



Town and Country Planning Act 1990
Town and Country Planning General Regulations 1992

To: Hampshire County Council
The Castle
Upper High St
Winchester
Hampshire
SO23 8UJ

Application No: **CS/25/99202**

HCC Ref: EAG004

For: Hampshire County Council (HCC)

Date of Application: 26 March 2025

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 5 conditions:

Development: **The construction of a single storey wooden shelter to provide protection for Manor Farm visitors from the weather**

Site address: **Manor Farm Country Park, Pylands Lane, Bursledon
Hampshire SO31 1BH**

Reason(s) for Approval

1. It is considered that the proposal would be in accordance with the relevant policies of the Eastleigh Borough Local Plan (2016-2036) (EBLP (2022)) and would not materially harm the character of the area or the amenity of residents and would be acceptable in terms of highway safety and convenience.

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

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

Director of Universal Services
21 May 2025

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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.

Conditions

Time Limits

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.

Materials

2. The development hereby permitted shall be constructed using the external materials, finishes and colours as listed and described in 'Materials' of the submitted Application Form and according to the details shown within the Elevations & Photos (2 plans) drawing, received 27 March 2025.

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) (EBLP (2022))

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Landscaping

3. Should any element of the native hedge line of recently planted whips as shown on the approved drawing titled 'Hedge Line Plan' , 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, unless the County Planning Authority gives written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity and in accordance with Policy DM1 of the (Eastleigh Borough Local Plan (2016-2036) (EBLP (2022))

Ecology

4. Prior to use of the development hereby permitted, two house sparrow boxes at a height of 2-4 meters shall be installed along the east elevation of the hereby approved single storey wooden shelter (adjacent to the hedgerow).

Reason: To enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006 and Policy DM11 (Nature Conservation) of the Eastleigh Borough Local Plan (2016-2036) (EBLP (2022))

Plans

5. The development hereby permitted shall be carried out in accordance with the following approved plans: **Location Plan, Elevations & Photos (2 plans), Elevations, Hedge Line Plan**

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

Notes to Applicant

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1. In determining this planning application, the Minerals and Waste/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.
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

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following statutory exemptions or transitional arrangements in the list below is/are considered to apply.

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

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).

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.

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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 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.