

For the attention of: Emma Chisnall

Planning reference: APP/18/00481

Site location: Land to North of 61 Hollybank Lane, Emsworth, PO10 7UE

Proposals: Erection of 1 x 4 bed house

The site is adjacent to Havant BOAT 66a. Although there vehicular access rights are recorded along the track, the rights exist for recreational use and not for vehicular movements associated with private residential dwellings, we note that the public right of way does not fall within the red or blue line boundaries, indicating that private access rights may not exist.

Although there is no intention to realign the public right of way, the character of the route will change as a result of the proposed development, from a rural track mainly used by pedestrians, cyclists and equestrians, to a vehicular access serving a residential dwelling. In addition vehicular use of the path is likely to increase which could cause safety/nuisance issues to legitimate and vulnerable users of the public right of way. Consequently there is likely to be a significant adverse impact on the amenity and recreational value of the public right of way.

Havant BOAT 66a is currently unmetalled. Any increase in vehicular use is likely to mean that improvements to the surface of the public right of way will be required, the change in use to vehicles associated with residential development will also mean that the perception and expectations of users of the track will also change and the financial burden incurred in maintaining the BOAT is likely to increase significantly. Hampshire County Council, as Highway Authority, have a duty to maintain the right of way to a standard commensurate only with its expected normal public use, which for a BOAT, would be to the standards expected for horse riding, we are not obliged to provide a surface suitable for residential vehicles. We therefore recommend that the Applicant consider amending the application to provide an alternative vehicular access route to the development.

For the above reasons we must **Object** to the application. If the local planning authority decide to grant planning permission, we request the following conditions to be secured by legal agreement:

1. No development shall take place on site until full details and method of construction of highway improvements to Michelmersh and Timsbury BOAT 26 including materials and finishes to provide a means of access to the premises from U609 HOLLYBANK LANE have been submitted and approved by the Local Planning Authority.
2. The approved access details, shall be constructed and fully implemented prior to occupation.

We also request the following advisory notice:

3. The applicant will be required to enter into a Highway Agreement with Hampshire County Council or agree the provision of a contribution to the Countryside Service towards any necessary improvement of the existing highway to provide access to the development and any increase in the cost of maintaining the highway related to the development.

Many thanks,

Ben Marsh

Countryside Access Support Officer - Planning

Countryside Service

Hampshire County Council, Castle Avenue, Winchester, Hampshire, SO23 8UL