

F.A.O: The Chief Planning Officer
Hart District Council
Planning Department
Civic Offices
Harlington Way
Fleet
GU51 4AE



Our Ref: 2929

8th February 2024

Dear Sir / Madam,

RE: SWALLOW COTTAGE, RYE COMMON, ODIHAM, HOOK, RG29 1HU.
APPLICATION FOR REMOVAL OF CONDITION 11 (BIODIVERSITY MANAGEMENT PLAN) OF CONSENT
23/01362/FUL (ERECTION OF A 4 BEDROOM DWELLING FOLLOWING DEMOLITION OF EXISTING 2
BEDROOM DWELLING AND ADJACENT STABLES (IN THE SOUTHEAST CORNER OF THE APPLICATION
SITE), INTERNAL ACCESS ROAD AND FORMATION OF A NEW ACCESS FROM THE HIGHWAY (A287)
PART RETROSPECTIVE).

On behalf of the applicants, please find enclosed our S.73 Application relating to the above development.

Our application consists of the following: -

S.73 Application Form duly completed.

Ownership Certificate B duly completed and Notice Under Article 14 served on Hampshire County Council – Highways.

Application fee to the value of £293.00 – Applicant to pay upon receipt of reference number and payment details.

Drg. no. 2929-001 – Site Location Plan

Condition 11 states:

The development hereby permitted shall not be constructed above foundation level until a Biodiversity Management Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30-year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity metric as applied in the area in which the site is situated at the relevant time and the Biodiversity Management shall include:

1. Proposals for on-site biodiversity net gain and / or off site off setting;
2. A management and monitoring plan for any onsite and offsite biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of regular monitoring reports covering up to a period of 30 years from commencement of development, demonstrating how the Biodiversity Net Gain is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.
3. A methodology for the identification of any site(s) to be used for offsetting measures; The identification of any such offsetting site(s)
4. Details of any payments for offsetting measures including the biodiversity unit cost and the agreed payment mechanism.

The development shall be implemented in full accordance with the requirements of the approved Biodiversity Management Plan or any variation so approved by the Local Planning Authority.

Reason: In the interest of ensuring measurable net gains to biodiversity and in accordance Hart Local Plan 2032 Policy NBE4.

Our application seeks to remove condition 11 as this condition should not have been applied, it is unfair and does not comply with current Policy.

Refer to comments from the application process from the Biodiversity Officer and Local Plan. There is no legal right to insist on BNG (it becomes law on the 12th February 2024 and is not retrospective). This imposition is costly to comply with, the current scheme incorporates new hedge and tree planting whilst retention of existing trees. It is a development for a replacement single dwelling.

Refer to Policy NBE4 Biodiversity of the Hart Local Plan. In order to conserve and enhance biodiversity, new development will be permitted provided Sections a), b) + c) are complied with.

We trust our application is considered acceptable and can be registered at your earliest opportunity.

Yours faithfully,

Ian Sullivan

c.c. Mr & Mrs R. Black