

**LM Park
Toutley Road
Wokingham
Berkshire
RG41 1DB**

Preliminary Ecological Appraisal

Report ref.: R3116_PEA_a

Report Quality Control Information	
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1 EXECUTIVE SUMMARY

- 1.1.1** John Wenman Ecological Consultancy LLP was instructed by Tony Grover, of BDS Surveyors Limited, to undertake an updated Preliminary Ecological Appraisal (PEA) at LM Park, Toutley Road in Wokingham, to accompany a full planning application to be submitted to Wokingham Borough Council seeking consent for the erection of one new two-storey office building with associated landscape works and carparking facilities.
- 1.1.2** The desk study (including a TVERC 1 kilometre data search) revealed that the site is not statutorily or non-statutorily designated for its wildlife interest.
- 1.1.3** The application site is a 0.27 ha commercial plot, to the east of the existing LM Park Electrical Services building, in an area on the edge of Wokingham characterised by open grassland habitat, farmland and parcels of broadleaved woodland. The site is bordered by a stream adjacent to the northern site boundary - which requires a river condition assessment for the Biodiversity Net Gain Assessment - similar industrial properties to the north and residential properties to the west and south. The following UK Habitat Classification (UKHab) habitats were observed during the site walkover: g4 Modified grassland; u1b5 Developed land - sealed surface (Buildings); u1b Developed land; sealed surface; h3d Bramble Scrub; and hb2 Non-native and ornamental hedgerow.
- 1.1.4** The site overall is no more than site level ecological value and therefore protected and notable species are unlikely to be affected by the proposals, particularly if precautions are adopted as set out in the recommendations.
- 1.1.5** The following recommendations have been made:
- Biodiversity Net Gain Assessment
 - River assessment of stream running adjacent to site boundary;
 - Precautions for nesting birds, amphibians and small mammals;
 - Use of a sensitive lighting scheme for bats; and
 - Biodiversity enhancements including provision of access for hedgehogs, installation of bat and bird boxes in the house, and enhancements for stag

beetles.

2 INTRODUCTION

2.1 Project Background

2.1.1 John Wenman Ecological Consultancy LLP was instructed by Tony Grover, of BDS Surveyors Limited, to undertake an updated Preliminary Ecological Appraisal (PEA) at LM Park, Toutley Road in Wokingham.

2.1.2 The PEA survey was commissioned to accompany a full planning application to be submitted to Wokingham Borough Council seeking consent for the erection of a new two-storey office building with associated landscape works and carparking facilities (refer to proposed site layout in **Appendix 1**).

2.2 Site Location and Context

2.2.1 The site covers an area of approximately 0.27 hectares of land on the eastern side of LM Park, Toutley Road in Wokingham, Berkshire (OS central grid ref.: SU 80050 70458).

2.2.2 The site is bordered by similar commercial properties to the north and east and residential properties to the west and south. A stream runs adjacent to the northern site boundary, behind the bramble scrub. The wider area is characterised by farmland to the north and east, open grassland areas with parcels of woodland, including Old Forest Road Meadow, to the west and several parcels of ancient woodland with the closest parcel of ancient and semi-natural woodland situated approximately 745 metres to the south-west of the site. Holt Copse and Joel Park - a Local Wildlife Site (LWS) - is located approximately 1050 metres south-east of the site. The railway, boarded by mature trees, runs approximately 835 metres to the south-west of the site.

2.3 Report Objectives

2.3.1 The aim of this PEA is to understand the nature of the site and assess its ecological value. The key objectives are to:

- identify any likely ecological constraints associated with the planning proposals;
- establish appropriate mitigation measures in accordance with the mitigation hierarchy (i.e., avoid > mitigate > compensate);
- determine any additional surveys that may be required following on from this preliminary stage; and
- recognise opportunities to deliver ecological enhancements in line with national and local planning policy.

3 LEGISLATIVE BACKGROUND

3.1 Relevant Legislation

3.1.1 The following legislation is considered relevant for the purpose of this Preliminary Ecological Appraisal (PEA):

- Wildlife and Countryside Act (W&CA) 1981 (as amended)
- Conservation of Habitats and Species Regulations ('Habitat') Regulations 2017
- Countryside and Rights of Way (CRoW) Act 2000
- Natural Environment and Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992
- Wild Mammals (Protection) Act 1996

3.1.2 These acts hold relevance to both protected and invasive species and the degree of protection varies depending on faunal/floral group or species. For example, some species of European importance receive full protection in England and Wales under the Habitat Regulations (e.g. bats), whereas others may only be afforded protection through national legislation such as the W&CA 1981 (as amended) (e.g. common lizard). For a detailed overview of species-specific legislation, please refer to **Appendix 2**.

3.2 European Protected Species Mitigation Licensing

3.2.1 The Government's statutory nature conservation advisory organisation, Natural England, is responsible for issuing European Protected Species (EPS) mitigation licences that permit activities that would otherwise lead to an infringement of the Habitat Regulations. An EPS mitigation licence can be issued if the following three tests derived from Regulation 55 have been satisfied:

- (2)(e) – 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.*'
- (9)(a) – there is '*no satisfactory alternative*' to the derogation; and
- (9)(b) – '*the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*'

3.2.2 Local Planning Authorities (LPAs) have a statutory duty under Regulation 7(3)(e) of the

Habitat Regulations consider and determine whether these three tests are likely to be satisfied by planning proposals affected EPS before granted planning permission. If an EPS mitigation licence is necessary, a licence can be sought once all the necessary planning consents have been granted. Natural England aims to issue a decision on licence applications within 30 working days of submission.

4 PLANNING POLICY

4.1 National Planning Policy

- 4.1.1** The biodiversity duty imposed through the Environment Act 2021 states that Local Planning Authorities (LPAs) must consider what action they can take to conserve and enhance biodiversity in England.
- 4.1.2** The ODPM Circular 06/2005 provides guidance on the application of the law relating to planning and nature conservation in England, stating that *'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.'*
- 4.1.3** The revised National Planning Policy Framework (NPPF), published in December 2024, sets out the Government's planning policies for England and how they should be applied. Section 15 of the NPPF sets out the approach local authorities should adopt to conserve and enhancing the natural environment when preparing planning policy and when considering planning applications. Paragraph 193 sets out the principles LPAs should apply when determining planning applications, as follows:

'When determining planning applications, local planning authorities should apply the following principles:

- a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around*

developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'

- 4.1.4** In England, BNG became mandatory for major development from the 12th February 2024 and for minor development (small sites) from the 2nd April 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). In practice, planning permission in England is now subject to a condition to secure a minimum 10% net gain for biodiversity, unless the development is a type that is exempt from mandatory BNG requirements.

4.2 Local Planning Policy

- 4.2.1** Wokingham Borough Council's development plan is formed of the following documents: Core Strategy Development Plan Document (DPD) (January 2010), Managing Development Delivery (MDD) Local Plan (February 2014), and supplementary planning documents (SPDs), which set out planning criteria used to determine applications for planning permission in the Borough. The Local Plan Update aims to refine the current Core Strategy and provide a strategy for the Borough up to March 2036. The following policies relate to biodiversity:

'Core Strategy DPD: 'Policy CP7 – Biodiversity

Sites designated as of importance for nature conservation at an international or national level will be conserved and enhanced and inappropriate development will be resisted.

The degree of protection given will be appropriate to the status of the site in terms of its international or national importance. Development:

- A) Which may harm county designated sites (Local Wildlife Sites in Berkshire), whether directly or indirectly, or*
- B) Which may harm habitats or, species of principle importance in England for nature conservation, veteran trees or features of the landscape that are of major importance for wild flora and fauna (including wildlife and river corridors), whether directly or indirectly, or*
- C) That compromises the implementation of the national, regional, county and local biodiversity action plans will be only permitted if it has been clearly demonstrated that the need for the proposal outweighs the need to safeguard the nature conservation importance, that no alternative site that would result in less or no harm is available which will meet the need, and:*
 - i) Mitigation measures can be put in place to prevent damaging impacts; or*

- ii) *Appropriate compensation measures to offset the scale and kind of losses are provided.*

Core Strategy DPD: 'Policy CP8 – Thames Basin Heaths

Development which alone or in combination is likely to have a significant effect on the Thames Basin Heaths Special Protection Area will be required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered.

MDD Local Plan: 'Policy TB23: Biodiversity and Development

1. *Sites of national or international importance are shown and sites of local importance are defined on the Policies Map.*
2. *Planning permission for development proposals will only be granted where they comply with policy CP7 – Biodiversity of the Core Strategy and also demonstrate how they:*
 - a) *Provide opportunities, including through design, layout and landscaping to incorporate new biodiversity features or enhance existing;*
 - b) *Provide appropriate buffer zones between development proposals and designated sites as well as habitats and species of principle importance for nature conservation; and*

Ensure that all existing and new developments are ecologically permeable through the protection of existing and the provision of new continuous wildlife corridors, which shall be integrated and linked to the wider green infrastructure network.'

5 SURVEY METHODOLOGY

5.1 Desk Study

- 5.1.1** A desktop study was conducted by Lauren Hayward – a qualifying member of CIEEM. The study utilised data from the local environmental records centre and open access online resources to acquire information on the nature of the site and its surroundings and highlight any potential ecological features.
- 5.1.2** Thames Valley Environmental Records Centre (TVERC) was commissioned to undertake a search of pre-existing records of protected and/or notable species and non-statutorily designated wildlife sites held by them within a 1km radius around the boundary of the site. The NatureSpace Great Crested Newt District Licence Impact Risk Zone maps were consulted to predict the likelihood of great crested newt (GCN) presence through the analysis of habitat suitability in the landscape.
- 5.1.3** The DEFRA Data Services Platform was used to obtain geospatial datasets for designated sites (i.e. RAMSAR, SPA, SAC, SSSI) and important habitats (i.e. Priority Habitat Inventory, Ancient Woodland Inventory) to be analysed in QGIS. The Multi-Agency Geographical Information Centre (MAGIC) website was examined for granted European Protected Species (EPS) licence applications. These geospatial datasets and Google Earth satellite imagery were used to determine the extent and connectivity of habitats, how the site is linked to the surrounding landscape and whether the development could have wider scale impacts on biodiversity.
- 5.1.4** Historical OS maps and Google Earth satellite imagery were consulted to provide insight into historic and current land use; such information helps contextualise the continuity of habitats and determine the importance of existing ecological features.
- 5.1.5** The type of soil on site was inferred using geological information taken from the British Geological Survey and on-site interpretation.

5.2 Field Survey

- 5.2.1** A site walkover was undertaken on the 08th January 2026 by John Wenman MCIEEM and Lauren Hayward (a Qualifying Member of CIEEM). The site was surveyed using the UK Habitat Classification (UKHab) system (UKHab Ltd 2023) in accordance with '*Guidelines for Preliminary Ecological Appraisal 2nd Edition*' (CIEEM 2017). Attention was given to evidence of protected and priority species (NERC Act 2006 Section 41 species of principal importance) and the site's potential to support such species.

- 5.2.2** There were no significant survey constraints because full access was available to the site. The survey was subject to seasonal constraints because not all plant and animal species are visible throughout the year and therefore the report represents a snapshot of the site at the time of the survey only.

6 DESK STUDY FINDINGS

6.1 Designated Sites and Habitats

- 6.1.1** The desk study returned no nationally designated statutory sites within a 2km radius of the site, and no sites of international importance within a 5km radius of the site, e.g. Ramsar/SAC/SPA. Two locally designated non-statutory sites, i.e. Berkshire Local Wildlife Sites (LWSs) were highlighted within a 1km search radius – see **Tables 1a & 1b** below.

Table 1b. Non-statutory designated sites within the vicinity of the site (Source: TVERC).

Site name	Designation	Description	Distance from nearest site boundary (m)
Furze Covert	Local Wildlife Site (LWS)	This 3.11 ha area of long established mixed woodland includes species such as ash, beech, turkey oaks, alder, field maple and willow. The mixed woodland also provides foraging and sheltering opportunities for a wide range of fauna.	~925 NW
Cantley Park	Local Wildlife Site (LWS)	This 12.71 ha site is a large area of well-used public open space that was previously parkland in the 18 th century. The site is predominantly composed of semi-improved grassland, with a large number (approximately 20 – 30) of mature veteran trees scattered throughout, scrub and two small ponds.	~ 968 SE

6.2 Protected and Notable Species

- 6.2.1** The search of the TVERC database revealed a range of protected and notable species records starting from the early 1900s. Only recent records defined as fewer than ten years old are included in this report (see **Tables 3a & 3b** below).

Table 3a. Recent protected and/or notable species records within the vicinity of the site (Source: TVERC).

Common name	Scientific name	No. of records	Most recent record	Nearest record (m)	Precision (m)	Status
Amphibians						
Common frog	<i>Rana temporaria</i>	2	2023	~933 SW	1	HabReg-Sch2, WCA_5s94b/c
Great crested newt	<i>Triturus cristatus</i>	45	2024	~421 NW	10	HabReg-Sch2, WCA_5s94b/c NERC_s41
Palmate Newt	<i>Lissotriton helveticus</i>	6	2024	~637 W	1	WCA_5s91k
Smooth Newt	<i>Lissotriton vulgaris</i>	54	2024	~432 NW	1	WCA_5s91k
Birds						
Barn Owl	<i>Tyto alba</i>	1	2017	~459 NE	10	WACA-Sch1-p1
Black Redstart	<i>Phoenicurus ochruros</i>	20	2023	~573 SE	100	WACA-Sch1-p1
Brambling	<i>Fringilla montifringilla</i>	1	2017	~1800 SW	1000	WACA-Sch1-p1
Bullfinch	<i>Pyrrhula pyrrhula</i>	8	2019	~1460 SW	1000	NERC_s41
Fieldfare	<i>Turdus pilaris</i>	12	2022	~1800 SW	1000	WCA_1p1 BOCC_red
Cuckoo	<i>Cuculus canorus</i>	2	2023	~1140 SW	1000	NERC_s41,

						BOCC_red
Dunnock	<i>Prunella modularis</i>	13	2023	~462 SW	1000	NERC_s41
Green Sandpiper	<i>Tringa ochropus</i>	16	2023	~158 NW	100	BOCC_red
Hawfinch	<i>Coccothraustes coccothraustes</i>	1	2018	~1800 SW	1000	NERC_s41, BOCC_red
Herring Gull	<i>Larus argentatus</i>	11	2023	~1140 SW	1000	NERC_s41, BOCC_red
House Sparrow	<i>Passer domesticus</i>	29	2024	~462 SW	1000	NERC_s41, BOCC_red
Kingfisher	<i>Alcedo atthis</i>	11	2023	~1140 SW	1000	BirdsDir-A1 WACA-Sch1-p1
Lapwing	<i>Vanellus vanellus</i>	5	2023	~462 SW	1000	NERC_s41, BOCC_red
Linnet	<i>Linaria cannabina</i>	36	2023	~462 SW	1000	NERC_s41, BOCC_red
Little Ringed Plover	<i>Charadrius dubius</i>	1	2023	~1140 SW	1000	WACA-Sch1-p1
Peregrine	<i>Falco peregrinus</i>	4	2019	~1140 SW	1000	BirdsDir-A1 WACA-Sch1-p1
Red Kite	<i>Milvus milvus</i>	67	2023	~462 SW	1000	BirdsDir-A1 WACA-Sch1-p1
Red-backed Shrike	<i>Lanius collurio</i>	1	2021	~462 SW	1000	BirdsDir-A1 WACA-Sch1-p1, BOCC_red
Redwing	<i>Turdus iliacus</i>	31	2023	~1460 SW	1000	WACA-Sch1-p1
Ring Ouzel	<i>Turdus torquatus</i>	1	2021	Within 2km	1000	NERC_s41, BOCC_red
Skylark	<i>Alauda arvensis</i>	17	2021	~862 NE	100	NERC_s41, BOCC_red
Song Thrush	<i>Turdus philomelos</i>	29	2023	~438 SW	100	NERC_s41
Starling	<i>Sturnus vulgaris</i>	24	2023	~462 SW	1000	NERC_s41, BOCC_red
Yellow Wagtail	<i>Motacilla flava flavissima</i>	4	2023	~1800 SW	1000	NERC_s41, BOCC_red
Yellowhammer	<i>Emberiza citrinella</i>	17	2022	~462 SW	1000	NERC_s41, BOCC_red
Terrestrial Mammals (bats)						
Daubenton's bat	<i>Myotis daubentonii</i>	2	2019	~1009 SE	100	HabReg_2 WCA_5s94b/c
Brown long-eared bat	<i>Plecotus auritus</i>	10	2022	~773 SE	100	HabReg_2 WCA_5s94b/c NERC_s41
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	32	2022	~128 SW	1	HabReg_2 WCA_5s94b/c
Noctule	<i>Nyctalus noctula</i>	19	2022	~166 SW	100	HabReg_2 WCA_5s94b/c NERC_s41
Serotine	<i>Eptesicus serotinus</i>	1	2019	~1009 SE	100	HabReg_2 WCA_5s94b/c
Soprano pipistrelle	<i>Pipistrellus pygmaeus</i>	31	2022	~135 SW	1	HabReg_2 WCA_5s94b/c NERC_s41
Myotis Species	<i>Myotis</i> sp.	1	2016	~1005 SE	1000	HabReg_2 WCA_5s94b/c NERC_s41
Terrestrial Mammals (excl. bats)						
European Hedgehog	<i>Erinaceus europaeus</i>	19	2023	~296 SW	1	NERC_s41
Badger	<i>Meles meles</i>	7	2024	~462 SW	1000	PBA
Otter	<i>Lutra lutra</i>	1	2019	~490 NW	10	HabReg_2

						WCA_5s94b/c NERC_s41
Invertebrates						
Stage Beetle	<i>Lucanus cervus</i>	55	2023	~155 SW	1	HDir2, WCA5, NERC-s41
Cinnabar	<i>Tyria jacobaeae</i>	1	2024	~862 SW	10	NERC-S41

Table 3b. Species status key.

Abbreviation	Legislation
BOCC_red	Birds of Conservation Concern Red list – Globally threatened according to IUCN criteria; those whose population or range has declined rapidly in recent years; and those that have declined historically and not shown substantial recovery.
BirdsDir-A1	Bird Species listed on Annex 1 of EC Directive on the Conservation of Wild Birds. Covers birds which are the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction in their area of distribution.
HabReg_2	Schedule 2 of Conservation of Habitats and Species Regulations 2010 (European Protected Species animal) – It is an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2.
HDir2	Habitats Directive, Annex 2 – Species whose conservation requires the designation of special areas of conservation
NERC_s41	Priority Species listed under Section 41 of the Natural Environment and Rural Communities Act 2006.
PBA	Protection of Badgers Act 1992.
WCA_1p1	Schedule 1 Part 1 of the Wildlife and Countryside Act 1981 (as amended) – birds protected from disturbance at their nests, or their dependent young.
WCA_5s94b/c	Schedule 5 Section 9 Parts 4b/c of the Wildlife and Countryside Act 1981 (as amended) – Animals which are protected from intentional disturbance while occupying a structure or place used for shelter or protection / Animals which are protected from their access to any structure or place which they use for shelter or protection being obstructed.
WCA5	Wildlife & Countryside Act 1981 Schedule 5 - Animals which are protected

6.2.2 Four European Protected Species (EPS) mitigation licences for bats or great crested newts have been granted inside a 2km radius of the application site in the last 10 years, are detailed in **Table 3** below.

Table 3. European Protected Species (EPS) licences granted within a 2km radius (Source: MAGIC).

Case Reference of Granted Licence	Species on the Licence	Licensable Period	Licensable Works	Distance (m)
2016-24486-EPS-MIT	Common pipistrelle (<i>Pipistrellus pipistrellus</i>)	19/07/2016 to 18/07/2021	Destruction of resting place	~250 SE
2019-41221-EPS- MIT-1	Great Crested Newt (<i>Triturus cristatus</i>)	25/02/2020 to 31/12/2025	Damage and destruction of resting place	~970 SW
2016-22176-EPS-MIT	Brown long-eared bat (<i>Plecotus auritus</i>)	01/04/2016 to 31/03/2021	Destruction of resting place	~1345 S
2015-8658-EPS-MIT- 1	Brown long-eared bat (<i>Plecotus auritus</i>) Common pipistrelle (<i>Pipistrellus pipistrellus</i>)	18/04/2019 to 30/04/2029	Destruction of breeding and resting place	~ 1998 NE

6.2.3 The NatureSpace great crested newt (GCN) (*Triturus cristatus*) Impact Risk Zone map

for the Berkshire District Licence shows the site falling within an amber risk zone; land in these zones is considered to have suitable habitat – great crested newts are likely to be present. Online mapping shows there are nine bodies of standing water that could potentially support breeding GCN within a 500 metre radius of the site; the closest pond is approximately 150m to the north-west.

6.3 Historic and Current Land Use

- 6.3.1** Google Satellite imagery dating back to 2003 depicts the site previously had a detached residential dwelling on the south-western side of the site that was demolished between 2017 and 2018. The site was more overgrown with trees and shrubs up to 2019 and in 2021 the western end of the site was developed linked to changes to the road and footpaths offsite. Since 2022, the site has been largely unchanged up to present day. Four large containers were placed to the south of the existing onsite building between 2020 and 2021. This is consistent with historical OS mapping dating from the early 1900s.

6.4 Geology, Soils and Topography

- 6.4.1** The geology of the site is slowly permeable seasonally wet slightly acid but base-rich loamy and clayey soils giving rise to seasonally wet pastures and woodlands.

7 UK HABITAT CLASSIFICATION SURVEY

7.1 Overview

- 7.1.1** The site is approximately 0.27 hectares of land located at LM Park, Toutley Road in Wokingham, Berkshire (OS central grid ref.: SU 80050 70458).
- 7.1.2** The following UK Habitat Classification (UKHab) habitats were observed during the site walkover: g4 Modified grassland; u1b5 Developed land - sealed surface (Buildings); u1b Developed land; sealed surface; h3d Bramble Scrub; and hb2 Non-native and ornamental hedgerow.
- 7.1.3** The UKHab primary habitats and secondary codes are described alongside photographs (see **Photographs 1-10**) and a survey plan (see **Figure 2**), as follows:

7.2 g4 Modified Grassland

108 frequently mown

- 7.2.1** On the eastern side of the site was an area of frequently mown grassland, with species composition typical of modified grassland containing between 5 and 8 species per 1m² quadrats, i.e. dominant grasses and occasionally distributed widespread herbaceous species. The grassland was dominated by fescue (*Festuca* sp.), cocksfoot (*Dactylis glomerata*) and perennial rye grass (*Lolium perenne*), with frequent Yorkshire fog (*Holcus lanatus*), ribwort plantain (*Plantago lanceolata*), bristly ox-tongue (*Helminthotheca echinoides*), dove's-foot cranesbill (*Geranium molle*), ground ivy (*Glechoma hederacea*), yarrow (*Achillea millefolium*), wavy bittercress (*Cardamine hirsuta*), creeping cinquefoil (*Potentilla reptans*), smooth sow thistle (*Sonchus oleraceus*) and occasional parsnip species (*Pastinaca* sp.), cow parsley (*Anthriscus sylvestris*), deadnettle species (*Lamium* sp.), common mouse-ear (*Cerastium fontanum*), ox-eye daisy (*Leucanthemum vulgare*), and trefoil (*Trifolium* sp.) (**Photographs 1 & 2**).
- 7.2.2** On the north-western corner of the site was a small area of frequently modified grassland in good condition with a higher diversity of species composition. This area of grassland included dominant creeping bent (*Agrostis stolonifera*), fescue (*Festuca* sp.), Yorkshire fog (*Holcus lanatus*), creeping cinquefoil (*Potentilla reptans*), bristly ox-tongue (*Helminthotheca echinoides*), dove's-foot cranesbill (*Geranium molle*), ribwort plantain (*Plantago lanceolata*) and yarrow (*Achillea millefolium*), with trefoil (*Trifolium* sp.), cow parsley (*Anthriscus sylvestris*), cat's ear (*Hypochaeris radicata*), spear thistle (*Cirsium*

vulgare), and fleabane species (*Pulicaria* sp.) (**Photograph 3**).



Photograph 1. Area of modified grassland on the eastern side of site.



Photograph 2. One quadrat of modified grassland on the eastern side of site.



Photograph 3. Small area of modified grassland on the north-western corner of the site.

7.3 u1b5 Developed land - sealed surface (Buildings)

817 Industrial building

- 7.3.1** There was a single-storey commercial building used by LM Electrical Services as a workspace and storage towards the south-western side of the site (**Photograph 4**). There was also four storage containers located on the concrete base to the south of the building (**Photograph 5**).



Photograph 4. Main commercial building used by LM Electrical Services on the south-western side of the site.



Photograph 5. Four storage containers to the south of the main building on concrete hardstanding and tarmac car parking facilities at the rear of the building.

7.4 u1b Developed land; sealed surface

- 7.4.1 There was a large area of concrete and tarmac hard standing surrounding the building and covering most of the site. This area is currently used as access onto site and car parking facilities (**Photographs 5 & 6**).



Photograph 6. Large area of hard standing tarmac at front of building.

7.5 h3d Bramble Scrub

516 Active Management

- 7.5.1 Along the northern boundary of site was a boundary strip largely consisting of bramble scrub (*Rubus fruticosus*). This patch of bramble scrub also contained frequent willow (*Salix* spp.), with the ground flora species including a range of mainly ruderal species including common tansy (*Tanacetum vulgare*), common ivy (*Hedera helix*), false oat grass (*Arrhenatherum elatius*), thistle species (*Cirsium* sp.), sedge species (*Carex* sp.), bristly ox-tongue (*Helminthotheca echioides*), creeping cinquefoil (*Potentilla reptans*), cow parsley (*Anthriscus sylvestris*), creeping bent (*Agrostis stolonifera*), creeping buttercup (*Ranunculus repens*), cleavers (*Galium aparine*) and wild carrot (*Daucus*

carota) (**Photograph 7**).

- 7.5.2** There was a small area of predominantly willow (*Salix* spp.) trees towards the centre of the northern boundary hedgerow, some of which had been recently managed and cut back (**Photograph 8**). There was a large native tree towards the eastern side of the site that had recently been felled. A stream runs along the northern site boundary, behind the bramble scrub.



Photograph 7. Hedgerow consisting mostly of bramble scrub with occasional willow trees on the north-western side of site.



Photograph 8. Actively managed area of willow trees on northern hedgerow.

7.6 hb2 Non-native and ornamental hedgerow

516 Active Management

- 7.6.1** There was a planted cherry laurel (*Laurus cerasus*) hedgerow along the southern and eastern boundary of the site (**Photograph 9**), with a small section of the hedge on the south-western side of the site, behind the storage containers, containing bramble (*Rubus fruticosus*) (**Photograph 10**).



Photograph 9. Non-native and ornamental hedgerow of cherry laurel along the southern and eastern boundary of the site.



Photograph 10. Small section of ornamental hedgerow containing brambles.



Figure 2. UKHab Survey Plan.

8 DISCUSSION

8.1 Assessment of Existing Ecological Value

Designated Sites

- 8.1.1** The desk study revealed that the site is not statutorily or non-statutorily designated for its wildlife interest and therefore is not currently recognised as being of international, national or county level conservation significance.
- 8.1.2** The desk study data identified two non-statutorily designated site within a 1km radius of the site: Furze Covert Local Wildlife Site (LWS) located approximately 925 metres north-west; and Cantley Park Local Wildlife Site (LWS) located approximately 968 metres north-east. No national or international statutorily designated site were identified within a 5km radius of the site.

Impact Assessment

- 8.1.3** The proposed development does not fall into any of the IRZ categories (i.e. infrastructure, minerals, oil and gas, air pollution, combustion, waste, compost or discharge) recognised by Natural England to have an adverse impact on SSSIs in the wider area, and therefore the proposals do not require consultation with Natural England. Furthermore, considering the nature, scale and distance of the proposed development, no adverse effects are anticipated on the locally designated non-statutory sites. The building of one new commercial office building will not directly or indirectly cause degradation of the habitats and biodiversity features for which the sites are designated.

Habitats

- 8.1.4** There are no onsite habitats that are classified as Habitats of Principle Importance (NERC Act 2006 Section 41 Habitats of Principle Importance) or of high ecological distinctiveness.
- 8.1.5** The modified grassland is typical of managed grassland habitats with a low species diversity dominated by coarse grasses and those that thrive in soils with high nutrient input. The grassland is of low distinctiveness and is not considered to be of ecological importance beyond the site level.
- 8.1.6** The bramble scrub on the northern boundary with the stream is a habitat of medium

distinctiveness but is a narrow strip and is typical of land throughout lowland England and therefore not of more than site level value. The recently planted, non-native hedgerow is of negligible ecological value.

Impact Assessment

- 8.1.7** The grassland which would be affected by the proposals are habitats supporting a limited range of commonly occurring plant species of no ecological value beyond the scale of the site. According to proposed plans, the bramble scrub and non-native hedgerow will be retained.
- 8.1.8** The stream - a tributary to the Elm Brook - that runs just beyond the northern site boundary falls less than 10m from the proposed development i.e. within the riparian zone and therefore requires a River Condition and Watercourse Biodiversity Net Gain Assessment; however, it is considered unlikely that subject to precautions during construction (refer to recommendations in **Section 9.4**) that the proposals would have an adverse impact on the stream.
- 8.1.9** The proposed development will need to demonstrate that it has complied with mandatory Biodiversity Net Gain (BNG) requirements, either by achieving a 10% gain within the site or wider ownership boundary or by purchasing offsite habitat units and a river condition assessment has been conducted – refer to recommendations in **Section 9.2**.

8.2 Bats

Evaluation of Baseline

- 8.2.1** The desk study data included records of at least seven bat species: brown long-eared bat (*Plecotus auritus*), Serotine (*Eptesicus serotinus*), Noctule (*Nyctalus noctula*), common pipistrelle (*Pipistrellus pipistrellus*), Daubenton's bat (*Myotis daubentonii*), soprano pipistrelle (*Pipistrellus pygmaeus*) and a myotis species (*Myotis* sp.). There were three granted European Protected Species (EPS) licence applications within a 2 kilometre radius of the site; the nearest bat mitigation licence was granted approximately 250m south-east of the application site, covering the destruction of common pipistrelle (*Pipistrellus pipistrellus*) bat resting place between 2016 and 2021 (Case ref.: 2016-24486-EPS-MIT).
- 8.2.2** The small areas of modified grassland and hard standing that will be impacted by the proposals are not high quality bat foraging habitat. However, the onsite bramble scrub, adjacent to the stream to the north, and hedgerows are likely to provide moderately

suitable foraging and commuting opportunities for bats roosting locally. Furthermore, the offsite treeline to the south of the site and small areas of woodland to the east of the site offers suitable commuting habitats linking to extensive areas of open space in close vicinity to the site, including woodland, ponds and farmland forming part of a wider local network of habitat that is considered likely to be ecological important at the local level. Overall, the small site is considered to be of no more than site level value to bats.

Impact Assessment

- 8.2.3** The hedgerows and bramble scrub will be retained so there would be no loss of the key foraging and commuting opportunities for bats in the local area. The other vegetated habitats to be affected directly i.e. grassland and hard standing are habitats of lower value to feeding bats. Therefore, the development is unlikely to result in the loss of flight paths or significant foraging habitats for bats.
- 8.2.4** There is a low likelihood that the new commercial office building could result in an increase in light levels on site, which could have an adverse impact without appropriate avoidance and mitigation measures. Artificial lighting has been shown to alter the activity of nocturnal species and certain bat species have been found to be especially averse to lighting and actively avoid lit areas (ILP 2023). To prevent adverse impacts from lighting, any lighting should be designed with the aim of reducing light spillage onto the retained woodland and tree, thereby maintaining dark corridors along western margins of the site especially – refer to recommendations in **Section 9.3**.

8.3 Great Crested Newt (and other amphibians)

Evaluation of Baseline

- 8.3.1** The desk study data included 45 recent records of great crested newt (GCN) (*Triturus cristatus*) within a 1km radius of the application site, with the closest being approximately 421 metres south-west. One GCN mitigation licence has recently been granted within a 2km radius: approximately 970 metres south-west of the site, covering the damage and destruction of a resting place for GCN (Case reference: 2019-41221-EPS-MIT-1). Additionally, the NatureSpace GCN Impact Risk Zone map shows the application site falling within an amber Impact Risk Zone: land in these zones is considered to have suitable habitat – great crested newts are likely to be present.
- 8.3.2** Online mapping shows there are nine bodies of standing water that could potentially support breeding GCN within a 500 metre radius of the site; the closest pond is approximately 150m to the north-west, second pond approximately 190 metres south-

east, third pond approximately 290 metres south-east, fourth pond approximately 300 metres north-west, fifth pond approximately 402 metres north-west, sixth pond approximately 450 metres south, seventh pond approximately 460 metres south-east, and eighth pond approximately 460 metres north of the site. These ponds may offer suitable conditions for breeding amphibians, however, there is no suitable amphibian breeding, foraging or sheltering habitat on site (i.e. standing water, log piles or long grass).

Impact Assessment

- 8.3.3** The proposed development site provides poor terrestrial habitat for amphibians. In the surrounding area, the ponds to the north of the site are isolated from it by the flowing water of the stream immediately beyond the northern boundary, which would act a barrier, and with the closest to the south being c. 190m from the site, with reference to the Natural England Rapid Risk Assessment Tool, the risk of GCN presence on site is low and precautionary reasonable avoidance measures will prevent the contravention of legislation protecting this species (see **Section 9.5**).

8.4 Other Mammals

Evaluation of Baseline

- 8.4.1** The desk study found no records of hazel dormouse (*Muscardinus avellanarius*) and no mitigation licences have been issued within a 2km radius of the application site. Furthermore, there is no suitable dormouse (*M. avellanarius*) habitat in the proposed development area, therefore this species is unlikely to be present and affected by the project.
- 8.4.2** The desk study found seven recent records of badger (*Meles meles*) within a 1km radius of the site, however there were no signs of badger presence on site and no suitable habitat in the vicinity, therefore this species is unlikely to be found on site. There is one recent nearby record of otter (*Lutra lutra*) within 1km radius of the site and no nearby records of water vole (*Arvicola amphibus*), however the site offers no opportunities for these species.
- 8.4.3** The bramble scrub and grassland habitats on and in the vicinity to the application site provide some limited opportunities for the locally recorded European hedgehog (*Erinaceus europaeus*) to forage and take shelter, but the site is unlikely to be of more than site level value for hedgehogs.

Impact Assessment

- 8.4.4** The proposals are unlikely to have an impact on protected or notable mammals; however, to mitigate the low risk, precautionary measures should be taken when removing areas of grassland and shrub to avoid injury or harm to any small mammals that may be present onsite - refer to **Section 9.5**.
- 8.4.5** The proposed development's boundary features should be designed to maintain ecological permeability for hedgehogs – refer to **Section 9.7**.

8.5 Reptiles

Evaluation of Baseline

- 8.5.1** The development area, including frequently mown grassland, hard standing and bramble scrub, has limited potential to support reptiles and is unlikely to support an established population.

Impact Assessment

- 8.5.2** The risk to reptiles by the proposed development and associated clearance of areas of the grassland on site is negligible and as such, no adverse effects are foreseen.

8.6 Birds

Evaluation of Baseline

- 8.6.1** The desk study data included recent records of notable bird species within a 1km radius of the application site, such as house sparrow (*Passer domesticus*) and song thrush (*Turdus philomelos*) – both priority species (NERC Act 2006 Section 41 species of principal importance). The hedgerow and bramble scrub with scattered willow (*Salix* sp.) trees provides limited foraging and nesting resources for birds, however the habitats will not be vital to support significant local bird populations.

Impact Assessment

- 8.6.2** The proposals will not result in the removal any scattered trees, hedgerows or shrubs. However, the proposals will affect the grassland habitat along the hedgerows and as such, timing precautions for the removal any other vegetation, if necessary, must be adhered to, to avoid damaging active bird nests - refer to **Section 9.6**.

8.7 Invertebrates

Evaluation of Baseline

- 8.7.1** The desk study data included records of stag beetles (*Lucanus cervus*) and cinnabar moth (*Tyria jacobaeae*) - both priority species (NERC Act 2006 Section 41 species of principle importance) - within a 1km radius of the application site. The site's relatively species habitats, which are of limited species and structural diversity, are overall, unlikely to be of value for a diverse and abundant invertebrate fauna.

Impact Assessment

- 8.7.2** The loss of a portion of species poor grassland that are relatively poor habitats for invertebrates is unlikely to have a significant impact on invertebrates. There is scope to enhance the retained the site for invertebrate species, such as the stag beetle – refer to **Section 9.7**.

9 RECOMMENDATIONS

9.1 Overview

- 9.1.1** This chapter provides details regarding proposed avoidance, mitigation, compensation and enhancement measures, including measures to enable legislative compliance.

9.2 Biodiversity Net Gain (BNG)

- 9.2.1** The development is subject to mandatory habitat BNG and river condition assessment with watercourse BNG. The proposals will need to deliver a minimum 10% net gain for biodiversity – refer to separate report (JWEC; R3116_RCA_&_WBNG_a).

9.3 Bats

- 9.3.1** During construction, artificial lighting should be kept to a minimum and if security lighting is required, this should be controlled by passive infrared motion sensors and directed away from the stream on the northern boundary.
- 9.3.2** In the long-term, external lighting should be avoided wherever possible but if essential, measures to lessen the impacts, particularly measures to avoid impacts on the retained woodland and tree, should be considered carefully when designing the lighting scheme. Lighting should comprise warm white LED lamps (2700K) with directional light accessories should be used to ensure that light spillage onto the woodland and tree is avoided (ILP, 2023). The lighting should be designed so that it operates only when required e.g. by using passive infra-red sensors and/or timer switches.

9.4 Habitat Protection Measures

- 9.4.1** The offsite stream to the north must be protected during construction. The following protection measures could form part of a strategy to avoid impacts:
- Creation of a buffer zone, marked by temporary fencing, between the construction area and stream, within which construction and storage would be prohibited.
 - Use of protective coverings to help prevent runoff stripping material stockpiles.
 - Regular sweeping of surfaces used as access roads and for storage during construction will be to prevent the accumulation of dust and mud.
 - Avoidance of the discharge of any groundwater, if it were to be encountered in excavations, to the watercourse.
 - Measures to avoid the spill or fuel or oil e.g. regular maintenance of vehicles and availability of spill kits.

9.5 Amphibians, GCN and small mammals (Reasonable Avoidance Measures)

- 9.5.1** The following reasonable avoidance measures should be adopted to minimise the low risk of harming individual amphibians, GCN and small mammals:

Pre-commencement of construction activities

- Any debris to be removed within the site boundary will be carefully searched by hand by an ecologist before being removed; and
- Any vegetation clearance will avoid the winter months (mid-November to March inclusive) and be undertaken directionally to the eastern side of site so that any animals present are encouraged to move to the retained habitats beyond. The vegetation will be maintained at ground level prior to the commencement of site work.

During construction activities

- Any stored building materials or waste, such as bricks or debris etc., that might offer shelter for amphibians, reptiles and small mammals will be kept raised off the ground on pallets or on existing hard standing, and efforts should be made to process and removed from site as soon as possible; and
- Excavation works will be avoided after dusk and any open excavations or trenches will be backfilled (after a check for amphibian, reptile or mammal presence) or left with escape ramps to prevent amphibians, reptiles and small mammals from becoming trapped.

9.6 Nesting Birds

- 9.6.1** Any shrub removal should be completed outside of the peak bird nesting season (March to August) or alternatively, following an inspection by an ecologist confirming that there is no current nesting activity. If nesting birds are discovered prior to or during any work, work should stop immediately and should only continue once bird nesting has finished, i.e. young have fledged and left the nest.

9.7 Biodiversity Enhancement Measures

- 9.7.1** The planning proposals provide opportunities for the enhancement of the site's biodiversity value. The inclusion of the following recommendations would be of ecological benefit and be in line with the National Planning Policy Framework (NPPF):

- Create stag beetle (*Lucanus cervus*) loggeries in the retained grassland or bramble scrub by partially burying logs from native trees in the ground (approx.

50cm depth);

- Wildlife-friendly and native landscaping within any amenity areas in the development.
- Ensuring ecological permeability for hedgehogs, i.e. 13cm x 13cm holes in garden fencing and 'hedgehog highway' signs.
- Installation of integral bat and bird boxes in the new commercial office building.

10 REFERENCES AND BIBLIOGRAPHY

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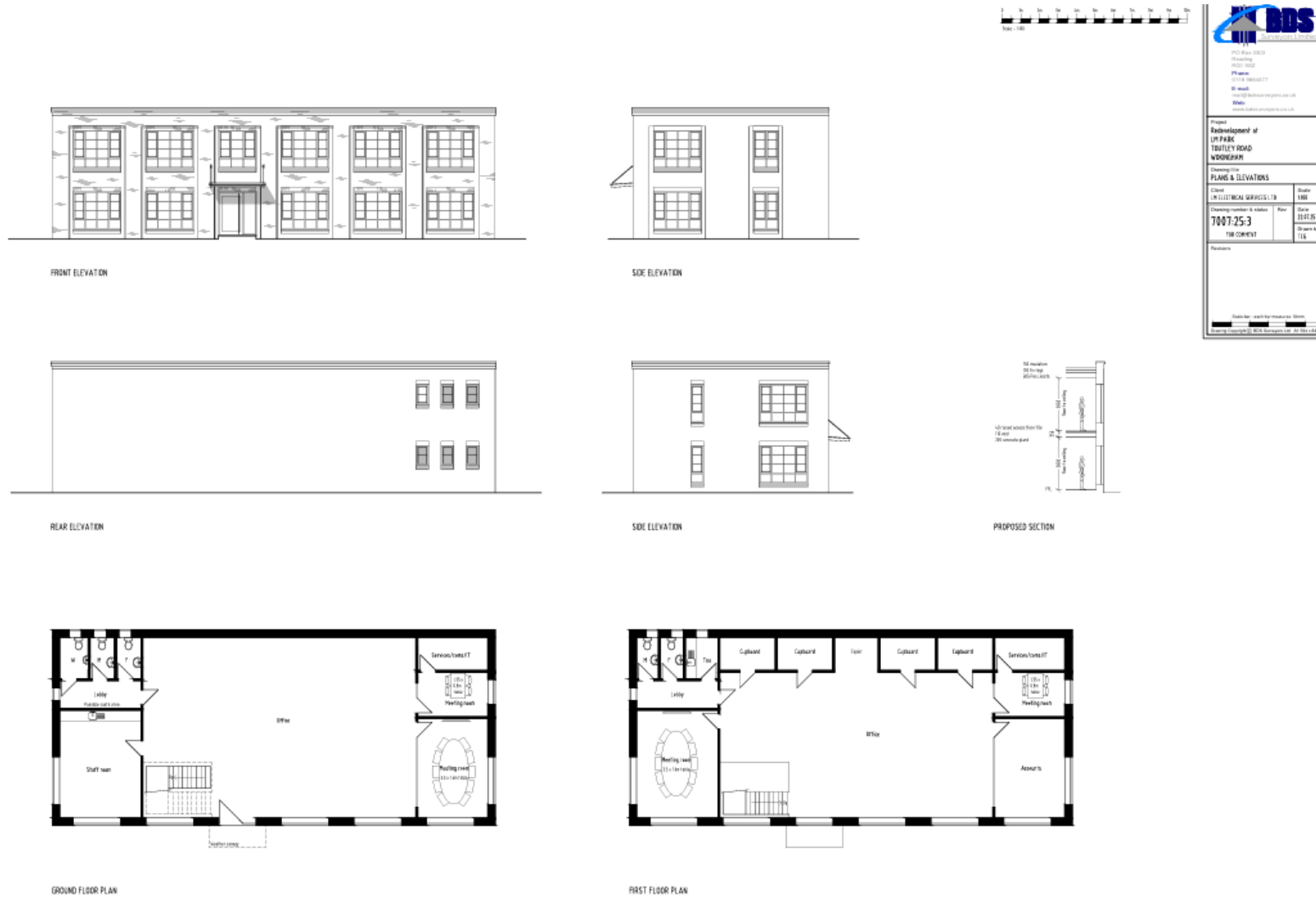
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APPENDIX 1 – PROPOSED SITE LAYOUT AND ELEVATIONS





APPENDIX 2 – LEGISLATIVE BACKGROUND

Amphibians

The seven native species of amphibian receive protection under the W&AC 1981 (as amended). The four widespread and common amphibians (common frog, toad, smooth newt and palmate newt) receive only limited protection – making their sale illegal.

The great crested newt (*Triturus cristatus*) receives full protection under the W&CA 1981 (as amended) and under the Habitat Regulations 2017 (as amended). The combined legislation makes it illegal to:

- intentionally or recklessly kill, injure or take a great crested newt;
- possess or control any live or dead specimen or anything derived from a great crested newt;
- intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a great crested newt; and
- intentionally or recklessly disturb great crested newts; in particular, any disturbance which is likely to impair their ability to survive, breed or reproduce or nurture their young; or in the case of hibernating or migrating animals, to hibernate or migrate.

Great crested newts (*T. cristatus*) and common toads (*Bufo bufo*) are species of principal importance for the conservation of biodiversity in England ('UKBAP Priority Species') under Section 41 of the NERC Act 2006.

Badgers

Badgers are protected by the Protection of Badgers Act 1992. The Act makes activities such as development that would harm or disturb badgers or damage, obstruct or destroy their setts illegal. If badgers are to be affected by the proposed development, activities can be undertaken only under a licence issued by Natural England.

Bats

All bat species in Britain are fully protected by the W&CA 1981 (as amended) and by the Habitat Regulations 2017 (as amended). In summary, the combined legislation makes it an offence to:

- damage or destroy a breeding site or resting place or intentionally or recklessly

- obstruct access to a structure or place used for shelter by a bat;
- deliberately, intentionally or recklessly disturb bats; in particular, any disturbance which is likely to impair the ability of bats to survive, breed or reproduce or nurture their young; or in the case of hibernating or migrating bats, to hibernate or migrate; or to significantly affect the local distribution or abundance of the species; and
- deliberately kill, injure or take any bat.

Birds

All wild birds are protected under the W&CA 1981 (as amended). The Act makes it an offence to kill, injure or take a wild bird or to damage or destroy the nest of a wild bird whilst in use or being built. Species listed on Schedule 1 of the Act, such as barn owls and kingfishers, are afforded additional protection against disturbance while nesting.

Hazel dormice

Hazel dormice receive full protection under the W&CA 1981 (as amended) and under the Habitat Regulations 2017 (as amended). These make it illegal to:

- intentionally or recklessly kill, injure or take a dormouse;
- possess or control any live or dead specimen or anything derived from a dormouse;
- damage or destroy a breeding site or resting place or intentionally or recklessly obstruct access to a structure or place used for shelter by a dormouse; and
- intentionally or recklessly disturb dormice; in particular, any disturbance which is likely to impair their ability to survive, breed or reproduce or nurture their young; or in the case of hibernating or migrating animals, to hibernate or migrate.

Invasive non-native plants

The W&CA 1981 (as amended) provides the primary controls on the release of non-native species into the wild in Great Britain. It is an offence under Section 14(2) of the Act to 'plant or otherwise cause to grow in the wild' any plant listed in Schedule 9, Part II. The species listed in the Act include Japanese knotweed (*Fallopia japonica*), giant hogweed (*Heracleum mantegazzianum*) and Himalayan balsam (*Impatiens glandulifera*).

Otters

Otters are fully protected by the W&CA 1981 (as amended) and by the Habitat Regulations 2019 (as amended). In summary, the combined legislation makes it an

offence to:

- damage or destroy a breeding site or resting place or intentionally or recklessly obstruct access to a structure or place used for shelter by an otter;
- deliberately, intentionally or recklessly disturb otters; in particular, any disturbance which is likely to impair the ability of otters to survive, breed or reproduce or nurture their young; or to significantly affect the local distribution or abundance of the species; and
- deliberately kill, injure or take any bat.

Reptiles

The four widespread reptiles most likely to be encountered (adder, grass snake, slow worm and common lizard) are protected under the W&CA 1981 (as amended). The Act makes it an offence to intentionally kill, injure, possess or sell any of the species.

The aforementioned species are all listed as being of principal importance for the conservation of biodiversity in England (*'UKBAP Priority Species'*) under Section 41 of the NERC Act 2006.

Water voles

Since April 2008, water voles have received full protection under Section 9 in Schedule 5 of the W&CA 1981 (as amended). This makes it an offence to intentionally kill, injure or take water voles or to possess or control live or dead water voles or derivatives. It is an offence to intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection or intentionally or recklessly disturb water voles whilst occupying a structure or place used for that purpose.

The water vole is listed as being of principal importance for the conservation of biodiversity in England (*'UKBAP Priority Species'*) under Section 41 of the NERC Act 2006.

Wild mammals

Under the Wild Mammals (Protection) Act 1996 it is an offence to intentionally inflict unnecessary suffering, as specified by the Act, on any wild mammal.