

MEMORANDUM

From:	Duncan Fisher Ecology Officer		
Service	SDL Ecology	App No:	242252
Address:	Moat House, Biggs Lane, Arborfield, Wokingham, RG2 9LN.		
Proposal:	Full Planning Permission for the change of use of the Moat House building from office (Use Class E) to residential (Use Class C3) to provide 4no. residential dwellings and associated internal roads, parking, landscaping, drainage, plant, bin, and cycle storage.		
Type of Development:	Minor Dwellings (1-9)		
Site Visit Made:	Yes/No		

Summary Of Recommendations

- ☐ No comment
- ☐ No objection
- ☐ No objection subject to conditions (and reasons) **stated below**
- ☒ **Request further information before determination as stated below**
- ☐ Objection due to the reason(s) **stated below**

Comments On Proposal

Biodiversity Net Gain

This application will be subject to mandatory biodiversity net gain, should permission be granted.

A Biodiversity Net Gain Assessment report (Aecom, ref: 60728610 revision 2, August 2024) has been submitted along with a Statutory Metric (Completed 16 August 2024, Iteration 1). Comments directly relevant to the metric have been supplied separately in a copy of this metric, within tabs A-1 and B-1.

The submitted Arboricultural Implications Report (SJA Trees, ref: SJA air 24234-01a, August 2024) indicates that there is a veteran tree within the red line boundary. This needs to be identified within the Statutory Metric and Biodiversity Net Gain Assessment.

I recommend that the local planning authority seek further information about the condition score of the 'other neutral grassland' on site in the baseline assessment as there is a disparity between the report and metric submitted.

I recommend that the local planning authority seek further clarification as to how the individual tree areas within the baseline assessment were calculated – preferably

with reference to the tree information within the Arboricultural Implications Report. The tree numbers that appear to be relevant at this stage are: 47, 50, 53, 185, and 1785. It might be that the baseline assessment also needs to include trees within linear habitats recorded which are expected to be removed (as per the Landscape Masterplan), please can this be checked and the situation confirmed.

Whilst it is not a requirement to agree a detailed biodiversity net gain plan prior to determination, it is relevant to know the broad strategy for biodiversity net gain at this stage. If the strategy relies on significant delivery on-site, the local planning authority should consider the means by which that delivery is secured.

The strategy does appear to be reliant on delivery on-site – through creation of medium distinctiveness habitats according to the metric although this is undermined by the Landscape Masterplan (1665/001 Rev C) submitted. I recommend that the local planning authority seek further detail as to which areas are proposed to be private garden space for the new dwellings and which areas are to have some other form of management, such as management company or adoption by the council.

If there are areas proposed to be under the control of a management company then it may be possible for the post development scenario to achieve higher habitat distinctiveness habitats and condition scores than creation of vegetated garden. However, I recommend that this should only be considered achievable if the local planning authority secures management for a minimum period of thirty years via a Landscape Environmental Management Plan condition and the monitoring of delivery via a planning obligation on the identified land.

Veteran Tree

Current national guidance on veteran trees advises that gardens are not a suitable to include within the buffer zones of a veteran tree. Please can further information be supplied as to how appropriate management of the veteran tree buffer zone is secured. The indication in the Design and Access Statement that the buffer zone will be part of a communal amenity space gives me cause for concern that there will be continued pressure to convert the buffer zone to garden.

Badger

A suspected Badger sett has been identified as present on site. I agree that the evidence collected so far does strongly indicate that it is a Badger sett. However, no further surveys have been made to confirm its use and/or classify the type of sett. Instead, mitigation measures have been proposed during construction on the basis that it is an active sett. I can recommend that the mitigation measures proposed are likely to be sufficient to avoid harm to Badgers or their setts during construction. I therefore recommend applying a Construction Environmental Management Plan condition, as also recommended by the applicant's ecologist.

No explicit consideration is given to the potential impacts on Badgers during the operational phase. The Landscape Masterplan proposes to create communal amenity space around the Badger sett. I am concerned that this will lead to increased disturbance of Badgers within the sett in the operational phase. It may be that this can be mitigated by landscape design. Please can further information

be supplied to address the risk of disturbance in the operational phase, as the sett is proposed to be retained.

Breeding Birds

The observation of a schedule 1 bird species in proximity to the application site may mean that mitigation measures to prevent disturbance are required during construction. I can recommend that the detail of this can be covered and secured within the same CEMP condition as recommended in my comments about Badgers.

Bats

Previous surveys have confirmed the Moat House as being used by bats for roosting. The applicant's ecologists consider these roosts to most likely be low status roosts of more common species of bat. More recent surveys have not been undertaken to reconfirm the status of the bat roosts present. However, I think it reasonable to work on the bats roosts are likely still present and of a similar status.

Given that the proposal is to refit a building already in use without a need to modify the locations where bat emergence has been observed, I am not convinced that a licence will be needed from Natural England. It may well be that the development can be carried out using non-licensable mitigation measures. I therefore do not recommend applying a condition for a copy of a derogation licence to be submitted prior to works. However, it is relevant for the developer to include detailed bat mitigation measures to be followed during construction within the conditioned CEMP. If the situation changes and there is a definite need for a derogation licence from Natural England, this too can be picked up within the CEMP.

The submitted Ecological Constraints Report also identifies that the site is within a secondary dark corridor, according to the conditioned overarching bat mitigation strategy for application O/2014/2280. It goes on to recommend implementing the same mitigation and enhancement measures set out in relation to that mitigation strategy. I'm minded to agree that favourable conservation status of protected species could be maintained through retention of the existing bat roosts in the building and application of the measures outlined within the bat mitigation strategy referenced. It would be useful if this bat mitigation strategy could be formally submitted for this planning application. A condition could then be applied to bring this development into line with the overarching bat mitigation strategy (rather than rely on a condition wording that risks detailed submission of items contradicting it). I have suggested a condition wording in relation to bats on the basis that the overarching bat mitigation strategy can be submitted for this application.

Conditions & Reasons (if required)

Construction Environmental Management Plan (CEMP)

As per the BS42020:2013 standard condition D.4.1. or with the protected species items amalgamated with any other CEMP condition wording recommended by other specialists.

Landscape Environmental Management Plan (LEMP)

As per the BS42020:2013 standard condition D.4.5. but also to have delivery of biodiversity net gain specified as an objective.

Bats

Condition: *Prior to commencement a detailed bat mitigation strategy for the site, in line with the submitted overarching Arborfield Garrison – Bat Mitigation Strategy (AECOM Environment, Sept 2014), with measures to maintain the dark corridors and provide enhanced roost availability, shall be submitted for approval. The approved mitigation, contingency and enhancement measures shall thereafter be implemented in full.*

Reason: *To maintain the favourable conservation status of a protected species as per the ODPM circular and local plan policies CP7 and TB23.*

Date:

27
September
2024

Signed:

D. Fisher