

Planning Viewing Sub Committee - 1 November 2017

Update Sheet – 17 October 2017 - EXTRACT

Item No	Ref No	Address	Recommendation
2	17/00829/FUL	Patchings Legion Lane Kings Worthy	PER
<p>Officer Presenting: Katie Nethersole</p> <p>Public Speaking Objector: Mr Andrew Salter Parish Council representative: Cllr Ian Gordon Ward Councillor: Supporter: Mr Ian Stemming (Applicant)</p> <p><u>Update</u> Page 3 of the report – additional section: <u>'Rights of Way Officer:</u> The proposal would increase the number of movements on footpath 6a to the detriment of walkers. It could lead to an increase in pedestrian movements upon the rights of way network which could have an impact on the surface of the right of way. Object to the proposal on this basis; however if a financial contribution towards future maintenance is secured then this objection would be overcome.'</p> <p>Page 6 of the report, additional section: <u>Rights of Way</u> Legion Lane is a public right of way and therefore it is important to ensure that the safety of users of this right of way is considered as part of the application. The Rights of Way Officer has advised that a financial contribution is required to secure the future maintenance of the right of way which can be taken out of the CIL contribution which will be payable. Condition 15 is also included to ensure that an appropriate traffic management system is secured and implemented to ensure the safety and convenience of users of the rights of way. The Highways Engineer has advised that the modest increase in traffic using Legion Lane will not adversely impact on the highway safety of the road and right of way.</p> <p>Page 9 of the report, additional conditions:</p> <p>15 Before development commences a traffic management system shall be submitted and approved in writing and fully implemented throughout construction.</p> <p>15 Reason: To ensure the safety and convenience of users of the public right of way</p> <p>16 Prior to the commencement of construction, a walk over condition survey (Including photographic record) of the local highway network and the access to the site will be undertaken and approved in writing by the Local Planning Authority. This will be followed by a further condition survey, covering the same extent as previously, to be undertaken following the completion of construction surveys and prior to the occupation of the dwellings hereby permitted in order to identify and</p>			

agree any remedial works reasonably attributable to construction activities. These remedial works to be undertaken prior to the occupation of the dwellings hereby permitted.

16 Reason: To ensure the safety and convenience of users of the public right of way

17 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings are occupied. Development shall be carried out in accordance with the approved details.

1 17 Reason: In the interests of the visual amenities of the area.

Page 11 of the report, additional informatives:

There must be no surface alterations to the right of way, nor any works carried out which affect its surface, without first seeking the permission of Hampshire County Council, as Highway Authority. For the purposes of this proposal that permission would be required from this department of the County Council. To carry out any such works without this permission would constitute an offence under S131 Highways Act 1980, and we would therefore encourage the applicant to contact us as soon as possible to discuss any works of this nature.

N Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times.

N No builders or contractors vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers.

If s If there is likely to be an effect on the right of way in terms of dust, noise or other obstruction during the period of the works, we suggest that a Health and Safety Risk Assessment be carried out, and if there is deemed to be a risk to users of the right of way, the applicant should contact the County Council directly to discuss the Temporary Closure of the route for the duration of the works. Temporary Closure Orders should be applied for at least 6 weeks prior to the commencement of works and details of how to apply can be found at <http://www3.hants.gov.uk/row/making-changes/temp-closures.htm>

H Hampshire County Council, as Highway Authority, is not obliged to provide a surface suitable for the passage of vehicles. It only has a duty to maintain a right of way to a standard commensurate with its expected normal public use.

A All vehicles, including those of contractors and deliveries, which would be accessing the site via a public right of way, should give way to public users at all times.

A Any damage caused to the surface of the public right of way by construction traffic will be required to be restored to the satisfaction of the Rights of Way Officer, to not less than its minimum width, on the completion of the build.