

# MEMORANDUM

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| <b>From:</b>                | Louise Aparo<br>Ecology Officer                                                                                                                                                                                                                                         |                |        |
| <b>Service</b>              | WBC Ecology                                                                                                                                                                                                                                                             | <b>App No:</b> | 260439 |
| <b>Address:</b>             | Land at Range Road, Range House, Finchampstead, Wokingham, RG40 3NR.                                                                                                                                                                                                    |                |        |
| <b>Proposal:</b>            | Full application for the change of use of land to provide one gypsy/traveller pitch, including the stationing of a mobile home and touring caravan, erection of a day room, formation of a new vehicular access and associated parking, landscaping and ancillary works |                |        |
| <b>Type of Development:</b> | Minor Gypsy and traveller pitches (1-9)                                                                                                                                                                                                                                 |                |        |
| <b>Site Visit Made:</b>     | Yes/No                                                                                                                                                                                                                                                                  |                |        |

## Summary Of Recommendations

- ☐ No comment
- ☐ No objection
- ☐ No objection subject to conditions (and reasons) **stated below**
- ☐ Request further information before determination as **stated below**
- ☒ **Objection due to the reason(s) stated below**

## Comments On Proposal

### Statutory Biodiversity Net Gain

The applicant identifies the site as a felled section of mixed woodland and correctly recognises it as a priority habitat. Mapping from the Natural England Priority Habitat Inventory confirms that the site lies within an area of Lowland Mixed Deciduous Woodland, which is classified as a Habitat of Principal Importance.

The Statutory Biodiversity Metric User Guide states that recently felled woodland may be classified as “woodland and forest: felled” with high distinctiveness. However, this precautionary category is intended for use where the original habitat type cannot be reliably determined. In this instance, the Priority Habitat Inventory clearly identifies the woodland type, and therefore the baseline should reflect Lowland Mixed Deciduous Woodland rather than relying on a generic “felled woodland” classification. In addition, applying a precautionary approach to condition assessment, the habitat should be recorded as being in ‘good’ condition.

Whilst this distinction may not alter the overall biodiversity unit calculation, it is important to ensure transparency, consistency with the Statutory Metric, and accurate reporting of impacts on priority habitats. The baseline should therefore be revised accordingly.

Furthermore, no standalone Biodiversity Metric spreadsheet has been submitted to support the assessment. There are also inconsistencies within the submitted documents. Paragraph 8.2.2 of the Preliminary Ecological Appraisal states that the priority woodland is of medium distinctiveness, whereas the Metric categorises the same habitat as high distinctiveness. No clear justification has been provided for any reduction in ecological value. Aside from an aerial image showing a small cleared section, there is no evidence to demonstrate ecological decline. Conversely, the observed clearance could represent active woodland management, such as coppicing, which may enhance structural diversity and biodiversity value. Clarification and supporting evidence are therefore required.

The degradation of the site does not accord with the Biodiversity Gain Hierarchy, as set out in Paragraph 008 (Reference ID: 74-008-20240214). This hierarchy requires that impacts to habitats of medium and high distinctiveness are first avoided, then mitigated, and only compensated for as a last resort. In this instance, the application provides no justification for the absence of avoidance measures, nor does it demonstrate how impacts have been mitigated.

Whilst the Preliminary Ecological Appraisal proposes a small amount of habitat creation, this is limited in scale and quality and does not provide meaningful compensation for the loss of woodland. The proposed 'other woodland; broadleaved' habitat totals only approximately 0.0023ha and is expected to achieve 'poor' condition, which is insufficient to offset the loss of priority woodland habitat in either extent or ecological function.

No evidence of on-site habitat enhancement has been provided, and the proposed habitat creation alone does not satisfy the Biodiversity Gain Hierarchy. Although the appraisal refers to the purchase of biodiversity units, no details have been submitted regarding their location, habitat type, or quantity. As such, it is not possible to assess whether the proposed compensation is appropriate or sufficient.

The application therefore fails to demonstrate compliance with the statutory requirement to deliver a minimum 10% Biodiversity Net Gain or with the Biodiversity Gain Hierarchy under Articles 37A and 37D of the Town and Country Planning (Development Management Procedure) (England) Order 2015. In the absence of sufficient information, the Local Planning Authority cannot be satisfied that biodiversity impacts have been adequately addressed, and I therefore object to the application on these grounds.

### **Priority habitat**

To comply with the Wokingham Core Strategy, Policy CP7 – Biodiversity; developments which harm Habitat of Principal Importance (such as Priority Lowland Mixed Deciduous Woodland, are only to be 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 would result in less or no harm which is available and provides appropriate compensation measures to offset the scale and kind of losses proposed.

The applicant will need to demonstrate how the conversion of priority habitat is outweighs the need to safeguard this priority habitat and nature conservation. As it stands, although the woodland has been felled, this can easily be restored, therefore the justification will need be demonstrated as if from baseline, prior to degradation.

Additionally as LMDW has been felled, bespoke compensation is required, separate to that of BNG, as this compensation is specific to loss of canopy of a priority habitat.

Bespoke compensation is calculated by using the DEFRA Statutory Biodiversity Metric as a guide to determine the compensation required for the loss of LMDW. The Statutory Metric has been used as it incorporates a risk multiplier developed by Natural England, which accounts for the risk of habitat creation failure and identifies the level of compensation required to reduce that risk to an acceptable level. Although this is separate to BNG, compensation can be achieved through the purchase of off-site biodiversity units. It is worth noting that as per Wokingham Biodiversity Action Plan woodland objective, woodland creation should take place in Wokingham to increase canopy cover within the Borough. Should the applicant choose to compensate for the loss of woodland by purchase of off-site units, then an appropriate planning obligation will be required. Other channels of compensation could include off-site habitat creation.

In addition to the Wokingham Core Strategy, the development is required to comply with Policy TB23 (Biodiversity and Development) of the Wokingham Borough Development Plan. Policy TB23 states all development proposals are required to maintain appropriate buffer zones between built development and habitats of principal importance. The application site lies within, and is immediately adjacent to, Lowland Deciduous Woodland Priority Habitat. Whilst a portion of this habitat has been felled, areas of lowland mixed deciduous woodland remain within the site in the form of scattered retained trees, which continue to fall within the priority habitat classification.

As such, a suitable buffer zone is required between the proposed development and both the retained woodland features within the site and the wider adjacent woodland habitat. The current Site Layout Proposal (Martin Peacock Architectural Services, November 2025) does not clearly demonstrate that an adequate buffer has been incorporated, as such does not comply with Policy TB23.

### **Priority species**

#### **Roosting and Foraging Bats**

The Preliminary Ecological Appraisal (PEA) acknowledges that the felled section of woodland was likely to provide features suitable for bat roosting, as well as offering high-quality foraging and commuting habitat. Whilst it is accepted that the scale of woodland loss (approximately 0.15ha) within a wider woodland context is unlikely, in itself, to adversely affect the favourable conservation status of bat populations in terms of roost potential at a landscape scale, this does not negate the potential for impacts at the site level.

In particular, the clearance of woodland prior to the completion of appropriate ecological surveys means that the applicant is unable to demonstrate whether bat roosts were present within the affected area. Using google aerial imagery 2021-

2025 it appears the habitat included the presence of large trees that would provide roost potential. As such, it cannot be ruled out that offences under the Conservation of Habitats and Species Regulations 2017 may have occurred as a result of these works.

Whilst the retention of remaining trees within the site is noted, this does not address the potential loss of roosting features. The application ecologist does recommend bat boxes as a biodiversity enhancement but does not state an amount. As the applicant ecologist was unable to assess the trees prior to degradation, a higher compensation is required as a precautionary approach. The standard amount of bat boxes is two per dwelling, however I propose four will be required to compensate any loss.

The application site and surrounding woodland are currently undeveloped and unlit, functioning as a continuous dark foraging and commuting habitat for a range of species. The proposal would require construction and operational lighting, and whilst a sensitive lighting strategy is recommended and essential given the site's location and its potential to impact foraging and commuting protected species, it cannot be secured.

Due to the nature of the development, the required lighting mitigation cannot be reasonably secured or enforced. This is because the lighting requiring control to prevent light spill would be located within private residential curtilage (e.g. garden areas). Planning conditions cannot be effectively imposed on householders in this context, and therefore the control of lighting cannot be guaranteed.

As a result, light spill from the development would give rise to an unacceptable risk of harm to roosting and foraging bats. This position is supported by appeal decision Ref: 3359928 (Land at Heathlands Road), which confirmed that lighting within private curtilage cannot be reliably controlled, and associated ecological harm cannot be mitigated. The proposal therefore fails to comply with Policy CP7 (Biodiversity), Policy THB23, and the Conservation of Habitats and Species Regulations 2017.

### Reptiles

I disagree with the applicant's conclusion that reptiles are unlikely to be present within the development site on the basis that the woodland habitat is too shaded to support basking individuals. Whilst this may have been a reasonable assumption prior to site clearance, the current site conditions have materially changed. The removal of woodland has created a more open, glade-like environment, which is capable of supporting reptiles.

Furthermore, the site is adjacent to open land to the west, which is likely to provide suitable basking opportunities. This increases habitat connectivity and enhances the potential for reptiles to utilise the site as part of a wider habitat network.

Guidance from Amphibian and Reptile Conservation (Reptile Habitat and Management Handbook, 2010) identifies woodland glades and open woodland as suitable habitats for species such as slow worm, grass snake and adder, all of which are priority species under the NERC Act 2006 and protected under the Wildlife and

Countryside Act 1981. On this basis, the site, in its current condition, should be considered suitable for reptiles.

Whilst a full presence/absence survey may be disproportionate given the scale of the development, mitigation measures should be informed by the current site conditions rather than the pre-clearance baseline. Appropriate precautionary measures are therefore required to ensure reptiles are not harmed during construction, in accordance with Wokingham Core Strategy, CP7.

I acknowledge that the applicant ecologist recommends a hand search of brash piles on site as these could be colonised by reptiles for foraging and hibernaculum purposes and agree this mitigation measure is required. However, I also recommend that an Ecological Clerk of Works (ECoW) is present during initial groundworks and ground clearance to supervise works and ensure that any reptiles encountered are appropriately safeguarded, as the site has now become more suitable for foraging, basking and commuting reptiles. This should be secured through a Biodiversity Method Statement condition to ensure that mitigation measures are implemented effectively.

#### Other Protected species

The applicant ecologist recognises that the site during construction phase has the potential to impact small mammals, badgers and amphibians. As such, recommends best practice guidance measures such as backfilling evacuation, escape ramps and works taking place during appropriate hours. These mitigation measures are appropriate to mitigate risk to protected and priority species and therefore are recommended to be conditioned as a part of the Biodiversity Method Statement Condition.

#### **Biodiversity Enhancements**

Chapter 15 of the National Planning Policy Framework (NPPF) and the Wokingham Borough Development Plan require development proposals to deliver measurable biodiversity benefits through building layout, design, or landscaping.

In order to comply with national and local policy, the applicant's ecologist has recommended the incorporation of bat and bird boxes on the retained trees within the redline boundary and within the offsite woodland. Additionally, the PEA indicates the creation of stag beetle loggeries in the corner of the site and hedgehog highways in any closed board fencing.

As no specific quantities have been set out, and there has been a loss of foraging and roosting habitat for bats and birds, for compensation purposes it appears reasonable and proportionate to require the installation of four bat boxes and four bird boxes. This is a high amount to recognise the loss of habitat and without a baseline provide compensation. This approach is consistent with BS42020:2013 (Biodiversity – Code of Practice for Planning and Development), which requires planning decisions to be based on adequate ecological information and, where uncertainty exists, for a precautionary approach to be taken to ensure biodiversity impacts are appropriately addressed.

The PEA suggests that bird and bat enhancements are implemented on the retained trees and off-site woodland. In such circumstances, it must be clearly demonstrated that the applicant has control or ownership of the off-site land to ensure that the proposed enhancements can be delivered, secured, and maintained.

To ensure delivery of these biodiversity enhancements, it is recommended that a Species Compensation and Enhancement condition is attached to any grant of planning permission.

#### **Thames Basin Heath, Special Protection Area (SPA).**

This proposed development is located within the 5 km linear mitigation zone for the Thames Basin Heath Special Protection Area (SPA), a nationally designated site. In accordance with Policy CP8 – Thames Basin Heath of the Wokingham Core Strategy, impact of the proposed increase in dwellings on the SPA must be appropriately assessed and mitigated.

As this proposal involves additional residential development within the 5 km mitigation zone, the applicant will be required to provide a financial contribution to purchasing capacity of an existing Suitable Alternative Natural Greenspace (SANG), to be managed in perpetuity as an alternative recreational area to the SPA. In addition, a contribution toward Strategic Access Management and Monitoring (SAMM) will also be required. The SANG capacity required to be purchased to mitigate for this development is 0.0192ha.

These contributions will be secured through a Section 106 Agreement.

#### **Summary**

Based on the above information, I object to this development. This is objection is due to the impact this development will have on the surrounding landscape and significant risk of harm to roosting and foraging bats. As the development will include no open space but private curtilage, lighting mitigation cannot be controlled or enforced causing significant harm to roosting and foraging bats within the surrounding woodland, this fails to comply with Conservation of Habitats Regulations 2017.

Additionally, the information provided indicates that the development does not comply with Biodiversity Gain hierarchy. The applicant will also need to demonstrate that the need for this development outweighs the need to safeguard the nature conservation importance and that no alternative site would result in less harm, as well as providing bespoke compensation to comply with Wokingham Core Strategy CP7:Biodiversity.

#### **Conditions & Reasons (if required)**

##### **Biodiversity method statement condition**

No development shall take place (including any demolition, ground works, site clearance) until a method statement for habitat protection, reptiles, amphibians and mammals has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated

objectives (including, where relevant, type and source of materials to be used);

- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

**Reason:** To ensure that biodiversity, protected and priority species are not adversely affected by the proposals. Relevant policy: NPPF 2024 paragraph 198 Section 15 Core Strategy policies CP7 and Managing Development Delivery Local Plan policy TB23.

### **Species Compensation and Enhancement Condition**

Condition: Prior to construction, a scheme for ecological permeability and biodiversity compensation and enhancement, such as the incorporation of four permanent bat roosting feature(s), four bird boxes, stag beetle log piles and access points for hedgehogs, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme. The scheme shall include, but not limited to, the following details:

- a) Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
- b) Materials and construction to ensure long lifespan of the feature/measure
- c) A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- d) When the features or measures will be installed within the construction, occupation, or phase of the development.

**Reason:** To ensure the development is policy compliant with regards to Policy TB23: Biodiversity and Development of the Wokingham Borough Development Plan.

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| <b>Date:</b> | 27.05.26 | <b>Signed:</b> | L.Aparo |
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