



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

To: Property Services
The Castle
Winchester
Hampshire
SO23 8UJ

Application No: **CS/25/98704**

HCC Ref: EAE032

For: Hampshire County Council

Date of Application: 20 December 2024

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 9 conditions:

Development: **Recladding of Sydney Block 004X**

Site address: **Hamble Community Sports College, Satchell Lane, Hamble-le-
rice, Hampshire 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

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain by virtue the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Further information about this statutory condition is set out below within the notes.

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

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

Director of Universal Services
13 February 2025



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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

Pre-commencement - CEMP

2. Prior to commencement, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority.

This shall include specific measures to minimize the impact of dust and particulate emissions generated by construction activities and construction traffic. The CEMP shall include details on the site setup outlining the welfare facilities, material storage and waste disposal; and Construction Traffic Management Plan (CTMP).

Reason: To ensure the health and safety of the pupils, staff and users of the facilities at the school, as well as to protect the amenity and wellbeing of the nearby residents and be in accordance with Policies DM1 (General criteria for new development), DM8 (Pollution) and DM13 (General development criteria – transport) of the EBLP (2022). This is a pre-commencement condition to ensure the health and safety of the pupils, staff and users of the facilities at the school, as well as to protect the amenity and wellbeing of the nearby residents and thus goes to the heart of the planning permission.

Arboriculture

3. The tree that is proposed to be planted shall be a 10-12 cm girth Sunset Boulevard Cherry tree. If within a period of five years from the date of planting, the tree dies, is removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the County Planning Authority gives written consent to any variation.



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Reason: To ensure the new planted tree is suitable for the site location and enhance existing landscaping and biodiversity of the site in accordance with Policy DM1 (General criteria for new development) and Policy DM11 (Nature conservation) of the Eastleigh Borough Local Plan (2016-2036).

4. The development hereby permitted shall be implemented in accordance with measures set out in Section 4.2. of the Planning Statement by HCC (dated 12 December 2024), the approved Arboricultural Method Statement (dated 17 December 2024) and Tree Protection Plan P14292-A-1600 P2.

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 ensure the development does not adversely impact existing landscaping of the site in accordance with Policy DM1 (General criteria for new development) of the Eastleigh Borough Local Plan (2016-2036).

Hours of Working

5. No work relating to the construction of the development hereby approved, including preparation, the delivery of construction materials, skips or machinery, nor the removal of waste materials, shall take place before 0800 or after 1800 Monday to Friday inclusive, before 0800 or after 1400 on Saturday and not at all on Sunday or recognised Public Holidays.

There shall be no deliveries to the site between 0830 and 0900 and between 1430 and 1530.

Reason: In the interests of public safety, to avoid traffic conflict at the times of the day when pupils are arriving at and departing from school and to protect the amenities of occupiers of nearby properties in accordance with Policies DM1 (General criteria for new development), DM8 (Pollution) and DM13 (General development criteria – transport) of the Eastleigh Borough Local Plan (2016-2036).

Materials

6. The development hereby permitted shall be constructed using the external materials, finishes and colours as listed and described in section 2.4 of the submitted Planning



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Statement and as described in the 'Materials' section of the submitted application form.

Reason: To ensure quality of design and suitable appearance in accordance with Policy DM1 (General criteria for new development) of the Eastleigh Borough Local Plan (2016-2036).

Ecology

7. The development shall proceed in accordance with the measures set out in Section 6.3 and 7.6 of the Ecological Appraisal and BNG Assessment report by HCC (December 2024).

Reason: To protect and enhance biodiversity in accordance Policy DM11 (Nature conservation) of the Eastleigh Borough Local Plan (2016-2036).

Highways

8. The development, hereby permitted shall be carried out in accordance with the submitted Construction Traffic Management Plan P14292-A-1052 P1 (dated 18 December 2024).

Reason: In the interests of highways safety and in accordance with Policy DM13 (General development criteria – transport) of Eastleigh Borough Local Plan (2016-2036).

Plans

9. The development hereby permitted shall be carried out in accordance with the following approved plans: **The location plan (P14292 - A - 1000 P1), Existing Site Plan (P14292 - A -1050 Existing Site Plan P1), Proposed Site Plan (P14292-A-1051 P1), Existing Ground Floor Plan (P14292-A-2000 P1), Existing First Floor Plan (P14292-A-2001 P1), Proposed Ground Floor Plan (P14292-A-2002 P1), Proposed First Floor Plan (P14292-A-2003 P1), Existing North & South Elevations (P14292-A-3000 P1), Existing East & West Elevations (P14292-A--3001 P1, Proposed North and South Elevations (P14292-A-3000 P1), Proposed East and West Elevations (P14292-A-3003 P1), Existing Site Photos (P14292-A-3010 P1)**



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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 (2023), as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
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 development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- i) a Biodiversity Gain Plan has been submitted to the planning authority, and
- ii) 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.

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemptions or transitional arrangements in the list below is/are considered to apply.



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

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

1. 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).

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



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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.
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