

TOWN & COUNTRY PLANNING ACT 1990 (As Amended)
THE TOWN & COUNTRY PLANNING (ENFORCEMENT)
(INQUIRIES PROCEDURE) RULES 2002 AND
PINS PROCEDURAL GUIDE 2016

ECOLOGY PROOF

Duncan Fisher

APPELLANT: DANDARA SOUTHERN LTD & ELSTREE LAND LTD

APPEAL SITE: LAND NORTH OF READING ROAD, ARBORFIELD

LPA REFERENCE: 243099

PINS REFERENCE: APP/X0360/W/25/3371069



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1.0 AUTHOR

- 1.1 My name is Duncan Fisher. I have a designated degree in Forest Management from University of Aberdeen.
- 1.2 I am employed by Wokingham Borough Council as an ecologist in the Green Infrastructure Team. I have been with the Council in this capacity since September 2014. From 2008 to 2014 I was an ecologist and countryside ranger at Essex County Council.

2.0 SCOPE OF PROOF

- 2.1 This proof addresses an issue that has arisen in the inquiry following proposals set out in the Proof of Evidence by M Stevens MIHT on behalf of Dandara Southern Ltd & Elstree Land Ltd (CD13.04.01).
- 2.2 Paragraph 5.9 of the above mentioned proof proposes a number of measures to be secured by condition. This includes amongst other things:
- *Removal of existing vegetation and overgrowth to provide a continuous 2.0-metre wide footway on the southern side of Reading Road, extending approximately 430-metres east from Walden Avenue.*
 - *Provision of 22 x 6-metre-high WBC-specification lighting columns along the southern footway of Reading Road, extending westwards from the existing lighting at the Arborfield Cross roundabout for approximately 650-metres to the Appeal Site's nearest westbound bus stop (adjacent to Walden Avenue).*
- 2.3 These Enhanced Active Travel Linkages are set out in plan form in Appendix MS10 of Mr Stevens proof (CD13.04.11 and CD13.04.12).
- 2.4 These proposals did not form part of the original application determined by the local planning authority and are outside of the red line boundary so are not covered by the site ecological impact assessment (CD01.13). I understand, however, that they have been identified as being necessary to make the development acceptable and I have been asked to consider the potential ecological impacts of the proposed works.
- 2.5 Existing local plan policies relevant to protected species are Core Strategy (CD06.01) policy CP7 and Managing Development Delivery Local Plan (CD06.02) policy TB23. Depending on the weight that should be given to the emerging Local Plan Update (CD07.01) policies, policy NE1 also covers protected species and ecological survey information and assessment.

3.0 LIGHT SENSITIVE SPECIES - CONTEXT

- 3.1 The submitted ecological impact assessment (CD01.13) and bat survey addendum (CD01.28) are relevant to review to understand if they identified any light sensitive species locally.
- 3.2 The desktop survey of the ecological impact assessment identified Brown Long-eared bat (*Plecotus auratus*) and Soprano Pipistrelle (*Pipistrellus pygmaeus*) as being recorded locally. Static detector surveys, summarised in the ecological impact assessment and bat survey addendum for different time periods, identify both these species and also Nathusius' Pipistrelle (*Pipistrellus nathusii*), Western Barbastelle (*Barbastella barbastellus*), and an unidentified *Myotis* species as using the site.
- 3.3 All these species are identified in Table 1 (page 14) of the Institute of Lighting Professionals Guidance Note 08/23: Bats and Artificial Lighting at Night (appendix DF01 of this proof) as suffering negative effects from artificial lighting in relation to flight corridors, foraging area, migration, or at a landscape level.
- 3.4 It is relevant for the potential impact of the newly proposed lighting on the flight corridors, foraging areas, and migration routes of these species to be considered in an ecological assessment.

4.0 EXTENT OF ECOLOGICAL ASSESSMENT OF ACTIVE TRAVEL LINKAGE ENHANCEMENTS

- 4.1 The Appellant's planning proof of evidence (CD13.01) includes as appendix BT1 an ecology statement by Sam Watson Ecology in relation to off-site pedestrian improvements.
- 4.2 The ecology statement is based on a site visit occurring on 7 October 2025. It does not provide information as to the extent of the area surveyed or the method of survey. There appears to be no new evidence gathered to consider where bat flight corridors, foraging areas, and migration routes might be in relation to the off-site pedestrian routes.
- 4.3 The ecology statement mentions drawings prepared by Milestone Transport Planning but does not provide a document reference. In the third paragraph, the ecology statement provides advice for *if* lighting is required. This creates a level of doubt as to whether the ecology statement is based on a review of drawing numbers 25103-001-01 revision C and 25103-001-02 revision C (as supplied in appendix MS10) as both these drawings clearly show the locations for proposed lighting columns. If these drawings were reviewed by Sam Watson Ecology, it is unclear why the ecology statement deals with hypotheticals and not the design as per these drawings.
- 4.4 The ecology statement provides advice that the lighting design should follow the Institute of Lighting Professionals Guidance Note 08/23: Bats and Artificial Lighting at Night. Whilst this is appropriate, it is not clear how the key message in paragraph 3.9 of this guidance has been applied in this instance. In other words, it isn't clear how has the design sought to avoid impacts to biodiversity first, before then considering mitigation measures. If the lighting plans given in appendix MS10 are to be secured and implemented by condition, the decision maker needs to be confident that avoidance measures as per guidance are embedded in the design being considered for approval.

- 4.5 Although the ecology statement does make an assessment of lighting impacts, the reasoning behind that assessment, including identifying the evidence base that the assessment is made on, is absent. This undermines the confidence that a decision maker can have in the conclusion reached.

5.0 ATEMPTS TO OVERCOME THE EVIDENCE DEFICIT

- 5.1 The Council identified this additional issue as soon as possible in its statement of case (CD04.03, section 5.12). Since then it has taken a constructive approach to attempt to resolve this protected species issue.
- 5.2 During the case management conference on 16 January 2026 the effect of the proposal on protected species was identified as a main issue but the Council agreed that it may be possible to resolve.
- 5.3 Principally, it may be possible for the Appellant to supply further evidence to substantiate the conclusions of the ecology statement. The Appellant could also supply further information to show how the design aligns with the mitigation hierarchy as set out in Institute of Lighting Professionals Guidance Note 08/23, as per the recommendation in the ecology statement.
- 5.4 Following on from the case management conference, the Council corresponded with the Appellant on 19 January 2026 to clarify this point and confirm who on behalf of the Appellant would be supplying further information on this matter.
- 5.5 The Council has followed up with further correspondence on 29 January 2026 and 4 February 2026 asking when the Appellant would share further protected species information with the Council. At the time of writing this proof, no further information has been provided by the Appellant on protected species and the additional lighting proposals.
- 5.6 It may be that further information is yet submitted by the Appellant to address this issue. If this is the case, the Council will act in a constructive way to review and revise the ecology statement of common ground, where the evidence supports a resolution to the issue or narrowing of the difference.

6.0 SUMMARY

- 6.1 Proposals for off-site active travel enhancements made as part of this appeal would introduce new street lighting that was not considered in the original application. The impact of this new street lighting proposal on protected species needs to be considered at determination. Surveys on-site and pre-existing desktop survey information indicate that light sensitive bat species are present locally.
- 6.2 A short ecology statement has been submitted by the appellant to consider the impact of the active travel enhancements on protected species. This falls short of adequately evidencing the justification behind the conclusions reached.
- 6.3 The Council has attempted to seek further information from the Appellant to understand how the ecology statement assessment is justified.
- 6.4 In the absence of further information that justifies the conclusions of the ecology statement, the decision maker cannot give weight to the conclusions of the ecology statement.
- 6.5 If the active travel enhancements are to be secured in order to make the development acceptable, the impact on protected species is material to the design and layout of the lighting proposals. The decision maker will need to be confident that the mitigation hierarchy of avoid first, mitigate second and compensate last of all has been applied.
- 6.6 In the absence of further information that justifies the conclusions of the ecology statement, the Council maintains that the proposal fails to demonstrate there would not be an unacceptable impact on protected species. The proposal is therefore contrary to Core Strategy (CD06.01) policy CP7, Managing Development Delivery Local Plan (CD06.02) policy TB23, and the emerging Local Plan Update (CD07.01) policy NE1.

7.0 APPENDICES

Appendix DF01 – Institute of Lighting Professionals Guidance Note 08/23:
Bats and Artificial Lighting at Night