

Countryside Planning and Development Control
Hampshire Countryside Service
Hampshire County Council
Three Minsters House
Winchester
Hampshire
SO23 8UL
www.hants.gov.uk/countryside

For the attention of: LPA Case Officer.

Planning reference: AAP/22/00669

Site location: Land at Kingscroft Farm, adjacent to Ridgway and Marples Way,
Havant

Proposal: Outline planning application with all matters reserved (except for access) for the development of up to 140 residential dwellings (C3 Use), with access from Meyrick Road, the provision of open space, landscaping and other associated works including demolition of existing buildings on site

Date: 15.11.22

Consultation response: Holding Objection subject to further information and inclusion of PROW in the outline application.

Thank you for consulting Hampshire Countryside 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 Public Rights of Way, Commons and impacts to Hampshire County Council Country Parks and Countryside Sites.

Site Context:

Footpath Havant 35 (108/35/1) [FP35] runs directly through the site, north-west to south-east. FP35 is on the Wayfarers Walk Promoted and HCC Long Distance Walking Route. FP35 crosses Hermitage Stream and runs adjacent to the railway line to meet with Mill Lane to the north-west of the site. To the south, FP35 runs down to the A27 and crosses it over the Brockhampton Road bridge.

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:

1. This response as Highway Authority in respect of Public Rights of Way [PROW] is in collaboration with the Hampshire Highways as Highways Authority consultation response.
2. The objective of Hampshire Countryside Service is to protect and enhance the PROW network, in line with paragraph 100 of the NPPF (2021) and the requirements of relevant regulations, including the Town and Country Planning Act (1990) and the Highways Act (1980). The NPPF also requires development to prioritise foot and cycle travel. Therefore, any application for development, including outline addressing access, should look to demonstrate it achieves protection and enhancement of the PROW network. This application has not yet done this.
3. As part of the Highway, the PROW network forms part of the access to and from the site, and therefore is not a reserved matter. Suitable detail in the application needs to be submitted to demonstrate the proposed development's impact upon both Footpath 35 through the application site, as well as the proposal's impacts upon the local PROW network. As part of this, the applicant may wish to consider the compatibility of the design of improvements to FP35 with Hampshire Highways' comments regarding the proposal, the site and active travel connectivity, such as around the Brockhampton Road/Solent Road roundabout and along Solent Road.
4. Hampshire Countryside Service will follow up this response by engaging with our Area Countryside Access Manager to assess the current condition of the local PROW network and to formulate our preferences and expectations for enhancement of it, in order to generate proposed works and sums to compensate and mitigate the adverse impacts of the proposed development on the PROW network.
4. Any development scheme should not increase enclosure of FP35.

Recommendation:

Holding Objection subject to further information and inclusion of PROW in the outline application, then likely conditions and legal agreement, such as Section 106 (TCPA) to secure improvements, contributions and commuted sums.

Informatives:

1. There must be no surface alterations, or any other works, carried out to a Public Right of Way without the consent of Hampshire County Council as Highway Authority. To carry out any such works without this permission would constitute an offence under Section 131 of the Highways Act 1980. This is separate from any planning permission granted by the Local Planning Authority.

2. For further information on duties as a land owner and/or developer, please see guidance on the Hampshire County Council website 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).

Regards,

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