



Countryside Planning and
Development Control
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Enquiries to

My reference

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24/01558/DIC & APP/24/00578

Date

23 October 2024

E-mail

countryside.planning@hants.gov.uk

For the attention of the Case Officer,

Planning reference: Hampshire Countryside Service – response 2.

Site location: Berewood

Proposal: Berewood planning applications - WCC application 24/01558/DIC and HBC application APP/24/00578

24/01558/DIC - WCC

Berewood Phase 1 Hambledon Road Denmead Hampshire
Discharge of conditions 3, 6 (ii) a) b) c) e) f) i) l), and 11 of planning consent
10/02862/OUT

APP/24/00578 - HBC

Town Park at the Berewood Phase 2 Development Site, London Road, Purbrook, Waterlooville
Reserved Matters application pursuant to outline application APP/10/00828/ (and WCC 10/02862/OUT) and approval of conditions 6 (i) a), b), c), and d), and conditions 3, 6 (ii) a), b), e), f), i) o), 7, 10 and 11, for approval of landscape detail and access for the town park and layout and appearance of the park and multiple sports area.

Commentary

Thank you for consulting Hampshire Countryside Service as the 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 Public Rights of Way, Commons and impacts to Hampshire County Council (HCC) Country Parks and Countryside Sites.

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>

Following further information provided by the applicant, and the applicant meeting with the Hampshire County Council Countryside Access team to discuss both practical proposals and the legislative process in regards to PROW, Hampshire County Council Countryside Service, Highway Authority in regards to the Public Rights of Way [PROW] network, revises its response to the applications hereby considered to **no objection, subject to conditions and informatives**.

Additional information considered:

- Email from Bryony Stala of Savills dated 08.10.24, with attached drawing Berewood PROW Map, GTVILLE_SW_LG_40_L.

For APP/24/00578 – HBC - Town Park at the Berewood Phase 2 Development Site, London Road, Purbrook, Waterlooville:

- Revised drawings to have improved terminology for PROW, permissive paths and informal paths.
- Confirmation that public access to Footpath Newlands 732 will be retained 24 hours per day, every day, through the Town Park.
- PROW/road interactions clarified. We highlight these should be to a standard acceptable by Hampshire County Council for public/adopted roads.
- Confirmation of the principle of diverting Footpath Newlands 732 as shown on Berewood PROW Map, drawing GTVILLE_SW_LG_40_L

For 24/01558/DIC – WCC - Berewood Phase 1 Hambledon Road Denmead Hampshire, Discharge of condions 3, 6 (ii) a) b) c) e) f) i) l), and 11 of planning consent 10/02862/OUT

- Confirmation of mutual understanding between the applicant and Hampshire County Council Countryside Access team for the requirements of both the practical implementation and the legislative process in regards to PROW, relating to this application.
- Continuity of PROW is required, and method to achieve this have been agreed with Hampshire County Council Countryside Access team.

Conclusion:

It is considered that the issues raised in the HCS consultation response dated 07 August 2024 have been addressed to the satisfaction of the Service to ensure that the PROW network is protected in accordance with relevant policy. Therefore, HCS now raise **no objection, subject to conditions and informatives**.

This no objection is subject to the applicant/developer carrying out works with strict consideration for public safety that follows the legislative requirements relating to the PROW network. This shall result in a legal and workable PROW network acceptable

to the Hampshire County Council Countryside Access team. It is recommended that applicants properly consider and design for the PROW network early in the planning process, such as at pre-application stage, or prior to outline planning application.

It is important for legislation and public safety that any closures, diversions and works that are carried out on PROW are done via the required procedures with prior approval of the Highway Authority, Hampshire County Council.

Conditions:

APP/24/00578 – HBC - Town Park at the Berewood Phase 2 Development Site, London Road, Purbrook, Waterlooville

1. Public Access to Footpath Newlands 732 must be retained 24 hours per day, every day, including through the Town Park. Therefore, no obstruction should be placed to prevent this. This includes not installing stiles, gates, or similar barriers across the PROW at any point along the full length of the PROW, including at the perimeters of Town Park.

Reason: To ensure the protection and enhancement of the Public Rights of Way network in accordance with Paragraph 104 of the NPPF (2023).

2. A Construction Traffic Management Plan will be submitted to and approved by the LPA and Hampshire Countryside service in regards to ensure public safety of the local PROW network. This shall include, but not be limited to:
 - a. Timeline and phasing of works.
 - b. Site access routes
 - c. Health and safety Risk assessment for the public for construction activities, with this steering the most appropriate approach and actions to manage safety and construction practises.
 - d. Identification of temporary closures and diversions, including dates and duration, of PROW as identified by the timeline and phasing to enable works to occur and public safety to be maintained.
 - e. Confirmation of correct procedures to be followed in regards to the closures and diversions.
 - f. The considered routeing of temporary diversions, their suitability, proposed surfaces and management during use.
 - g. Specification and detailed plans of the proposed routes of the PROW network.
 - h. Detailed design and use plans for any construction crossings of PROW in circumstances where that PROW stays open for public use.
 - i. Consideration of dust, mud noise for PROW users.
 - j. Guidance and instructions for drivers and plant operators
 - k. Restoration process following construction to ensure PROW surfaces are left to the satisfaction of the Area Countryside Access Manager.
 - l. Public complaints procedure and contact.
 - m. Review process.

Reason: To ensure the protection and enhancement of the Public Rights of Way network in accordance with Paragraph 104 of the NPPF (2023).

24/01558/DIC – the WCC for discharge of conditions for the safe route to school.

1. A Construction Traffic Management Plan will be submitted to and approved by the LPA and Hampshire Countryside service in regards to ensure public safety of the local PROW network. This shall include, but not be limited to:
 - a. Timeline and phasing of works.
 - b. Site access routes
 - c. Health and safety Risk assessment for the public for construction activities, with this steering the most appropriate approach and actions to manage safety and construction practises.
 - d. Identification of temporary closures and diversions, including dates and duration, of PROW as identified by the timeline and phasing to enable works to occur and public safety to be maintained.
 - e. Confirmation of correct procedures to be followed in regards to the closures and diversions.
 - f. The considered routeing of temporary diversions, their suitability, proposed surfaces and management during use.
 - g. Specification and detailed plans of the proposed routes of the PROW network.
 - h. Detailed design and use plans for any construction crossings of PROW in circumstances where that PROW stays open for public use.
 - i. Consideration of dust, mud noise for PROW users.
 - j. Guidance and instructions for drivers and plant operators
 - k. Restoration process following construction to ensure PROW surfaces are left to the satisfaction of the Area Countryside Access Manager.
 - l. Public complaints procedure and contact.
 - m. Review process.

Reason: To ensure the protection and enhancement of the Public Rights of Way network in accordance with Paragraph 104 of the NPPF (2023).

Informatives:

1. Nothing connected with the development, or its future use, shall have an adverse effect on the Public Rights of Way, which must always remain available for safe public use at all times.
2. Should the developer identify the need to temporarily close or adjust a PROW, they should follow the guidance on the Hampshire County Council website. This includes further information on the duties as a land owner and/or developer, found at [Landowners guide to public rights of way | Hampshire County Council \(hants.gov.uk\)](https://www.hants.gov.uk/landowners-guide-to-public-rights-of-way/).
3. No vehicles (including builder's and contractor's), machinery, equipment, materials, spoil, scaffolding, or anything else associated with the works, use, or occupation of the development, shall be left on or near to a Public Right of Way as to cause obstruction, hindrance, or a hazard to the legitimate users. The public retain the right to use the public right of way at all times.

4. Granting of planning permission does not grant the applicant access rights to the site via the PROW network and separate consent is required.
5. All vehicles that would be legitimately accessing the site via a Public Right of Way should give way to public users, which could include horse-riders and cyclists, at all times. In cases with legitimate vehicular access a Construction Traffic (or Environmental) Management Plan (CTMP) should be submitted to, and approved by, Hampshire Countryside Service as Highway Authority prior to any approval by the Planning Authority, and prior to commencement, to ensure the protection of biodiversity and public safety.
6. There must be no surface alterations to a Public Right of Way without the consent of Hampshire County Council as Highway Authority. Planning permission under the Town and County Planning Act (1990) does not provide this and separate consent is required. To carry out any such works without this permission would constitute an offence under Section 131 of the Highways Act (1980).
7. No works to the surface of the Public Right of Way shall be carried out without prior approval of the Area Countryside Access Manager. Any damage caused to the surface of the Public Right of Way by construction traffic will be required to be restored to the satisfaction of the Area Countryside Access Manager upon the completion of the build.

Yours sincerely,

Philip Millard MRTPI AIPROW BEng (Wales) MSc (UWE, Sal)

Countryside Planning and Development Control Manager

Countryside Planning

Hampshire Countryside Service

Hampshire County Council