

Wokingham Theatre
Cantley Park
Wokingham
Berkshire
RG40 5TU

Preliminary Ecological Appraisal

Report ref.: R2783_PEA_a

<i>Report Quality Control Information</i>	
<i>Author</i>	<i>Vicky Potts MCIEEM</i>
<i>Reviewer</i>	<i>Sarah Foot MCIEEM</i>

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1 Diesel House, Honey Hill, Wokingham, Berkshire RG40 3BL
Telephone: 0118 327 1810 Mobile: 07979 403099 E-mail: info@wenman-ecology.co.uk
www.wenman-ecology.co.uk

John Wenman Ecological Consultancy LLP is a limited liability partnership registered in England and Wales with registered number OC339057.
Registered office: 100 New Wokingham Road, Crowthorne, Berkshire RG45 6JP where you may look at a list of members' names.

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1 EXECUTIVE SUMMARY

- 1.1.1** John Wenman Ecological Consultancy LLP was instructed by ET Planning on behalf of the applicant Wokingham Borough Council to undertake a Preliminary Ecological Appraisal (PEA) including a Preliminary Roost Assessment (PRA) at Wokingham Theatre, to accompany a full planning application seeking consent for the construction of an extension to provide a new costume store, dressing rooms and toilet facilities.
- 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. Vicky Potts MCIEEM carried out a site visit on the 2nd October 2024.
- 1.1.3** The application site is 0.29 hectares of land around the theatre building. The habitats onsite were primarily low and very low distinctiveness habitats: Modified grassland (g4); Buildings (u1b5); Developed land; sealed surface (u1b); Built linear features (u1e); Introduced shrub (847); Sparsely vegetated land (u1f); and Ornamental hedgerow (h2b). Habitats of medium distinctiveness included: Bramble scrub (h3d); and Scattered trees (32).
- 1.1.4** The following recommendations have been made:
- Habitat protection measures (for onsite hedgerow and offsite trees);
 - Sensitive lighting for commuting/foraging bats; and
 - Biodiversity Enhancement Measures.
- 1.1.5** The Statutory Biodiversity Metric calculation tool demonstrates that the feasibility of delivering a minimum of 10% onsite net gain for biodiversity is possible within the scope of the proposals. The final results taken from the tool shows a total onsite net change of 12.55% in habitat units and 20.53% in hedgerow units. Detailed discussion and habitat management recommendations together with the Statutory Biodiversity Metric calculation tool and condition assessment sheets are reported separately (R2783_BNG_a).
- 1.1.6** This report will likely be valid for up to 12 months; after which point a professional ecologist may need to review the report's validity (CIEEM 2019).

2 INTRODUCTION

2.1 Project Background

- 2.1.1** John Wenman Ecological Consultancy LLP was instructed by ET Planning on behalf of the applicant to undertake a Preliminary Ecological Appraisal (PEA) including a Preliminary Roost Assessment (PRA) at Wokingham Theatre.
- 2.1.2** The PEA was commissioned to accompany a full planning application seeking consent for the construction of an extension to provide a new costume store, dressing rooms and toilet facilities (see Site Layout in **Appendix 2**).

2.2 Site Location and Context

- 2.2.1** The 0.29 ha application site comprises a theatre and surrounding open grassland in Wokingham, Berkshire (OS grid reference: SU 80807 69726). The site is surrounded by the grounds of Cantley Park and Cantley Park Hotel, with playing fields and car parking to the north, open grassland and scattered trees to the south and the hotel grounds with a parcel of woodland and parkland with scattered trees to the east.
- 2.2.2** In the wider area, the land is predominantly residential with new residential development in progress to the north and west. The mature trees in the adjacent parkland and nearby Holt Copse & Joel Park Local Nature Reserve - 6.7 acres of semi-natural ancient woodland 320 metres to the south west of the sites boundary - offer high quality habitat for a range of protected and notable species adapted to suburban areas.

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 revised National Planning Policy Framework (NPPF), published in December 2023, 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 186 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 currently has in place a Core Strategy Development Plan Document (DPD), adopted in January 2010. The Core Strategy DPD sets out the long term 'spatial vision' for the Wokingham Borough up until March 2026.
- 4.2.2** Work is underway on the new Local Plan Update document which will refine the current Core Strategy and Managing Development Delivery local plans for the borough up to 2040.
- 4.2.3** When considering planning applications, it is the local authority's obligation to consider the impacts of the development on protected species as set out in the NPPF and the OPDM Circular 06/2005.
- 4.2.4** The Strategic Flood Risk Assessment (SFRA) is a strategic document which identifies zones of risk to help in the allocation of land for development, for Development Management decision making purposes. Policy CP7 of the Core Strategy DPD provides guidance on how biodiversity should be considered as part of development. The Policy states: *'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:*

Which may harm county designated sites (Local Wildlife Sites in Berkshire), whether directly or indirectly, or

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

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:

Mitigation measures can be put in place to prevent damaging impacts;

or Appropriate compensation measures to offset the scale and kind of losses are provided.'

- 4.2.5** Policy CP8 of Wokingham Borough Council's Core Strategy DPD provides guidance on the avoidance and mitigation measures required for any net gain in residential development within 7km of the Thames Basin Heath SPA. The Policy states:
'Development which alone or in combination is likely to have a significant effects 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.

The Appropriate Assessment indicates that to ensure that development avoids its likely significant impact upon the SPA, the following principles will apply:

i) Dwelling houses and other residential development (including staff accommodation in use class C2) will need to provide avoidance and mitigation measures where:

a. The proposal involves the provision of one or more net additional residential unit and is within 5km (linear) of the SPA. Contributions to on site SPA access management measures and monitoring in line with the Delivery Framework will be required together with provision of SANG at a minimum of 8ha/1,000 population (calculated at a rate of 2.4 persons per household). This monitoring includes the effectiveness of the SANG;

b. The proposal provides 50 or more residential units within 7km (linear). In this case, the proposal will be individually assessed for whether a significant effect upon the SPA is likely either on its own or in combination with other plans or projects around the site. Where avoidance and mitigation measures are required to address likely significant effects, this is likely to involve SANG together with funding towards monitoring the effectiveness of the solution agreed;

c. There is a 400m exclusion zone from the SPA for any net additional dwellings due to the inability to avoid likely significant effects upon the SPA.

ii) SANG to be provided and maintained in perpetuity in line with the quality and quantity standards advocated by Natural England. The size and location of SANG contributes towards the delivery of healthy communities in line with advice from the Department of Health and NICE. In order to ensure access to avoidance sites in perpetuity, the Council's preference is for the authority to own any SANG. Where SANG also meets the definition of open space (see Appendix 4), it can also count towards this provision i.e. at least 1 ha/1,000 of the SANG could also contribute towards the Natural Greenspace requirement and vice versa; and

iii) Non-residential development will be individually assessed for their likely significant effects. Where avoidance and mitigation measures are required, monitoring of their effectiveness will be necessary.'

5 SURVEY METHODOLOGY

5.1 Desk Study

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

5.2 Field Survey

UK Habitat Classification Survey

- 5.2.1** A site walkover was undertaken on the 2nd October 2024 by Vicky Potts MCIEEM assisted by Verity West. 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). Particular attention was given to evidence of protected and priority species (NERC Act 2006 Section 41 species of principal importance) and the site's potential to support such species.

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

Preliminary Roost Assessment

- 5.2.3** A detailed inspection of the exterior and interior of the buildings on site was undertaken on the 2nd October 2024 by Vicky Potts (CL18 registration no.: 2016-27162-CLS-CLS) and Verity West, in accordance with good practice guidance (Collins 2023). The equipment used during the inspection comprised binoculars, a high-power (1 million candlepower) LED torch, a headtorch, ladder and PPE (facemask, gloves etc.). The inspection involved a systematic search of the exterior and interior of the structures during daylight hours to compile information on potential and actual bat access points; potential and actual bat roost sites; and any evidence of bat presence.
- 5.2.4** There were no significant survey limitations because PRAs can be carried out at any time of year under any weather conditions and the buildings were fully accessible. It should be noted that it is not always possible to inspect all potential roost sites during a survey, particularly for bat species which typically roost in hidden crevices. Therefore, an absence of bat evidence found during a survey does not necessarily equate to evidence of bat absence in a building.
- 5.2.5** This report contains information regarding a mobile species so it will likely be valid for less than 12 months (CIEEM 2019b).

6 DESK STUDY FINDINGS

6.1 Designated Sites and Habitats

- 6.1.1** The desk study returned no internationally designated statutory sites within a 5km radius of the site. There is one nationally designated statutory site within a 2km radius of the site and one locally designated non-statutory site, i.e. Local Wildlife Site (LWS), within a 1km radius - see **Tables 1a and 1b** below.

Table 1a. Statutorily designated sites within the vicinity of the site (Source: Natural England).

Site name	Designation	Description	Distance from nearest site boundary (m)
Holt and Joel Copse	Local Nature Reserve (LNR)	6.7 hectares of lowland mixed deciduous woodland, ancient semi-natural woodland and a large noctule bat roost.	320 S

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

Site name	Designation	Description	Distance from nearest site boundary (m)
Holt Copse	Local Wildlife Site (LWS)	2.69 hectares of ancient and semi-natural woodland and part of the Holt Copse and Joel Park Local Nature Reserve. The canopy is dominated by oak (semi-mature) with occasional wild cherry, alder and ash. The understorey is made up of hazel, holly with areas of elder, rowan and hawthorn. Bluebell makes up the field layer with wood avens, ivy, tufted hair-grass, ground ivy, herb robert, enchanter's nightshade, occasional wood melick and in areas dense bramble.	320 SW

- 6.1.2** There are four SSSIs within 5km of the site and the site falls within the Impact Risk Zone (IRZ) of Lodge Mill and Sandford Mill SSSI, Longmoor Bog SSSI, Heath Lake SSSI and Wykery Copse SSSI. The sites are all over 4 km from the site with the closest being Lodge Mill and Sandford Mill SSSI 4199 m to the northwest. Thames Basin Heath SPA is also located 5956 m to the south east of the site.
- 6.1.3** One Biodiversity Opportunity Area (BOA) – an area supporting a high concentration of UKBAP habitats and species – is situated within the search area: Waltham to Binfield Woodlands and Parklands BOA is situated 1.36 kilometres to the north east of the site.
- 6.1.4** The application site contains no irreplaceable habitats (e.g. Ancient Semi-natural Woodland) or priority habitats (NERC Act 2006 Section 41 habitats of principle importance). A patch of deciduous woodland – a habitat of principle importance is situated just over 30 m to the southeast at Cantley House Hotel. A patch of semi-natural ancient woodland is present within Holt Copse and Joel Park Local Nature Reserve 320 metres to the south west of the site boundary.

6.2 Protected and Notable Species

- 6.2.1** The search of the TVERC database revealed a range of protected and notable species records starting from the 2004. Only recent records defined as fewer than ten years old are included in this report (see **Tables 2a & 2b**).

Table 2a. Recent protected and/or notable species records within the vicinity of the site (Source: TVERC).

Common name	Scientific name	No. of records	Most recent record	Nearest record (m)	Precision (m)	Status
Amphibians						
Common frog	<i>Rana temporaria</i>	1	2017	940 NE	100	HDir5, WCA5
Great crested newt	<i>Triturus cristatus</i>	6	2021	534 N	10	HabReg-Sch2, WCA5
Birds						
Barn owl	<i>Tyto alba</i>	1	2017	826 NW	10	WCA1
Black redstart	<i>Phoenicurus ochruros</i>	17	2022	440 NW	100	WCA1
Brambling	<i>Fringilla montifringilla</i>	1	2017	1270 W	1000	WCA1
Cetti's warbler	<i>Cettia cetti</i>	1	2020	1230 SW	1000	WCA1
Common scoter	<i>Melanitta nigra</i>	1	2021	1230 SW	1000	WCA1
Fieldfare	<i>Turdus pilaris</i>	21	2022	342 SW	1000	WCA1
Firecrest	<i>Regulus ignicapilla</i>	1	2917	1410 SE	1000	WCA1
Green sandpiper	<i>Tringa ochropus</i>	19	2022	447 NE	100	WCA1
Kingfisher	<i>Alcedo atthis</i>	5	2022	1010 NE	1000	BirdsDir-A1; WCA1
Peregrine	<i>Falco peregrinus</i>	7	2022	678 SW	100	BirdsDir-A1; WCA1
Red kite	<i>Milvus milvus</i>	79	2022	180 SE	100	BirdsDir-A1; WCA1
Red-backed strike	<i>Lanius collurio</i>	3	2021	367 NE	100	BirdsDir-A1; WCA1
Redwing	<i>Turdus iliacus</i>	47	2022	342 SW	100	WCA1
Higher Plants						
Annual Beard-grass	<i>Polypogon monspeliensis</i>	1	2016	1000 SW	100	Status-NS
Bluebell	<i>Hyacinthoides non-scripta</i>	1	2014	1310 W	1000	WCA8
Common Cudweed	<i>Filago vulgaris</i>	1	2022	243 SE	10	RL-NT
Corn Marigold	<i>Glebionis segetum</i>	1	2019	195 SE	100	RL-VU
Cornflower	<i>Centaurea cyanus</i>	1	2019	195 SE	100	NERC-S41
English Sticky Eyebright	<i>Euphrasia officinalis subsp. anglica</i>	1	2019	195 SE	100	NERC-S41, RL-EN
Hoary Plantain	<i>Plantago media</i>	1	2019	195 SE	100	RL-NT
Ragged-Robin	<i>Silene flos-cuculi</i>	2	2016	1000 SW	100	RL-NT
Invertebrates						
A Beetle	<i>Omalium rugatum</i>	2	2016	787 SW	10	Notable
Stag Beetle	<i>Lucanus cervus</i>	29	2022	385 W	10	HDir2, WCA5, NERC-S41
Brown Tree Ant	<i>Lasius brunneus</i>	2	2015	727 SW	100	Notable-A
Red-girdled Mining Bee	<i>Andrena labiata</i>	1	2015	727 SW	100	Notable-A
Common Darter	<i>Sympetrum striolatum</i>	4	2017	935 NE	100	RL-DD
Buff Ermine	<i>Spilosoma lutea</i>	1	2015	727 SW	100	NERC-S41
Cinnabar	<i>Tyria jacobaeae</i>	1	2017	860 NE	100	NERC-

						S41
Dot Moth	<i>Melanchra persicariae</i>	1	2015	727 SW	100	NERC-S41
Dotted Ermel	<i>Ethmia dodecea</i>	1	2015	727 SW	100	Notable-B
Grey Dagger	<i>Acronicta psi</i>	1	2015	727 SW	100	NERC-S41
Mottled Rustic	<i>Caradrina morpheus</i>	1	2015	727 SW	100	NERC-S41
Shaded Broad-bar	<i>Scotopteryx chenopodiata</i>	1	2015	727 SW	100	NERC-S41
Small Square-spot	<i>Diarsia rubi</i>	1	2015	727 SW	100	NERC-S41
A True Bug	<i>Eremocoris fenestratus</i>	1	2015	727 SW	100	RL-EN
Terrestrial mammals (excl. Bats)						
Eurasian Badger	<i>Meles meles</i>	6	2021	787 NW	1000	Badgers Act 1992
West European Hedgehog	<i>Erinaceus europaeus</i>	42	2023	491 W	10	NERC-S41, RL-VU
Terrestrial mammals – Bats						
Brown Long-eared Bat	<i>Plecotus auritus</i>	38	2022	303 N	10	HDir4, HDir2, WCA5, NERC-S41
Common Pipistrelle	<i>Pipistrellus pipistrellus</i>	103	2022	67 E	10	HDir4, HDir2, WCA5
Daubenton's Bat	<i>Myotis daubentonii</i>	2	2019	500 SW	10	HDir4, HDir2, WCA5
Long-eared Bat species	<i>Plecotus</i>	3	2016	476 SE	10	HDir4, HDir2, WCA5, NERC-S41, RL-EN
Myotis Bat species	<i>Myotis</i>	14	2018	432 NE	10	HDir4, HDir2, WCA5, NERC-S41, RL-DD
Nathusius' Pipistrelle	<i>Pipistrellus nathusii</i>	7	2020	432 NE	10	HDir4, HDir2, WCA5, RL-NT
Noctule Bat	<i>Nyctalus noctula</i>	42	2020	67 E	10	HDir4, HDir2, WCA5, NERC-S41
Pipistrelle Bat species	<i>Pipistrellus</i>	23	2022	331 W	10	HDir4, HDir2, WCA5, NERC-S41, RL-NT
Serotine	<i>Eptesicus serotinus</i>	12	2020	432 NE	10	HDir4, HDir2, WCA5
Soprano Pipistrelle	<i>Pipistrellus pygmaeus</i>	97	2022	67 E	10	HDir4, HDir2, WCA5, NERC-S41
Western	<i>Barbastella</i>	2	2018	432 NE	10	HDir4,

Barbastelle	<i>barbastellus</i>					HDir2, WCA5, NERC- S41, RL-VU
Reptiles						
Slow-worm	<i>Anguis fragilis</i>	14	2018	713 SW	10	WCA5, NERC- S41

N.B. due to a large number of bird records recorded within the search radius only species listed under Schedule 1 of the Wildlife and Countryside Act have been included in the table above.

Table 2b. Species status key.

Abbreviation	Legislation
Bern2	Bern Convention on the Conservation of European Wildlife and Natural Habitats, Appendix 2 - Strictly protected fauna species
BirdsDir-A1	Bird Species listed on Annex 1 of EC Directive on the Conservation of Wild Birds. Covers birds which are the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction in their area of distribution.
Bonn2	Bonn Convention on the Conservation of Migratory Species of Wild Animals, Appendix 2 - Migratory Species to be the subject of agreements
CITES-B	Convention on International Trade in Endangered Species, Annex B - Species that may become extinct unless trade is closely controlled
GBNNSIP	Great Britain Non-native Species Inventory Portal Checklist of Non-native Species
HDir2	Habitats Directive, Annex 2 – Species whose conservation requires the designation of special areas of conservation
HDir4	Habitats Directive, Annex IV - Species in need of strict protection
HDir5	Habitats Directive, Annex V – Species whose taking in the wild and exploitation may be subject to management measures
LI (County scarce/Medium/Low Priority)	Locally Important Species
Notable A	Invertebrate species not falling within IUCN categories - uncommon in Britain - occur in <30 10km (hectad) squares or for less well recorded groups with <7 vice counties
Notable B	Invertebrate species not falling within IUCN categories - uncommon in Britain – occur in 31-100 10KM sq / or for less or for less well recorded groups between 8 – 20 vice counties
RDB-NR	Red Data Book listing (not based on IUCN guidelines) - Nationally Rare
RDB-NS	Red Data Book listing (not based on IUCN guidelines) - Nationally Scarce
RL-DD	IUCN Red List of Threatened Species - Data Deficient
RL-EN	IUCN Red List of Threatened Species – Endangered
RL-VU	IUCN Red List of Threatened Species – Vulnerable
RL-NT	IUCN Red List of Threatened Species - Near Threatened
S41	Natural Environment and Rural Communities Act 2006 (Section 41)
UKBA	RSPB/BTO Birds of Conservation Concern - Amber list (not based on IUCN criteria)
WACA-Sch1-p1	Wildlife & Countryside Act 1981 - Birds which are protected by special penalties.
WCA5	Wildlife & Countryside Act 1981 Schedule 5 - Animals which are protected
WCA8	Wildlife & Countryside Act 1981 Schedule 8 - Plants which are protected
WCA9	Wildlife & Countryside Act 1981 Schedule 9 - Animals and Plants which are established in the wild

6.2.2 Six bat mitigation licences have been granted within a 2-kilometre radius of the application site, covering licensable works affecting the following species: soprano pipistrelle (*Pipistrellus pygmaeus*), brown long-eared (*Plecotus auritus*), common pipistrelle (*Pipistrellus pipistrellus*) and noctule (*Nyctalus noctula*). The closest licence was for the destruction of a resting place and breeding site for noctule, 437 m south of the site (Case ref.: EPSM2009-1496).

6.2.3 Four waterbodies have been identified within 500m of the site, including two at Cantley Park, 224 m and 238 m to the southeast, and two further ponds 463 m and 439 m to the northeast of the site. There are also additional waterbodies at a sewage treatments work from 421 m to the northeast. A search of MAGIC returned an absence of great crested newts (*Triturus cristatus*) for the closest ponds at Cantley Park in surveys undertaken between 2017 and 2019. A search of MAGIC returned one mitigation licence within at least a 2km radius from the application site, covering licensable works affecting great crested newts (*Triturus cristatus*), for the destruction of a resting place and breeding site at a site 1163 km to the northeast (Case ref: EPSM2013-5426). A search of NatureSpace GCN impact risk zones show the site to fall within a red zone – i.e. the area comprises highly suitable habitat – the most important areas for great crested newts.

6.3 Historic and Current Land Use

6.3.1 Google Satellite imagery dating back to 2003 shows the application site being similar as existing. A more defined track of bare ground was present along the eastern side of the building up until 2021 when a new storage building was added to the east of the theatre and since then the grassland has been allowed to grow.

6.4 Geology, Soils and Topography

6.4.1 The geology of the application site is slowly permeable seasonally wet and slightly acid but base-rich loamy and clayey soils with impeded draining; the main land cover is grassland and arable with some woodland.

7 UK HABITAT CLASSIFICATION SURVEY

7.1 Overview

7.1.1 The application site is 0.29 hectares of land around the theatre building. The habitats onsite primarily comprised of frequently mown modified grassland with a patch of sparsely vegetated land where an area had been used for access to back stage and storage areas. Paved footpaths and a few beds of introduced shrubs were present around the theatre building. A part managed and unmanaged single species ornamental hedge was present on the western boundary and two patches of scrub were present on the south eastern boundary.

7.1.2 The UK Habitat Classification (UKHab) habitats onsite were primarily low and very low distinctiveness habitats: Modified grassland (g4); Buildings (u1b5); Developed land; sealed surface (u1b); Built linear features (u1e); Introduced shrub (847); Sparsely vegetated land (u1f); and Ornamental hedgerow (h2b). Habitats of medium distinctiveness included: Bramble scrub (h3d); and Scattered trees (32).

7.1.3 The UKHab primary habitats and secondary codes are described alongside photographs (see **Photographs 1-12**) and a survey plan (see **Figure 1**), as follows:

7.2 g4 Modified grassland

32 Scattered trees/ 612 Fence

7.2.1 The majority of the site was modified grassland around a theatre building, with a post and rail fence along the southern end connecting to the adjacent Cantley Park. The grassland was frequently mown and the grassland composition was limited. The grass species which dominated the sward included: perennial rye grass (*Lolium perenne*), creeping bent (*Agrostis stolonifera*), yorkshire fog (*Holcus lanatus*) and fescue (*Festuca* sp.). Herbaceous species included: yarrow (*Achillea millefolium*) and creeping buttercup (*Ranunculus repens*) which dominated the grassland, and other species included ribwort plantain (*Plantago lanceolata*), creeping cinquefoil (*Potentilla reptans*), white clover (*Trifolium repens*), meadow buttercup (*Ranunculus acris*), bristly ox-tongue (*Picris echinoides*), ragwort (*Senecio jacobaea*), dandelion (*Taraxacum officinale* agg.), thistle, dock (*Rumex* sp.) and self-heal (*Prunella vulgaris*) which was dominant under the off-site tree line along the eastern boundary.

7.2.2 A few small scattered trees were present in the north western corner of the site including two silver birch (*Betula pendula*), cherry (*Prunus* sp.) and sweet gum (*Liquidambar*

styraciflua), all of which were young trees.



Photograph 1. Modified grassland looking to the west from the south easterly point.



Photograph 2. The northwestern corner of the modified grassland around the theatre.



Photograph 3. The scattered trees to the northwest of the site.

7.3 u1f Sparsely vegetated land

- 7.3.1** A section of the site to the east of the theatre was disturbed where it was used as an access point to back stage and the store. The area was dominated with gravel with a few species growing though in places. The species included perennial rye grass (*Lolium perenne*), ribwort plantain (*Plantago lanceolata*), yarrow (*Achillea millefolium*), daisy (*Bellis perennis*), and creeping cinquefoil (*Potentilla reptans*).



Photograph 4. Sparsely vegetated land along the eastern side of the theatre building.

7.4 u1b5 Buildings

- 7.4.1** There were two buildings onsite: the main theatre building and a store. There was also a metal container.



Photograph 5. Main theatre building.



Photograph 6. The metal store and container.

7.5 u1b Developed land; sealed surface

- 7.5.1** There were air conditioning units fenced off around the eastern side of the theatre positioned on hard standing.



Photograph 7. Air conditioning units on the eastern side of the theatre.

7.6 u1e Built linear features (u1e);

- 7.6.1** There were paved and tarmac footpaths around the outside of the theatre.



Photograph 8. Footpath around the theatre building.

7.7 847 Introduced shrub

- 7.7.1 A few flowerbeds were present around the theatre and included *Hebe*, rose (*Rosa sp.*), periwinkle (*Vinca sp.*), *Fatsia japonica*, beech (*Fagus sylvatica*), spindle (*Euonymus europaeus*), and dogwood (*Euonymus europaeus*).



Photograph 9. Flowerbeds with introduced shrubs around the theatre building.

7.8 h2b Ornamental hedgerow

- 7.8.1 There was a beech (*Fagus sylvatica*) hedgerow along the north western boundary of the site which was partly managed and partly unmanaged with small trees. Some ivy (*Hedera helix*) and elder (*Sambucus nigra*) was present amongst the unmanaged section.



Photograph 10. Beech hedgerow along the north western boundary.

7.9 h3d Bramble scrub

- 7.9.1** There was a patch of scrub in the north eastern corner of the site along a dilapidated off-site wooden fence and tree line. Species present included bramble (*Rubus fruticosus* agg), cherry laurel (*Prunus laurocerasus*), common nettle (*Urtica dioica*) and ivy (*Hedera helix*). Some ivy (*Hedera helix*) was also present along the fence line on the eastern boundary. A second patch of scrub was present in the south eastern corner which was dominated by bramble (*Rubus fruticosus* agg) with some dog rose (*Rosa canina*), burdock (*Arctium* sp.), holly (*Ilex aquifolium*), common nettle (*Urtica dioica*) and cherry laurel (*Prunus laurocerasus*). Mature oak (*Quercus robur*) and yew (*Taxus baccata*) trees were present offsite along the south eastern boundary beyond the scrub and dilapidated fence.



Photograph 11. Patch of scrub in the north eastern corner.



Photograph 12. Patch of scrub in the south eastern corner.



Figure 1. UKHab Survey Plan (Baseline Habitats).

8 PRELIMINARY ROOST ASSESSMENT FINDINGS

8.1 Overview

- 8.1.1 The findings from the external and internal inspections carried out for the theatre and store are described with photographs (see **Photographs 13-33**) and annotated in a plan (see **Figure 2**), as follows:

8.2 Theatre (B1)

External Survey

- 8.2.1 The theatre was a brick building with a hipped roof (**Photographs 13 & 14**).



Photograph 13. Theatre viewed from south.



Photograph 14. Theatre viewed from east.

- 8.2.2 The interlocking concrete roof tiles were flat and the ridge and hip tiles were intact (**Photograph 15**). Mesh was present along the base of the roof tiles (**Photograph 16**).



Photograph 15. Interlocking roof tiles and hip tiles tight (west elevation).



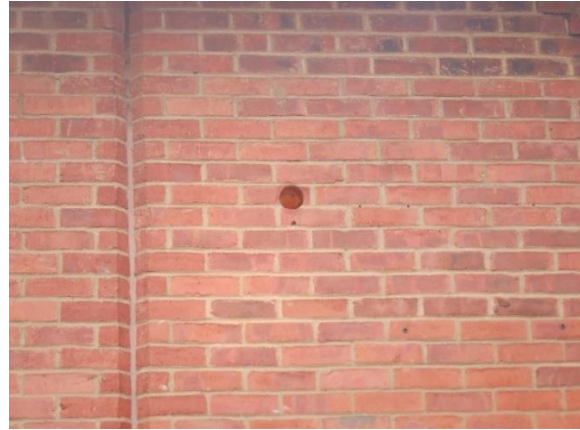
Photograph 16. Mesh along the base of the roof tiles.

- 8.2.3 There was a limited gap behind an overhanging soffit box which was obscured by cabling on the northern elevation (**Photograph 17; Target note 1**). There were two superficial gaps in the wall by the air conditioning units which were of limited extent with brickwork

visible inside and no suitable crevices present for use by bats (**Photograph 18; Target note 2**).



Photograph 17. Small gap behind overhanging eaves (northern elevation).



Photograph 18. Holes of limited extent in the wall (eastern elevation).

Internal Survey

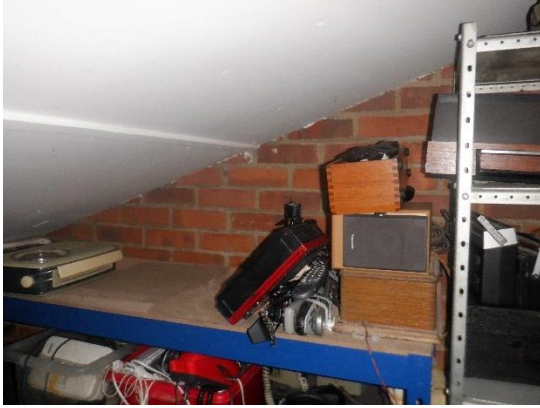
- 8.2.4** The theatre had three roof voids. The first one was present above the paint store at the south eastern corner. It comprised of a mezzanine level that was accessed via a ladder and had a floor to roof height of 1.5 metres. The space was used for the storage of props. The void was lined with timber which covered the eaves and was tight to the brick wall (**Photographs 19 & 20**). The gable end wall was of brickwork and blockwork construction (**Photograph 21**). No evidence of roosting bats was observed inside the roof void.



Photograph 19. Roof void 1 lined with timber.



Photograph 20. Roof void 1 boarded up to the eaves.



Photograph 21. Western gable inside roof void.

8.2.1 The second roof void was present in the south western corner above the dressing room and was accessed via a loft hatch. The void had floor to ridge height of 1.5 metres. The space was of trussed rafter construction and was used for the storage of props (**Photograph 22**). A couple of vents and associated pipework was present within the void felt (**Photograph 23**). The roof was tightly lined with bitumen roofing felt (**Photograph 24**) and the floor was boarded. The gable end walls were of brickwork and blockwork construction (**Photograph 25**). Fibreglass insulation was present at the top of the side brick walls (**Photograph 26**). No evidence of roosting bats was observed inside the roof void.



Photograph 22. Roof void 2 with trussed rafters.



Photograph 23. Roof void 2 with a couple of vents.



Photograph 24. Roof void 2 lined tightly with bitumen felt.



Photograph 25. Roof void 2 eastern gable end.



Photograph 26. Roof void 2 with fibreglass at the top of the walls.

8.2.2 The third roof void was present in the north western corner above the toilets and was accessed via a loft hatch. The space was of trussed rafter construction with raised water tanks and fibreglass insulation (**Photograph 27**). The roof was tightly lined with bitumen roofing felt (**Photograph 27**) and the floor was un-boarded. Blockwork was present around the eaves (**Photograph 29**). No evidence of roosting bats was observed inside the roof void.



Photograph 27. Roof void 3 with trussed rafters with some raised sections covered with fibreglass, and lined with bitumen roofing felt.



Photograph 28. Roof void 3 with an un-boarded floor.



Photograph 29. Blockwork around the eaves in roof void 3.

8.2.1 The remaining sections of the building comprised a foyer to the west and the main

auditorium to the east. The building was tightly lined up to the roof (**Photograph 30**).



Photograph 30. The tightly fitted wall along the eastern side of the theatre.

8.3 Store (B2)

External Survey

- 8.3.1 The store building was a corrugated metal building of simple construction with a pitched roof (**Photograph 31**).



Photograph 31. Store of corrugated metal construction.

Internal Survey

- 8.3.2 The store was used for miscellaneous storage purposes (**Photograph 32**). The roof featured some corrugated plastic sky lights (**Photograph 33**). No evidence of roosting bats was observed inside the building.



Photograph 32. Store interior.



Photograph 33. Skylights within the roof of the store..

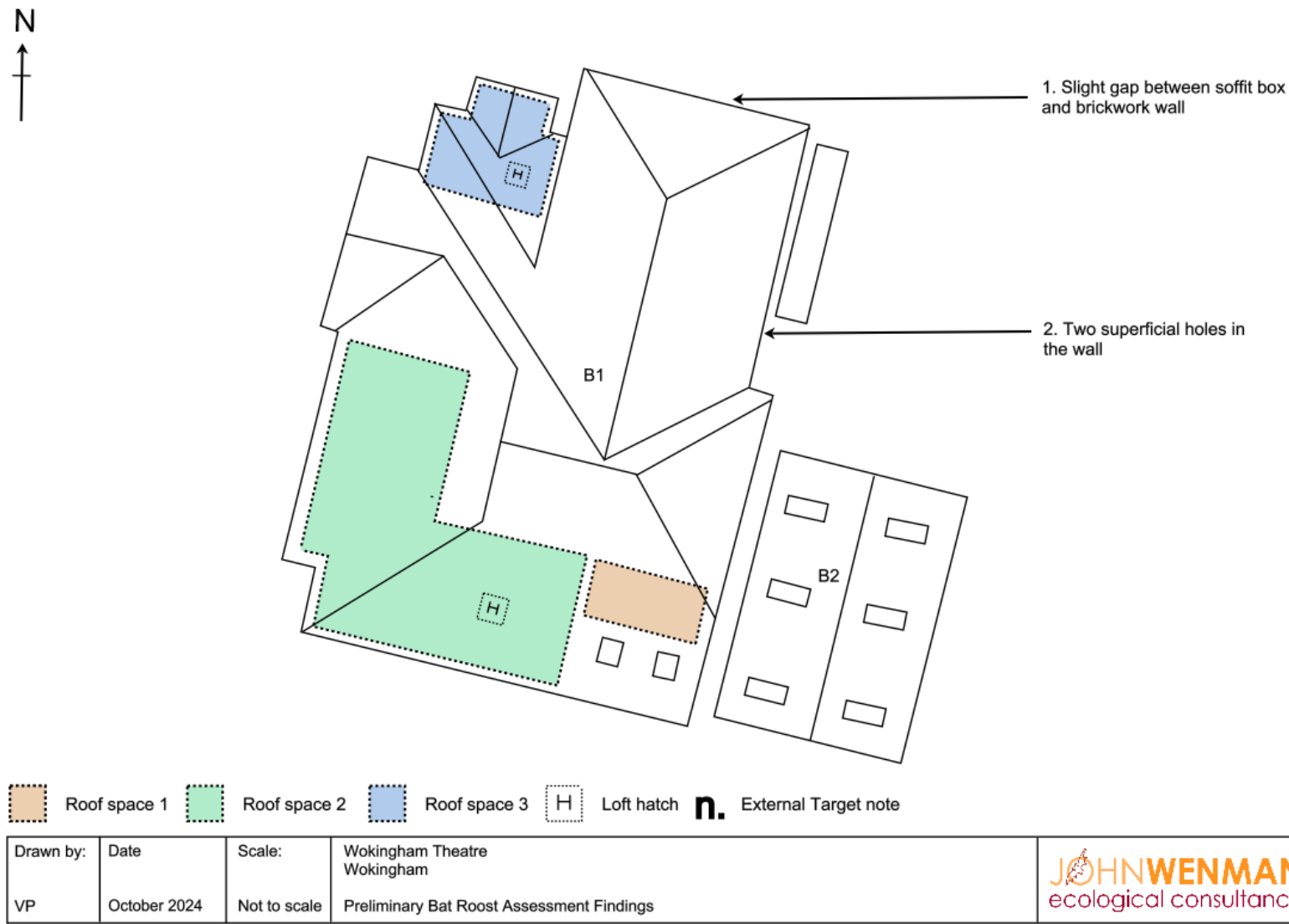


Figure 2. Preliminary Roost Assessment Plan.

9 DISCUSSION

9.1 Designated Sites for Nature Conservation

Evaluation of Baseline

- 9.1.1** The desk study revealed that the application site is not statutorily designated for its wildlife interest and therefore is not currently recognised as being of international, national or county level conservation significance. The site falls within the Impact Risk Zone (IRZ) for several SSSIs including: Lodge Mill and Sandford Mill SSSI, Longmoor Bog SSSI, Heath Lake SSSI and Wykery Copse SSSI. They sites are all over 4 km to the site with the closest being Lodge Mill and Sandford Mill SSSI 4199 m to the northwest.
- 9.1.2** The desk study data included one internationally designated Special Protection Area (SPA) over 5km from the site: Thames Basin Heaths SPA. The desk study returned one nationally designated statutory site within a 2km radius of the site - Holt and Joel Copse LNR 520 m to the south of the site - and one non-statutorily designated site - Holt Copse LWS 320 m to the south west of the site.

Impact Assessment

- 9.1.3** The Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) indicate that at the location of the application site, the proposed development (in nature and scale) is unlikely to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and the Special Protection Area (SPA) sites. Therefore, it is recognised that consultation with Natural England on the likely impacts of development on terrestrial SSSIs and the SPAs sites is not required.
- 9.1.4** Furthermore, considering the nature, scale and distance of the development, no adverse effects are anticipated on the locally designated sites.

9.2 Habitats

Evaluation of Baseline

- 9.2.1** The application site is characterised by a building with footpath around it and frequently mown modified grassland with a patch of sparsely vegetated land, a managed single species ornamental hedge and beds of introduced shrubs – habitats of very low and low distinctiveness. Medium distinctiveness habitats on site included two small patches of bramble scrub and four young scattered trees.

- 9.2.2** There are no priority habitats (NERC Act 2006 Section 41 habitats of principle importance) within the application site boundary, however there are several patches of deciduous woodland just over 30 m from the site boundary and ancient and semi-natural woodland 320 m from the site - priority habitats.

Impact Assessment

- 9.2.3** The proposals do not result in the loss of any priority habitats or habitats of importance beyond the site level. The proposed development will need to demonstrate a minimum of 10% net gain for biodiversity – refer to separate BNG documentation (R2783_BNG_a).
- 9.2.4** Furthermore, no impacts to onsite linear habitats (**h2b**) and the medium distinctiveness bramble scrub (**h3d**) are anticipated because these will be protected during construction and retained post development – refer to **Section 10.2**.

9.3 Bats

Evaluation of Baseline

- 9.3.1** The application site offers some limited suitable commuting habitat for bats with patches of scrub which connect to tree lines within Cantley Park to the southeast and the ornamental hedgerow which connects to a tree line along Twyford, although the hedge is likely to be partly well lit as it is situated on the edge of a car park.
- 9.3.2** The theatre building had three internal roof spaces and no evidence of roosting bats was found within the voids, therefore it is unlikely that the building supports void-dwelling species such as the brown long-eared bat (*Plecotus auritus*). Furthermore, externally the building had no features offering potential roosting opportunities for use by crevice dwelling bats; one small gap on the northern elevation was assessed and considered to be of negligible suitability for roosting bats. The store building was of simple construction and also offered no features suitable for use by bats. The theatre and store buildings were therefore considered to offer negligible potential suitability (refer to suitability categories in **Appendix 3**).
- 9.3.3** Due to the nature and scale of the site it is unlikely to be important for bats at a local level.

Impact Assessment

- 9.3.4** The proposed development should incorporate a sensitive lighting scheme to prevent

the loss of a suitable foraging habitat on site. Artificial lighting has been shown to alter the activity of nocturnal species and certain bat species have been found to be especially averse to lighting and actively avoid lit areas (ILP 2023). To prevent adverse impacts from lighting, any lighting should be designed with the aim of reducing light spillage onto adjacent habitats, thereby maintaining dark corridors along the margins of the site – refer to **Section 10.3**.

9.4 Great Crested Newt (and other amphibians)

Evaluation of Baseline

9.4.1 The desk study data included no GCN (or other notable amphibian) records within a 1 kilometre radius of the application site. There are four waterbodies within 500 m of the site, however the desk study findings confirmed an absence of GCN in the two ponds at Cantley Park, 224 m and 238 m to the southeast of the site. Furthermore, the application site lacks standing water so offers no breeding opportunities for amphibians, such as GCN – a priority species (NERC Act 2006 Section 41 species of principle importance).

9.4.2 The modified grassland (**g4**) that is frequently mown and ornamental hedgerow (**h2b**) offers unsuitable terrestrial habitat for GCN and other amphibians that may only be used opportunistically to traverse the site. The bramble scrub (**h3d**) offers habitat of low quality for amphibians, providing limited opportunities for sheltering and foraging but is connected to the offsite parkland. The site falls within the NatureSpace red zone, largely due to the number of waterbodies in the area and wider suitable habitats, which identifies the area to have highly suitable habitat. Based on the unsuitable habitat on site and absence of records within close proximity to the site, it is considered unlikely that GCNs are present onsite, however there is a low risk that they could opportunistically use the bramble scrub on site.

Impact Assessment

9.4.3 The proposed minor development will not impact any suitable breeding habitat or terrestrial habitat suitable for GCN. The low quality terrestrial habitat on site, i.e. the bramble scrub (**h3d**), will be protected during construction and retained post development.

9.4.4 The risk of GCN presence within the area of the development onsite is low and precautionary reasonable avoidance measures will prevent the contravention of legislation protecting this species – refer to **Section 10.4**.

9.5 Hazel Dormouse

Evaluation of Baseline

- 9.5.1** The desk study data included no recent hazel dormouse records within a 1 kilometre radius of the application site. A search of MAGIC for granted EPS licence applications returned none within at least a 5km radius of the site.
- 9.5.2** The application site does not have suitable habitat for dormice and it lacks the scale and connectivity to suitable offsite habitat to support a population of this species. The woodland offsite to the southeast of the site boundary may offer suitable habitat for dormice, but does not connect to any suitable habitat for dormice on site. Dormice will use sub-optimal hedgerow, scrub or wooded habitat in some circumstances, however the ornamental hedgerow on site was of limited extent and fragmented.. Therefore, the presence of hazel dormouse on site is considered highly unlikely.

Impact Assessment

- 9.5.3** The risk of hazel dormouse presence on site is extremely low and therefore no adverse effects on this species are anticipated.

9.6 Reptiles

Evaluation of Baseline

The desk study data included records of slow worm at a site approximately 713 m to the southwest of the application site. The site currently has some limited structural diversity suitable for common and widespread reptiles, such as slow-worm and grass snake, in the bramble scrub. It is possible that the site supports opportunistic reptiles if present in the neighboring habitats i.e. woodland, ponds and tussocky grassland at Cantley Park.

Impact Assessment

- 9.6.1** The risk of reptile presence occasionally traversing the area of bramble scrub is low. The proposed development of an area of bare ground and frequently mown grassland, is unlikely to adversely impact reptile numbers on site.
- 9.6.2** The risk of slow-worm and grass snake presence within the development site (i.e. sparsely vegetated land and modified grassland) is low and precautionary reasonable avoidance measures will prevent the contravention of legislation protecting these common and widespread reptile species that could be in adjacent habitats – refer to

Section 10.4.

9.7 Birds

Evaluation of Baseline

- 9.7.1** The desk study data returned a number of records of over 60 bird species with dunnoek (*Prunella modularis*), red kite (*Milvus milvus*), redwing (*Turdus iliacus*), song thrush (*Turdus philomelos*), starling (*Sturnus vulgaris*), woodpigeon (*Columba palumbus*) and wren (*Troglodytes troglodytes*) all being recorded at Cantley Park adjacent to the site.
- 9.7.2** The hedgerow offers some nesting habitat for common nesting species such as the locally recorded dunnoek (*Prunella modularis*).

Impact Assessment

- 9.7.3** The proposals do not impact on any potential nesting habitat and therefore no adverse effects on nesting birds are anticipated. There is scope for the site to be enhanced for nesting birds by planting a native hedgerow and scattered trees – refer to **Section 10.5**.

9.8 Badgers (and other mammals)

Evaluation of Baseline

- 9.8.1** The desk study data included recent records of badger and the closest record is 787m to the northwest. No evidence of badger activity (i.e. setts, trails, snuffle holes or mammal diggings) was identified within the application site and no habitats present that are likely to be excavated by badgers in the future. Therefore, the presence of badger on site is considered highly unlikely.
- 9.8.2** The desk study included a number of records of the west European Hedgehog (*Erinaceus europaeus*) – a priority species (NERC Act 2006 Section 41 species of principle importance) – 737m to the west of the site. The site does offer some suitable habitat for foraging and shelter by hedgehogs in the small patches of scrub on the eastern boundary.

Impact Assessment

- 9.8.3** The development site involves the removal of areas of sparsely vegetated ground (**u1f**) and frequently mown grassland (**g4**), areas of low potential for the use of badger and notable mammals. The presence of mammals within the development area is extremely

low and therefore no adverse effects are anticipated.

9.9 Invertebrates

Evaluation of Baseline

- 9.9.1** The desk study data included recent records of several notable invertebrates, including the stag beetle (*Lucanus cervus*) which was found within Cantley Park approximately 573 m to the east and in a churchyard 385 m to the west. The site does not support a complex of structurally diverse habitats that could support an important assemblage of invertebrates.

Impact Assessment

- 9.9.2** The risk of invertebrate priority species presence on site is extremely low as there are no suitable features such as deadwood for the locally recorded stag beetle (*Lucanus cervus*) and therefore no adverse effects are anticipated.

9.10 Invasive Non-native Species

Evaluation of Baseline

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

Impact Assessment

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

10 RECOMMENDATIONS

10.1 Overview

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

10.2 Habitat Protection Measures

- 10.2.1** The onsite linear habitat (**h2b**), scattered trees (32) and bramble scrub (**h3d**), and offsite mature trees on the south-eastern boundary will be protected during construction. The following protection measures are recommended:

- Erection of Heras fencing in advance of site clearance, enclosing Root Protection Areas (RPAs);
- Prohibition of construction activities, material storage, use of vehicles, fires etc. within the fenced RPAs to prevent damage to tree roots and soil compaction; and
- Maintenance of an adequate water supply during and after construction.

10.3 Commuting/Foraging Bats

- 10.3.1** External lighting should be avoided wherever possible but if essential, factors such as column height, light source, 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 lamps (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 offsite mature trees at Cantley House Hotel is avoided (BCT and ILP, 2023). Turning off lighting at night will avoid extended periods of time when areas would be lit, and this can be tailored to suit human health and safety as well as wildlife needs

10.4 Amphibians & Reptiles (Reasonable Avoidance Measures)

- 10.4.1** The following reasonable avoidance measures should be adopted to minimise the low risk of harming individual GCNs and reptiles potentially using edges of bramble scrub and the ornamental hedgerow base on site:

Pre-commencement of construction activities

- The area of development will be kept clear of vegetation as existing prior to commencement of the works to prevent reptiles or amphibians from colonising the site.

During construction activities

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

10.4.2 In the unlikely event that a GCN or reptile is found during the course of construction, works will stop immediately and a licensed ecologist will be called onto site to ensure the GCN/reptile is not harmed and provide further advice on how to proceed; work will recommence only once further written advice has been received.

10.5 Biodiversity Enhancement Measures

10.5.1 The planning proposals provide opportunities for the enhancement of the site's biodiversity value. The inclusion of the following recommendations would be of ecological benefit and be in line with the National Planning Policy Framework (NPPF), local planning policy and assist in achieving mandatory 10% Biodiversity Net Gain:

- Native, wildlife friendly landscaping;
- Integrated bat and bird boxes on the newly extended building; and
- Planting native scattered trees along the eastern and southern boundaries and a species-rich native hedgerow on the northeastern boundary to improve connectivity to adjacent habitats.

10.5.2 The Statutory Biodiversity Metric calculation tool demonstrates that the feasibility of delivering a minimum of 10% onsite net gain for biodiversity is possible within the scope of the proposals. The final results taken from the tool shows a total onsite net change of 12.55% in habitat units and 20.53% in hedgerow units. Detailed discussion and habitat management recommendations together with the Statutory Biodiversity Metric calculation tool and condition assessment sheets are reported separately (R2783_BNG_a).

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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 2019. 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 2019. 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 2019. These make it illegal to:

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

Invasive non-native plants

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

Otters

Otters are fully protected by the W&CA 1981 (as amended) and by the Habitat

Regulations 2019. 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

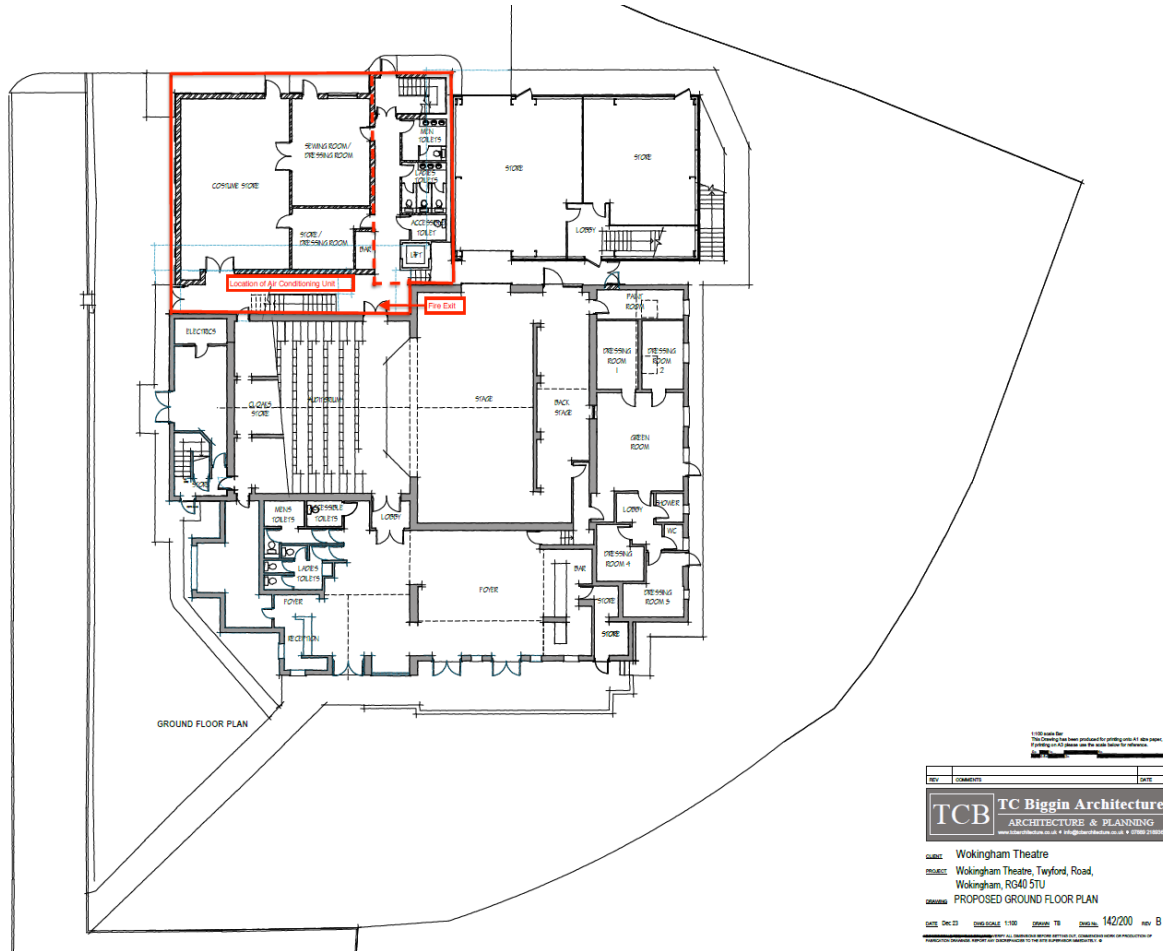
Since April 2008, water voles have received full protection under Section 9 in Schedule 5 of the W&CA 1981 (as amended). This makes it an offence to intentionally kill, injure or take water voles or to possess or control live or dead water voles or derivatives. It is an offence to intentionally or recklessly 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.

APPENDIX 2 – SITE LAYOUT



APPENDIX 3 – POTENTIAL SUITABILITY CATEGORIES FOR ROOSTING BATS

The categories detailed in **Table 3** below are derived from the ‘*Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition)*’ (Collins 2023) and provide guidance for assessing the potential suitability of buildings (and other structures) for roosting bats. These categories are applied using professional judgement and irrespective of whether the presence of a bat roost has been confirmed during a survey, as additional bat roosts could be present which have not yet been discovered.

Table 3. Categories for potential suitability of buildings (and other structures) for roosting bats.

Potential Suitability	Category Justification
None	A building (or structure) that has no features likely to be used by any roosting bats at any time of the year (i.e. a complete absence of cracks, crevices or voids that could provide suitable shelter).
Negligible	A building (or structure) that has no obvious features likely to be used by roosting bats, but in this case a small element of uncertainty remains as bats will occasionally use small and apparently unsuitable features. This category may also be used where a bat could potentially roost due to one attribute, but it is considered unlikely due to another attribute (e.g. a feature that is subject to constant illumination from artificial lighting).
Low	A building (or structure) that has one or more potential roost sites suitable for opportunistic use by individual bats at any time of the year. However, these potential roost sites for bats do not provide sufficient space, shelter, protection, conditions and/or surrounding suitable habitat to be used regularly or by large numbers (i.e. unlikely to be suitable for a maternity colony and not a classic hibernation site).
Moderate	A building (or structure) that has one or more potential roost sites suitable for regular use by individual bats, or small non-breeding groups, due to sufficient space, shelter, protection, conditions and surrounding habitat. However, these potential roost sites for bats are unlikely to support a roost of high conservation status with regards to the type of roost only (i.e. maternity colonies and classic hibernation sites).
High	A building (or structure) that has one or more potential roost sites suitable for use by large numbers of bats more regularly and for longer periods of time due to sufficient space, shelter, protection, conditions and surrounding habitat. These potential roost sites for bats are capable of supporting high conservation status roosts (i.e. maternity colonies and classic hibernation sites).