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ECOLOGICAL ASSESSMENT

Keep Hatch Primary School, Ashridge Road, Wokingham, Berkshire, RG40 1PG



Report Title: Ecological Assessment for Keep Hatch Primary School, Ashridge Road, Wokingham, Berkshire, RG40 1PG

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Figure 2 – Proposed site layout



2.0. METHODOLOGY

Desk study

- 2.1. A desk study data search was undertaken. This involved reviewing publicly available datasets and citations of statutory designated sites of importance for nature conservation, Natural England's Priority Habitat Inventory GIS dataset for England, and Natural England's Ancient Woodland Inventory for sites within the zone of influence of the survey area (considered to be a maximum of 1km in this case).
- 2.2. In addition, species records (on Natural England's MAGIC website¹) were accessed, and aerial photographs and Ordnance Survey maps were studied for features of interest.

Extended Phase 1 Habitat and Protected Species Scoping Survey

- 2.3. An Extended Phase 1 Habitat and Protected Species Scoping Survey was undertaken. This comprised a walkover survey of the application site and the classification of habitats following the descriptions provided within the Joint Nature Conservancy Council 'Handbook for Phase 1 Habitat Survey' (NCC 1990, JNCC 1993). An assessment of the site in terms of its suitability for notable or protected species was carried out and any features of note were described.

Surveyor details

- 2.4. The survey was undertaken by Cherry Leung MSc Qualifying CIEEM (Ecologist) and Matthew Stephenson BSc (Hons) (assistant ecologist).

Constraints

- 2.5. There were no constraints to the survey.

3.0. RESULTS

Weather conditions

- 3.1. Weather conditions during the survey were 10OC, 8/8ths cloud cover, wind at Beaufort Scale 0 and light to moderate rain.

Desk study

Statutory sites of importance for nature conservation

- 3.2. There are no statutory sites of importance for nature conservation within 1km of the site.

Ancient woodland

- 3.3. There is one area of woodland listed on Natural England's Ancient Woodland Inventory within 1km of the site. This is Pebblestone Copse, located approximately 600m northeast of the application site.

Great Crested Newt Risk zone

- 3.4. The NatureSpace "Impact Risk Map"² shows the site as being located within the "Green zone" (defined as "suitable habitat – great crested newts are likely to be present").

Nearby ponds

- 3.5. There are two ponds shown on ordnance survey maps (1:25,000 scale) within 500m of the site. These are located approximately 350m and 480m southeast of the application site.
- 3.6. There is also a pond within the grounds of Keep Hatch Primary School, located approximately 20m east of the application site. This was fenced off and could not be accessed.

Protected and notable species records

- 3.7. There are nine records of licenses issued by Natural England for works affecting protected species on The MAGIC website within the 2km of the site. These are summarised in Table 1 below.

Table 3 – Summary of Natural England licence records within 2km of the application site

Distance and direction from the application site	Species affected	Breeding site	Year licence was issued
0.6km North	Great Crested Newt	Yes	2014
0.6km North	Great Crested Newt	Yes	2013
0.8km North west	Great Crested Newt	No	2020
0.8km North west	Brown long-eared bat, common pipistrelle, soprano pipistrelle	No	2020
1.4km West	Noctule	Yes	2010
1.5km South	Brown long-eared bat, common pipistrelle	No	2018
1.6km South west	Common pipistrelle	No	2015
1.9km West	Brown long-eared bat	No	2016
2km North west	Common pipistrelle	No	2016

² The "Impact Risk Map" is the accepted statutory guidance that Local Planning Authorities must take into account when considering the risk of development for great crested newts. naturespaceuk.com/the-scheme/impact-map/

Surrounding land use

- 3.8. The application site is located directly west of Budes Gardens, a residential cul-de-sac in Wokingham.
- 3.9. It lies predominantly within the grounds of Keep Hatch Primary School but also includes the southern section of Foundry College for access purposes.
- 3.10. Directly to the north is Foundry College, and directly south and west are the buildings and grounds of Keep Hatch Primary School, comprising a large grassland field, a line of trees to the north and other scattered trees. Adjacent to the east of the application site are residential properties with their gardens and scattered trees.
- 3.11. Further in all directions are residential areas with occasional green spaces and scattered trees.
- 3.12. There are small strips and blocks of woodland located 300m south east, 500m south east, and 500m east of the application site.

Habitats within the site

- 3.13. The application site comprises areas of hardstanding, amenity grassland, shrub planting, bare ground, and several scattered trees.
- 3.14. A Phase 1 habitat map and associated target notes are provided in Appendix 1, and photographs provided in Appendix 2.
- 3.15. A description of each habitat is given below.
- 3.16. **Hardstanding** – There is hardstanding and artificial surfacing within Keep Hatch Primary School, and car parking spaces within the grounds of Foundry College.
- 3.17. **Bare ground** – There are areas of bare ground across the site, most of which is due to the recent removal of an artificial playground.
- 3.18. **Amenity Grassland** – There are several patches of short-cut and heavily poached (by children) amenity grassland across the site.
- 3.19. **Introduced shrub** – There is shrub planting within Keep Hatch Primary School and Foundry College.
- 3.20. **Scattered trees** – There are seven scattered trees within the application site, one of which will be removed to facilitate the development.

4.0. ASSESSMENT AND RECOMMENDATIONS

Statutory site of importance for nature conservation

- 4.1. There are no statutory sites of importance for nature conservation within 1km of the application site.
- 4.2. As such, Statutory Site of Importance for Nature Conservation will not be a constraint to the proposals.

Ancient woodland

- 4.3. There is one area of woodland listed on Natural England's Ancient Woodland Inventory within 1km of the site. This is Pebblestone Copse, located approximately 600m northeast of the application site. This will be unaffected by the proposals due to its distance from the application site and the scale of the works.
- 4.4. As such, ancient woodland will not be a constraint to the proposals.

Priority Habitats

- 4.5. The Secretary of State periodically publishes a list of habitats that are of principal importance for the conservation of biodiversity in England under Section 41 (S41) of the 2006 Natural Environment and Rural Communities (NERC) Act. The list currently comprises 56 habitats, referred to as "priority habitats" in the National Planning Policy Framework (NPPF).
- 4.6. Paragraph 192 of the NPPF reads:
"To protect and enhance biodiversity and geodiversity, plans should [...] promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity"
- 4.7. As such where priority habitats are found they should be protected from the adverse impacts of development.
- 4.8. The habitats within the application site are not "priority habitats" and, as such, there should not be any priority habitat-related constraints to the development.

Nesting birds

- 4.9. All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Section 1 of this Act makes it an offence to kill, injure or take any wild bird, or intentionally to take, damage or destroy the nest of any wild bird while that nest is in use or being built.
- 4.10. There is a small risk that birds may nest in the two trees to be removed.
- 4.11. The tree surgeon should therefore check for nesting birds before removing the tree. If any nests are found, works that would disturb the nest could not continue until all young have fledged the nest and it is no longer in use.

Other protected species

- 4.12. It is considered highly unlikely that the proposals will have any adverse impact upon any protected species, such as badgers, bats, great crested newts or reptiles because:

- The habitats to be affected by the proposals (hardstanding, bare ground, and scattered trees) are unsuitable or sub-optimal for use by these species and the site is isolated from areas of suitable habitats.
- No signs of badgers were observed on or adjacent to the site during the survey.
- There is no structures within the application site and neither of the two trees to be removed have features suitable for use by roosting bats.

Landscaping and ecological enhancements

- 4.13. Paragraph 193 of the NPPF reads:
“[...] opportunities to improve biodiversity in and around developments should be integrated as part of their design [..]”
- 4.14. It is therefore recommended that any new planting comprises predominantly native and wildlife- friendly species. It is also recommended that ecological enhancements such as bird and bat boxes, bricks or tiles are built into the new building.

5.0. SUMMARY**Priority habitats**

- 5.1. The site comprises hardstanding, amenity grassland, bare ground and introduced shrub, and scattered trees.
- 5.2. These habitats are not “priority habitats” and their loss would not be a constraint to the proposals.

Protected species

- 5.3. It is considered highly unlikely that the proposals will have any adverse impact upon protected species, such as badgers, bats, great crested newts or reptiles.
- 5.4. If the recommendation given in this report regarding nesting birds are adhered to, there should be no ecological constraints to the proposal. -

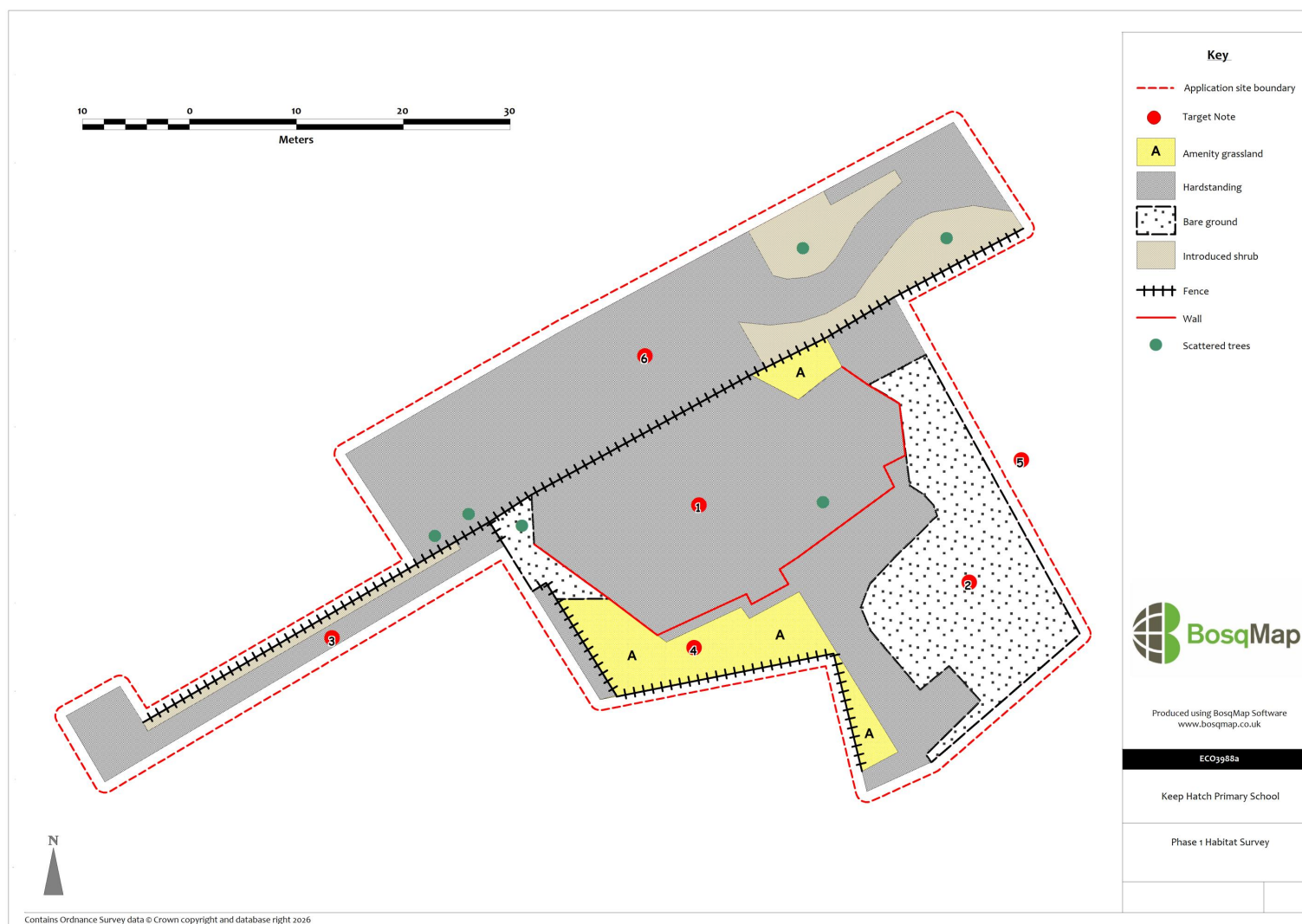
Ecological enhancements

- 5.5. In accordance with paragraph 193 of the NPPF it is recommended that any new planting comprises predominantly native and wildlife-friendly species. It is also recommended that ecological enhancements such as bird and bat boxes, bricks or tiles are built into the new building.

APPENDIX 1 - EXTENDED PHASE 1 HABITAT MAP AND TARGET NOTES

Target Notes

- (1) Location of proposed building on an existing concrete surface. A hawthorn tree above artificial surfacing will be removed to facilitate this.
- (2) Large area of bare ground due to the recent removal of artificial playground surfacing.
- (3) Footpath with adjacent shrub planting
- (4) Heavily disturbed amenity grassland with a high cover of bare ground.
- (5) Three large oak trees and two birch trees - located outside of the application site.
- (6) Section of the application site within Foundry College. Predominantly hardstanding car park but also includes areas of shrub planting and several scattered trees.



APPENDIX 2 – PHOTOGRAPHS

Photo1 –Location of the proposed building on existing hardstanding, and Photo 2 – Small hawthorn tree to be removed



Photo 3 – Silver birch tree to be retained, and Photo 4 –Play area – mosaic of bare ground and artificial surface



Photo 5 – Small silver birch tree within Foundry College car park, and Photo 6 – Two small trees within Foundry College car park



Photo 7- Proposed access route to the west of the application site, and Photo 8 – Three large oak trees located outside the eastern boundary of the application site



Photos 9 and 10 – Two silver birch trees located outside the eastern boundary application site



Photos 11 and 12 – Patches of amenity grassland within the application site



APPENDIX 3 - LEGISLATION AND PLANNING POLICY

Planning Authorities have a legal duty to consider biodiversity when assessing planning applications. Where there is a reasonable likelihood that a planning application might affect important protected sites, species or habitats, information on the species, habitat or site likely to be affected, together with an assessment of the impacts of the proposals, will almost certainly be required.

The legal duty for Planning Authorities to have regard to the conservation of biodiversity was introduced in the 2006 Natural Environment and Rural Communities Act (The NERC Act). This act clarified existing commitments with regard to biodiversity, raised the profile of biodiversity and aimed to make the consideration of biodiversity a natural and integral part of policy and decision making.

In addition to the NERC Act there is also national and international biodiversity legislation. This includes legislation in relation to protected species and sites which operates outside of the planning system. Local Authorities and developers have a duty to comply with this legislation.

National planning policy

Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within the Planning System (referred to in the National Planning Policy Framework) states that:

‘It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.’

As such, in line with national planning policy, most planning authorities will ask for this information to be provided before a planning decision is made and in many cases before it is registered.

Local planning policy

In addition to national planning policy, most councils have planning policies to protect biodiversity, and to enhance it where practicable within and adjacent to development sites.

European protected species

The United Kingdom hosts a number of European Protected Species (EPS) of animals (table 1) and plants (table 2). These species receive special protection under UK law and it is an offence under the Wildlife and Countryside Act 1981 (as amended) and the European Habitats and Species Directive (92/43/EC), enacted in the UK through The Conservation of Habitats and Species Regulations 2010, to deliberately or recklessly destroy or damage their habitat, or to disturb, kill or injure the species without first having obtained the relevant licence from Natural England.

Planning Authorities have a statutory duty under these regulations to have regard to the requirements of the Habitats Directive and need to be satisfied that the development is likely to receive a licence from Natural England, and therefore comply with the Habitats Directive, before granting planning permission.

Table 1 – European Protected Species of Animal found in the UK

Common name	Scientific name
Bats, Horseshoe (all species)	<i>Rhinolophidae</i>
Bats, Typical (all species)	<i>Vespertilionidae</i>
Butterfly, Large Blue	<i>Maculinea arion</i>
Cat, Wild	<i>Felis silvestris</i>
Dolphins, porpoises and whales (all species)	<i>Cetacea</i>
Dormouse	<i>Muscardinus avellanarius</i>
Frog, Pool	<i>Rana lessonae</i>
Lizard, Sand	<i>Lacerta agilis</i>
Moth, Fisher's Estuarine	<i>Gortyna borelii lunata</i>
Newt, Great Crested (or Warty)	<i>Triturus cristatus</i>
Otter, Common	<i>Lutra lutra</i>
Snail, Lesser Whirlpool Ram's-horn	<i>Anisus vorticulus</i>
Snake, Smooth	<i>Coronella austriaca</i>
Sturgeon	<i>Acipenser sturio</i>
Toad, Natterjack	<i>Bufo calamita</i>
Turtles, Marine	<i>Caretta caretta</i> <i>Chelonia mydas</i> <i>Lepidochelys kempii</i> <i>Eretmochelys imbricata</i> <i>Dermochelys coriacea</i>

Table 2 – European Protected Species of Plant found in the UK

Common name	Scientific name
Dock, Shore	<i>Rumex rupestris</i>
Fern, Killarney	<i>Trichomanes speciosum</i>
Gentian, Early	<i>Gentianella anglica</i>
Lady's-slipper	<i>Cypripedium calceolus</i>
Marshwort, Creeping	<i>Apium repens</i>
Naiad, Slender	<i>Najas flexilis</i>
Orchid, Fen	<i>Liparis loeselii</i>
Plantain, Floating-leaved water	<i>Luronium natans</i>
Saxifrage, Yellow Marsh	<i>Saxifraga hirculus</i>

Nationally protected species

Many species of animal are protected under the 1981 Wildlife and Countryside Act (as amended). 'Full protection' applies to EPS and some non EPS species such as the water vole. This prohibits the intentional killing, injuring or taking (capture. etc); possession; intentional disturbance whilst occupying a 'place used for shelter or protection' and destruction of these places; sale, barter, exchange, transporting for sale and advertising to sell or to buy. Many species, such as common species of reptile and amphibian, are protected from intentional killing and injuring and trading.

Badgers

Badgers and their setts are protected under the 1992 Protection of Badgers Act and the Wildlife and Countryside Act 1981 (as amended). It is illegal to intentionally or recklessly kill, injure or take badgers or to interfere with a badger sett. Interference with a sett includes blocking tunnels, or damaging the sett in any way, and could include blocking a badger pathway if it were to stop badgers entering or

leaving a sett. Penalties for offences can be severe, with fines of up to £5,000 plus up to six months' imprisonment, for each illegal sett interference, badger death or injury.

Work that disturbs badgers occupying a sett is illegal without the appropriate licence from the relevant statutory authority being held. Natural England issue licences for reasons including science, education or conservation, for development such as the building of houses and for investigation of offences against badgers. They also issue licences for the prevention of serious damage to land, crops or other form of property, as well as for agriculture, forestry, drainage operations and prevention of the spread of disease.

Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), whilst they are actively nesting or roosting. Section 1 of this Act makes it an offence to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs.

In addition, bird species listed under Schedule 1 of the Act receive extra protection. The Act states that 'it is an offence to intentionally or recklessly disturb any wild bird listed in Schedule 1 while it is nest building, or at (or near) a nest containing eggs or young, or disturb the dependent young of such a bird'. In practice this means that in areas where birds are likely to be nesting works should not be undertaken during the nesting season, which is generally considered to be March to September, although this very much depends on weather conditions, habitats and the species involved. If works cannot be avoided, then areas should first be checked for nesting birds. Habitats likely to host nesting birds include trees, hedgerows and dense scrub, buildings, reedbeds and riverine habitats and open areas with tussocky vegetation.

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