

APP/19/00768 | Erection of 16 new dwellings with associated access, parking and open space. | Land to the rear of, 15-27 Horndean Road, Emsworth 19.1626

Following on from your email today, the comments made by the applicant and the recent discussions between Ecology Solutions and myself, I have some further comments.

In summary;

- The site is a SINC and continues to meet the criterion for a SINC
- SINC's are afforded protection via national and local planning policy and guidance
- The proposal would result in the loss of c.70% of the SINC
- The 70% SINC loss is not, in my opinion, compensated by the retention and enhancement of the remaining 30%
- My professional judgement and advice is not framed solely by the outputs of the DEFRA Biodiversity Metric – the issues are broader than this
- There remain slight differences of opinion around the use of the Metric for determining the value of the habitat
- The Metric should not be used as a proxy for determining habitat value as it does not take account of local factors that are material considerations for the LPA
- Compensatory habitat off-site could be used, alongside the enhancement of the retained area, to offset the SINC loss – this would accord with policy and the guiding principles of the mitigation hierarchy (avoid-minimise-compensate)
- I have no issue with stating that the site is not especially species-rich grassland habitat but this does not detract from its status and value as SINC habitat and part of the Local Ecological Network

The most recent comments relate chiefly to the differing interpretations of the ecological value of the site based on use of the DEFRA Biodiversity Metric 2.0. I readily admit that my experience of this tool is relatively limited – the currently available version is still in its test phase and is still very rarely used in Hampshire in my experience – but I have applied it in an objective manner, having carefully reviewed the published Technical Supplement and User Guide. As stated above, the metric is being trialled at present and it will undoubtedly be subject to ongoing revisions in the coming months as feedback from users is received. The metric may appear to provide an unequivocal, definitive output but this is not how it has been designed nor how it should be used: as detailed in its guiding principles and rules, it is a tool and still relies to a large degree on professional judgement. Use of the metric is not compulsory, nor is it without its limitations. The reason it is being used here is to help all parties understand and hopefully demonstrate if and how biodiversity net gain can be achieved. The metric has not been designed to justify the loss of habitat in any circumstances provided that a positive score outcome is achieved. Biodiversity losses should be framed using the mitigation hierarchy and this is detailed in Principle 2 of the metric user guide.

Before continuing with discussions over the technicalities of the metric, it is worth reiterating my fundamental point: the loss of the SINC as a matter of principle. Irrespective of the outputs of any metric (with its recognised limitations), the site is a

SINC and as such forms part of the county-wide network of habitats deemed worthy of retention and management. As discussed in previous comments, the SINC system recognises habitats which might otherwise fall outside strict definitions of Priority Habitat and so includes a wide variety of semi-natural grasslands (as defined by the commonly-used 'neutral grasslands' category of UK Broad Habitats lists devised by the Joint Nature Conservation Committee) which are deemed worthy of note at the local level. The broad definition of semi-improved grasslands includes species-rich and naturally species-poor examples. My view, and that of HBIC, is that the SINC designation is valid. HBIC's professional botanists have surveyed the site several times and come to broadly similar conclusions: the site contains semi-natural grassland which fits the 2B SINC criterion. There is recognition that better management could improve the habitat condition and that there has been a change in vegetation type over time – this is common to many SINC sites where there is a reliance on private landowner management. Discussing the technicalities of the metric detract from the core issue of SINC loss. The policy backing for SINC sites is clear:

The current Local Plan (Core Strategy) Policy CS11 states that development will be permitted where it: *'Protects and where possible enhances the borough's statutory and non-statutory designated landscape, habitats and features of biological, hydrological or geological interest. Protection and enhancement will be achieved by appropriate adaptation and mitigation measures including wardening, education and information and the creation of new habitats, water bodies/courses planting of new trees and woodland'*.

The emerging Draft Local Plan 2036 Policy E14 states that development will only be permitted on or adjacent to a SINC where: *'The value of the designation is retained and, where possible, enhanced in line with its original criteria for designation through avoidance and/or mitigation measures; or The benefit of the development can be shown to clearly outweigh the substantive nature conservation value of the site, and where the impact cannot be avoided nor mitigated, compensation is provided'*.

The discussion to date has entailed investigation of the ecological value of the SINC, with Ecology Solutions and myself (plus HBIC) coming to slightly different conclusions on habitat composition (these are perfectly reasonable professional judgements) even if we can agree on the broad type of grassland habitat present. The conversation has now shifted towards the use of the metric and in particular the value placed on the habitat using the criteria contained within the metric. To repeat, this deflects from the key issue: the site is a SINC and HBIC and I maintain that it meets SINC criteria. The use of the metric to define site value does not adequately recognise the importance of SINC sites in the local context and the site has intrinsic value irrespective of what the metric says. Semi-improved grasslands are not a common feature of the local landscape and are therefore a scarce and diminishing resource across the Borough of Havant.

Ecological Network Mapping

The SINC is included within the current Local Ecological Network (LEN) Map for Hampshire. All SINC sites are included within this network as Core Non-Statutory features. The application site SINC, as well as the other nearby SINC sites, is adjacent to several Network Opportunity areas (areas of habitat deemed to provide opportunities for bolstering/extending the LEN). Policy E14 of the emerging Local Plan 2036 states that

planning permission will be granted where '*development avoids the fragmentation of the Local Ecological Network*'. As SINC's form a key constituent of the LEN, their loss is clearly harmful to it. The purpose of the LEN is to guide planned development, ensuring that existing ecologically-valuable components of the landscape form the basis of a Nature Recovery Network. Nature Recovery Networks are a fundamental principle of the current NPPF and also the Government's 25-year Environment Plan and the current Environment Bill.

The site's inclusion within the LEN is the reason why I have given the site a score under the 'Strategic Significance' criterion within the metric: the site is clearly 'within an area formally identified in a local strategy'.

The Mitigation Hierarchy and Compensation

A guiding principle of ecological assessment is the application of the mitigation hierarchy. Where avoidance is not possible, impacts must be minimised and compensatory habitat provided where required. In this instance, no compensatory habitat is being offered. Rather, the impact to the SINC is addressed through an uplift in the remaining 30% of grassland, aiming to add value by increasing species-richness over time through sympathetic management. Where 70% of a SINC is being lost to development, compensatory habitat should be a requirement not simply enhancement of the retained portion. The requirement for compensation is detailed clearly in the emerging Policy E14 of the Local Plan 2036. Developments resulting in the direct and permanent loss of SINC habitat are, understandably, very infrequent and expectations for mitigation and compensation must be high.

I do not have any issues with the proposed management of the retained grassland: this will, if implemented as described, likely result in a more species-rich grassland than currently exists. However, this does not, in my view, compensate for the net loss of habitat extent nor the loss and fragmentation of the identified LEN. Enhancing smaller areas of habitat may be an appropriate outcome for low-value sites (e.g. enhancing improved grassland to lowland meadow) but is not appropriate for sites included within the SINC network.

Potential mitigation options

A much more preferable scenario would be if the SINC loss could be compensated by the enhancement of at least an equivalent area of land. This would address (in part) compensation as well as net gain. The impacts of SINC loss could be more palatable if we could demonstrate an uplift to an equivalent area, ensuring that there is no functional loss of semi-improved grassland habitat in this location and the LEN is not compromised.

The DEFRA Metric

Here follows an explanation of how I have used the metric, showing my reasoning for the choices made under each criterion.

Distinctiveness

The site clearly meets the metric criteria for Medium distinctiveness: '*Semi-natural habitats not classed as a Priority Habitat*' and '*Non-Priority Habitats with significant wildlife benefit*'. The site is very obviously semi-improved grassland and quite clearly distinct from the bulk of surrounding habitat within the local landscape. As noted by

Ecology Solutions, the metric does not allow for any degree of subjectivity here, despite the very obvious need to take account of local distinctiveness. The site may indeed not be particularly distinctive at the national scale but in the context of urban south Hampshire it is distinctive, hence its inclusion as a SINC.

Site Condition

I have applied the Moderate criterion and maintain that this is appropriate. The site was in 2011 a predominantly MG5-type grassland and in 2019 an MG12-type grassland site with elements of drier grassland. In 2001 it was predominantly an MG5 lowland meadow habitat but with a substantial element of MG12-type grassland in damper areas. Clearly there has been change over time from typical Lowland Meadow habitat towards a coarser MG12 sward, which is to be expected (given the probable management) and is perfectly acceptable within the definition of a 2B SINC. The MG12-type habitat is not classed as Priority Habitat but Moderate condition sites do not need to be such as defined by the metric Condition Table for Grassland Habitats. The HBIC surveys do not indicate a desired optimal habitat type for the site: that is not the purpose of the SINC system. It is therefore unfortunate (but inevitable) that the metric does require a benchmark upon which to base an assessment of current condition – what is its current condition being compared with? My view is that the site is currently an MG12-type habitat in ‘good working order’, albeit in an atypical location, and containing a range of low-density herb species including several indicators of old meadows. It has intrinsic value as an area of semi-improved grassland. A ‘poor’ or ‘fairly-poor’ condition might be justified if there were some desired end-point habitat such as Lowland Meadow Priority Habitat. Again, the SINC system makes no such outcome a prerequisite for inclusion as a SINC. This is admittedly a subtle point and open to subjective professional views but I maintain that the SINC system makes no judgement on ideal outcome.

Using the numbered condition criteria within the metric Site Condition Table for Grassland Habitats:

1. I would maintain that the site meets this criterion and is a perfectly straightforward example of the non-Priority MG12 grassland type with elements of drier neutral grassland.
2. The habitat is not Priority Habitat and it is not necessary for it to be so to meet Moderate condition. This criterion is therefore irrelevant.
3. The habitat contains a range of indicator species and these are at the expected density for a relatively species-poor grassland type such as MG12. There is acknowledgement that there has been a decline in species between 2011 and 2019 but a similar range of herbs and sedges were recorded in both years. This is clearly open to subjective views and is not helped by the differing (but equally valid) survey methodologies used.
4. Very hard to objectively quantify as the HBIC surveys have not systematically apportioned percentage cover estimates to different plant species (HBIC use a non-numerical system for assessing frequency of certain species). I would however suggest that undesirable species cover exceeds 5%.
5. Again, very difficult to objectively estimate but again I would suggest that there is less than 10% bare ground. This depends on where one draws the grassland boundary.

6. There is certainly less than 20% bracken cover and with recent scrub removal may be less than 5% scrub/bramble cover – again, this is open to discussion and dependent on the habitat boundary location.

Connectivity

The current version of the metric only recommends applying the connectivity multiplier to sites of high or very-high distinctiveness. The application site is classed as being of medium distinctiveness and therefore the multiplier does not apply; I am happy to correct my previous advice. Whilst this is consistent with the metric, it takes no account of the reality of this site being connected physically to other SINC grasslands as well as the stream corridor SINC and other open greenspace locally as well as being connected ecologically (in terms of the value to species that depend on and can move freely between these habitat patches). Ecologically it makes little sense to dismiss the connectivity of habitats of medium or lower distinctiveness and this highlights one limitation of the metric. This is an issue with the metric as currently published but does not detract from the need, for planning purposes, to take account of the site's status as a SINC and its inherent connectivity to similar or related habitats in the surrounding area.

Strategic Significance

As detailed above, the site is within the SINC network and the LEN and therefore is of high strategic significance. This again highlights issues with the metric as a site can be of low connectivity but of high strategic significance.

Metric outputs

Taking into account the above, my calculations have resulted in an overall baseline score of 6.26 biodiversity units as opposed to the applicant's 4.08 for the grassland. I would not contest the other habitat calculations although my take on strategic significance would be relevant to those too. In any case, my calculations result in a higher metric score. In terms of overall loss of grassland, my calculations result in 3.77 habitat units being lost as opposed to the applicant's 2.46.

My comments remain in respect of the argument that the future of the SINC grassland can only be secured through this development (i.e. that it provides the only incentive for retention or beneficial management). This is not a satisfactory outcome for the SINC system and has no bearing on this application.

Apologies again for another lengthy response – this reflects to complex matters for examination. Hopefully the above provides clarity on my views and I do not see that there is anything further to add on the current information.

If you have any queries please don't hesitate to contact me.

Kind regards,

Tristan

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