

Countryside Planning and Development Control
Hampshire Countryside Service
Hampshire County Council
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For the attention of: Peter Bond, MWPA Case Officer.

Planning reference: HCC/2021/0787

Site location: Hamble Airfield, Hamble Lane

Proposals: Proposed extraction of sand and gravel, with restoration to grazing land and recreation using imported inert restoration materials, the erection of associated plant and infrastructure and the creation of a new footpath and access onto Hamble Lane at Hamble Airfield

Date: 17.03.22

Consultation response: Objection

Thank you for consulting Hampshire Countryside Service as Highway Authority in respect of Public Rights of Way 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: Hamble le Rice Footpath 1 runs northwards From Hamble House Gardens along gravel path alongside tarmac road, then along earth path following boundary fence of airfield, then along track approx. 5 ft. wide between fence and hedge to grass path approx. 8 ft. wide enclosed between wire fences and out on to Satchell Lane. Hamble le Rice Bridleway 709 runs north from Satchell Lane to the northeast of the site. Hamble le Rice Footpath 16, Hound Footpath 5 and 6 are to the north west of the site. Royal Victoria Country Park is the west.

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>

Comment:

The proposals include permissive footpaths around the north, east and western edges of the site which provide access to a number of Public Rights of Ways and Royal Victoria Country Park. According to the [National Planning Policy Framework](#) (paragraph 100) planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. For example, by adding links to existing rights of way networks.

The Hampshire Minerals and Waste Plan (2013) requires improvements to the strategic right of way network, including provision of additional footpaths and cycle routes. Policy 9 (restoration of minerals and waste developments) states that restoration should be beneficial and in keeping with the character and setting of the local area, and contribute to the delivery of local objectives. Paragraph 4.75 also states that multiple use of restored sites and cross-cutting benefits will be supported. Policy 12 (Managing traffic) requires improvements to the highway (PROW are part of the highway network) to address issues such as pedestrian safety, the environment and amenity.

In regards to the development considerations set out in the Hamble Airfield allocation (page 162 HMWP, 2013); it is highlighted that adjacent rights of way shall be safeguarded and that the existing informal recreational use of the site shall be maintained and managed. In accordance with legislation regarding public rights of way, permissive paths do not secure any public right of access, and therefore, it seems the best course of action to sustainably maintain and manage the existing recreational use on the site is to have paths dedicated as Public Rights of Way [PROW].

It is identified in the Hampshire County Council Countryside Access Plan that there is need for a new off-road bridleway parallel to Satchell Lane linking Footpath 1 and Bridleway 709. The permissive path to the north provides a link from Bridleway 709 to Footpath 15 and Royal Victoria County Park.

The current application does not accord to the above material considerations and policy with regards to the PROW network.

As mitigation for the proposal's impacts, we propose the following:

- That the proposed permissive paths between points A to E shown on the Landscape Layout Plan (Operational) be built by the developer to [HCC Bridleway Specification](#) prior to works beginning on site. This is typically a 3m wide path with an unbound surface. This would then operate as a permissive public path for pedestrians, cyclists and horse-riders until, during the completion of the final restoration phase of the site, the permissive routes are dedicated as new Public Rights of Way as a bridleway;

- In regards to the existing PROW footpath 1 to the east of the site. It is currently proposed to remove fencing on the western side of PROW and run a parallel permissive path. Our preference, and a more sustainable design, is to merge the existing PROW and the proposed permissive path into one new public bridleway (3m wide, unbound surface to Design Standards) along the route of the proposed permissive path. This would enhance the experience of the users of the PROW by moving into the green area, rather than it being pushed up against the fence-line of the neighbouring properties. The phasing of this would be to create the new permissive bridleway, as the above point, until completion of the development, at which time an application to officially divert the existing PROW onto the 'new path' and upgrade it to a public bridleway can be carried out;
- Inclusion of a commuted sum, agreed through a legal agreement, for Hampshire Countryside Service to take on the maintenance of the in perpetuity, upon dedication, of the public bridleway; and
- Should it be identified that any works to be carried out by Hampshire Countryside Service off site to mitigate impacts of the proposed development on the PROW network, then a contribution would also be sought for this via a legal agreement.

We are of the view that the additional material weight of a dedicated PROW rather than a permissive path (referring to para 4.41, HMWP (2013)) could be sufficient in allowing the Highway Authority (in regards to PROW) to consider the proposed development acceptable. This revision to the proposed development could bring benefits of retaining public recreation access to the site, giving the proposal a positive legacy for the local community; improving local public transport infrastructure in a sustainable and climate mitigating way; increasing amenity and health benefits of the proposal; and also assisting in the safety, congestion and pollution impacts of the proposal on the public road network, particularly when noting the significantly high existing proximity of residential and educational development.

Subject to the above, we therefore object to the application as it currently stands, due to it offering no benefits to Public Rights of Way, and therefore not being in accordance with the NPPF (2021) and the HMWP (2013).

Countryside Planning would welcome further engagement with the Minerals and Waste Planning Authority and the applicant – including regarding the methods to secure the contributions and commuted sums. Please contact countryside.planning@hants.gov.uk to discuss further.

Regards,

Sam Thwaites
Countryside Planning Support Officer
Hampshire Countryside Service