

MEMORANDUM

From:	Tina Cuss Ecology Officer		
Service	WBC Ecology	App No:	242348
Address:	Sulby Croft, Heathlands Road, Wokingham, RG40 3AR.		
Proposal:	Householder application for proposed raising and modification of the existing roof form and erection of a first floor front extension, a two storey front/side extension, a single storey side and rear extension and a two storey rear extension with balcony, plus changes to fenestration including addition of 2 no. Juliet balconies.		
Type of Development:	Other Householder		
Site Visit Made:	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

I have read the Bat Emergence Survey (ASW Ecology, Ref ASW/MPIL/103/28/2024, September 2024), Arboricultural Report BS5837:2012 (Harper Tree Consulting, Ref 2024005 v2.0, 22 January 2024) and the Planning Statement (Keen Partnership). I have also reviewed the submitted and superseded plans and elevations, and revised plans provided on 16 November 2024.

The site is within the Thames Basin Heaths Special Protection Area 5km Linear Mitigation Zone. The addition of the proposed residential accommodation / dwelling must be considered under policy CP8 and HRA Screening and where appropriate SAMM and SPA contributions secured.

Preliminary Roost Assessment

Contrary to the Council Local Validation List the application has been validated without the submission of a daytime bat survey. In order to consider the impacts and implications of the development as proposed on bats, I request that the updated Preliminary Ecological Appraisal and Preliminary Roost Assessment submitted in support of application 231528 (Arbtech, 17/01/2024) is submitted in support of the current application.

The Emergence Survey makes no reference to the PEA and PRA which the Owner should have provided Mr Waller. The PEA and PRA included a habitat survey and assessment the impact of the proposals on biodiversity habitats, making recommendations for avoidance, mitigation and enhancement as well as the further surveys which should be completed that the applicant, agent and current Ecologist have failed to consider. The January 2024 PRA must be submitted, or an up-to-date internal or external inspections of the buildings needs to be provided to ensure there were no changes to potential roosting features and voids in the loft.

The PRA stated that no biological records were available at the time of report writing, and should this data be obtained, and the report updated to enable robust ecological impact assessment to be completed. The Bat Emergence Survey doesn't include any desktop survey, with either a local records search or local planning history to update the Arbtech's data. In addition to the presence of the Brown long-eared (BLE) hibernation roost on site, the Ecologist should be aware of BLE roosts at Heathfield House and Deaconfield House as well as local roosts and records of activity (including swarming) that affect bat populations using the site.

B1 – Suitability assessment

In line with Good Practice Guidelines (Collins, J. (Ed) 2023) B1 is assessed to have 'high' habitat value for roosting bats. There are raised and naturally curved roof tiles across all roof elevations, extensive hanging tile coverage, missing and broken hanging tiles on the north elevation and missing mortar along the verge tiles on the south gable wall. The features identified would all provide suitable habitat for both void dwelling and crevice dwelling species of bat. Furthermore, due to the presence of high value habitat including grassland, trees and hedgerows as well as the woodland adjacent to the north it is likely that bats will forage and commute regularly in the area.

The building is also a confirmed roost due to the presence of approximately 15-20 live long-eared bats roosting along the ridge line directly above the loft hatch within loft space A. As well as the presence of approximately 100+ droppings scattered throughout loft space A and 10-20 droppings scattered around the loft hatch and water tank within loft space B.





Bat Emergence Survey

The nocturnal surveys completed on 2 July, 29 July and 21 August 2024, recorded six bat species were recorded over the application site. A maximum total of 48 adult and juvenile BLE bats emerged from the single access point at the southern gable end. The report concludes that the significance of the emergence survey shows that an active bat maternity roost is present in the roof void, which is a roost of high conservation significance, with a higher number of bats present. It is likely that further Brown long-eared bats from another maternity roost nearby joined the Sulby Croft roost before the final bat survey visit, showing how important this roost is to the bat population in this part of Berkshire. The Ecologist does not confirm if they would assign County or District importance to the roost. They don't appear to have considered the 'Review of the Status of Bats in Berkshire 2020' summarising information on the distribution and status of bats in the County. The BLE maternity

and hibernation roost at Sulby Croft is almost equal to the largest maternity roost recorded in the Status Review, which had a maximum upper end of the estimate of 50 bats.

I have a number of reservations regarding the design and reporting the emergence surveys undertaken. To account of BLE which are a late-emerging species I am concerned that only the survey of 29 July lasted 2 hours after sunset. I note the surveys on 2 and 29 July 2024 started 10 and 9 minutes, and not 15 mins before sunset. The number of surveyors was lower than recommended by Arbtech in the PRA.

According to the Good Practice Guidelines Chapter 11, assessment of the impact of the proposed development should cover pre-and during construction, roosts and foraging areas, and flight-paths, used by bats. An annotated plan should summarise species passes and behaviours observed. The Bat Emergence Survey results include minimal information relating to commuting and flight or foraging during the surveys completed. The plan only annotates the location of the roost access and not the location of the surveyors, numbers and direction of flight of the 6 species of bat recorded during the emergence surveys. I am concerned that ASW surveyors were not able to record/observe foraging and commuting behaviour on the site and assess the impact of the extension and works in the existing garden.

The Ecologist set out the constraints to the nocturnal surveys stating that due to the timing only the summer period could be covered. As Arbtech recommended emergence surveys to the Developer in November 2023, there was an opportunity to carry out activity and further inspections during the 2023/24 hibernation period to characterise the BLE hibernation roost which were missed. As BLE have been recorded in the roost in November, because no maternity roost has been undertaken in 2024, I have to disagree with the Emergence Survey that the study is complete.

Impact Assessment

The Bat Emergence Survey states that this survey was required due to the proposed development related works at the property. As no development plans are included, it is unclear if the Ecologist was aware of the detail of works proposed, and this was used to inform the design of the emergence survey and the assessment of the impact on protected species.

The house has cross-pitched and gabled roof clad in clay roof tiles. No consideration is given by the Ecologist of the impact to the proposal to remove the lower half to the roof tiles on the existing house to render the walls. Nor is an assessment of the glass link roof, and the impact that removal of tiles and covering and attachment of timber for rear and front extensions would have. Consideration should be given of changes the temperature and humidity of the loft. I note that while the application form proposes only slate roofing, the annotation on the elevations refer to clay tiles. Confirmation is needed whether the existing house is proposed to be reroofed or to scale of replacement and the works necessary and details of the designs.

The Ecologist states it is critical that this bat maternity roost is retained at the house after any building works have been completed. They failed however to assess that due to the building works proposed the access would be permanently obstructed and the roost would be destroyed and would not be replaced like-for-like or retained. I

must disagree that it is possible to retain the roost to the current development proposals. The scale and impact of the impact to timbers and roof covering of the rear two-storey extensions, the obstruction of the roost access with a flat glazed roof, the glazed front two-storey extension, and impacts to access to foraging routes has not been assessed and no alternatives have been considered.



A European Protected Species (EPS) Mitigation Licence can only be issued by Natural England if the three Regulation 55 tests have been satisfied:

1. the derogation is for the purposes of 'preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'.

2. There is no satisfactory alternative to the derogation. I.e. that is no feasible way of delivering the 'need' which has a better outcome for bats.

3. the action authorise will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

To obtain a licence the applicant must clearly demonstrate that the mitigation hierarchy has been followed that all reasonable steps have been taken to minimise/mitigate impact, and that any remaining damage will be adequately compensated. If it cannot be demonstrated that favourable conservation status will be maintained, then a licence cannot be issued.

The LPA has a statutory duty under Regulation 7 (3)(e) of the Conservation of Habitats and Species Regulations to consider and determine whether these three test are likely to be satisfied by the planning proposals affecting EPS before granting planning permission. In my opinion the applicant has not demonstrated that the three tests have been satisfied. The mitigation hierarchy has not been applied and the alternatives including retaining the tiled roof, avoiding the destruction of the bat roost, and avoiding a two-storey and glazed link which would result in the loss of the roost have not been considered. For example, a single storey link to the ancillary accommodation/garage building with a solid roof was previously proposed in the Conceptual Model drawing submitted in support of application 231528. The impact of addition of a second storey causing loss of the access to the bat roost, and a glazed roof cause light pollution to access the bat roost therefore are not justified and may be avoidable.



Natural England will require suitable mitigation measures for like-for like replacement (as close as possible or better) to be put in place in order to prevent the complete loss of the bat roost as a result of the planned works. The compensation that should be secured by the LPA must be in line with up-to-date best practice including UK Bat Mitigation Guidelines. In addition to retention to the void roost and replacement access tiles further integrated bat bricks or tubes and mitigation should be proposed to compensate the loss of resting places and crevices provided by the hanging tiles features.

No reference is made to the need to avoid using breathable roofing membranes which can entangle, and trap and can kill bats. The mitigation strategy that is agreed by the LPA should ensure that any roof spaces which will be available to bats must be lined with 1F traditional hessian-backed bitumen felt which complies with BS8747:2007 and BS 5250:2011.

Habitat Impacts

The Ecologist has not assessed the impact of hard landscaping and proposed tree removal, I can't agree with their assessment that there is no indirect impact and that no commuting routes or high quality bat foraging habitat will be impacted or lost without mitigation.

I am concerned that according to the application form there are no trees which need to be removed or pruned in order to carry out the proposal incorrectly states that there are no trees or hedges which are within falling distance of the proposed development. Tree Constraints Plan (Harper Tree Consulting, ref 2024005/TCP001, 22 January 2024) shows a Cherry plum T30 and Magnolia T31 which are proposed to be removed in the Tree Removal Plan. According to 2024005/TCP002 one or both trees have been removed since January. Arbtech's PEA/ Habitat Survey Plan also shows an additional individual tree not assessed by Harper Tree Consulting. The degradation of the site and removal of trees should be assessed by the ecologist in order to ensure that the development will not result in a net loss for biodiversity and habitat for protected species is maintained and enhanced in line with policy. Trees and shrubs which have been cleared or felled since the site was acquired by the Owner must be compensated and a landscaping scheme submitted for approval.

The Ecologist states that there must be no artificial lighting of any type illuminating the bat boxes at night. In the absence of a plan and consideration of the design and layout and scale of the new buildings the application does not demonstrate that this is achievable. Light pollution from the large amounts of glazing in the glass link constructed below the only access to the maternity roost and southern elevation of the gym/pool house along the northern tree-lined boundary of the site, and resultant disturbance, and deterring impacts from use of the gym/pool house during hours of darkness and peak bat activity.

Legend:

- uabl, 105 – Buildings, residential building
- u5, 818, 823 – Built areas and grounds, non-cultivated grounds, artificial sports field
- u12, 787 – Artificial unvegetated, eroded surface, gravel field
- g4, 32 – modified grassland, cultivated lawn
- k25 – Non-cultivated and semi-cultivated landscape
- l26, 112 – Built linear features, fence
- Site boundary

Scale: 1:700

Map of the study area showing land use and vegetation. The map includes a legend with symbols for buildings, built areas, artificial surfaces, non-cultivated areas, and linear features. A scale bar at the bottom indicates distances up to 63 meters. The map shows a large area of built-up land (red hatched) and a smaller area of non-cultivated land (green hatched).



Government Circular 06/05 states that *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision"*.

The assessment and mitigation provided is not adequate to demonstrate the development will have no detrimental impact upon important ecological features and maintain the ability of the site to protected species. It is not possible to be certain that adequate like-for-like mitigation and compensation can be provided, and Natural England would be likely to grant a European Protected Species Licence. I recommend that the designs are amended to ensure long-term retention of the maternity and hibernation roost, avoid and mitigation direct and indirect impacts to European protected species, and where the applicant can demonstrate that there are no alternatives and impact is unavoidable compensated in accordance with the NPPF, local policy and the detail of the UK Bat Mitigation Guidelines (CIEEM 2023).

If further ecological assessment is not provided, the application could be refused on grounds of lack of information and detrimental impact to bats, and failure to comply with policies CP3 and CP7 and MDD TB23

Restriction of permitted development rights

No building, enlargement or alterations, enclosure, swimming or other pool, or container for the storage of oil or liquid petroleum gas shall be carried out without the express permission in writing of the local planning authority.

Reason To safeguard the trees shrubs or hedges growing within or adjacent to the site maintain wildlife and ensure no net loss of biodiversity. Relevant policy: NPPF Section 15, Local Plan Core Strategy policies CP1, CP3, CP7, CP8, and CP11, and Managing Development Delivery policy TB23.

CL6

CL7

Date:

Date:	9/12/24	Signed:	T Cuss
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