P/22/1031/2.
- 8.24. The LHA note that no detail has been provided regarding the kerbing and will therefore seek to condition the same wording as per application P/22/1031/2. The LHA also note that no bollards have been provided to prevent vehicular traffic or slow cycle traffic between the pedestrian cycle connection and internal layout of application P/22/1031/2.
- 8.25. The LHA advise that this should be provided as per the LHA' standard drawing 'Staggered barriers on footpaths' (reference SD/1100/27) dated April 2024. A condition is recommended to secure these barriers which uses the same wording as CBC application P/22/1031/2.
- 8.26. Several objections have been received in relation to highway/pedestrian safety and the ability for cars and pedestrian, cycles, prams etc. to pass safely. The Local Highway Authority raised no objection in this regard. Officers consider that due to the low level of vehicular traffic using the track (solely used by the occupiers of 215 Leicester Road, including deliveries), meetings between pedestrians and vehicles will not be frequent, and can be negotiated by pedestrians waiting for cars to pass at the northernmost point of the site. Vehicles would be travelling at low speeds given the narrowness of the track, and visibility is unrestricted by foliage/blind spots.
- 8.27. Therefore, The Local Highway Authority has no objections, and the proposal complies with Policy DM17 and DM18 of the SADMP, subject to the conditions outlined at the end of this report.

#### Ecology and Biodiversity

- 8.28. 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.
- 8.29. Paragraph 170 of the NPPF states that development should result in a net gain for biodiversity by including ecological enhancement measures within the proposal.
- 8.30. A baseline walkover and Biodiversity Impact Assessment completed by Brindle and Green in June 2025 has been submitted and has been accepted by LCC Ecology.
- 8.31. A section of hedgerow is required to be trimmed to facilitate development. Further consultation with the projects ecologist has confirmed that the hedge will be reduced in width to maximise the width of the cycle track. As no removal is required, this does not need including in the metric. It is recommended any vegetation works are undertaken outside the bird nesting season which runs from March to August inclusive.

- 8.32. The site consists of degraded tarmac and modified grassland verges which will be lost to development. This is accepted and no objections are raised.
- 8.33. The new trackway is proposed to be lit. The southern most section of pathway is sparsely vegetated and is not considered a foraging and commuting route for bats. Lighting has been designed to direct light downwards and away from boundaries. Plan: 4069-DFL-ELG-XX-LD-13001 indicates 0.2 lux falling within the adjacent gardens.
- 8.34. Regarding Biodiversity Net Gain, LCC Ecology confirm that Statutory Net Gain is not achievable on-site, with -100% loss in Habitat Units. The Baseline Walkover Survey Brindle and Green, (June 2025) states the statutory 10% net gain will be achieved through the adjacent site land at Markfield Lane, Habitat Bank (HBUCL0001).
- 8.35. Full details including biodiversity gain site reference and purchase number will be required to be submitted with the discharge of the Biodiversity Gain Plan. Any off-site enhancements will need to be secured for a period of 30 years, therefore a Habitat Management and Monitoring Plan (HMMP) and Biodiversity Gain Plan is included as a condition.
- 8.36. Overall, it is considered that it has been demonstrated that subject to conditions the proposed development will not lead to adverse harm to protected species and will adequately mitigate against any harm. In addition, a biodiversity metric has been provided demonstrating that with the biodiversity enhancement to the north of the site, results in net gains for biodiversity. In accordance with Policy DM6 of the SADMP and paragraph 70 of the NPPF.

#### **Other matters**

- 8.37. In terms of the issued raised in relation to drainage and flood risk, the site is located in Flood Zone 1 and there are no concerns regarding the flood risk and drainage of the site.
- 8.38. Officers highlight that whilst the associated approved development for up to 115 dwellings is under the jurisdiction of CBC, the implementation of an active travel link as proposed would encourage future residents to use alternative active modes of transport (instead of motorised vehicles) for their day-to-day needs. This complies with the aims of Policy DM17 of the SADMP and paragraph 109 of the NPPF.

### **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 in the consideration of this application. The Committee must also ensure the same when determining this planning 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 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.2 The application seeks to upgrade an existing track to provide a path/cycle way to serve the housing development under planning application P/22/1031/2 (CBC). The proposed track would provide connectivity to nearest settlement of Markfield, encouraging the occupiers of the proposed housing development to use more sustainable modes of travel, therefore, meeting the aims of sustainable development.
- 10.3 The site is located within the settlement boundary of Markfield and is acceptable in principle.
- 10.4 It has been demonstrated by the submission of the lighting strategy that there will be no significant impact on amenity, and the minimal amount of biodiversity loss would be required to be discharged the statutory BNG condition. The proposed development is considered to accord with Policy DM6 and DM7 of the SADMP in these regards, and with the aims of paragraph 186 of the NPPF.
- 10.5 There would be no undue residential amenity impacts, and the proposal would accord with Policy DM10 of the SADMP in this regard.
- 10.6 In terms of highway and pedestrian safety, it is considered that the use of the proposed path/cycle way as a private drive and pedestrian link can co-exist without undue harm to pedestrians using the path/cycle route, while maintaining the use as a private driveway. The proposal would also provide a sustainable travel options for future users of the application considered under CBC permission P/22/1031/2. The development would therefore accord with Policy DM17 of the SADMP which seeks to ensure safe access is provided.
- 10.7 The proposal is therefore recommended for approval subject to the conditions below.

## **11. Recommendation**

- Planning conditions outlined at the end of this report
- That the Assistant Director Planning and Regeneration be given powers to determine the final detail of planning conditions.

## 11.1

### 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, as follows:
  - Site Location Plan – drawing No. n1745 001A submitted on the 25th June 2025
  - Lighting Strategy 4069 DFL ELG XX CA EO 13001 S3 P02 submitted on the 24th July 2025
  - Light Spill Diagram 4069 DFL ELG XX LD EO 13001 S3 P02 submitted on the 24th July 2025
  - Pedestrian and Cycle Link to Leicester Road drawing: 1970 ADC HGN XX DR CH 0100 S1 P02 submitted on the 24th July 2025

**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 development shall be carried out in accordance with the details contained in section 7.1 and 8 of the Technical Lighting Report reVP03 prepared by Design for Lighting and submitted on the 19th September 2025.

**Reason:** To ensure lighting scheme is installed using sensitive lighting to mitigate against harm to protected species and in the interest of residential amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The lighting columns hereby approved shall not be installed until a long-term maintenance and lighting servicing plan is submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and complied with in perpetuity.

**Reason:** To ensure lighting scheme is maintained in a way that mitigates against harm to protected species and in the interest of residential amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Notwithstanding the submitted plans, the access fronting Leicester Road shall have a width of a minimum of 3.4 metres, a gradient of no more than 1:20 for a distance of at least 5.0 metres behind the highway boundary and shall be surfaced in a bound material with a 3.7 metres (4 dropped kerbs) dropped crossing. The access once provided shall be so maintained at all times.

**Reason:** To ensure a safe and suitable form of access to the site in the interests of general highway safety and in accordance with the National Planning Policy Framework (2024).

6. Notwithstanding the submitted plans, a minimum 3.0 metres shared pedestrian/cycleway shall be provided connecting the internal layout of Charnwood Borough Council planning application P/22/1031/2 and the access fronting Leicester Road. Control measures (i.e. gates, barriers, bollards, chains or other such obstructions) shall be erected between the internal layout of application P/22/1031/2 and the access fronting Leicester Road so as to prevent vehicular traffic from the development of application P/22/1031/2 utilising the Leicester Road access.

**Reason:** To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2024) and in the interests of general highways safety as a more traffic-intensive use of this access would be inappropriate due to the limitations of the vehicular access.

7. The development shall not commence until a 30-year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- a) Description and evaluation of the features to be managed;
- b) Ecological trends and constraints on site that may influence management;
- c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
- d) Description of the management operations necessary to achieving aims and objectives;
- e) Preparation of a works schedule, including annual works schedule;
- f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
- g) Details of the persons responsible for the implementation and monitoring;
- h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
- i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain

**Reason:** To enhance biodiversity, and in accordance with Policy DM6 of the SADMP and the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990)

## 12. Notes to applicant

1. Biodiversity Net Gain Condition Requirements.
2. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the

process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

3. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
4. The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk)
5. The existing boundary hedge/tree line directly bordering the development is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuring that it is cut back so as not to interfere with the public highway (whether or not a fence is installed in front of it).
6. Nesting Birds - Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.