

## LAND TO NORTH OF BARTONS ROAD, HAVANT, HANTS



### Technical Note – Determination for Prior Approval

AKD/21:0324/6383  
16<sup>th</sup> July 2021

#### 1.0 INTRODUCTION

- 1.1** MJA Consulting has been instructed by Redrow to provide transport and highways advice relating to a submission to Havant Borough Council for a determination as to whether prior approval by the local authority is required to improve an existing agricultural access to land north of Bartons Road in accordance with Town & Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 6, Class B(d).
- 1.2** The location of the site is shown on Figure 1 (Site Location Plan) and Figure 2 (Aerial Photo).
- 1.4** This Technical Note (TN) has been prepared to accompany a submission for determination and summarises the proposed improvement and its compliance with the relevant permitted development criteria as set out in the General Development Management Procedure Order (GDMPO). The remainder of this TN is structured as follows:
- Section 2 summarises the proposed improvement to the existing farm track;
  - Section 3 provides an overview of permitted development requirements; and
  - Section 4 summarises and concludes the TN.



## 2.0 AGRICULTURAL ACCESS

### Existing Conditions

- 2.1** The existing field access is located off a road serving the Crematorium, which connects to a ghost island right-turn junction with Bartons Road to the south. The site is currently in agricultural use and requires access to be maintained for associated agricultural machinery.

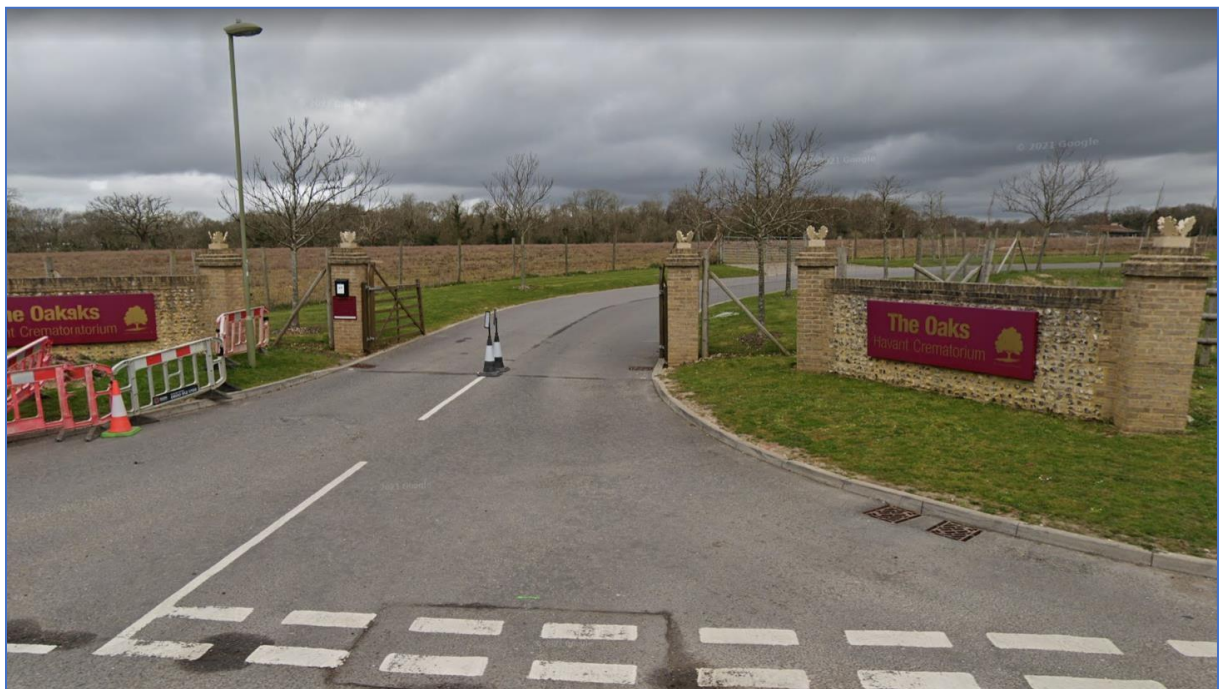


*Photo 1 – View north to existing field access off Crematorium access. (Source: Google)*

- 2.2** The field access provides access to a field, beyond which no further access or track is provided. The access provides rights for both vehicular access and egress with manoeuvring taking place within the field extents.



Photo 2 – Aerial view of existing field access off road serving Crematorium. (Source: Google)

- 2.3** The field access is situated some 40.0m to the north of the junction with Bartons Road. The Crematorium access is a single two-way carriageway with metalled surface. No footways are provided. The access is used by agricultural vehicles, including heavy vehicles and machinery during the course of typical farming operations and traffic volumes are not considered significant.

#### **Proposed Improvement**

- 2.4** As part of the development proposals for the southern part of the site, the southern section of the Crematorium is to be realigned creating simple priority give-way junction to the Crematorium and direct access to the development. Please refer to Section S278 Works Land Plan contained in Appendix 1. However, the initial length of internal highway will need to be extended to provide a hard-surfaced access to the remaining agricultural land to the north to enable and maintain safe and efficient access, particularly during wet conditions.

**2.5** The access is to be constructed to provide a 5.5m-wide tarmac road, with a full depth construction including appropriate drainage. The following specification is proposed:

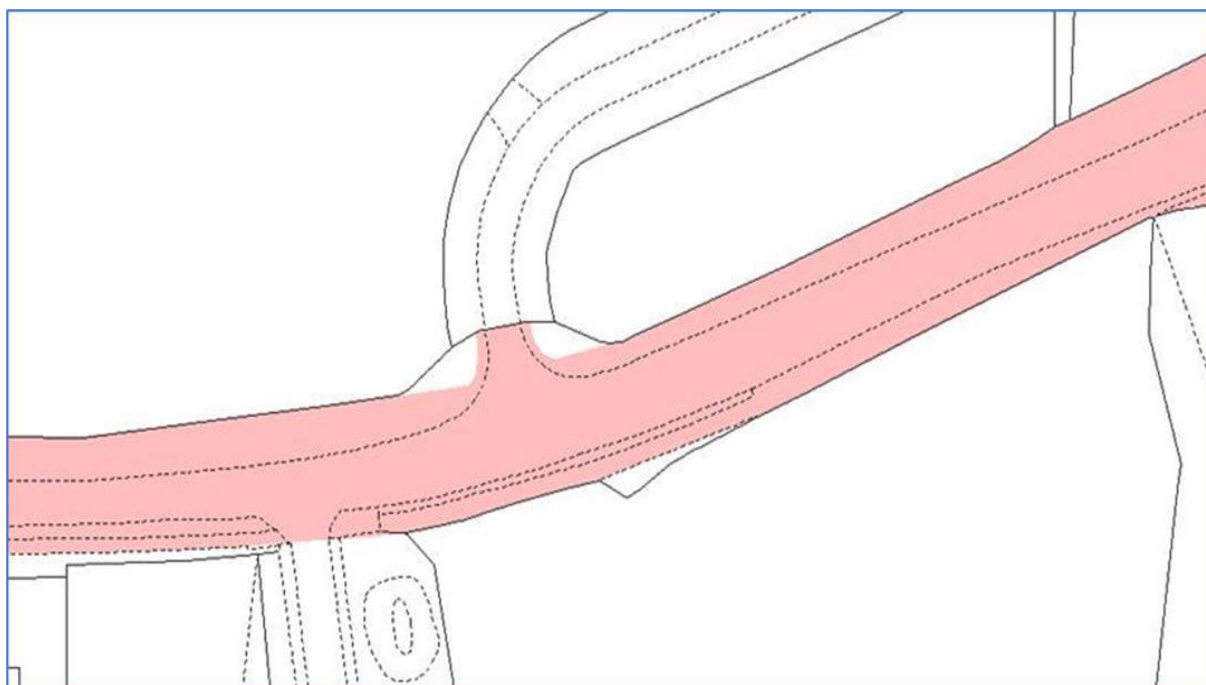
- 150mm sub base course;
- 100mm base course;
- 50mm binder course;
- 30mm surface; and
- Kerbing either side and drainage gullies every 25m discharge from the road into the ground.

\*sub-base and capping dependant on CBR results

**2.6** The improvements will not result in any change or increase in use by agricultural vehicle in connection with existing farming operations.

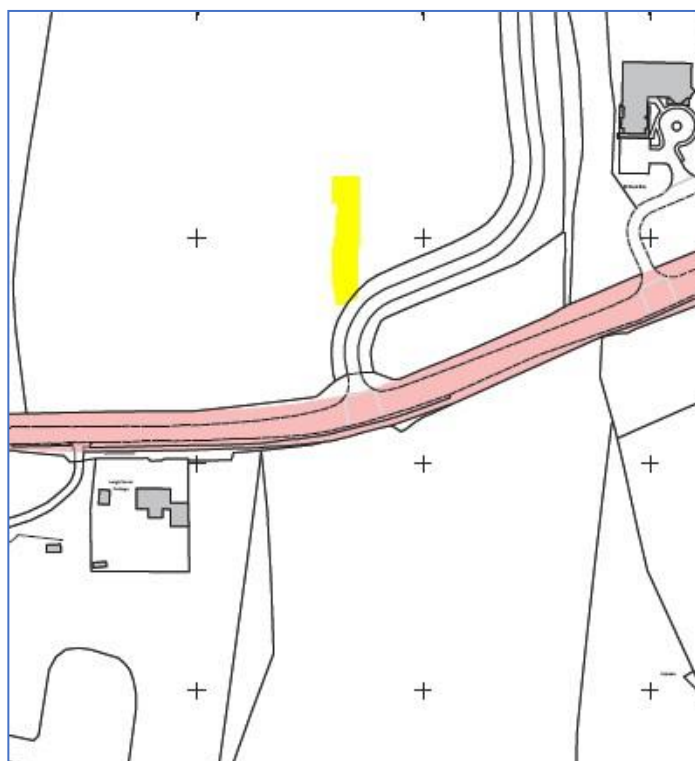
### 3.0 PERMITTED DEVELOPMENT

- 3.1** The proposed works are to be undertaken through the Town and Country Planning (General Permitted Development) (England) Order 2015 under Schedule 2, Part 6, 'Class B – agricultural development on units of less than 5 hectares'.
- 3.2** The Order identifies that, in relation to access, Class B permits the following on agricultural land of less than 5 hectares:
- (d) the provision, rearrangement, or replacement of a private way.
- 3.3** The Public Highway and the Public Rights of Way records have been obtained from Hampshire County Council and are included in Appendix 2. However, this information has recently been updated and now shows minor revisions in the area of the access junction with Bartons Road:



*Drawing Extract 1 – Extent of Public Highway*

- 3.4** No public rights of way cross the site. Therefore, the access track satisfies the Class B(d) permitted development criterion of being a private way.
- 3.5** Section B1 of Class B removes permitted development rights through clause (c) where *“any part of the development would be within 25 metres of a metalled part of a trunk road or classified road”*.
- 3.6** The ‘metalled’ section of road refers to the carriageway surface, which is formed of a gravel and tar solution. A ‘made up carriageway’ is defined in Section 329 of the Highways Act (1980) as being “carriageway which has been metalled or in any other way provided with a surface suitable for the passage of vehicles”. Therefore, the 25m distance is measured from the edge of carriageway and not from the boundary of the public highway or any adjacent footways. At more than 40.0m distance the proposed improvement satisfies the criterion of section B1. Sections B2, B3 and B4 do not relate to any of the permitted development rights associated with Class B (d).
- 3.7** Section B5 (2) (a) requires that, prior to the commencement of the works set out in Section 2 of this TN, that a determination must be sought as to whether the prior approval of the authority will be required in relation to the siting of means of the construction of the private way. This determination is sought by way of this submission with the relevant area indicated below:



*Drawing Extract 2 – Area for Determination*

## **4.0 SUMMARY & CONCLUSION**

- 4.1** MJA Consulting has been instructed by Redrow to provide transport and highways advice relating to a submission to Havant Borough Council for a determination as to whether prior approval by the local authority is required to improve an existing agricultural access to land north of Bartons Road in accordance with Town & Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 6, Class B(d).
- 4.2** The access track provides a private north-south connection between 2 points of farm access over land used for agricultural purposes. Improvement of the access track is proposed to provide for a bound surface, full depth construction and drainage to address issues of maintenance and useability.
- 4.3** In accordance with the Town and Country Planning Act (2015), improvement works to a private way are permitted development. The access does not form part of the Public Highway, nor does it accommodate a Public Right of Way.
- 4.4** The access is situated more than 25m from the metalled carriageway of the nearest classified road, as required by Section B1 of the Class B permitted development requirements.
- 4.5** The proposed improvements to the access track satisfy all permitted development requirements and it is concluded to be permitted development. In accordance with Condition B5, a determination from the local planning authority as to whether the prior approval of the authority will be required in relation to the siting and means of construction of the private way, and this submission requests such a determination be made.

**Andy Dyson**  
**FOR MJA CONSULTING**

**Figures:**

Figure 1: Site Location Plan

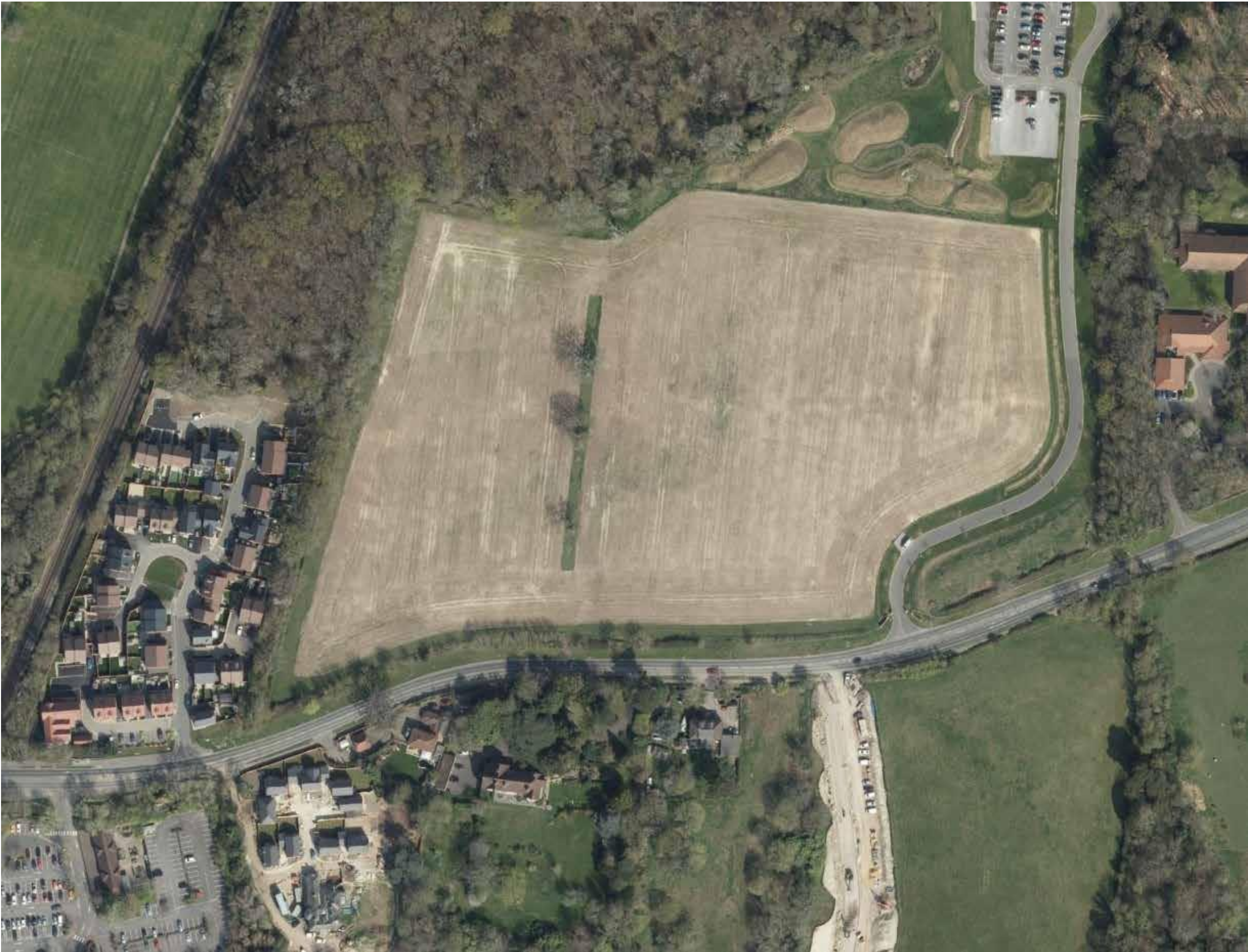
Figure 2: Aerial Photo

**Appendices:**

Appendix 1: Section S278 Works Land Plan

Appendix 2: Extent of Public Highway Information

## Figures



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Notes:

1. Do not scale from this drawing.
2. All dimensions must be checked on site.

|      |      |          |            |
|------|------|----------|------------|
|      |      |          |            |
| Rev. | Date | Initials | Amendments |

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Redrow

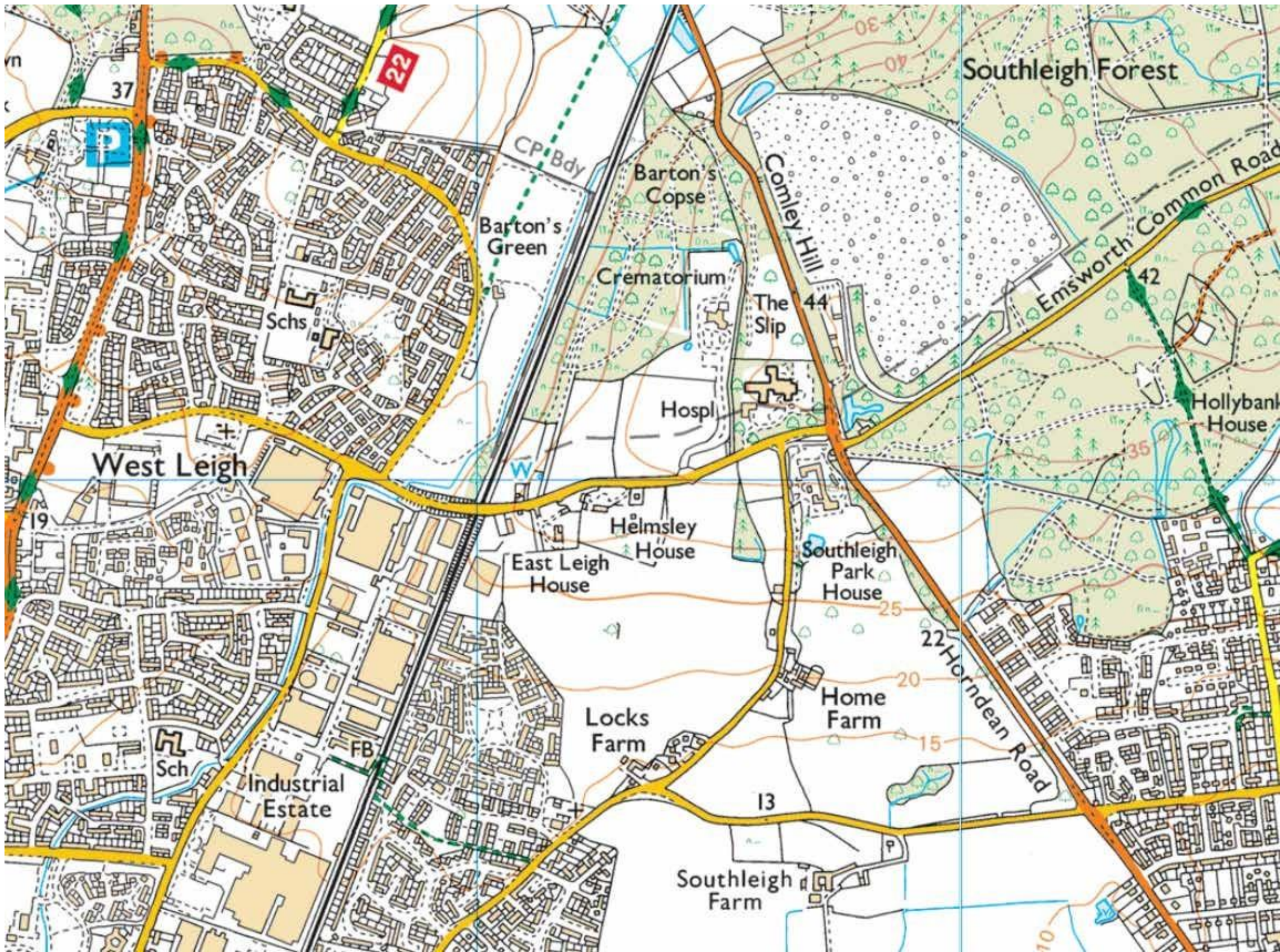
Project

Bartons Road, Havant

Title

Aerial Photo

|         |            |               |          |
|---------|------------|---------------|----------|
| Date    | 08/07/2021 | Status        | FINAL    |
| Scale   | NTS        | Original Size | A3       |
| Drawn   | AS         | Checked       | AS       |
| Job No. | 0993       | Drawing No.   | FIGURE 2 |
|         |            | Rev.          | -        |



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Client

Redrow

Project

Bartons Road, Havant

Title

Location Plan

|         |            |               |          |
|---------|------------|---------------|----------|
| Date    | 08/07/2021 | Status        | FINAL    |
| Scale   | NTS        | Original Size | A3       |
| Drawn   | AS         | Checked       | AS       |
| Job No. | 0993       | Drawing No.   | FIGURE 1 |
|         |            | Rev.          | -        |



## **Appendix 1**

### **Section S278 Works Land Plan**



| Key |                                                                                |
|-----|--------------------------------------------------------------------------------|
|     | Existing highway boundary                                                      |
|     | Extent of S278 Works                                                           |
|     | Development land to be dedicated to Hampshire County Council as public highway |



This drawing is to be read in conjunction with all other drawings listed below

|                  |                               |
|------------------|-------------------------------|
| 6383-600         | Topographical Survey          |
| 6383-601         | Site Clearance                |
| 6383-602         | General Arrangement           |
| 6383-603         | Signs & Lines                 |
| 6383-604         | Surfacing Plan                |
| 6383-605         | Levels and Contours Layout    |
| 6383-606         | Drainage Layout               |
| 6383-607         | Channel Profiles              |
| 6383-608         | Construction Details          |
| 6383-609         | Land Plan                     |
| 6383-610         | Cross Sections - Sheet 1      |
| 6383-611         | Cross Sections - Sheet 2      |
| 6383-612         | Swept Path Analysis - Sheet 1 |
| 6383-613         | Swept Path Analysis - Sheet 2 |
| 356203215-L0-001 | Lighting Layout               |

Notes:

All works to be in accordance with the Design Manual for Roads and Bridges and the specifications issued by Hampshire County Council.

| PS                      | 08-01-21 | Drawing provided in line with 1st RCD audit requirements.                                                                                                                                                                                                                                                                                                                                                     | WSR   | AMC     |
|-------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|---------|
| PS                      | 20-01-21 | Final Issue                                                                                                                                                                                                                                                                                                                                                                                                   | WSR   | AMC     |
| REV. No                 | DATE     | DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                   | DRAWN | CHECKED |
| 001                     |          |                                                                                                                                                                                                                                                                                                                                                                                                               |       |         |
| Client                  |          | <div><div><b>MJA CONSULTING</b><br/>CIVIL &amp; STRUCTURAL ENGINEERS<br/>Isium Court, 24 The Quadrant,<br/>Abingdon Science Park, Abingdon<br/>Oxon, OX14 3YS<br/>Tel: 01235 555173<br/>Email: mail@mjaconsulting.co.uk</div></div> |       |         |
| Project                 |          | Barton Road,<br>Havant                                                                                                                                                                                                                                                                                                                                                                                        |       |         |
| Title                   |          | Scale: 1:500 @ A1 Status: PRELIMINARY                                                                                                                                                                                                                                                                                                                                                                         |       |         |
| S278 Works<br>Land Plan |          | Drawn: Project Engineer (MJA Project No: 104)<br>WSR AMC 6383 Date: 01/2021                                                                                                                                                                                                                                                                                                                                   |       |         |
|                         |          | Drawing Number: 6383-MJA-SW-XX-DR-C-609 Rev: P2                                                                                                                                                                                                                                                                                                                                                               |       |         |

## **Appendix 2**

### **Extent of Public Highway Information**

72961 523669

473061 523669

473161 523669

473261 523669

473361 523669

473461 523669

473561 523669

108184 301839

108084 301839

107984 301839

107884 301839

107784 301839

108084 301839

107984 301839

107884 301839



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472961 523669

473061 523669

473161 523669

473261 523669

473361 523669

473461 523669 **7012816**

473561 523669

**MW**

For questions about the responsibility for ditches please refer to Hampshire County Council's website at: <http://www3.hants.gov.uk/roads/highway-flooding/highways-drainage/your-responsibilities.htm>

This plan is made on the basis of information at present available to the County Council and is made on the distinct understanding that, in the absence of negligence, neither the County Council nor I as an officer of the Council is to be held responsible should you rely on this statement and consequently suffer damage