



Countryside Planning and
Development Control
Hampshire Countryside Service
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Universal Services

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Enquiries to

My reference

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Your reference **H/23/96229**

Date

07 November 2023

E-mail

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For the attention of Claire Campbell-Best:

Planning reference: H/23/96229

Site location: 311 FAIR OAK ROAD, BISHOPSTOKE, EASTLEIGH, SO50 8JU

Proposal: Two and single storey side extensions, front canopy porch and single storey rear extension

Consultation response: No Objection subject to conditions

Thank you for consulting the Hampshire Countryside Service (the '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 PROW, Commons and impacts to Hampshire County Council (HCC) Country Parks and Countryside Sites.

Site Context:

- Bishopstoke Footpath 781 (FP781) runs north-south along the site's east boundary between Fair Oak Road and Beaver Drive.
- The site does not lie in a material proximity to any HCC Countryside Site.

A copy of the Definitive Map of Public Rights of Way and Countryside Sites and Definitive Statement can be found at [The definitive map and statement | Hampshire County Council \(hants.gov.uk\)](https://hants.gov.uk/the-definitive-map-and-statement)

Commentary:

The proposed works would bring the footprint of the house up to the western edge of the public footpath, which runs adjacent to the site's east boundary. The Service does not in principle welcome development in such close proximity to PROW for the enclosure of the path surface that can result. This can lead to shading of the path surface, which has the potential to create a social misuse problem, as well as more rapid surface deterioration due to reduced exposure to sunlight. However, given that the eastern side of the footpath opens onto a small patch of grass surrounded by several other properties and that the footpath surface is made of tarmac rather than an unsealed composition, the proposed extensions, once completed, are unlikely to have a significant detrimental impact on users of FP781.

During construction of the proposed extension, the footpath must remain open and safe for the public's use at all times, with nothing associated with the works, including vehicles, equipment, materials and scaffolding being parked, stored or positioned on the route of the PROW or across its access on the property's driveway. It is an offence under the Highways Act 1980 to obstruct a PROW. Should the applicant believe it necessary to temporarily close or divert the route of FP781 while the proposed works are carried out, they must apply for a Temporary Traffic Regulation Order from HCC, prior to commencement of the works: [Apply for a temporary closure | Hampshire County Council \(hants.gov.uk\)](https://hants.gov.uk/apply-for-a-temporary-closure).

The applicant should be further aware that any damage caused to the surface of FP781 shall be the responsibility of the party causing the damage to repair and not HCC, who are liable only to repair damage caused by the public when using the route as a footpath.

The Service raises no objection to this application and asks that the following condition be added to any permission that may be granted.

Conditions

1. No vehicles, machinery, equipment, materials, spoil, skips, scaffolding, or anything else associated with the works, use or occupation of the development, shall be parked, stored or positioned on or near to Bishopstoke Footpath 781, as to cause obstruction, hindrance or hazard to its legitimate users. The public retain the right to use the Public Right of Way at all times.

Yours sincerely,

Peter Miles
Countryside Planning Support Officer
Hampshire Countryside Service