

### Wildlife and Countryside Act 1981

The Hampshire Wildlife and Countryside Act 1981  
Section 57(3) Definitive Map and Statement (Dated 1st January 2008)

To: The Director of Culture, Communities and Rural Affairs

of: Hampshire County Council, Castle Avenue, Winchester, Hampshire. S023 SUL

I: Mr P Howland (Rights of Way Researcher, ANDOVER Ramblers Association)

of: 71 Springfield Close, Andover, Hampshire. SP10 2QR

hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981  
modifying the definitive map and statement for the area by:- [delete where appropriate]

~~deleting the footpath / bridleway / restricted byway / byway open to all traffic  
from:  
to:~~

or

adding the ~~footpath / bridleway / restricted byway / byway open to all traffic~~  
**from:** Point A grid Reference: SU 4494 4306 (junction with Longparish 50 – restricted  
Byway at crossing point with disused railway)  
**to :** Point C grid reference: SU 4393 4258 (Junction with the A303 near to Barton  
Stacey Road bridge over the A303)

and

~~upgrading / downgrading to a footpath / bridleway / restricted byway / byway open to all  
traffie the footpath / bridleway / restricted byway / byway open to all traffic  
**from:** Point F grid reference: SU 4377 4516 (Junction of application route with  
Longparish 1 and 2 footpaths)  
**to:** Point G grid refer-~~nce~~: SU 4387 4501 (Junction of Longparish 1 footpath with the  
B304 at East Aston)~~

or

~~varying / adding to the particulars relating to the footpath / bridleway / restricted byway /  
byway open to all traffic  
from:  
to:  
by providing that:~~

and shown on the map accompanying this application.

*please turn over*

I/We attach copies of the following documentary evidence (including statements of witnesses) in support of this application:

<b>List of Documents</b>
Ordnance Survey Old Series (c.1817)
Greenwood's Hampshire (1826)
Longparish and Barton Stacey Tithe maps (c.1842)
Ordnance Survey First Edition 25" to the mile map and area book - Hampshire XXIV.15 and XXIV.16 (1871)
Ordnance Survey Second Edition 25" to the mile Hampshire XXIV.15 and XXIV.16 (1896).
Ordnance Survey 25" to the mile Hampshire XXIV.15 and XXIV.16 maps (1910)
Bartholomew's 'Half Inch to the Mile Map' of England and Wales, Sheet 29 (1920)
Footpaths and rights of way claimed by the Parish Council of Longparish - Rights of Way Act (1934)
County Highways Department map (1939)
County Highways Department map (1946)
Sales Document map for Lower Mill Estate, Longparish. (1951)
Sheet SU 44 of Ordnance Survey 1:25000 map (1958)

Dated 5<sup>th</sup> September 2017

Signed 

PLEASE SUBMIT A MAP WITH THIS APPLICATION TO A SCALE OF 1:25,000 OR LARGER (E.G. 1:10,000) THAT CLEARLY SHOWS THE CLAIMED ROUTE.

PLEASE ENCLOSE COPIES OF ALL DOCUMENTS ON WHICH YOU RELY IN SUPPORT OF YOUR CLAIM (INCLUDING WITNESS STATEMENTS).

*Hampshire County Council fully complies with the Data Protection Act 1998. Notice of your application will be made public in accordance with the Public Rights of Way (Register of Applications under section 53(5) of the Wildlife and Countryside Act 1981) (England) Regulations 2005 and the information you enter on this form will become part of the permanent records kept on rights of way in Hampshire. This does not affect your statutory rights.*

**Wildlife and Countryside Act 1981**

The Hampshire Wildlife and Countryside Act 1981 Section 57(3) Definitive Map and Statement  
(Dated 1<sup>st</sup> January 2008)

**Certificate of Service of Notice of Application for Modification Order**

To: The Director of Culture, Communities and Rural Affairs

of: Hampshire County Council Castle Avenue, Winchester, Hampshire, S023 SUL

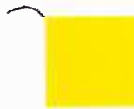
I: Paul Howland (Rights of Way Researcher, ANDOVER Ramblers Association)

of: 71 Springfield Close, Andover, Hants SP10 2QR

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with (in respect of an application to add a Restricted Byway in Longparish and Barton Stacey parishes).

Dated 5<sup>th</sup> September 2017

Signed



**NOTE:** Notice of the application should be served on the owners and occupiers of all the land affected by the application. Please note here the names and addresses of all people given notice of the application:

Lindsey Dryden, Site Manager, Raymond Brown, Waste Solutions, A303 Materials Recovery Facility  
Drayton Road, Barton Stacey, Winchester, Hampshire, SO21 3QS

THE SECRETARY OF STATE FOR DEFENCE, Property Legal Team, Ministry of Defence, Defence  
Infrastructure Organisation, mailpoint 2216, Poplar 2 Abbey Wood, Bristol BS34 8JH

Property Legal Team, Ministry of Defence, Defence Infrastructure Organisation, Main Building Horse  
Guards Avenue, Whitehall, London SW1A 2HB

Property Legal Team, Ministry of Defence, Defence Infrastructure Organisation, Bazalgette Pavilion,  
RAF Wyton, Huntingdon PE28 2EA.

Richard Faulds, Owls Lodge Shooting School, Drayton Rd, Winchester, SO21 3QS

*Hampshire County Council fully complies with the Data Protection Act 1998. The information you enter on this form will become part of the permanent records kept on rights of way in Hampshire and will be available for public inspection. This does not affect your statutory rights.*

## Modification Order Application

### 1. The Application Route

#### 1.1 Description

- a. Reference: Barton Stacey 602
- b. Classification of proposed Route: Restricted Byway
- c. Start Point A grid reference: SU 4494 4306 (junction with Longparish 50 – restricted Byway at crossing point with disused railway)
- d. Mid Point B grid reference: SU 4438 4273 (junction of application route with MOD access road)
- e. End point C grid reference: SU 4393 4258 (Junction with the A303 near to Barton Stacey Road bridge over the A303)
- f. The application route length: 0.7 mile.
- g. The Application route begins at point A at the junction between Longparish 50 and the disused railway near Owls Lodge Shooting School. It then follows the current road to a junction at point B. Here it leaves the current road and proceeds to point C. After point B the road changes direction and follows the centre line of the hedgerow, shown on the aerial photo, to point C.
- h. It should be noted that the initial part of the application route from point A to the junction at point B is on the list of streets with reference 74T54 BE 05 and is known as Lodge Farm Road. It terminates at point B. No public route is shown on either the definitive map or the list of streets to enable the user to reach the public road network beyond point B.
- i. An additional point to note is that the Ministry of Defence requisitioned the land over which the application route passes during or after the WWII, and they currently own it according to Land Registry records. The current route connecting Barton Stacey Road to Longparish 50 follows a line from B to X and is an MOD road rather than an HCC Highways Department road. It is not therefore on the list of streets.
- j. The current unsatisfactory situation appears to have arisen from the combined effects of MOD land requisition, A303 dual carriageway construction and insufficient thought given to Rights of Way as a result of these.

#### 1.2 Deregulation Act 2015

- a. Section 26 and §5 of Schedule 7 Deregulation Act 2015 will enable diversions to be agreed with landowners as part of the DMMO application process. At the time of writing this still requires a commencement order to be made under s. 115(7) Deregulation Act 2015 for it to come into force. If that occurs before this application is processed the following comments may be useful.
- b. A footpath or byway exiting onto the A303 dual carriageway is highly undesirable for safety reasons and this makes point C an impractical end point for the application route in today's road layout and makes a diversion essential.
- c. It may be possible to reach Barton Stacey Road from point C. The applicant is not able to assess that option. Alternatively the route shown on the map below from B to X is proposed as a safe and practical diversion.

### 1.3 Application Route utility

- a. The building of the A303 dual carriageway disrupted the RoW linkages between Longparish and Barton Stacey. For non-motorised modes of transport, bridges over the A303 represent the only safe means of crossing this busy road. This route will greatly improve the connectedness of the minor road and footpath/byway network by allowing walkers, cyclists and horse riders to move between the routes to the east of Longparish including Longparish 50, 49, and the routes around Barton Stacey such as Barton Stacey 19, via the Barton Stacey A 303 road bridge.
- b. The route therefore significantly enhances the connectivity of these current rights of way in line with the policy described in the Hampshire County Access Plan 2015-2025.
- c. This was also one of the routes recommended by the County Access Forum for improvement of the RoW network.

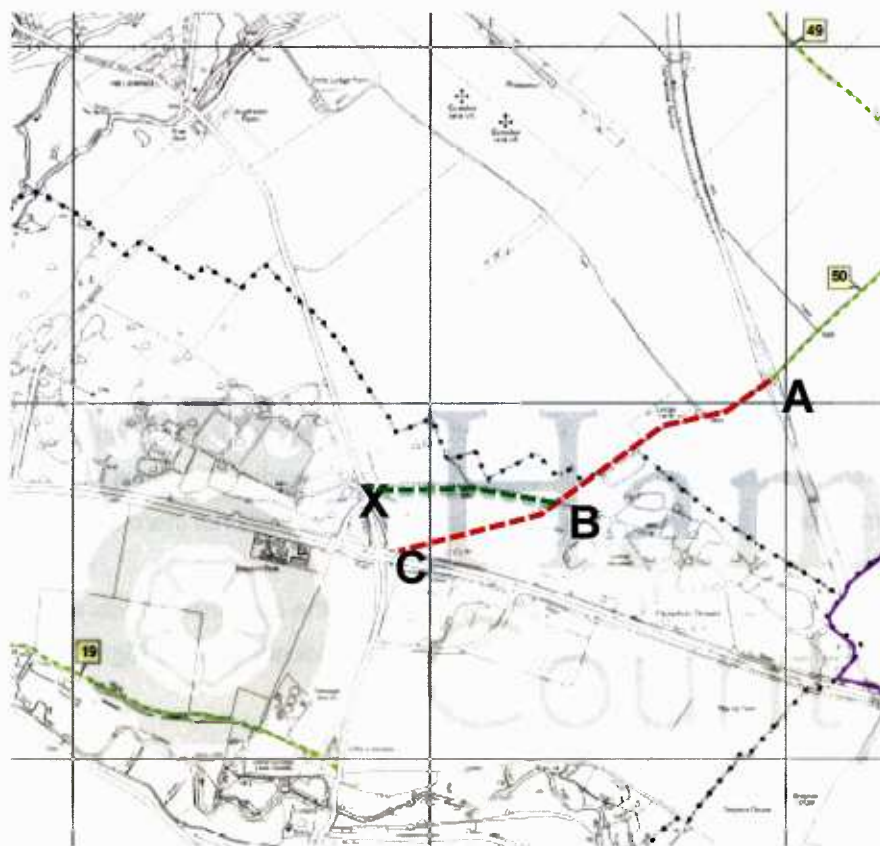


Figure 1. Extract of the HCC Definitive Map number 11.18 at scale of 1:10000 showing the application route between A and C in red and the potential diversion from B to X in green.

Source: Ordnance Survey. Crown Copyright. All rights reserved. Licence Number 100019180 2008



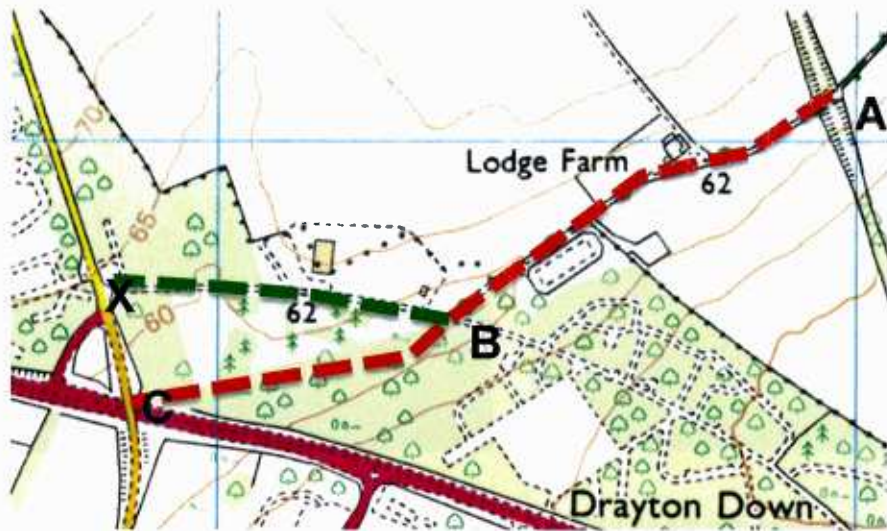


Figure 2. Extract of Ordnance Survey Map at scale of 1:25000 showing the application route between A and C in red and a potential diversion from B to X in green.

Source: Ordnance Survey. Crown Copyright. All rights reserved. Licence Number 100043379



Figure 3. Aerial photograph of the application route showing the points A, B, C and X. The hedgerow of the original road between C and B is today still clearly visible.

Source: Google 2017



Figure 4. Left: The current route into the MOD land at point X. Right: Picture of the concrete road seen from point X leading to the junction with the application route at point B.

Source: Applicant photo



Figure 5. The application route looking from point B towards point A.

Source: Applicant photo



Figure 6. Left: The application route 230 m before point A looking northeast. Right: The restricted byway (Longparish 50) as seen from point A.

Source: Applicant photo