



Countryside Planning and
Development Control
Hampshire Countryside Service,
Universal Services,
Hampshire County Council,
The Castle, Winchester,
Hampshire, SO23 8UD

www.hants.gov.uk/countryside

**Hampshire Countryside Service
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Council, The Castle, Winchester,
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Enquiries to

My reference

Direct Line

Your reference **APP/25/00071**

Date

03 March 2025

E-mail

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For the attention of Ms H Owusa-Ansah:

Planning reference: APP/25/00071

Site location: Land forming part of Northney Farm, St Peters Road, Hayling Island

Proposal: The excavation of grassland scrapes with related landscaping, boundary treatments and associated works to create enhanced habitat for wetland birds.

Consultation response: No Objection subject to minimum footpath width

Thank you for consulting Hampshire Countryside Service (the Service) as Highway Authority in respect of Public Rights of Way (PROW) and Commons Registration Authority. We also manage Country Parks and Countryside Sites throughout Hampshire. Please accept this as our response to the above application, taking into account the material considerations relating to PROW, Commons and impacts to Hampshire County Council (HCC) Country Parks and Countryside Sites.

Site Context:

- Havant Footpath 116 (FP116) runs south from Northney Road, then east and south to St Peter's Road.
- Havant Footpath 106 (FP106) runs west from Northney Road, then north to rejoin Northney Road.
- Havant Footpath 81b (FP81b) runs west from FP116, then southwest away through fields.
- Havant Footpath 82 (FP82) runs north from FP81b then east to rejoin FP81b.

- The site is not located in a material proximity to any HCC Countryside Site.

A copy of the Definitive Map of Rights of Way and Definitive Statement and Countryside Sites can be found at

<https://maps.hants.gov.uk/rightsofwaydefinitivemap/> and
<https://www.hants.gov.uk/landplanningandenvironment/rightsofway/definitivemap>

Commentary

It is proposed to enclose FP116 by planting a hedgerow and erecting stock fencing along its western and southern sides. A new accessible gate at the PROW's access from Northney Road is also proposed, as per Planning Statement section 3.18. If the stock fencing is installed, the Service's preference would be for no gate to be left in place or installed at the footpath access, to improve access for all of the PROW's legitimate users. If a new gate is still desired by the landowner they are guided to the Service's design standards for more information on appropriate types:

[Countryside Service design standards | Environment | Hampshire County Council](#).

No width is recorded in the Definitive Statement for FP116. Given the proposed enclosure of the right of way, the Service requires a bare minimum 2.5 metre width is retained between the planting/fencing either side of the path surface. Such a width would improve access along the footpath, allowing users space to pass each other more easily. It would also prevent shading of some or all of the PROW surface and reduce the extent of encroachment of the hedgerow, both from branches and roots, onto the path once the hedgerow becomes established. Unless sufficiently mitigated against, these issues could cause the breaking up of the path surface over time, particularly an unmade grass one as is the case here, to the detriment of public convenience and safety on the right of way, as well as the Service's maintenance burden towards it. The design standards link above can be referred to for more information.

The PROW must remain open for safe public use while the proposed works are carried out, with no obstruction of the route. However, should the applicant consider it necessary to temporarily prohibit public access, they must apply to HCC for a Temporary Closure Order (TCO) and have it approved in writing prior to any obstruction of the right of way taking place: [Apply for a temporary closure | Environment | Hampshire County Council](#).

Subject to the above requirements for FP116's width, the Service raises no objection to this application and provides the below informatives for the applicant's information.

Informatives

1. No vehicles, machinery, equipment, materials, spoil, or anything else associated with the works shall be left on or near to Havant Footpath 116 at any time, as to cause obstruction, hindrance or a hazard to the public, who retain the right to use the Public Right of Way at all times.
2. Planning consent does not grant an applicant the right to obstruct, close or carry out works on a Public Right of Way. Separate consent is required from the Highway Authority and must be granted in writing prior to any works affecting the right of way's access or surface taking place. To do so without such consent would constitute an offence under section 131 of the Highways Act (1980).
3. Any damage caused to the surface of a Public Right of Way by vehicles, machinery, equipment or materials will be required to be restored to the satisfaction of Hampshire County Council Countryside Service as soon as possible.

Yours sincerely,

Peter Miles
Countryside Planning Officer
Hampshire Countryside Service