Hampshire County Council

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

To: Property Services
The Castle
WINCHESTER
Hampshire
SO23 8UD

Application No: **APP/25/00926**

HCC Ref: HVR002

For: Hampshire County Council,

Date of Application: 3 November 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 and statutory Biodiversity Net Gain conditions:

Development: **Lake wall structural strengthening and repairs**

Site address: **Sir George Staunton Country Park, Middle Park Way, Havant Hampshire PO9 5HB**

Reason for Approval

It is considered that the proposal would be in accordance with the relevant policies of the Havant Borough Local Plan (2011) and would not materially harm the character of the area, the cultural heritage or ecology of the Country Park or the amenity of residents and visitors and does not present a flood risk.

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
5 February 2026

Hampshire County Council

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **APP/25/00926**

Continued

Conditions

Commencement

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.

Ecology

2. Development hereby approved shall be carried out in accordance with measures set out in Section 5 of the Ecological Appraisal and Biodiversity Net Gain Assessment (Dated July 2025).

   Reason: To secure appropriate mitigation and in accordance Policies CS11 – Protecting and Enhancing the Special Environment and Heritage of Havant Borough and DM8 Conservation, Protection and Enhancement of Existing Natural Features of the with Havant Borough Local Plan (2011).

Flood Risk

3. The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (Revision 4, December 2025).

   Reason: to ensure appropriate mitigation for flood risk and in accordance with Policy CS15 Flood and Coastal Erosion Risk of the of the with Havant Borough Local Plan (2011).

Materials

4. The materials to be used in the construction of the of the development hereby approved shall be those referred to in the planning application form. These include engineering brick piers, and liquid waterproofing to be applied below the waterline.

Hampshire County Council

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **APP/25/00926**

Continued

Reason: In the interests of the finished appearance of the development and the character and visual amenity of the area in accordance with Policy CS16 High Quality Design of the of the with Havant Borough Local Plan (2011).

Plans

5. The development hereby permitted shall be carried out in accordance with the following approved plans: **Location Plan (P13631-HCC-ZZ-111 SP P4 00); Park Plan Aerial View (P14595-HCC-110AV P2 00); Lake Plan Modern Wall Block Plan (P13631-HCC-ZZ-112BP P5 00); Condition Survey and Proposals (P13631-HCC-ZZ-113 DP P5 00); Sluiced Inlet Condition Survey and Proposals (P13631-HCC-ZZ-114 INP5 00); Buttress Section (P13631-HCC-301 BUT P3.00).**

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

Notes to Applicant

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.

Hampshire County Council

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **APP/25/00926**

Continued

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.

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

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

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

Hampshire County Council

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

Application No: **APP/25/00926**

Continued

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 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.

.