

For the attention of: Ms D Sheath

Planning reference: APP/23/00417

Site location: The Pavilion and Recreation Ground, Horndean Road, Emsworth

Proposals: Installation of shipping container

Thank you for consulting Hampshire Countryside Service (HCS) as Highways Authority regarding 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.

Response: No Objection

Context:

- Public Footpath Havant 71 (FP71) runs west from Horndean Road along a metalled surface through the Recreation Ground, passing just south of the proposed container site, then turning south towards an underpass under the A27 dual carriageway.
- 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:

Although a section of the vehicular access route to the proposed container site is a PROW, it is reasonably assumed that the work described in this application will not have a significant detrimental impact on FP71 and its public users. HCS therefore offers no objection

Informatives:

1. 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 PROW at all times.
2. 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 Management Plan (CTMP) should be submitted to, and approved by, Hampshire Countryside Service as Highways Authority prior to any approval by the Planning Authority, and prior to commencement, to ensure the protection of public safety.
3. There must be no surface alterations to a Public Right of Way without the consent of Hampshire County Council as Highways 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).

Should the Planning Authority or applicant wish to discuss further any point above, they are welcome to contact HCS via countryside.planning@hants.gov.uk.

Kind regards,

Peter Miles

Countryside Planning Support Officer