

28th October 2024

Outline Planning Application (Ref: O/20/89498)

Statement Regarding Approach towards Biodiversity Net Gain at One Horton Heath

I write in respect of the Outline Planning Application and specifically about the approach to Biodiversity Net Gain across One Horton Heath.

The Environment Act 2021 requires all new planning applications submitted after 10th February 2024 (with certain exemptions) to deliver 10% Biodiversity Net Gain (BNG). The Outline Planning Application (Ref: O/20/89498) voluntarily committed to delivering a minimum of 10% Biodiversity Net Gain on site (draft Condition 14) which was considered feasible at the time of the early stages of the scheme, where higher quality habitats were safeguarded, and development focused on poorer quality agricultural habitats and was, subsequently, determined on that basis (June 2023).

It has become increasingly clear in the intervening period that the delivery of 10% Biodiversity Net Gain is not feasible without significant compromises to other aspects of the One Horton Heath project, notably a significant reduction in public access to green infrastructure for future residents and the on-site opportunity to promote recreational activity on-site, instead of off-site.

The One Horton Heath Board has subsequently concluded that the continued pursuit of 10% Biodiversity Net Gain would have a detrimental impact on wider placemaking objectives and as such are withdrawing their previous, voluntary, commitment to pursue this. Notwithstanding this, One Horton Heath will continue to deliver a Biodiversity Net Gain, but not 10%.

Several factors have influenced this decision, and these are detailed below:

Changes to the DEFRA Metric:

Biodiversity Net Gain is calculated using standardised tools provided by the Department for Environment, Food and Rural Affairs (DEFRA). DEFRA has consistently revised and balanced how BNG is assessed and measured through revisions to its Metric Tools. A more recent iteration; DEFRA Metric 4, released in late July 2023, is a significant revision creating a marked change to how BNG is calculated, now also superseded by the Statutory Metric¹. Crucially for OHH, Defra Metric 4 attributes a low BNG value for urban trees and greenery and a high value for arable farmland.

The consequence of this is that as a result of iterative changes (as BNG evolved from the project's inception from Metric 2.0, to 4.0 in 2023 and now the Statutory Metric) and the focus on OHH developing the poorer quality habitat (i.e. a large quantum of species poor arable and cattle grazed

¹ <https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides>

farmland), it needs to generate a higher level of BNG to replace this lost habitat. This is made more difficult by the higher condition and value of the retained habitats (woodlands, streams, hedgerows) and lower value attributed to proposed urban trees and greening, thereby increasing dependence on the Green Infrastructure to deliver the majority of Biodiversity Net Gain. Unfortunately, at the OHH site, this is not compatible with providing suitably high quality publicly accessible recreational greenspace (i.e. recreational usage including dog walking).

It is expected that DEFRA will continue to refine its approach to the calculation of Biodiversity Net Gain and the One Horton Heath Team recognise that this reflects the evolution of the delivery of embedded mitigation and enhancement for biodiversity through the OPA. It would however be unpragmatic to wait for a later, and perhaps more proportionate, DEFRA metric tool to become publicly available.

Placemaking

An application for Green Infrastructure at OHH was submitted in January 2024 (Ref: F/24/96895) and was designed with a focus on maximising the delivery of Biodiversity Net Gain. In doing so, public access to large areas of green infrastructure were restricted to create the highest quality habitats feasible.

The extent to which public access to green infrastructure was restricted however was significant raising concerns both internally and externally over a conflict with the wider project aims and objectives. Objective OH9 of the One Horton Heath [Project Brief](#) specifically states that Formal and Informal Open Space should provide a stimulating, creative and challenging opportunity for outdoor learning and play. Substantially restricting public access to green space for the purposes of increasing Biodiversity Net Gain is contrary to this objective. Further feasibility work suggested that the restrictions to public access would need to go further than was proposed under application F/24/96895 to achieve a 10% Biodiversity Net Gain.

Biodiversity Net Gain is one aspect of measuring the improving the quality of habitats which will in turn improve placemaking and, because of the voluntary nature of the OHH BNG target (not statutorily required through the Environment Act, 2021) should not be pursued to the detriment of the wider overall aims and objectives. Restricting public access to large areas of the site to achieve the requisite level of BNG credits has, upon further reflection, been determined to not be in the best interests of the proposal on that basis.

Competing land interests

One Horton Heath is located within the buffer zones for the Solent the New Forest Protected Sites. This places a mandatory requirement for the provision of mitigation measures which will, in part, be accommodated within the Green Infrastructure on site.

One Horton Heath have prepared a strategy to address Natural England's objection towards mitigation for the New Forest Protected Sites (see Proposed Mitigation to New Forest Protected

Sites Report). Agreement has been reached with Natural England that green infrastructure on and adjacent to One Horton Heath can counted towards mitigation to the New Forest Protected Sites provided it is of a design and quality similar to Alternative Natural Recreational Greenspace (ANRG).

Public access is a critical component of this on-site mitigation as these spaces must provide an attractive alternative location for recreational activities such as dog walking to the New Forest. Increasing public access into areas of green space however substantially decreases the habitat condition and value, and accordingly the Biodiversity Net Gain, derived from these areas.

As such, it is simply not feasible to deliver on-site recreational mitigation to the New Forest Protected Site and 10% Biodiversity Net Gain at One Horton Heath.

Summary

It is worth highlighting that the voluntary commitment to deliver 10% Biodiversity Net Gain at One Horton Heath was sincere; based on early aspirations to improve the biodiversity within the OPA application site, an early version of BNG Metric Tools, and confidence in the EIA scoping and subsequent procedure. Indeed, poor quality habitats such as arable and nutrient enriched species poor improved grassland (that make up the majority of the OHH land) were scoped out of further assessment in the Environmental Statement, with positive overall effects for biodiversity being concluded.

Government was clear in its [transitional arrangements](#) that BNG would only apply when a planning application was submitted on or after 12 February 2024. The Outline Planning Application was submitted in 2020 and as such there is no statutory requirement for 10% BNG to be delivered on-site.

It is also relevant that the adopted policies of the Eastleigh Borough Local Plan 2016-2036 (i.e. Policies DM1, DM11 and FO3) stipulate that new development must achieve a net gain in biodiversity, not necessarily a 10% net gain.

The delivery of Biodiversity Net Gain under 10% on-site at OHH would be wholly in accordance with national and local policy.

The June 2023 Committee report acknowledged the transitional arrangements to BNG in Paragraph 286 advising that there was no legal requirement but did attribute weight to the delivery of BNG in the planning balance. The consequences of continuing to pursue 10% Biodiversity Net Gain would however have too detrimental an impact on wider placemaking objectives and as such One Horton Heath will no longer look to deliver a Biodiversity Net Gain of 10%.

One Horton Heath will continue to deliver large areas of attractive public open space as part of its green infrastructure, as per the previously permitted parameter plans. It will also deliver the

benefits to biodiversity on site through the embedded mitigation and enhancement measures set out in the OPA Environmental Statement and corresponding Reserved Matters or Individual Applications. Moreover, a Biodiversity Net Gain will continue to be pursued, as per the requirements of EBC Local Plan Policy DM1, DM11 and FO3, as will the protection and creation of high-quality habitats on the large areas of Green Infrastructure provided on site.

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