



Hampshire
County Council

Eastleigh Borough Council

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Universal Services

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Your reference

DC/23/94766

Date

21 March 2023

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FAO Dawn Errington

Planning reference: DC/23/94766

Site location: Land between Burnetts Lane and Allington Lane

Proposals: Approval of details reserved by condition: Condition 23 - Surface Water Flood Compensation details; Condition 25 - Existing Watercourses details; Condition 26 - Fir Tree Lane Turning Heads details, of permission F/21/91185 - Construction of road between Allington Lane and Burnetts Lane with associated footway, cycle paths, water crossings, drainage and landscaping

Thank you for consulting Hampshire County Council's Countryside Service ('the Service') as local highway authority in respect of Public Rights of Way ('PROW') and as Commons Registration Authority. It also manages Country Parks and Countryside Sites throughout Hampshire. Please accept this as its 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.

PROW is the generic term for Public Footpaths, Public Bridleways, Restricted Byways, and Byways Open to All Traffic. The value of the PROW network is in providing the means to realise many objectives of national and local plans - as examples, but by no means exhaustive, the PROW network can enhance community connectivity and cohesion; improve local environments by reducing local traffic congestion and improving air quality; support personal health and well-being of individuals and groups; and support local economies, whether in providing means of access to and from workplaces, offering passing trade such as with a cafe, or creating need for larger supply businesses as with cycle or equestrian users. PROW

Director of Universal Services
Patrick Blogg

should, therefore, be given positive regard in this and all development plans and proposals, not least that PROW are a material consideration in the planning process - see [DEFRA Circular 1/09](#), para.7.2.

Response: No objection

Site Context

This application has been submitted as part of the wider plan to develop land south-west of Fair Oak and west of Horton Heath for 2,500 residential properties, a link road, and other associated infrastructure. As part of the wider plan, various PROW are to be accommodated within the development, some by means of formal diversion.

Fair Oak and Horton Heath Public Footpath 11 ('footpath 11') presently leaves Fir Tree Lane east of Oak Cottage to run north-east, then east to cross the proposed link road and continuing south of Quobleigh Wood to its junction with Fair Oak and Horton Heath Public Footpath 10.

A copy of the Definitive Map of Rights of Way and Definitive Statement can be found at <https://maps.hants.gov.uk/rightsofwaydefinitivemap/> and <https://www.hants.gov.uk/landplanningandenvironment/rightsofway/definitivemap>

It is proposed to divert part of footpath 11 so as to accommodate a future site attenuation basin and ensure future safe crossing of the link road by public users. Eastleigh Borough Council, acting as Order Making Authority, has already made an Order to this effect.

The site is in no material proximity to any HCC Countryside Site.

Comment

The link road was granted planning permission on 29 September 2022 - see ref: F/21/91185; with a Non-Material Amendment granted on 7 February 2023 for the addition of Condition 26 regarding turning heads.

Drawing DD508L11 Rev 9 details the relationship of the link road, attenuation basin, and both the existing and proposed diversion routes of footpath 11.

The proposed western turning head lies south of the existing legal alignment of footpath 11, which itself runs south of the proposed diversion route of footpath 11. The works will, therefore, not impact on the PROW. In the event of works to discharge these Conditions, the Applicant is reminded to ensure the legal alignment of footpath 11 is to remain available at all times for safe and convenient public use and is not formally diverted to the proposed new alignment until such time as works are completed to the satisfaction of the Order Making Authority and suitably certified. This should be recorded within any CEMP/ CTMP prepared for delivery of the consented works to construct the link road.

The proposed eastern turning head will not impact any PROW.

Yours sincerely,

Jon Perks

On behalf of Hampshire Countryside Service - Countryside Planning

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