



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

To: Property Services
The Castle
Upper High Street
Winchester
Hampshire
SO23 8UJ

Application No: **CS/26/101093**

HCC Ref: EAE032

For: Hampshire County Council

Date of Application: 10 March 2026

Hampshire County Council, as County Planning Authority, **grants permission** for the following development in respect of the plans and particulars and subject to the attached schedule of 7 conditions and statutory Biodiversity Net Gain conditions:

Development: **External hard surfacing relating to the provision of a new modular classroom and adaptation of existing car park to accommodate pickup/dropoff bays**

Site address: **The Hamble School, Satchell Lane, Hamble-le-Rice Southampton SO31 4NE**

Reason for Approval

It is considered that the proposal would be in accordance with the relevant policies of the Eastleigh Borough Local Plan (2022) and the relevant paragraphs of the National Planning Policy Framework (2024) in that it would be acceptable in terms of its design and sustainability and that it would not materially harm the character of the area or the amenity of the school site users and local residents.

IMPORTANT - Biodiversity Gain Condition

The development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition

This permission **will require** the submission and approval of a Biodiversity Gain Plan before development is begun.

All enquiries should be referred to Universal Services, The Castle, Winchester, SO23 8UD

Tel: (01962) 846746 Fax: (01962) 847055

Director of Universal Services
12 May 2026



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **CS/26/101093**

Continued

Further information about the Biodiversity Net Gain status of this application and how to comply with this statutory condition are set out below within the notes.

Conditions

Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990

Landscaping – Pre-commencement

2. Prior to commencement of development hard landscaping details shall be submitted to and approved in writing by the County Planning Authority. The details shall include:
 - a. Details of hard surfacing materials;
 - b. Details of fencing and other means of enclosure;
 - c. Details of the minimum dig construction method;
 - d. Details of the tree protection areas and the methods of protection; and
 - e. The tree protection measures shall accord with "BS5837:2012 Trees" in relation to design, demolition and construction.

The development shall be carried out in accordance with the approved details.

Reason: To ensure there is adequate provision for the preservation of trees (as required by Section 197 of the Town and Country Planning Act (1990) and to accord with Policy DM11 Nature Conservation of the Eastleigh Borough Local Plan (2022).

This is a pre-commencement condition to ensure materials and design of the construction are suitable and ensure no trees other than those approved for removal are impacted by the development, therefore goes to the heart of the planning permission.



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **CS/26/101093**

Continued

Landscape

3. Within three months of the date of this decision the following soft landscape details shall be provided:
- Plant species, sizes and densities to include a mix of native tree species and planting methodology; and
 - Details of the 4m band of species rich grassland, ground preparation methods, sowing and long-term maintenance to ensure successful establishment.

The development shall be carried out in accordance with the approved details within the first planting season.

Reason: In the interest of biodiversity, public amenity and to accord with Policy DM11 Nature Conservation of the Eastleigh Borough Local Plan (2022).

4. Any plants or trees which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as approved by the County Planning Authority.

Reason: To conserve and enhance the landscape character of the site and surrounding area, safeguard existing vegetation, and ensure a satisfactory appearance in the interests of visual amenity, in accordance with Policy DM1 (General Criteria for New Development) of the Eastleigh Borough Local Plan (2022).

Ecology – Pre-commencement

5. Prior to the commencement of the development hereby approved, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the County Planning Authority. The HMMP shall detail how the On-site Significant Gains detailed in the required Biodiversity Gain Plan will be retained, created, enhanced, managed, and monitored and reported to the County Planning Authority, for a period of 30 years following completion of the development.

The HMMP shall be managed and maintained in accordance with the approved details for 30 years from the date of completion of the development.



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **CS/26/101093**

Continued

Completion of the development shall be considered to be when the required planting and seeding of the approved habitats has been implemented and notification provided to the County Planning Authority.

Reason: In order to provide long term net gains for biodiversity in line with the Environment Act 2021, Section 15 of the National Planning Policy Framework and Policy DM11 (Nature Conservation) of the Eastleigh Borough Local Plan (2022). This is a pre-commencement condition to ensure effective ecological mitigation and management is possible and therefore goes to the heart of the permission.

Ecology

6. The development shall be carried out in accordance with Section 5: Mitigation and Enhancement Strategy of the approved Ecological Appraisal and Biodiversity Net Gain Assessment (Hampshire County Council dated March 2026).

Reason: To protect and enhance biodiversity in accordance with the Wildlife and Countryside Act 1981, Natural Environment and Rural Communities Act 2006, the National Planning Policy Framework (2024) and Policy DM11 (Nature Conservation) of the EBLP (2022).

Plans

7. The development hereby permitted shall be carried out in accordance with the following approved plans: **Location Plan (P15168-HCC-DR-L-7000P1), Site Plan (P15168-HCC-DR-L-7001P1), Proposed Layout Plan (P15168-HCC-DR-L-7002P1)**

Reason: For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant

1. In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework (2024), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **CS/26/101093**

Continued

2. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, orders or Regulations made under such acts.

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Hampshire County Council as the County Planning Authority.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply under Regulation 7 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024. These are listed below.

Based on the information available this permission is considered to be one which **will require** the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **CS/26/101093**

Continued

- (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
- (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **CS/26/101093**

Continued

be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **CS/26/101093**

Continued

purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.