

Land at Fairlands Farm
Church Road
Farley Hill
Reading
Berkshire
RG7 1UH

Preliminary Ecological Appraisal Biodiversity Net Gain Assessment & Biodiversity Enhancement Plan

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1 EXECUTIVE SUMMARY

- 1.1.1** John Wenman Ecological Consultancy LLP was instructed by Rosie Palin of ET Planning on behalf of their client Ruben Reed to undertake a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain (BNG) Assessment of land at Fairlands in Farley Hill, Wokingham, Berkshire. The PEA and BNG assessments were commissioned to accompany a planning application to be submitted to Wokingham Borough Council seeking consent to convert the disused field to the east of the site into additional space for further static caravans.
- 1.1.2** The desk study (including a TVERC 1 kilometre data search) revealed that the application site is not statutorily or non-statutorily designated for its wildlife interest and has no protected/notable species records.
- 1.1.3** John Wenman (MCIEEM) and Hannah McEwen (Qualifying member of CIEEM) carried out a site visit on the 15th April 2026. The application site was approximately 0.43ha of land with 8 fixed caravans to the west and an area of land comprising grassland to the east. The habitats observed were: g4 modified grassland; u1e built linear features; u1b5 Buildings, u1c artificial unvegetated, unsealed surface; u1f Sparsely vegetated urban land; h2b non-native and ornamental hedgerow; 32 scattered trees.
- 1.1.4** The survey shows that the site's habitats are of no more than site level ecological value and are not irreplaceable or Priority Habitats. The site is unlikely to support protected and notable species, and therefore subject to precautions, are unlikely to affect these. There are opportunities for biodiversity enhancements of benefit to notable and protected species. The proposals will not have a direct impact on designated sites, but the site falls within the Impact Risk Zone for Bramshill SSSI and the Thames Basin Heaths SPA and therefore consultation with Natural England is required.
- 1.1.5** The Biodiversity Metric calculation tool demonstrated the on-site baseline biodiversity value is 1.25 habitat units and 0.35 hedgerow units. Post-development, the proposed plans will result in a net gain of +12.46% in habitat units. Hedgerow units will achieve a gain of 54.46%. The '*Land at Fairlands – Statutory Biodiversity Metric (R3198_BNG_a)*' and '*Statutory Biodiversity Metric Condition Assessments – S3198a*' documents should be referred to separately for the full calculation.
- 1.1.6** This report will likely be valid for up to 18 months; after which point a professional ecologist may need to review the report's validity (CIEEM 2019b).

2 INTRODUCTION

2.1 Project Background

2.1.1 John Wenman Ecological Consultancy LLP was instructed by Rosie Palin of ET Planning on behalf of their client Ruben Reed Limited to undertake a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain (BNG) Assessment of land at Fairlands in Farley Hill, Wokingham, Berkshire.

2.1.2 The PEA and BNG assessments were commissioned to accompany a planning application to be submitted to Wokingham Borough Council seeking consent to convert the grassland on the eastern side of the site into additional space for further static caravans.

2.2 Site Location and Context

2.2.1 The site is approximately 0.43ha of land with eight static caravans and associated parking with an area of grassland lying to the east of the site. It is located on the southern side of Church Road, in Farley Hill, Berkshire (OS grid ref.: SU 75839 64254).

2.2.2 The site is in a residential setting surrounded by residential houses and their associated gardens. The ancient and semi-natural woodland at Westwood Copse is located approximately 130m southeast of the site across open grassland, and Bramshill Special Sites of Special Scientific Interest (SSSI), which lies within the Thames Basin Heaths Special Protection Area (SPA), about 1,400m south. Within the wider environment there are numerous parcels of ancient and semi-natural woodland at Wyvols Copse c. 600m southwest, Hogwood Shaw c.1,220m northeast and Fir Grove c.280m northeast. There are also parcels of deciduous woodland in all directions from the property the nearest being 90m southeast.

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 1**.

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 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 plans are formed of a number of documents including the 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*
 - c) 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 Zone of Influence

5.1.1 Ecological assessment guidance (CIEEM 2018) recommends that all ecological features that occur within a 'Zone of Influence' (Zoi) for a proposed development are investigated.

The Zoi includes:

- Areas directly within the land take for the proposed development and access;
- Areas which will be temporarily affected during construction;
- Areas likely to be impacted by hydrological disruption; and
- Areas where there is a risk of wider disbenefits including, but not limited to, any increase in air, water, or noise pollution; or visual or vibrational disturbance during construction and/or operation.

5.1.2 The Zoi is variable depending on the nature of the construction activities and the ecological receptors affected. For this assessment the following zones have been defined as described in Table 1.

Table 1 – Zone of influence

Ecological features	Zone of influence	Notes
Designated sites of international importance - see notes	5km	Special Area of Conservation (SAC), Special Protection Area (SPA) & Ramsar site
Designated sites of national importance – see notes	2km	Sites of Special Scientific Interest (SSSI)
Sites of local importance – see notes	1km	Local Wildlife Site (LWS), Local Nature Reserve (LNR) & Biodiversity Opportunity Area (BOA)
Protected and notable species – see notes	1km	Refer to Table 3
Habitats of principal importance for conservation (HPI)	1km	As defined under Section 41 of the NERC Act 2006
Application site (species and habitats)	Site and land within 30m (as access constraints allow)	

5.2 Desk Study

5.2.1 A desktop study was conducted by Hannah McEwen (Qualifying Member of CIEEM). The study utilised data from open access online resources to acquire information on the nature of the site and its surroundings and highlight any potential ecological features.

5.2.2 Thames Valley Environmental Records Center (TVERC) - the local environmental records center - 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 2km radius around a central point inside the site.

- 5.2.3** 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 within the Zone of Influence. 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.
- 5.2.4** Historical OS maps and Google Earth satellite imagery were consulted to provide insight into historical and current land use; such information helps contextualise the continuity of habitats and determine the importance of existing ecological features on site.

5.3 Field Survey

UK Habitat Classification Survey

- 5.3.1** A site walkover was undertaken on the 15th April 2026 by John Wenman MCIEEM and Hannah McEwen (Qualifying member of CIEEM). The site was surveyed using the UK Habitat Classification (UKHab) system (UKHab Ltd 2023) in accordance with the 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.
- 5.3.2** 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.
- 5.3.3** This report will likely be valid for up to 18 months; after which point a professional ecologist may need to undertake a site visit and update the desk study and then review the report's validity (CIEEM 2019b).

5.4 Biodiversity Net Gain Approach

- 5.4.1** This Biodiversity Net Gain (BNG) Assessment uses the Statutory Biodiversity Metric (July 2025) to calculate the losses and gains in biodiversity unit value resulting from the proposals. The biodiversity metric tool has been used to guide the proposed site layout and landscaping to deliver a minimum 10% net gain for biodiversity.
- 5.4.2** The biodiversity metric rules must be followed for a valid biodiversity net gain and are as

follows:

‘Rule 1: The trading rules of this biodiversity metric must be followed.

Rule 2: Biodiversity unit outputs, for each type of unit, must not be summed, traded, or converted between types. The requirement to deliver at least a 10% net gain applies to each type of unit.

Rule 3: To accurately apply the biodiversity metric formula, you must use the statutory biodiversity metric calculation tool or small sites biodiversity metric tool (SSM) for small sites.

The tools remove the need for a user to manually calculate the change in biodiversity value.

The tool will summarise the results of the calculation and inform a user whether the biodiversity net gain objective has been met.

Rule 4: In exceptional ecological circumstances, deviation from this biodiversity metric methodology may be permitted by the relevant planning authority.

5.4.3 The biodiversity metric principles inform the use of the biodiversity metric tool and are as follows:

‘Principle 1: The metric assessment should be completed by a competent person.

Principle 2: The use of this biodiversity metric does not override existing biodiversity protections, statutory obligations, policy requirements, ecological mitigation hierarchy or any other requirements. This includes consenting or licensing processes, for example woodlands.

Principle 3: This biodiversity metric should be used in accordance with established good practice guidance and professional codes.

Principle 4: This biodiversity metric is not a complex or comprehensive ecological model and is not a substitute for expert ecological advice.

Principle 5: Biodiversity units are a proxy for biodiversity and should be treated as relative values.

Principle 6: This biodiversity metric is designed to inform decisions in conjunction with locally relevant evidence, expert input, or guidance.

Principle 7: *Habitat interventions need to be realistic and deliverable within a relevant project timeframe.*

Principle 8: *Created and enhanced habitats should be, where practical and reasonable, local to any impact and deliver strategically important outcomes for nature conservation.*

Principle 9: *This biodiversity metric does not enforce a minimum habitat size ratio for compensation of losses. Proposals should aim to:*

- *maintain habitat extent - supporting more, bigger, better and more joined up ecological networks*
- *ensure that proposed or retained habitat parcels are of sufficient size for ecological function'*

6 DESK STUDY FINDINGS

6.1 Designated Sites and Habitats

- 6.1.1** The desk study returned one statutorily designated site of international importance within a 5km radius (SPA) and one statutorily designated site of national importance (SSSI) and three local importance (LWS) within a 1km radius - see **Table 2** below. The distance for each site has been calculated from the center of the Fairlands Farm.

Table 2. Statutorily designated sites within the vicinity of the site (Source: DEFRA).

Site name	Designation	Description	Distance from central point (m)
Thames Basin Heaths	Special Protection Area (SPA)	The Thames Basin Heaths SPA covers an area of 8,275 ha across Hampshire, Berkshire and Surrey. It is part of a complex of heathlands in Southern England that support important populations of breeding birds, including the Dartford Warbler, Nightjar and Woodlark. (Red Data Book) species, are well represented.	1,440m S
Bramshill	Site of Special Scientific Interest (SSSI)	Bramshill SSSI sits within the Thames Basin Heaths and comprises of coniferous woodland and acid grassland. The area supports nationally significant numbers of Nightjar and Woodlark, dragonflies and damselflies. Although primarily managed for commercial forestry production the area has strong records of significant and constant use by these birds.	1,440m S
Westwood Copse	Local Wildlife Site (LWS)	3.77 ha site of ancient and semi natural woodland	440 W
Wyvol's Copse	Local Wildlife Site (LWS)	14.67 ha site of ancient, replanted woodland	104m E
Claypits Copse	Local Wildlife Site (LWS)	1.67 ha site of ancient and semi natural woodland, deciduous woodland and broadleaved.	540m 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. There are sixty-nine records of bats within one kilometre of the site, including species such as barbastelle (*Barbastella barbastellus*), serotine (*Eptesicus serotinus*), common pipistrelle (*Pipistrellus pipistrellus*), soprano pipistrelle (*Pipistrellus pygmaeus*), brown long-eared bat (*Plecotus auritus*) and *Myotis* species.
- 6.2.2** There are two records of amphibians within one kilometre of the site, which were both for common toad (*Bufo bufo*).
- 6.2.3** The data search has records of 44 notable and protected bird species within the search area including nine species listed on Schedule 1 of the Wildlife & Countryside Act 1981 (as amended), 14 species that are listed on the Red List of conservation concern, and 13 species of principal importance for conservation (Priority Species – as listed in Section 41 of the NERC Act 2006). The species from the Farley Hill area comprise

species principally associated with woodland and farmland habitats.

6.2.4 There are two records of terrestrial mammals within one kilometre of the site excluding bats, which were for badger (*Meles meles*) and hazel dormouse (*Muscardinus avellanarius*).

6.2.5 Bat mitigation licences that have been granted within the last 10 years inside a 2 kilometre radius of the site are detailed in **Table 3** below.

Table 3. Bat mitigation licences granted within a 2km radius of the property (Source: MAGIC).

Case Reference of Granted Licence	Species on the Licence	Licensable Period	Licensable Works	Distance from central point (m)
2016-22556-EPS-MIT/MIT1	Common pipistrelle	22/04/2016 – 20/04/2022	Destruction of a resting place	650m N
2016-22331-EPS-MIT	Brown long-eared Common pipistrelle Soprano pipistrelle Natterer's	21/04/2016 – 30/04/2026	Destruction of a resting place	1,400m NE
2019-38952-EPS-MIT	Common pipistrelle	01/02/2019 – 31/12/2024	Destruction of a resting place	1,300m NE
2019-41408-EPS-MIT	Brown long-eared	01/08/2019 – 31/08/2020	Destruction of a resting place	550m W
2017-31454-EPS-MIT	Common pipistrelle Soprano pipistrelle	16/10/2017 – 30/10/2022	Destruction of a resting place	1,600m NE
2017-31865-EPS-MIT-2	Brown long-eared Common pipistrelle Soprano pipistrelle Natterer's	06/09/2018 – 30/09/2023	Destruction of a resting place	1,500m NE
2018-36041-EPS-MIT	Brown long-eared Common pipistrelle Soprano pipistrelle Serotine	11/08/2018 – 09/08/2023	Destruction of a resting place	700m W
2016-22323-EPS-MIT	Soprano pipistrelle	13/04/2016 – 30/04/2021	Destruction of a resting place	950m NE

6.2.6 OS mapping shows that there are no ponds within Fairlands Farm. The nearest pond is within Westwood Copse 112m southeast. No European Protected Species (EPS) mitigation licences have been granted for GCN within a 1km radius of the application site and there have been no GCN Class Survey Licence Returns within a 1km radius of the site.

6.2.7 The Nature Space District Level Licence Impact Risk Zone map for Wokingham Borough shows that the site falls within an amber zone i.e. habitats suitable for great crested newts where they are likely to be present.

6.3 Irreplaceable Habitats

- 6.3.1** No habitats on site are mapped as irreplaceable habitats i.e. ancient woodland or veteran trees. The closest area of ancient woodland shown on MAGIC is at Westwood Copse about 112m to the south east.

6.4 Historic and Current Land Use

- 6.4.1** Google Satellite imagery dating back to 1999 shows that from 1999 – 2010 the application site appeared to be an area of hard standing. By 2017 the land became grassland with a tarmac pathway/roadway through the middle. By 2021 the pathway was removed and the area was entirely grassland.

7 UK HABITAT CLASSIFICATION SURVEY

7.1 Overview

7.1.1 The site comprises 0.47 hectares of land at Fairlands Farm, which is located on the southern side of Church Road, in Farley Hill, Berkshire (OS grid ref.: SU 75839 64254). The site is currently an area of open grassland which is used for storage to the east, and 8 static caravans and associated parking spaces, comprising gravel to the western side. The site is served by a tarmac access road with additional grassland to the south west, with planted trees, and to the north east.

7.1.2 The following UK Habitat Classification (UKHab) habitats were observed during the site walkover: g4 modified grassland; u1e built linear features; u1c artificial unvegetated, unsealed surface; u1f Sparsely vegetated urban land; h2b non-native and ornamental hedgerow. The UKHab primary habitats and secondary codes are described alongside photographs (see **Photographs 1 - 13**) and a survey plan (see **Figure 1**), as follows:

7.2 g4 Modified Grassland

7.2.1 A large area of the site was regularly mown grassland. The largest section on the eastern side (**Parcel 3; Figure 2**) included species such as perennial rye grass (*Lolium perenne*), yarrow (*Achillea millefolium*), Yorkshire fog (*Holcus lanatus*), common mouse ear (*Cerastium fontanum*), dove's foot cranesbill (*Geranium molle*), black hoarhound (*Ballota nigra*), Shepherds purse (*Capsella bursa-pastoris*), ribwort plantain (*Plantago lanceolata*) and creeping thistle (*Cirsium arvense*) (**Photograph 1 - 2**).

7.2.2 Within the eastern area of the grassland (**Parcel 3; Figure 2**) there were piles of rubble and mound of earth, which had several ruderal species, which included cleavers (*Galium aparine*), Pineapple weed (*Matricaria discoidea*), Yorkshire fog (*Holcus lanatus*), Herb Robert (*Geranium robertianum*), red dead-nettle (*Lamium purpureum*), mouse-eared chickweed (*Cerastium fontanum*), annual meadow grass (*Poa annua*), groundsel (*Senecio vulgaris*), Common speedwell (*Veronica officinalis*) and corn salad (*Valeriana locusta*) (**Photographs 5 & 6**).

7.2.3 On the northern side of the site was further modified grassland (**Parcel 1; Figure 2**) to the west of the access road with scattered trees comprising cherry (*Prunus* sp.). The sward was more diverse with species including field forget-me-not (*Myosotis arvensis*), ribwort plantain (*Plantago lanceolata*), field woodrush (*Luzula campestris*), sweet vernal grass (*Anthoxanthum odoratum*), red fescue (*Festuca rubra* agg.), annual meadow grass (*Poa annua*), perennial rye grass (*Lolium perenne*), yarrow (*Achillea millefolium*),

common daisy (*Bellis perennis*), common mouse-ear (*Cerastium fontanum*) and wavy bittercress (*Cardamine flexuosa*) (**Photographs 3 & 4**).

- 7.2.4** The grassland to the east of the access road, extending further into the paddock beyond (**Parcel 2**), was a species poor sward which included species such as perennial rye grass (*Lolium perenne*), annual meadow grass (*Poa annua*), common daisy (*Bellis perennis*) yarrow (*Achillea millefolium*), Yorkshire fog (*Holcus lanatus*), common mouse ear (*Cerastium fontanum*), white clover (*Trifolium repens*), dove's foot cranesbill (*Geranium molle*), ribwort plantain (*Plantago lanceolata*) and black knapweed (*Centaurea nigra*).



Photograph 1. Modified grassland (Parcel 3) viewing north (g4).



Photograph 2. Modified grassland (Parcel 3) viewing north (g4).



Photograph 3. Modified grassland to the west of the access road (Parcel 1) at the northern entrance with scattered trees (g4).



Photograph 4. Modified grassland (Parcel 1) at northern entrance (g4).



Photograph 5. Modified grassland viewing north (g4 - 81).



Photograph 6. Modified grassland viewing north (g4 - 81).

7.3 U1f Sparsley vegetated urban land

- 7.3.1 The southern end of the site had an area of bare ground with occasional patches of perennial rye grass (*Lolium perenne*), fescue (*festuca sp.*), bristly oxtongue (*Helminthotheca echioides*) and mouse-eared chickweed (*Cerastium fontanum*) (Photograph 7).



Photograph 7. Sparsely vegetated urban land

7.4 H2b Non-native and ornamental hedgerow

- 7.4.1 To the north eastern boundary and the north western boundary are two large non-native ornamental hedges. These comprised cypress (*Cupressus sp.*) and garden privet (*Ligustrum ovalifolium*) (Photographs 8 & 9).



Photograph 8. Non-native ornamental hedges on north western boundary (H2b)



Photograph 9. Non-native ornamental hedges on eastern boundary (H2b)

7.5 U1e Built Linear Features

- 7.5.1** In the centre of the site were eight static caravans either side of the central access road (**Photograph 10**)



Photograph 10. Static caravans (U1e)

7.6 U1c Artificial unvegetated, unsealed surface

- 7.6.1** Adjacent to each static caravan was an area of gravel hard surfacing for parking vehicles.

7.7 32 Scattered trees

- 7.7.1** To the northern end of the site from the driveway there were eight newly planted cherry trees on the open grassland (**Photographs 11 & 12**).



Photograph 11. Cherry trees within the grassland on the northern boundary



Photograph 12. Cherry trees within the grassland on the northern boundary

7.7.2 To the eastern area of the site there were scattered trees including a silver birch and cherry tree (**Photograph 13**).



Photograph 13. Silver Birch on north western area of the site.



Figure 1. UK Habitat Classification Plan

8 DISCUSSION

8.1 Designated Sites for Nature Conservation

Evaluation of Baseline

- 8.1.1** The desk study revealed that the land is not statutorily or non-statutorily designated for its wildlife interest and therefore not currently recognised as being of international, national or county level conservation significance. The site falls within the Impact Risk Zone for Bramshill SSSI (part of the Thames Basin Heaths Special Protection Area (SPA) that specifies the local authority should consult Natural England regarding potential impacts on the sites.

Impact Assessment

- 8.1.2** The proposals will not directly affect the statutorily designated sites, but the site falls in the Impact Risk Zone for Bramshill SSSI and the Thames Basin Heaths SPA and Natural England must be consulted on whether the development proposals are likely to have an impact on the sites.
- 8.1.3** Considering the nature, scale and distance of the proposals, no adverse effects are anticipated on the nearby locally designated sites that are all more than 100m from the site.

8.2 Habitats

Evaluation of Baseline

- 8.2.1** The land is primarily characterised by hard surfacing, buildings, modified grassland, non-native hedgerows and bare ground - habitats of very low and low distinctiveness. There are existing small trees in the grassland areas to the north and east, which are medium distinctiveness habitats, but of no more than site level ecological value.
- 8.2.2** The site has no habitats of principal importance for conservation (Priority Habitats) and no irreplaceable habitats; there are no irreplaceable habitats i.e. ancient woodland and veteran trees within a 100m radius.

Impact of Proposals

- 8.2.3** The proposals will affect habitats of low distinctiveness i.e. modified grassland of no more than site level ecological value and will have no impact on Priority Habitats or

irreplaceable habitats.

8.3 Bats

Evaluation of Baseline

- 8.3.1** The site comprises species poor habitats and areas of hard standing of low value to feeding bats. The site also lacks any features suitable for roosting bats.
- 8.3.2** The tree line immediately beyond the eastern boundary links with further established tree lines to the south, which also link with semi-natural ancient woodland at Westwood Copse to the south east. These habitats in the wider area, with are high-quality foraging habitats for any bats roosting locally. The TVERC and MAGIC searches returned recent records of at least six species of bats, including the nationally notable species: barbastelle.
- 8.3.3** Overall, the site, which is of low habitat suitability, but in close proximity to high quality habitats forming a small proportion of a wider network of woodland and grassland habitats, is likely to be of no more than site value to local bat populations.

Impact Assessment

- 8.3.4** The proposals will not directly impact any potential roosting sites or habitats of more than site value to bats, however, the increase in residential units is likely to lead to an increase in artificial lighting on the application site and could result in an adverse impact on bat activity, particularly if it illuminates the eastern boundary tree line. 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 any adverse impacts from lighting, any lighting should be designed with the aim of reducing light spillage onto the nearby woodland and associated buffer, thereby maintaining dark corridors along this margin of the site – refer to recommendations in **Section 9.2**.

8.4 Great Crested Newt (and other amphibians)

Evaluation of Baseline

- 8.4.1** The application site lacks any standing water and therefore offers no breeding opportunities for amphibians, such as great crested newt (GCN) – a protected species and a priority species listed under the NERC Act 2006 (Section 41).
- 8.4.2** The desk study data returned no GCN mitigation licences granted within a 2km radius of the application site and no GCN Class Licence survey returns that were positive for GCN

within a 1km radius. However, common toad (*Bufo bufo*) – a species of principal importance for conservation (as defined under Section 41 of the NERC Act 2006) has been recorded with a 1km radius.

- 8.4.3** There is one waterbody within a 500m radius of the application site: a pond at Westwood Copse just over 100m to the south east. The GCN District Licence Impact Risk Zone Map available on the NatureSpace website shows that the site mostly falls within an Amber zone, i.e. a zone that contains suitable habitat where GCN are likely to be present. However, the application site provides poor terrestrial habitat comprising mostly of closely mown grassland with hard standing, with only hedging and stored materials providing cover suitable for amphibians.

Impact Assessment

- 8.4.4** With reference to the Natural England Rapid Risk Assessment Tool, the proposals, which will result in the loss or damage of 0.1 – 0.5ha of land greater than 100m from any potential breeding ponds, are highly unlikely to result in an offence – see **Figure 3** below.

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	No effect	0
Land 100-250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.1
Land >250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.005
Individual great crested newts	No effect	0
Maximum:		0.1
Rapid risk assessment result:		GREEN: OFFENCE HIGHLY UNLIKELY

Figure 3. Natural England Rapid Risk Assessment Tool

- 8.4.5** In the absence of precautionary mitigation measures, there would be a small risk of harm to individual GCNs and other amphibians utilising cover e.g. beneath rubble, in the work area, but if simple precautions are adopted, the risk of harming GCNs and other amphibians is considered to be negligible - refer to recommendations in **Section 9.3**.

8.5 Hazel Dormouse

Evaluation of Baseline

- 8.5.1** The desk study data included recent hazel dormouse records from the tree line about 40m from the site's southern boundary indicating this species is present locally. The search of MAGIC for granted dormouse EPS licence applications returned none within the same radius.
- 8.5.2** The tree line of the property to the south is linked with the ancient woodland of

Westwood Copse to the south east, which is likely to be suitable for dormice, and the tree line that continues immediately beyond the site's eastern boundary; however, the site, which comprises open modified grassland, hard standings and species poor, formal hedging, lacks habitats that are suitable for hazel dormice and therefore although this species is present offsite, it is highly unlikely that this species is present on site.

Impact Assessment

- 8.5.3** The proposed development will have no impact on suitable habitat for dormice and therefore no adverse effects on this species are anticipated. There is scope to enhance the site for dormice (refer to recommendations in **Section 9.5**)

8.6 Reptiles

Evaluation of Baseline

- 8.6.1** The desk study data lacked any recent records of reptile species within a 1 kilometre radius of the application site. The site provides poor reptile habitat currently i.e. regularly cut grassland and hard standings with species poor hedgerows, and therefore it is unlikely that the site provides the habitats that would support a reptile population. However, common and widespread reptile species, such as grass snake, could opportunistically cross the site if present in neighbouring habitats.

Impact Assessment

- 8.6.2** The likelihood of reptiles being on site is low. The small residual risk of harming reptiles that could cross the site could be mitigated by adopting precautionary reasonable avoidance measures to prevent the contravention of legislation protecting common and widespread reptile species such as slow worm and grass snake that could be in the neighbouring habitats – refer to **Section 9.3**.

8.7 Birds

Evaluation of Baseline

- 8.7.1** The desk study data returned recent records of a variety of notable bird species that have been recorded across the nearby area including primarily woodland and farmland specialist species.
- 8.7.2** The site's primarily species poor grassland and hard standing habitats provide poor foraging opportunities and nesting opportunities for birds, and the site is unlikely to support a bird assemblage of conservation importance, but the dense non-native hedges on site may provide nesting opportunities for widespread song bird species, and may

support notable species. Overall, the site is assessed to be of no more than site level value to birds.

Impact Assessment

- 8.7.3** The proposals will affect habitats of low suitability for birds and the removal of these habitats is highly unlikely to have a significant impact on local bird populations; however, there is a risk that it could have an impact on active bird nests. As such, timing precautions for the removal of the trees and shrubs must be adhered to avoid damaging active bird nests - refer to recommendations in **Section 9.4**.

8.8 Badgers (and other mammals)

8.9 Invertebrates

Evaluation of Baseline

- 8.9.1** The desk study data included two recent records of stag beetle (*Lucanus cervus*) - a species of principle importance (as defined under Section 41 of the NERC Act 2006).

This species may utilise the areas of woody vegetation immediately offsite to the east, but the site provides poor habitat for this species, and the site is unlikely to be of importance to local stag beetle populations.

- 8.9.2** The site is relatively species poor and therefore unlikely to support an invertebrate assemblage of conservation importance.

Impact Assessment

- 8.9.3** The proposals will impact areas of frequently mown grassland and hard standing. Whilst these proposals will not have a significant impact on invertebrate populations, there is scope to enhance the site for invertebrate priority species that have been recorded within the local area – refer to recommendations in **Section 9.5**.

8.10 Invasive Non-native Species

Evaluation of Baseline

- 8.10.1** No invasive non-native species listed under Schedule 9 of the Wildlife and Countryside Act 1981 were found on site.

Impact Assessment

- 8.10.2** The absence of any non-native species on site means there is no anticipated spread of invasive species by the proposals.

9 RECOMMENDATIONS

9.1 Overview

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

9.2 Sensitive Lighting Strategy

- 9.2.1** The proposed development will need to be designed to avoid the loss of potential bat flight paths and foraging habitat through the preparation and compliance with a sensitive lighting strategy. During development, artificial lighting should be avoided or kept to a minimum and if security lighting is required, this should be controlled by passive infra-red motion sensors with no light spillage onto the eastern tree line.
- 9.2.2** In the long-term, external lighting should be avoided wherever possible, but if essential, factors such as column height, lamp type and direction, use of passive infrared motion sensors and light spillage should be considered carefully when designing the lighting. If lighting is required, lighting with low or no UV content, i.e. warm white LED lames (2700K or below), should be used in place of mercury and metal halides and luminaires or other directional light accessories should be used to ensure that light spillage onto the tree lines, especially the eastern tree line, and scattered trees is avoided (BCT and ILP, 2023).

9.3 Amphibians, Reptiles and Small Mammals (Reasonable Avoidance Measures)

- 9.3.1** The following reasonable avoidance measures will be adopted to minimise the risk of harming amphibians, reptiles and small mammals:
- Regular cutting of the grassland should be maintained prior to the commencement of site work to minimise the low likelihood of amphibians, reptile and small mammals being present during site works
 - The clearance/removal of stored materials should be undertaken outside of the hibernation season (November to February) and by hand to ensure no animals are harmed that may be hibernating; and
 - Stored building materials should be kept raised above the ground on pallets and on existing hard surfaces as far possible to avoid them becoming shelter for small species;
 - In the unlikely event any amphibians, reptiles or mammals are found on-site they must not be moved, works must cease immediately and an ecologist contacted to confirm species and advise as appropriate.

9.4 Nesting Birds (Precautionary Measures)

- 9.4.1** Any vegetation removal should be completed outside of the peak bird nesting season (March to August) or alternatively, only following an inspection by an ecologist confirming that there is no current nesting activity. If nesting birds are discovered before 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.

9.5 Biodiversity Enhancement Plan

- 9.5.1** The planning proposals provide opportunities for the enhancement of the site's biodiversity value. The inclusion of the following recommendations will be implemented be of ecological benefit and be in line with the National Planning Policy Framework (NPPF), local planning policy, in addition to the species specific mitigation measures and achieving mandatory 10% Biodiversity Net Gain (refer to **Section 10**).

- Installation of bat and bird boxes in/on the newly constructed buildings and/or trees;
- Creation of partially buried log piles as part of the landscaping scheme for stag beetles; and
- Wildlife-friendly, native landscaping that utilises native pollinator plants to benefit invertebrates and other local species. Particularly planting of native hedging on the eastern boundary to provide habitat of value to notable species e.g. bats, dormice, invertebrates and birds, but also through the use of species rich turf or seeding.

10 BIODIVERSITY NET GAIN ASSESSMENT

10.1 Overview

10.1.1 This chapter provides the details of the completed Statutory Biodiversity Metric calculation tool showing the baseline and post-intervention biodiversity value of the on-site habitat.

10.2 Baseline Habitats Onsite

10.2.1 The UK Habitat Classification (UKHab) habitats identified for the on-site land comprise: g4 Modified grassland, u1e Built, linear features, u1b5 Buildings, u1c Artificial unvegetated, unsealed surface, u1f- Sparsely vegetated urban land, Non-native, ornamental hedgerow. The baseline habitats are mapped in **Figure 2** below:



Figure 2. Baseline Habitat Plan

10.2.2 Condition assessments of each habitat where applicable, were completed and detailed in the separate document (Statutory_Biodiversity_Metric_Condition_Assessments_S3198a) and the following was noted:

- The condition assessment for the modified grassland (parcels 2 & 3) defined the habitat as being in poor condition;
- The condition assessment for the modified grassland (parcel 1) defined the habitat

as being in good condition;

- The condition assessment for bare ground (parcel 4) defined the habitat as being in poor condition.

10.3 Strategic Significance

- 10.3.1** A Local Nature Recovery Strategy for Berkshire has been published. The site does not fall within areas of Baseline Biodiversity or within an Opportunities for Biodiversity area and therefore is considered to be of low strategic significance.

10.4 Proposed Onsite Habitats

- 10.4.1** The post-development habitats include the following changes – refer to **Figure 3** below:

- The creation of new hard standings and buildings on areas of existing modified grassland.
- Planting of 14 new small trees that will be in poor condition
- Creation of new areas of modified grassland in poor condition surrounding the buildings
- Planting of a native hedgerow with a mix of native woody species sourced from a nursery supplying UK provenance stock on the eastern boundary. The species will be comprise at least four species selected from hawthorn (*Crataegus monogyna*), field maple (*Acer campestre*), hazel (*Corylus avellana*), guelder rose (*Viburnum opulus*), dogwood (*Cornus sanguinea*) and crab apple (*Malus sylvestris*).



Figure 3. Proposed habitats plan

10.5 Calculation Result

10.5.1 The Biodiversity Metric calculation tool demonstrates that the feasibility of delivering a minimum of 10% net gain for biodiversity is possible within the scope of the proposals by utilising habitats onsite – see metric calculation tool enclosed separately. The results from the tool gives a total % net change of +12.46% in habitat units (a gain of 0.15 units) and +54.46% in hedgerow units (a gain of 0.12 in hedgerow units). The ‘*Land at Fairlands – Statutory Biodiversity Metric (R3198_BNG_a)*’ and ‘*Statutory Biodiversity Metric Condition Assessments - S3198a*’ documents should be referred to separately for the full calculation– see **Figure 3** below.

Land at Fairlands, Farley Hill

Headline Results

Scroll down for final results ▲

Return to results menu

On-site baseline	Area habitat units	1.18			
	Hedgerow units	0.22			
	Watercourse units	0.00			
On-site post-intervention (Including habitat retention, creation & enhancement)	Area habitat units	1.33			
	Hedgerow units	0.35			
	Watercourse units	0.00			
On-site net change (units & percentage)	Area habitat units	0.15	12.46%		
	Hedgerow units	0.12	54.46%		
	Watercourse units	0.00	0.00%		
Off-site baseline	Area habitat units	0.00			
	Hedgerow units	0.00			
	Watercourse units	0.00			
Off-site post-intervention (Including habitat retention, creation & enhancement)	Area habitat units	0.00			
	Hedgerow units	0.00			
	Watercourse units	0.00			
Off-site net change (units & percentage)	Area habitat units	0.00	0.00%		
	Hedgerow units	0.00	0.00%		
	Watercourse units	0.00	0.00%		
Combined net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	Area habitat units	0.15			
	Hedgerow units	0.12			
	Watercourse units	0.00			
Spatial risk multiplier (SRM) deductions	Area habitat units	0.00			
	Hedgerow units	0.00			
	Watercourse units	0.00			
FINAL RESULTS					
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	Area habitat units	0.15			
	Hedgerow units	0.12			
	Watercourse units	0.00			
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	Area habitat units	12.46%			
	Hedgerow units	54.46%			
	Watercourse units	0.00%			
Trading rules satisfied?	Yes ✓				
Unit Type	Target	Baseline Units	Units Required	Unit Deficit	
Area habitat units	10.00%	1.18	1.30	0.00	No additional area habitat units required to meet target ✓
Hedgerow units	10.00%	0.22	0.25	0.00	No additional hedgerow units required to meet target ✓
Watercourse units	10.00%	0.00	0.00	0.00	No additional watercourse units required to meet target ✓

Figure 3. Results taken from the Statutory Biodiversity Metric calculation tool

10.6 Habitat Management and Maintenance

Newly planted trees and hedgerow

- 10.6.1** The 14 newly planted trees, and newly planted hedgerow would require minimal management and maintenance beyond the initial planting and care. Each tree should be mulched to suppress competition from weeds using locally sourced wood chips (the use of compost or plastic mulch should be avoided). The trees should be given an initial soak with water and should only be watered again in a period of drought if necessary.
- 10.6.2** Stakes and ties will be used to support the newly planted trees and will be inspected monthly and adjusted/replaced as necessary; the use of plastic spirals and tree guards will be avoided. The trees will be firmed in after strong winds or heavy frosts as necessary. Tree health will be assessed monthly in the first year and replacement trees planted if any fail.

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APPENDIX 1 – 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. 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. 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. 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 2017. 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