

**APPLICATION FOR THE DIVERSION/EXTINGUISHMENT
OF PUBLIC RIGHTS OF WAY**

This form should be used to apply to Leicestershire County Council for the Diversion or Extinguishment of Public Rights of Way in Leicestershire.

Leicestershire County Council is the competent authority to make Orders under:-

- a) The Town and Country Planning Act 1990:- Where the County Council has issued the relevant planning permission.
- b) The Highways Act 1980:- Where landowners wish to alter rights of way on their land, or any other person or organisation would like the authority to create a new path. (An application under this Act may also be submitted to the appropriate District Council).
- c) Wildlife and Countryside Act 1981. If you consider that a right of way should be added to the Definitive Map or should not have been shown at all or has a different status, and you have documentary evidence to support this, then do not use this form. Please contact a member of the Rights of Way Service in the Environment & Transport Department on Leicester 0116 305 7087, who will arrange for the appropriate forms to be sent to you.

Please complete the following questions:-

1. Name and address of applicant. (Please include email address)

Mr A J P Pochin
C/o Fisher German
Innovation House
Welland Business Park
Valley Way, Market Harborough
LE16 7PS

Louise.duffin@fishergerman.co.uk 01858 411233

2. Details of the Public Right(s) of Way

- a) The Village/Town or place where the Right(s) of Way is/are situated.
Edmondthorpe
- b) Status of Right of Way (i.e. Footpath/Bridleway).
Footpath
- c) Name or number of the Right(s) of Way (if known).
E53 and E54

3. Type of Order required – ~~Diversion/Extinguishment~~ (delete as appropriate)

4. Description of existing route(s).

The existing footpath is located South West of the village of Edmondthorpe and runs through permanent pasture fields and within the grounds of the residential property Church Farmhouse, Edmondthorpe.

5. Description of alternative route(s) (if appropriate).

The proposed diversion relocates the footpath west of Stoneycroft house to Main Street Edmondthorpe

6. If applying for a temporary Order under the provisions of the Town & Country Planning Act 1990 for what period of time do you wish it to last?

N/A

7. Reason for making the application:-

See enclosure

8. Names and address of **ALL** the owners(s)/ occupier(s)/tenant(s) of **All** of the land affected by the proposal, including the existing and alternative routes (if appropriate).
Mr A J P Pochin as Landowner and occupier of the land and Church Farmhouse
9. Names and addresses of any user organisation(s) you have approached, (Please attach copies of any responses).
In advance of this application, we have consulted with the following individuals;
Ellen Senior, Access officer at Leicestershire County Council,
Dave Pollard at Leicestershire Footpath Association
Martin James at Leicestershire and Rutland Ramblers Association

TO ENABLE THE COUNTY COUNCIL TO BEGIN PROCESSING YOUR APPLICATION, THE FOLLOWING INFORMATION WILL NEED TO BE SUPPLIED

A plan (scale 1:1250 or 1:2500) showing the existing and alternative route(s) clearly marked. An Ordnance Survey extract can be supplied by the County Council for this purpose by contacting the Rights of Way Service within the Environment & Transport Department on Leicester 0116 305 7087.

YOU ARE ALSO REQUIRED TO CONFIRM:-

10. That you/your client own(s) all of the land affected by the proposal. If you do not own any or all of the land concerned, you must supply the County Council with the written agreement of any owner(s)/occupier(s)/tenant(s) of the land.
11. That you/your client will pay the costs involved in processing the application. The administration charge is £1,250 plus a further £80 for each additional path included in the Order. The cost of advertising is also payable by the applicant(s). If the application is not finally approved, or is withdrawn by you/your client at any stage, you/your client will be required to pay the costs to date.
12. That you/your client will indemnify the County Council against any claim which may be made for compensation, as provided by Section 28 of the Highways Act 1980. Claims may be made if it can be shown that the value of a person's interest in land has depreciated, or that a person has been disturbed in his enjoyment of land, as a consequence of the coming into operation of a Public Path Diversion Order. However, it is unlikely that a claim would be forthcoming if the written agreement of all the owner(s) and occupier(s) of the land has been sought. Note:- this indemnification only applies to diversion Orders made under section 119 of the Highways Act 1980.

DECLARATION

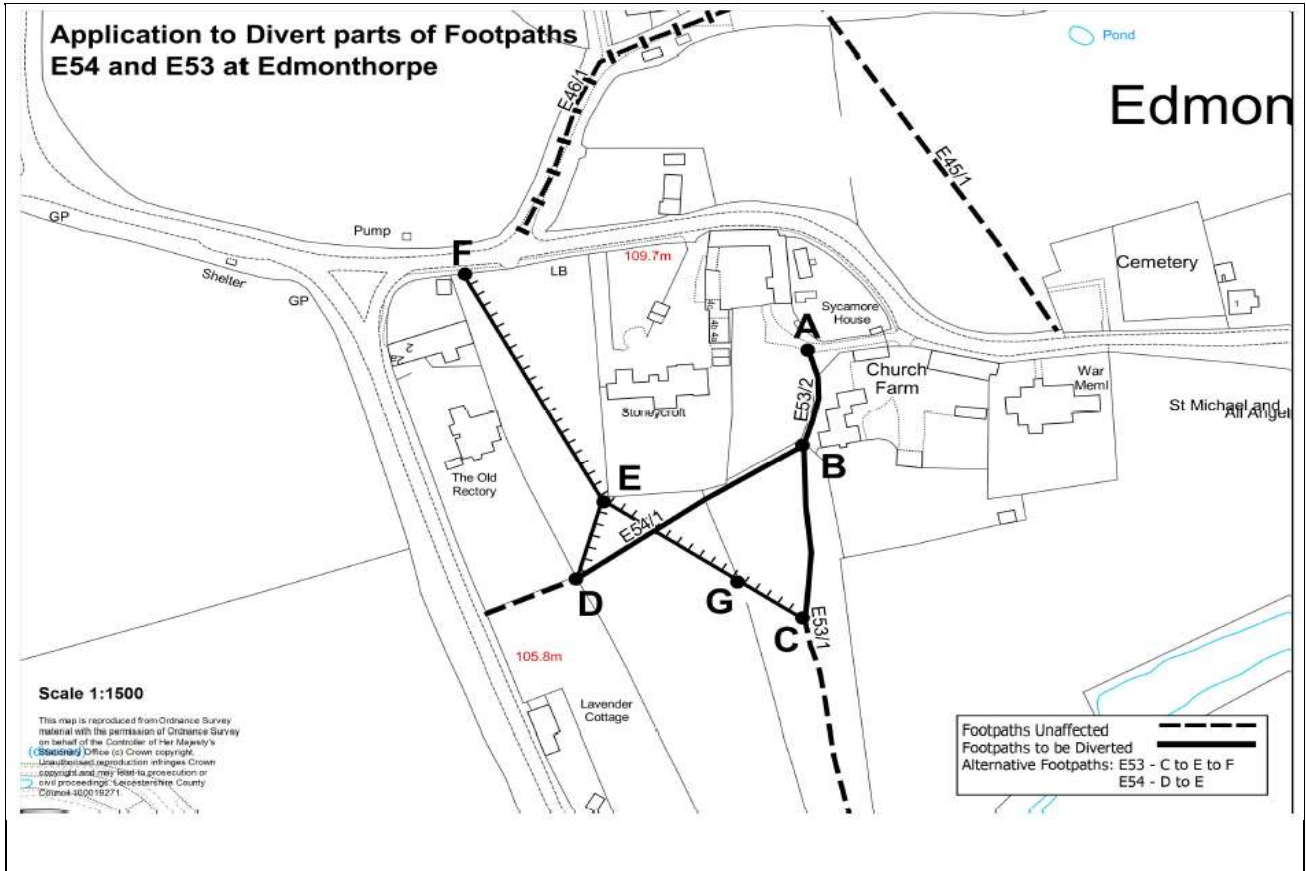
I/we declare that the Right(s) of Way to be diverted/extinguished is/are in no way obstructed and that it is/they are fully available to the public and I/we undertake that it/they shall in no way be obstructed before the Order is confirmed.

I/we confirm my/our agreement to points 10, 11 and 12 (if appropriate).

Signed _____

Date _____ 19th September 2023 _____

How we use your information: Any information you provide will be used in accordance with current data protection regulations and other relevant legislation. Please send your completed application form, together with the above additional information to - **The Safe and Sustainable Travel Team, Environment & Transport Department, Leicestershire County Council, County Hall, Glenfield, Leicester, LE3 8RJ.**



Points E-F



Points F-E

Proposed Diversion of Footpaths E53 and E54

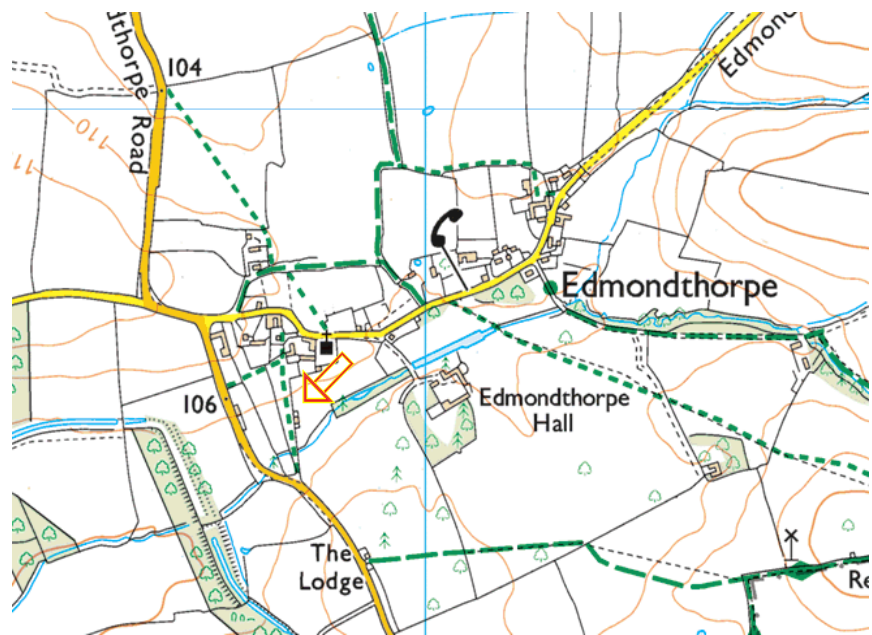
Church Farm, Edmondthorpe

September 2023

Introduction

Church Farm is predominantly a grassland farm which is situated on the western edge of the village of Edmondthorpe, near Melton Mowbray. The holding forms part of the Pochin Estate at Edmondthorpe and includes Church Farmhouse and the adjoining Stoneycroft house and buildings which are in proximity to this proposal.

The property owner is seeking consent to divert sections of the footpaths E54 and E53 which are located southwest of the village and cross over fields of permanent pasture. These fields are enclosed by a Stone Wall to the East and Mature Hedgerows the others.



To date we have consulted with Ellen Senior the Senior Rights of Way officer at Leicestershire County Council both on and off site and following her advice we need to consult with other stakeholders being the Parish Council, Ramblers' Association and the Leicestershire Footpath Association prior to any application being submitted.

Situation

The property owner is wishing to divert the footpath from going through the garden of Church Farmhouse. The close proximity of the footpath has an impact on the security and occupiers' privacy of the adjacent properties including Church Farmhouse with windows overlooking this route and Stoneycroft Yard

Footpath E54 runs in an East West direction, linking Teigh Road near The Old Vicarage to footpath E53 at the corner of Church Farmhouse where the two footpaths merge.

Footpath E53 crosses grassland in a North/South direction linking Teigh Road to the south and extinguishing at Church Farmhouse/Stoneycroft yard.

Access along this path entails going over two stiles and a challenging steep incline/decline where the footpath comes to an end.

For reference the location is <https://w3w.co/lilac.cropping.shovels>



View South from Stoney croft yard



View South through garden

Style in Garden



View North towards Church Farmhouse



Proposal

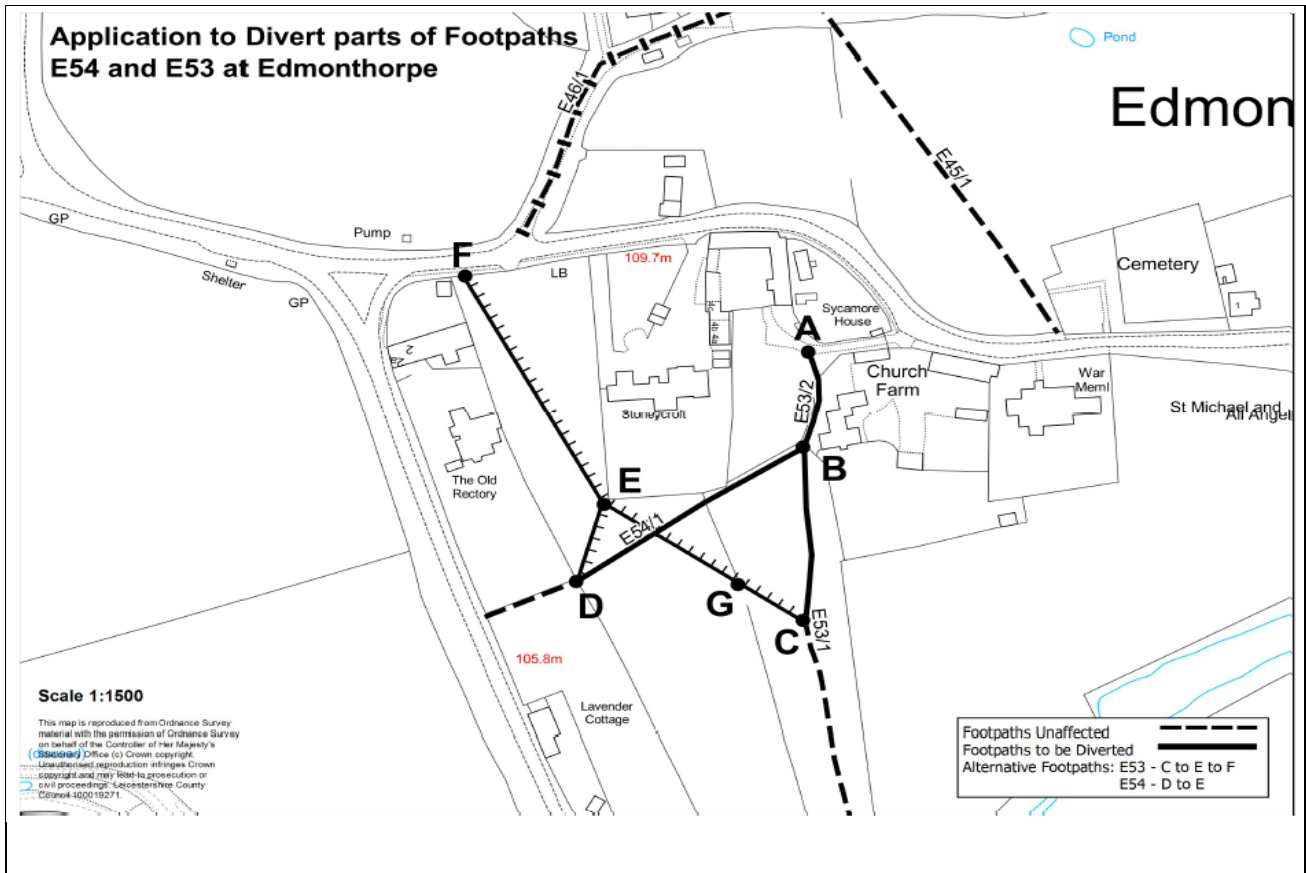
The proposal is to divert the two footpaths in part as shown on the plan below.

This would affect Footpath E53 between points C to A, replacing this with points C – G – E – F and Footpath E54 will be diverted between points D – B to create new path between points D – E, linking to the footpath E53.

We have consulted with the Access officer at Leicestershire County Council, the Leicestershire Ramblers Association and the Leicestershire Footpath Association and considered the feedback received which has been positive.

To confirm we would

- Provide a new kissing gate at point F through the removal of an elder bush and stone up within the “hoop” and the approaches to make a firm surface underfoot. This position would link nicely to the footpath which runs adjacent to the highway and provide a link to E46 directly opposite on Dairy Lane.
- Waymark posts would be installed at points E and G.
- Ensure at point G on the route would not become a muddy depression and install some hardstanding and drainage if required.
- Improve the operation of the gates and drainage through the cattle pen off Teigh road on footpath E35/1



Points E-F



Points F-E



Points E-G



Points G – C and to Teigh Road

Benefits

The owner sees clear benefits of the proposed diversion by;

- Improved accessibility for footpath users along the whole route, through the removal of Styles
- Eliminating the steep incline where the path extinguishes at Stoneycroft yard
- Better connectivity to Main Street and Dairy lane (E46)
- Being more convenient and visible to use through signage and its position on the street scene
- Increased privacy to occupiers of Church Farmhouse property
- Giving consideration of diversion route to adjacent properties
- Ensuring the views and aspects are not inhibited
- The distance of the footpath diversion would be similar to the existing network

Summary

It is proposed to divert both footpaths to provide a more accessible and convenient footpath network which would still be enjoyable to the public. The alteration to the distance walked is negligible and the user would still experience the same experience underfoot through walking in permanent pasture. The application would benefit the applicant who is concerned about privacy and security of their owned properties being Church Farmhouse, Stoneycroft Yard and house and this would provide an alternative route opposed to installing inappropriate fencing to separate the access.

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