

Ecological Constraints Report

Moat House
Arborfield Green

Crest Nicholson Chiltern

November 2024

Quality information

Prepared by	Checked by	Verified by	Approved by
CF ACIEEM Senior Ecologist	EG MCIEEM Principal Ecologist	MW FCIEEM Technical Director of Ecology	MW FCIEEM Technical Director of Ecology

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Prepared for:

Crest Nicholson Chiltern

Prepared by:

AECOM Limited
Sunley House
4 Bedford Park, Surrey
Croydon CRO 2AP
United Kingdom

T: +44 20 8639 3500
aecom.com

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Executive Summary

This Ecological Constraints Report has been prepared on behalf of Crest Nicholson Operations Ltd. and Defence Infrastructure Organisation to support a Full Planning and Listed Building Consent Application relating to the Moat House, Buttenshaw Avenue Arborfield Green ('the Site'). The proposals include the change of use, and internal alterations to create four new apartments as well as the provision of parking spaces, amenity space, and facilities for bin and cycle storage.

AECOM has produced this Ecological Constraints Assessment of the habitats and species that may be impacted by the Proposed Development, and providing recommendations for avoidance, mitigation and compensation.

Two AECOM ecologists visited the Site on 16 July 2024 to assess the habitats on the Site and their suitability support protected and notable species.

The Site consisted of the Moat House, a private road and a field to the south of the building, with hardstanding to the north of the building. The habitats found on the Site were neutral grassland, hedgerow, line of trees, sparsely vegetated land, hardstanding and the Moat House building.

The Site had suitability for protected species, including bats, badger (*Meles meles*), reptiles, nesting birds and adjacent to the Site, red kite (*Milvus milvus*):

- The building has high suitability for roosting bats and several bat day roosts were recorded during bat surveys undertaken in 2021. Common pipistrelle (*Pipistrellus pipistrellus*) and soprano pipistrelle (*Pipistrellus pygmaeus*) were observed emerging from gaps underneath the lead flashing on the roof and under clay roof tiles. Due to unexpected theft of materials from the roof in May 2024, emergency repair works were carried out at the roof. If further works cannot retain potential roosting features, works must be carried out under a bat mitigation licence. It is recommended that further surveys (bat emergence surveys (between May and September) and internal inspections (all year round) be carried out to inform the bat licence application. If refit works can retain the features, work should be proceed following a non-licensed bat method statement to ensure there are no direct or indirect impacts on roosts.
- The Site is in a bat dark corridor and mitigation measures to reduce light spill will be required during construction and the operational lighting strategy will be sensitive to bats, following the previous low lux level design in the overarching 2014 Bat Mitigation Strategy for Arborfield Green development.
- A badger sett is located at the base of a mature English oak (*Quercus robur*) in the south of the Site. Impacts to this sett will be avoided during the construction stage by creating a 30m buffer zone from excavation and materials storage. Construction compounds will be located on hardstanding away from the sett. Precautionary measures will be set out in a Construction and Environmental Management Plan (CEMP) or equivalent. A thorny hedge will be planted at a distance of no less than 10 metres from the base of the tree and potential badger sett, to discourage residents and their pets approaching, thereby avoiding disturbance to badgers. The proposed hedge will be dense and at least 1m thick and 1m in height. Planting will be done using hand tools and digging will not exceed the 30cm in depth when planting whips including species such as hawthorn.
- Breeding red kites have previously been recorded in a confidential location adjacent to the Site. Red kite are specially protected under Schedule 1 of the Wildlife and Countryside Act 1981. To avoid disturbing breeding red kite, it is recommended that works commence between September and February avoiding nesting red kites. If works commence after that period, a detailed monitoring and mitigation strategy may be required to cover the works including weekly checks for activity and putting up screens.
- The grassland will be strimmed regularly during construction to deter reptiles.

Invasive non-native Rhododendron (*Rhododendron ponticum*) is present in the understory of the tree line. Rhododendron is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) making it illegal to spread or cause to grow in the wild. During site enabling, it will be removed by an appropriately experienced contractor. The tree line will be retained.

The landscape masterplan shows that the existing trees and hedgerow will be retained, the grassland will be enhanced with wildflowers and a mowing regime for different sward heights, and new shrub and native hedgerow will be planted.

1. Introduction

Crest Nicholson Operations Ltd. and Defence Infrastructure Organisation ('the Client') proposes the submission of a Full Planning and Listed Building Consent Application for the Grade II listed Moat House at Arborfield Green for conversion to four apartments (hereafter refer as 'the Proposed Development'). The area surveyed is shown in the proposed site plan (24-J4633-SK02) (hereafter refer as 'the Site'). AECOM has produced this ecological constraints report assessing the habitats and protected and notable species, and invasive non-native species of concern that may be impacted by the Proposed Development.

1.1 Site Description

Th Moat House is located at Ordnance Survey grid reference SU 76955 65715 and it is a two storey structure with additional accommodation within the roof space. Princess Marina Drive is to the north and Buttenshaw Avenue is to the southwest. There is a short entrance road and car park west of the Moat House. At the back of the Moat House is a field ringed by trees and shrubs. The boundary is shown in Figure 1 in Appendix A.

The adjacent habitat comprises sports fields, the cricket pavilion and Parcel AA residential housing.

1.2 Purpose

The objective of this Ecological Constraints Report is to:

- establish conditions on Site and determine the presence of Important Ecological Features (IEF)¹ (or those that could be present);
- identify potential ecological constraints to the Proposed Development and make initial recommendations to avoid impacts on IEFs;
- identify requirements for mitigation, where possible, including mitigation measures that will be required and those that may be required (depending on results of further surveys or final scheme design);
- establish any requirements for more detailed surveys; and
- identify any opportunities offered by the Proposed Development to deliver biodiversity enhancements.

¹ Important Ecological Features are habitats, species, ecosystems and their functions and processes that are of conservation importance and could potentially be affected by the Scheme.

2. Methodology

2.1 Desk Study

This report includes a desk study of publicly accessible data to obtain background records relevant to the Site. The data obtained provide contextual information for the scope of field surveys, to aid the evaluation of field survey results, and to provide supplementary information where complete field survey coverage is not possible. Ecological records gathered in 2014 for the outline planning application for the wider Arborfield Garrison development were checked, and any known update surveys in the past 10 years.

The Study Area is dependent upon the nature, timing, and scale of the Proposed Development, as well as the location of the Site and the surrounding landscape. These variables all contribute to what is referred to as the Zone of Influence (Zol) of the Scheme, which is the area over which ecological features may be affected by biophysical changes because of the works and associated activities.

The Multi-Agency Geographic Information for the Countryside (MAGIC) website² was reviewed for the following information:

- designated sites of nature conservation importance (statutory sites only) within 2km of the Site, extended to 5km for internationally designated sites: Special Protection Areas (SPAs), Wetlands of International Importance (Ramsar sites) and Special Areas of Conservation (SACs);
- notable habitats within 1km of the Site, these being areas of ancient woodland and 'Habitats of Principal Importance for the Conservation of Biodiversity' included in the England Biodiversity List³.
- granted Protected Species Licences within 1km of the Site, the dataset for which was last updated in 2022 and covers great crested newt (*Triturus cristatus*), bats, badger, hazel dormouse, reptiles and more.

2.2 Field Survey

A walkover survey of the Survey Area (all land within the Site, and habitats within a 30m buffer, and ponds within 500m of the Site – except where roads form a barrier to the movement of amphibians) was undertaken following the UK Habitat Survey method⁴. This survey method records information on habitat types and is 'extended' to record any evidence of and potential for protected or notable species to be present.

The walkover survey was undertaken on 16 July 2024 by a pair of suitably qualified ecologists from AECOM.

During the walkover survey, the following protected or notable species are considered:

- **Badger:** the survey involves searching for signs of badger activity including setts, tracks, snuffle holes and latrines, following the methodology detailed in Scottish Badgers (2018)⁵ and Harris et al (1989)⁶;
- **Bats:** the daytime bat walkover (DBW) involves searching for potential roosting sites for bats within trees and structures (such as buildings) and categorising the potential of those trees or structures to support roosting bats in accordance with Bat Conservation Trust (BCT) guidance (2023)⁷ and a ground level tree assessment (GLTA) for trees with potential roost features;
- **Birds:** the survey involves assessing the potential of habitats within the Survey Area to support breeding, wintering or migrating birds, either individually notable species or assemblages of both common and rarer species.
- **Great crested newt:** the survey involves assessing the potential of habitats within the Survey Area to support great crested newt, following English Nature (2001)⁸ and Froglife (2001)⁹ guidance. Ponds

² www.magic.gov.uk [accessed 24/01/2024]

³ Section 40 of the Natural Environment & Rural Communities (NERC) Act 2006 requires that The Secretary of State has drawn up, in accordance with Section 41 of the Act and in consultation with Natural England, a list of habitats and species of principal importance for the conservation of biodiversity in England that is known as the [England Biodiversity List](#)

⁴ UKHab Ltd (2023). UK Habitat Classification Version 2.0 (at <https://www.ukhab.org>)

⁵ Scottish Badgers (2018). *Surveying for Badgers: Good Practice Guidelines*. Version 1.

⁶ Harris, S. Cresswell, P. and Jefferies, D. (1989). *Surveying Badgers*.

⁷ Collins, J.(ed) (2023). *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (4th edition). The Bat Conversation Trust. London.

⁸ English Nature (2001). *The Great Crested Newt Mitigation Guidelines*.

⁹ Froglife (2001). *The Great Crested Newt Conservation Handbook*.

with significant barriers to access to the Site (i.e. ponds on the other side of Reading Road/A327) were excluded for this survey.

- **Reptiles:** the survey involves assessing the potential of habitats within the Survey Area to support reptiles (typically adder, grass snake, common lizard and slow worm only, though in some locations and habitat types (most notably heathland) may also include smooth snake and sand lizard), following Froglife (1999)¹⁰ and JNCC (2003)¹¹ guidance.
- **Other notable species:** the survey involves assessing the potential of habitat within the Survey Area to support other Notable Species, such as hedgehog, brown hare, polecat or common toad. and
- **Invasive non-native plant species:** the survey involves recording evidence of the presence of invasive plants listed on Schedule 9 of the *Wildlife and Countryside Act 1981* (as amended) and listed in the Invasive Alien Species (Enforcement and Permitting) Order 2019 as amended, and subject to strict legal control.,

2.3 Limitations

After the survey was conducted, the red line boundary was expanded to include hardstanding and a continuation of the tree line and the hedgerow to the north. The survey was aided by photos and aerial photography for these areas.

This report only provides a 'snapshot' of information temporally and spatially from which we extrapolate behaviour and make an ecological evaluation. The ecological character of a site can change throughout both the course of a year, and from year to year, impacting on the extent and quality of habitats' potential to support protected species.

The desk study for this report was done using publicly available data sources and is not as detailed or accurate as that which can be obtained from local record centres. Therefore, records of protected or notable species within 1km of the Site may be missed.

¹⁰ Froglife (1999). *Reptile Survey: An introduction to planning, conducting and interpreting surveys for snake and lizard conservation*. Froglife Advice Sheet 10. Froglife, Halesworth.

¹¹ Joint Nature Conservation Committee (2003). *Herpetofauna Workers Manual*.

3. Results

The following sections detail the results of the desk and field-based studies undertaken to inform this Ecological Constraints Report. Where necessary, recommendations for mitigation measures to protect known IEFs, or further surveys to determine the presence or likely absence of likely IEFs, are provided.

3.1 Sites Designated for their Biodiversity Value

3.1.1 Desk Study

There is one site internationally designated for its biodiversity value within 5km of the Site. The Thames Basin Special Protection Area (TBSPA) is located approximately 3 km southwest of the Site. It is designated for internationally important bird populations of nightjar (*Caprimulgus europaeus*), woodlark (*Lullula arborea*) and Dartford warbler (*Sylvia undata*).

One statutorily designated site was recorded within 2km of the Site, Longmoor Bog Local Nature Reserve (LNR) and Site of Special Scientific Interest (SSSI) (located 1km east of the site). Longmoor Bog LNR and SSSI is one of a few examples in Berkshire of a base-poor valley mire. Its main features are a well-developed Carr of alder (*Alnus glutinosa*), grey willow (*Salix cinerea*), downy birch (*Betula pubescens*), and alder buckthorn (*Frangula alnus*) and an area of wet heathland dominated by purple moor-grass (*Molinia caerulea*) and cross-leaved heath (*Erica tetralix*). The remainder of the site is predominantly secondary mixed woodland.

3.1.2 Field Survey

The Moat House is next to the 'Moated Site North of the Moat House' which is a Scheduled Ancient Monument characterised by remains of a dry medieval moat. The Moat House is a Grade II listed building.

There are no sites designated for their biodiversity value within the Proposed Development.

There is no direct connectivity to designated sites, due to distance and lack of hydrological networks.

3.1.3 Constraints and Recommendations

The conversion of the building to apartments is located within the wider Arborfield Green development. A Habitats Regulations Assessment Screening report ¹² for the Arborfield Green development consented outline scheme O/2014/2280 (of which the Moat House is included) assessed the overall impact of the Scheme and concluded the provision of Sustainable Alternative Natural Greenspaces would divert residents seeking recreation away from the designated sites (TBSPA and Longmoor SSSI), thus reducing recreational pressure on these sites.

The Scheduled Ancient Monument and the Grade II listed building will be retained.

No other designated sites for nature conservation will be impacted by the Proposed Development. Standard measures to avoid water pollution, noise, dust deposition and light spill will be included in a CEMP plan or similar.

3.2 Habitats

3.2.1 Desk Study

The following notable habitats were recorded within 1km of the Site:

- Eight ancient and semi-natural woodlands (the closest is Kidgem Copse, 550m north-east of the Site)
- 31 deciduous woodland parcels (the closest being approximately 50m north-east of the Site)
- One parcel of traditional orchard (approximately 750m north of the Site)

Deciduous woodland and traditional orchards are priority habitats listed under Section 41 of the Natural Environment and Rural Communities Act 2004 (as amended).

3.2.2 Field Survey

The extent and distribution of the habitats recorded are shown in Table 1 and also in Appendix A.

¹² AECOM (2014) Arborfield Garrison Habitats Regulations Assessment Screening report.

Table 1. Description of Habitats recorded on the Site.

Habitat Present	Habitat Summary
g3c – other neutral grassland	The majority of the Site was comprised of other neutral grassland (Photo 1). The grassland is dominated by grasses including red fescue (<i>Festuca rubra</i>), false oat grass (<i>Arrhenatherum elatius</i>), meadow foxtail (<i>Alopecurus pratensis</i>), Yorkshire fog (<i>Holcus lanatus</i>), and cock's foot (<i>Dactylis glomerata</i>). Other species that were present within the area, at low densities, included creeping buttercup (<i>Ranunculus repens</i>), chickweed (<i>Stellaria media</i>), common ragwort (<i>Jacobaea vulgaris</i>), spear thistle (<i>Cirsium vulgare</i>), white clover (<i>Trifolium repens</i>), saint John's wort (<i>Hypericum perforatum</i>), common hogweed (<i>Heracleum sphondylium</i>) and ribwort plantain (<i>Plantago lanceolata</i>). There were two individual trees within the grassland, to the south of the Site. Tree 185 was a large veteran English oak (<i>Quercus robur</i>) tree (Photo 2) and Tree 1753 was an early-mature apple (<i>Malus domestica</i>) tree (Photo 3).
u1b – developed land-sealed surface	The north of the Site was predominantly concrete road. Buttenshaw Avenue was present within the Site. This connected to a private road which leads straight to the Moat House (Photo 4). There is a small rectangle of hardstanding beside the Moat House, part of an unused car park (Photo 5).
u1b5 - buildings	The Moat House was the only building present within the Site. The building was a three-story building comprised of red brick, with a slate tile roof (Photo 6).
u1f – sparsely vegetated urban land	To the east of the Moat House was a small area of gravel that has been colonised by vegetation (Photo 7). The dominant plant in the area is lesser bird's-foot-trefoil (<i>Trifolium dubium</i>). Other species present include mouse-ear hawkweed (<i>Pilosella officinarum</i>) and selfheal (<i>Prunella vulgaris</i>).
h2a5, 11 – species-rich native hedgerow with trees	A hedgerow with trees along the western edge of the Site (Photo 8). The hedgerow is made up of hawthorn (<i>Crataegus monogyna</i>) and holly (<i>Ilex aquifolium</i>) with mature lime (<i>Tilia x europaea</i>), sycamore (<i>Acer pseudoplatanus</i>) and oak trees.
w1g, 33 – other broadleaved woodland, line of trees	A line of trees was present to the north of the Site, north of the private road (Photo 9). The line is predominantly made up of semi-mature trees: sweet chestnut trees (<i>Castanea sativa</i>) with silver birch (<i>Betula pendula</i>), cherry (<i>Prunus avium</i>), horse chestnut (<i>Aesculus hippocastanum</i>) and cherry laurel (<i>Prunus laurocerasus</i>). Other species present include rhododendron (<i>Rhododendron ponticum</i>), common ivy (<i>Hedera helix</i>), ground elder (<i>Glechoma hederacea</i>), selfheal and creeping buttercup.
Unsealed surface	An area of bare ground, recently dug for footpath and road works. Formerly grassland verge.

3.2.3 Constraints and Recommendations

It is recommended to retain the line of trees, hedgerows and neutral grassland to avoid impacts on wildlife as these habitats provide a mosaic suitable for a wide range of species.

In order to open up the entrance to the Proposed Development and reduce the effect of shade from the trees, crown lifting has been recommended by the arboriculture consultant for those trees within the hedgerow (trees 36, 37, 40, 42, 44, 50, 56, 103, 104, 105, and 107 in the Tree Protection Plan¹³).

A Tree Protection Order covers Tree 107 goat willow and Tree 50 English oak. Any pruning works will be supervised by the arboriculture consultant.

Tree 185 was identified in the Arboriculture Tree Protection Plan¹³ as being a veteran English oak. The tree will be retained and protected during the works following the arboriculturist's recommendations. A buffer zone (of 5m from the current canopy edge) with wildflower/long grass and a cleft chestnut post and rail fencing will exclude public access to the veteran tree (T185).

The landscape masterplan¹⁴ (see Appendix B) shows that the neutral grassland will be managed by creating a border of long grass and wildflowers with a mown central area. This will enhance the distinctiveness of the current grassland.

New shrub planting and native hedge will be created, enhancing the Site.

¹³ Simon Jones Associates (2024) Arborfield Moat House, Parcel S. SJA TPP 24234-041

¹⁴ Murdoch Wickham (2024) Arborfield Green Moat House Landscape Masterplan 1665/001G



Photo 1. Grassland



Photo 2. Tree 185 English Oak (veteran tree), with potential badger sett at the base.



Photo 3. Apple tree (Tree 1753)



Photo 4. Private road



Photo 5. Car park used as storage area



Photo 6. Moat House



Photo 7. Sparsely vegetated land



Photo 8. Species rich native hedgerow with trees to the west and north of the Site.



Photo 9. Line of trees with rhododendron to the north of the Site

3.3 Bats

3.3.1 Desk Study

In 2021, the Moat House was surveyed for bats as part of Parcel S¹⁵ tasks and it was found that there were three non-breeding common pipistrelle day roosts and the roost features were all external crevices associated with gaps underneath tiles, flashing and roof felt on the eastern and western elevations.

A bat mitigation licence covered the demolition of buildings within Parcel S in 2022. The Moat House was excluded from this licence.

There was a common and soprano pipistrelle roost nearby at the Cricket Pavilion recorded in 2024¹⁶ and a bat mitigation licence will be required to cover the works to the Cricket Pavilion building.

There was 44 current or previous (expired within the last 5 years) granted applications for European Protected Species Mitigation licences found within 5km of the Arborfield Garrison Strategic Development Location.

The overarching 2014 Arborfield Garrison Bat Mitigation Strategy¹⁷ identified the Site as a secondary dark corridor where lighting targets should be considered.

3.3.2 Field Survey

A Daytime Bat Walkover (DBW) of the buildings and trees was undertaken during the site visit. Where relevant, a Potential Roost Assessment (PRA) of structures and a Ground Level Tree Assessment (GLTA) was undertaken.

3.3.2.1 Potential roosting bats

The Moat House building had recently been repaired as it was reported that lead flashing and metal fixtures had been stolen from the roof and scaffolding was erected for the repairs, with tiles having been replaced to maintain the structural integrity of the building. Current potential roosting features recorded included missing roof tiles on

¹⁵ AECOM (2021) Parcel S Bat Report.

¹⁶ AECOM (2024) Cricket Pavilion Bat Report

¹⁷ AECOM (2014) Arborfield Garrison Bat Mitigation Strategy.

the eastern, norther and southern elevations, and gaps in the cladding on the sides of the dormer windows on the eastern and south elevations (Photo 10). Though the building had recently been subject to disturbance and remedial works, the building retains its **High** suitability for roosting bats and its status as a confirmed roost.

Three mature lime trees within the species rich hedgerow had ivy on the main trunk, with the ivy stems providing small gaps suitable for individual bats. It was assessed as having **Low** suitability for roosting bats. Tree 185 had a bat box erected on its trunk (Photo 11), and has **Low** suitability for bats.



Photo 10. Potential roost features at the Moat House



Photo 11. Bat box on Tree 185

3.3.2.2 Potential flightpaths and foraging habitats

The line of trees on the northern end of the Site and the hedgerow on the western boundary of the Site was assessed as having moderate potential suitability for bat flight paths and foraging habitats as per the Bat Conservation Trust guidelines¹⁸. Habitats assessed as moderate are described as “*Continuous habitat connected to the wider landscape that could be used by bats for flight paths such as lines of trees and scrub or linked back*

¹⁸ Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th edition, Bat Conservation Trust. London.

gardens." The habitat is of good quality, consisting of mature oaks with a dense understorey. In the wider landscape the line of trees connects to residential gardens in a suburban area.

3.3.3 Constraints and Recommendations

Moat House – Roosting Bats

The Moat House contained soprano and common pipistrelle roosts in 2021. These roosts were characterised as non-breeding day roosts for small numbers of bats. Though the roof was subject to theft and emergency repairs in May 2024, which directly impacted the known roost locations, the building still retains its **High** suitability for roosting bats due to the potential roost features remaining and the building's confirmed status as a roost.

If the works can retain the existing potential roosting features, a detailed non licence bat mitigation method statement should be prepared for the works to be followed to avoid any roost loss, modification and disturbance during construction. The mitigation measures should be incorporated into a CEMP. This would include a pre-commencement survey inspection to check roost locations and measures to retain and enhance bat roosts and discuss required works to the building and timings.

Where is not possible to carry out the works without a breach in the legislation afforded to bats and their roosts, by impacting the roosts, then a Natural England bat mitigation licence is likely to be required that will require further up-to-date surveys in the current or previous active season for bats (May to August inclusive). A Natural England mitigation licence can only be obtained once the planning application has been granted and this would include a licensed method statement that has been approved by Natural England.

Trees – Roosting Bats

It is recommended to retain the four trees with low suitability for roosting bats (trees T37, T40, T42, and T44 in the hedgerow and the individual trees T185 and T1753 in the Tree Protection Plan¹⁹) and incorporate these into the landscape design. The bat box must remain in situ as it was installed in 2023 as mitigation for a bat licence.

If trees require any works (i.e. pruning) a bat licenced ecologist must be present to check the tree before the commencement of works.

During construction, light spill should be avoided onto these trees.

Bat foraging and flight-lines: mitigation during construction

In all instances, to avoid any disturbance (e.g. increased lighting, noise and vibration) on foraging and/or commuting bats, control methods should be detailed in a CEMP (or equivalent). There will be restrictions on nighttime lighting and working such as restricting working hours to 08:00 to 18:00 and, specifications for lighting equipment. The construction lighting scheme must avoid light spill to the surrounding natural environment, and must be directed to the compound or works area only.

Bat foraging and flight-lines: mitigation during operation

The operational lighting scheme will follow the four principles of the overarching 2014 Arborfield Garrison Bat Mitigation Strategy²⁰: minimisation of lux levels, avoid light spill to the surrounding natural environment, appropriate lighting types (luminaires, with warm colour temperatures) and use of lighting timing or control (timers or motion sensing) where possible. Targets for secondary dark corridor establishment in the Bat Mitigation Strategy should be implemented.

This will maintain the Site as a secondary dark corridor, closely linked to the retained and created habitats.

Habitat suitable for bat foraging and flight lines will be retained (hedgerows and trees) and new habitat created (hedgerow).

Enhancements and compensation for bats at the Moat House

Alternative roost provision (or mitigation) at the Moat House was recommended in the 2014 Arborfield Garrison Bat Mitigation Strategy in the form of internal roost feature roof void improvements and external roost features. It was stated that this would be delivered by "*Enhancement of existing buildings (such as the cricket pavilion to be completed before removal of known roosts).*" The mitigation was recommended "*to mitigate for the loss of*

¹⁹ Simon Jones Associates (2024) Arborfield Moat House, Parcel S. SJA TPP 24234-041

²⁰ AECOM (2014) Arborfield Garrison Bat Mitigation Strategy.

potential roosting sites" and as mitigation for *"in combination effects"* in the wider Arborfield Green development as stated in the 2014 ES.

The Moat House is not suitable for internal roost feature roof void improvements as rooms currently exist at roof level. The building is suitable for external roost features and it is recommended that these are installed.

Enhancements and compensation for bats in the wider Arborfield Green development

As part of bat mitigation for the Arborfield SDL, there are three Sustainable Alternative Natural Greenspaces that will provide mitigation to improve the wider area for bats, including the provision of a bat barn, bat boxes and additional hedgerows and trees.

3.4 Breeding birds

3.4.1 Desk Study

A breeding pair of red kites were recording nesting in a confidential location adjacent to Parcel S in 2014²¹. Subsequent surveys in 2018²² and 2022 did not record breeding activity however individuals were observed flying over.

3.4.2 Field Survey

At least one red kite (*Milvus milvus*) was observed flying over the Site in July 2024. However, no nesting behaviours were observed during the survey.

The line of trees and hedgerow in the west of the Site provide suitable habitat for a range of breeding birds from woodpeckers to wren.

No nesting birds were observed on the Moat House, in July 2024.

3.4.3 Constraints and Recommendations

Red kite is specially protected under Schedule 1 of the Wildlife and Countryside Act 1981. Special penalties exist for offences related to species listed on Schedule 1 of the WCA, 1981 (as amended), for which there are additional offences for intentionally or recklessly disturbing these birds while it is building a nest or is in, on or near a nest containing eggs or young, and of disturbing their dependent young.

The red kite breeding season is typically between March and August (inclusive), therefore if construction commences within this period, then there is a risk of disturbing nesting red kite during construction.

It is recommended that construction related activities is timed to commence before or after this period (i.e. between September and February) to avoid disturbance to any nesting red kite (if present). If construction cannot commence be avoided during this time, a detailed monitoring and mitigation strategy may be required to cover the construction and demolition programme.

If construction commences between March and August, a pre-commencement check of the known nesting location and of a wider area (within 200m of the Site) should be undertaken to determine the status of red kite. If red kite are found to be present and nesting, then additional mitigation and monitoring may be required, dependent on the nest location, construction activity, time of year and stage of nesting. Additional measures to avoid disturbance to nesting red kite could include:

- Weekly checks of the nesting location carried out by an experienced ecologist.
- Visual screening and noise reduction measures as well as the option to reduce or even temporarily halt construction activity during sensitive periods (i.e. fledging of nestlings).

Other breeding birds have the potential to be a constraint to works, especially during the main breeding bird season (March to September). It should be noted that some species such as feral pigeon (*Columba livia*) can nest at any time of year. It is recommended that any construction-related activities (including building demolition

²¹ AECOM (2014) Arborfield Garrison Strategic Development Location. Environmental Statement Volume 2 Main Report.

²² AECOM (2018) Parcel S Red Kite 2018 Survey Report

and vegetation clearance (crown lifting, trimming, cutting back, etc) of hedges and trees) is subject to a breeding bird check prior to works. This requirement should be included in the CEMP.

3.5 Reptiles

3.5.1 Desk Study

In 2014 the wider Arborfield Garrison area was surveyed for reptiles. It was found that there were small populations of common lizard (*Zootoca vivipara*), slow worm (*Anguis fragilis*) and grass snake (*Natrix helvetica*)²³. The closest record to the Site was 500m east, north of Garrison Lake.

3.5.2 Field Survey

The neutral grassland, hedgerows and area of sparsely vegetated land were suitable habitat for reptiles. The grassland contained anthills providing a source of prey and had good sun exposure.

3.5.3 Constraints and Recommendations

Potential impacts to reptiles will be avoided through the implementation of Reasonable Avoidance Measures (RAMS) as set out in the 2014 Arborfield Garrison Reptile Mitigation Strategy.

It is recommended that Site set up and compound location be confined to hardstanding only (private road) and no incursion to the grassland during construction.

The vegetation bordering the works areas should be trimmed regularly to discourage reptiles during construction following the RAMS principles (cut in a phased approach, firstly cutting to 30cm, then 15cm then to the ground level).

During the establishment of the soft landscaping, small plant and hand tools will be used. Site staff will receive a tool box talk alerting them to the potential presence of reptiles.

The landscape design²⁴ shows a border of long grass between the hedges, trees and short grass, providing enhanced suitable habitat for reptiles once the Proposed Development is complete.

3.6 Great Crested Newt

3.6.1 Desk Study

In 2014 the wider Arborfield Garrison area was surveyed for great crested newt, through a combination of habitat suitability surveys and bottle trapping²⁵. No great crested newts were found and it was assumed that they are likely absent from the wider Arborfield Garrison area.

The Site is within a zone classified as suitable for great crested newt in the Wokingham Borough Council Impact Risk Zone Map²⁶ allocated by Nature Space Partnership in Berkshire. However, no records of great crested newt were returned within 1km of the Site.

The nearest planning applications (Arborfield Garrison O/2014/2280 and Hogwood Farm O/2014/2179) both scoped out the presence of great crested newt for the relevant environmental impact assessments.

3.6.2 Field Survey

There are no ponds or other waterbodies on the Site that great crested newt could use for breeding.

There were several waterbodies within 500m of the Site, the Garrison Lake and several ditches within 500m. Garrison Lake contains fish and is not suitable for great crested newt. The nearby ditches at the sports pitches and along the roads are mostly dry and do not contain vegetation suitable for egg laying. The Site is within a residential area and buildings, hardstanding and roads provide barriers to movement.

²³ AECOM (2014) Arborfield Garrison Reptile Mitigation Strategy

²⁴ Murdoch Wickham (2024) Arborfield Green Moat House Landscape Masterplan 1665/001G

²⁵ AECOM (2014) Arborfield Garrison Great Crested Newt Survey Report

²⁶ <https://naturespaceuk.com/district-licensing/impact-map/> [accessed 13/08/2024].

3.6.3 Constraints and Recommendations

No further recommendations are made for great crested newt as they do not pose a constraint to the Proposed Development.

3.7 Badgers

3.7.1 Desk Study

In 2014 the wider Arborfield Garrison area was surveyed for badgers, and it was found that there were three setts belonging to two different badger groups, the locations of which are confidential.

Since 2014, evidence of badgers has been reported throughout the wider Arborfield Green development.

3.7.2 Field Survey

A suspected badger sett was identified at the base of tree T185. It had three sett entrances, north, east and south. It is possible that it may be used by foxes. A snuffle hole (digging by foraging badgers) was found nearby.



Photo 12. Potential sett with three entrances



Photo 13. Snuffle hole

3.7.3 Constraints and Recommendations

Badger setts are protected from disturbance and obstruction by the Protection of Badgers Act (1992).

The suspected badger sett will be avoided during construction as the building works will be confined to the building refurbishment only and the works compounds will be located on hardstanding more than 30m away from the sett. As the sett is at the base of the tree, tree protection fencing will surround the tree and will also safeguard the badger sett (though not blocking the entrance) in the Root Protection Zone set back from the tree.

As badgers may be commuting through the Site during construction there should be no excavations left open unsupervised (i.e. overnight) that have the potential to trap any mammals. For any excavation works on Site, details should be included in a CEMP (or equivalent) on safe excavation practices. This may include stepped excavation to allow mammals to safely enter and exit, or appropriate mammal-proof fencing.

There will be no excavations dug within 30m of the sett, to avoid potential sett collapse.

To avoid impacts on the potential badger sett during the operation stage, a thorny hedge will be planted at a distance of no less than 10m from the base of the tree and potential badger sett, to discourage residents and their pets approaching. The proposed hedge will be dense and at least 1m thick and 1m in height. Planting will be done using hand tools and digging to avoid exceeding the 30cm in depth. Hawthorn (*Crataegus monogyna*) and gorse (*Ulex europaeus*) could be planted in the thorny hedge.

There will be no loss of habitat suitable for badgers as the tree will be retained and incorporated to the landscape. Existing hedgerows will be retained and enhanced and new hedgerows created, providing foraging for badgers. Semi-natural long grass border will cover the badger sett, preventing disturbance from people.

Within the wider Arborfield Green development, the loss and fragmentation of badger habitat will be mitigated for by the creation of suitable badger habitat (woodland, hedgerows, wildflower grassland) in the sustainable natural green spaces and green corridors.

3.8 Invasive non-native species

3.8.1 Desk Study

In 2014 the wider Arborfield Garrison area was surveyed for invasive species and a large rhododendron plant was recorded in the ground layer of the tree line²⁷. The plant was still present during update surveys in 2017²⁸ and 2021²⁹.

3.8.2 Field Survey

Rhododendron was found to be still present within the line of trees to the north of the Site (Photo 9. Line of trees).

3.8.3 Constraints and Recommendations

Rhododendron is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) making it illegal to spread or cause to grow in the wild. It is an extremely invasive plant species, forming dense impenetrable thickets. The deep shadow cast by the plants and toxic leaf litter accumulating underneath rhododendron produces a dark sterile environment, which suppresses regeneration of native species and reduces biodiversity.

As recommended by invasive species strategy for the wider Arborfield Garrison area, rhododendron should be subject to control to avoid spread into the wild.

In the case of rhododendron, best practice is to deal with the plant on-site. This typically involves cutting to ground level with all materials chipped and the chippings used on the Site, with stumps addressed by either complete removal (manually or using machinery) or direct treatment with herbicides through painting of freshly cut stumps or using a 'drill and drop' method. Should there be any stump regrowth, these and any seedlings can be effectively killed by spraying regrowth with an herbicide or, in the case of seedlings, hand pulling. The rhododendron should be fenced off including a 2 m zone around the plants and left *in situ* for the soil to recover over time. Fencing should be used to prevent the spread of seeds present in the soil. If this approach is not practical, the soil to a depth of 200 mm should be scraped off and either placed in a part of the Site where it can be fenced off and left for at least 2 years, buried on the Site at a depth of 500 mm or more, or taken off-site as controlled waste.

It has been noted that areas of invasive non-native species, as well as instances of oak processionary moth larvae (*Thaumetopoea processionea*) which are not currently present within the Site, were present within the wider area. The contractor's method statement shall detail all measures to ensure that any invasive species such as those scheduled on the Schedule 9 of the Wildlife and Countryside Act, or listed in the Invasive Alien Species (Enforcement and Permitting) Order 2019 as amended, are prevented from being brought onto the Site. This will involve making all contractors working on the Site aware that invasive plant species and oak processionary moth may be encountered during their works, and a suitable working brief should be given to workers to ensure that they can effectively identify these species and implement suitable controls where required.

If any new areas of invasive non-native plants are recorded, these should be suitably demarcated. The method statement should include measures for avoidance of disturbance, control and any required treatment removal and disposal.

²⁷ AECOM (2014) Arborfield Garrison Strategic Development Location. Environmental Statement Volume 2 Main Report.

²⁸ AECOM (2017) Site Wide Invasive Species Strategy.

²⁹ AECOM (2021) Parcel S Ecology Technical Note.

Preventative measures to avoid invasive species being spread into the Site should also be implemented including control of imported topsoil, cleaning of machinery brought onto site and prevention of fly tipping. All details should be provided in the CEMP (or equivalent) and all workers within the Site should be briefed prior to the commencement of works on the biosecurity risks and required measures.

4. Conclusion

This report has identified important ecological features that may be impacted by the Proposed Development and recommended methods to avoid, reduce or compensate for potential impacts.

Methods to protect ecology during construction should be included in a CEMP or equivalent.

Table 2 below summarises these details. Should the recommendations be implemented, it is unlikely that the Proposed Development will have any negative impact on important ecological features.

Table 2. Summary of Ecological Constraints, Recommendations and Timing

Ecological Feature	Recommendations	Timing
Designated Sites	A CEMP will control for dust, noise, water and light pollution.	CEMP prepared before construction and implemented during construction.
Habitats	Retain trees and hedgerow.	Arboricultural Method Statement in place for tree protection during site enabling.
	Enhance tree line by removing rhododendron.	Remove rhododendron during site enabling.
	Retain and enhance neutral grassland by creating long sward borders with wildflower grassland.	Create new habitats during construction following the landscape strategy.
	Create new shrub, native hedgerows.	
Bats	If potential roosting features cannot be retained, a Natural England licence should be applied to allow the proposed works. Up to date bat emergence surveys will be required to inform the licence application.	Optimum times for works to bat roosts Oct/Nov or March/Apr.
	If roosting features can be retained, a non-licensed method statement should be prepared to detailed measures to be applied to avoid direct impacts or disturbance. A site visit will be required to assess the remaining potential roosting features. Method statement should be included in the CEMP.	Bat emergence surveys (between May and September) and internal inspections (all year round) may be required to inform the licence application.
	Compensation for the loss of potential roost features and roost type enhancement of the Moat House by providing external roost features.	Apply for bat licence after planning consent has been received and prior to the start of works to the building.
	Pruning works to trees with low suitability for bats to be supervised by a bat licenced ecologist.	Preparation of non-licensed method statement before the start of works.
	Implementing measures to reduce lighting on the hedge and trees during construction.	Design of new external roost features to be detailed design post-planning.
	Maintain the dark corridor for bats. Lighting to be kept to a minimum, with operational design following the principles set out in the overarching 2014 Bat Mitigation Strategy for the O/2014/2280 application.	Pruning works during site enabling / construction. Lighting measures during construction to be included in the CEMP.
		Detailed lighting design after planning, reviewed by a bat licenced ecologist.
Breeding Birds	Construction related activities are timed to commence (i.e. between September and February) to avoid disturbance to any nesting red kite (if present). If construction cannot commence be avoided during this time, a detailed monitoring and mitigation strategy may be required with measures such as a suitably qualified ecologist will carry out weekly checks over the construction and demolition programme.	Red kite: Commence works between September and February
	Undertake vegetation clearance outside of main breeding bird season (March – September). If works are to take place within the breeding season, then a pre-commencement check and supervision by a suitably qualified ecologist will be required.	Nesting bird checks by an ecologist required for vegetation clearance between March – August. Measure to be added in the CEMP.
Reptiles	Site compound / plant and machinery / materials storage will be located on existing hardstanding to avoid encroaching neutral grassland. Grassland to be strimmed regularly to deter reptiles (reasonable avoidance measures). Initial cut in a phased approach, firstly cutting to 30cm, then 15cm then to the ground level.	Methods implemented during construction.
Badgers	Include measures to protect badgers in a CEMP: Fence off badger sett using the root protection area tree protection fencing.	CEMP in place prior to construction.

	- No excavations within 30m of badger sett - Cover/backfill excavations at night. - Site compound / plant and machinery / materials storage will be located on existing hardstanding to avoid 30m buffer of sett.	Methods implemented during construction phases.
	Landscape design to retain trees and hedgerows. Creation of a long grass/wildflower buffer area around the tree T185. Planting of a thorny hedge at least 10m from the badger sett.	Design stage and to be implemented during the works.
Invasive Non-native Species	Remove rhododendron from the understory of the tree line, by a contractor experienced with INNS. General biosecurity measures to prevent the potential spread of INNS in a CEMP.	Remove rhododendron during site enabling. CEMP in place prior to construction.

4.1 Lifespan of the report

The constraints outline here will need to be reassessed if there is a significant change to the type or scale of works proposed or is there any significant changes in the use of management of the land that would affect the habitats and species.

If commencement of works is 18 months or more after the field survey, it is advisable to review and update the survey data. This follows guidance from the Chartered Institute of Ecology and Environment Management (CIEEM, 2019³⁰).

³⁰ CIEEM (2019) Advice Note on the Lifespan of Ecological Reports and Surveys. April 2019

Appendix A Habitat Map

Figure 1 Habitat map



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PROJECT

Moat House Arborfield

CLIENT

Crest Nicholson Chiltern

CONSULTANT

AECOM Limited
Midpoint,
Alencon Link
Basingstoke, RG21 7PP
www.aecom.com

LEGEND

— Red Line Boundary

UK Habitat Description

- Urban tree
- Line of trees
- v v v Species-rich native hedgerow with trees
- Grassland - Other neutral grassland
- Sparsely vegetated land - Ruderal/ Ephemeral
- Urban - Artificial unvegetated, unsealed surface
- Urban - Building
- Urban - Developed land; sealed surface

NOTES

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ISSUE PURPOSE

DRAFT

PROJECT NUMBER

60728610

FIGURE TITLE

UK Habitats Map

FIGURE NUMBER

Figure 1

Appendix B Landscape Masterplan



Legend

- Existing trees and vegetation
- Proposed trees
- Shrub planting
- Native hedge planting
- Regularly mown grass
- Areas of long grass and wildflowers
- Bitumen macadam
- Block paving parking bays
- PC slab paving
- Timber benches
- Metal estate railings 1.2m high
- Cleft chestnut post and rail fencing 1.2m high
- Application boundary
- Proposed site boundary for Parcel S

Note: Existing grassland around the Moat House and to the verges along Princess Marina Drive and Buttenshaw Avenue are to be retained.

Scale

1:250
0 5 10 15m

Landscape Images



Parkland tree (*Tilia cordata*)



Metal estate railings



Cleft chestnut post and rail fencing

Appendix C Wildlife Legislation

The UK is no longer a member of the European Union (EU). EU legislation as it applied to the UK on 31 December 2020 is now a part of UK domestic legislation. EU legislation which applied directly or indirectly to the UK before 11.00 p.m. on 31 December 2020 has been retained in UK law as a form of domestic legislation known as 'retained EU legislation'.

The Secretary of State for the Environment, Food and Rural Affairs and Welsh Ministers have made changes to parts of the *Conservation of Habitats and Species Regulations 2017* (referred to as the 2017 Regulations) so that they operate effectively. Most of these changes involve transferring functions from the European Commission to the appropriate authorities in England. All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant.

C.1 Designated Sites

Special Protection Areas (SPA)/Special Areas of Conservation (SAC)

These sites in the UK no longer form part of the EU's Natura 2000 ecological network. The *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019* (referred to as the 2019 Regulations) have created a national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The national site network includes:

- existing SACs and SPAs
- new SACs and SPAs designated under these Regulations

Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new national site network.

Formal Appropriate Assessment is required to be undertaken by the competent authority before undertaking, or giving consent, permission or other authorisation for any work which are likely to have a significant effect on such a site.

Sites of Special Scientific Interest

Under the *Wildlife and Countryside Act 1981* (as amended), it is an offence to carry out or permit to be carried out any operations likely to damage the Site of Special Scientific Interest (SSSI). These operations are listed in the SSSI notification.

Owners, occupiers, public bodies and statutory undertakers must give notice and obtain the appropriate consent under S.28 of the *Wildlife and Countryside Act 1981* (as amended), before undertaking operations likely to damage a SSSI.

National Nature Reserve

National Nature Reserves (NNR) are established under the National Parks and Access to the Countryside Act 1949. Most NNRs are also underpinned by SSSIs and are therefore protected by the measures detailed above. For NNRs not underpinned by SSSIs it is still an offence to carry out or permit to be carried out any potentially damaging operation.

NNRs are given protection through policies in a local development plan.

Local Nature Reserve

A Local Nature Reserve (LNR) is a [statutory](#) designation made under [National Parks and Access to the Countryside Act 1949](#), by [principal local authorities](#) (district, borough or unitary councils).

The local authority must control the LNR land - either through ownership, a lease or an agreement with the owner.

LNRs are given protection through policies in a local development plan.

Locally Designated Sites

Local Wildlife Sites are sites with 'substantive nature conservation value.' They are defined areas, identified and selected for their nature conservation value, based on important, distinctive and threatened habitats and species within a region.

They are usually selected by the relevant Wildlife Trust, along with representatives of the local authority and other local wildlife conservation groups.

The LWS selection panel, select all sites that meet the assigned criteria, unlike SSSIs, which for some habitats are a representative sample of sites that meet the national standard. Consequently, many sites of SSSI quality are not designated and instead are selected as LWSs. Consequently, LWSs can be amongst the best sites for biodiversity.

C.2 Protected Species

Bats/Great Crested Newt

These species, known as European Protected Species, are protected under Regulation 43 of the 2017 Regulations as amended by the 2019 Regulations. This makes it an offence to deliberately capture, injure or kill an animal; deliberately disturb an animal; or damage or destroy a breeding site or resting place used by an animal.

Deliberate capture or killing is taken to include "accepting the possibility" of such capture or killing. Deliberate disturbance of animals includes in particular any disturbance which is likely a) to impair their ability (i) to survive, to breed or reproduce, or to rear or nurture their young, or (ii) in the case of animals of hibernating or migratory species, to hibernate or migrate; or b) to affect significantly the local distribution or abundance of the species to which they belong.

Where development works are at risk of causing one or more of the offences listed above, a mitigation licence from Natural England can be obtained to facilitate the works that would otherwise be illegal.

These species are also protected under Schedule 5 of the *Wildlife and Countryside Act 1981* (as amended). This makes it an offence to intentionally or recklessly obstruct access to any structure or place used for shelter or protection or disturb an animal in such a place.

Lower levels of disturbance not covered by the *Conservation of Habitats and Species Regulations 2017* remain an offence under the *Wildlife and Countryside Act 1981* although a defence is available where such actions are the incidental result of a lawful activity that could not reasonably be avoided.

Water Vole

Water voles are protected under the *Wildlife and Countryside Act 1981* (as amended). There are no licensing purposes that explicitly cover development or other construction activities which could have an impact on water voles.

When development work is proposed in or near an area which is either known to or likely to contain water voles, then the developer will need to implement suitable mitigation to prevent impacts to water voles. The preferred mitigation option is to leave water voles *in situ*, with the development works adopting avoidance measures through redesign of the proposals.

Where impacts cannot be avoided, operations aimed at displacing water voles from a development site are now no longer covered by the "*incidental result of an otherwise lawful action*" defence in the *Wildlife and Countryside Act 1981* (as amended). Displacement of water voles needs to be done under a licence.

In England, small scale (limited to continuous lengths of bank not exceeding 50 m) displacement of water voles can be carried out at certain times of the year (February to April) for the purposes of conservation under a Class Licence by a registered person. For larger scale displacements or displacements outside of this period, displacement can be undertaken under a site-specific conservation licence.

Where it is considered that the best outcome for water voles is capture and translocation to a different location then this action is considered by Natural England to be outside the scope of the defence as the intentional capture of water voles is unlikely to be considered 'incidental'. In these circumstances there may be genuine

grounds for issuing a conservation licence for the purpose of translocating the water vole population to suitable alternative habitat.

Nesting Birds

All wild birds are protected under the *Wildlife and Countryside Act 1981* (as amended), with some species afforded greater protection under Schedule 1 of the *Wildlife and Countryside Act 1981* (as amended). In addition to the protection from killing or taking that all birds receive, Schedule 1 birds and their young must not be disturbed at the nest.

There are no licensing purposes that explicitly cover development activities affecting wild birds.

Other Species of Reptile (Common Lizard/Slow Worm/Grass Snake/Adder)

Common species of reptile are protected against intentional killing and injury under Schedule 5 of the *Wildlife and Countryside Act 1981* (as amended). There is no requirement for a licence where development works affect common species of reptiles. Instead, Natural England advise³¹ that where reptiles are present, they should be protected from any harm that might arise during the development works through appropriate mitigation.

Badger

Badgers and their setts are protected under the *Protection of Badgers Act 1992* (as amended). This makes it an offence to wilfully kill, injure or take a badger; or intentionally or recklessly damage, destroy or obstruct access to a badger sett or disturb a badger in its sett.

It is not illegal to carry out disturbance activities near setts that are not occupied, i.e. those that do not show signs of current use.

Where required, licences for development activities involving disturbance or sett interference or closure are issued by Natural England. Licences for activities involving watercourse maintenance, drainage works or flood defences are issued under a separate process.

When assessing the requirement for a licence in respect of development, Natural England³² state that badgers are relatively tolerant of moderate levels of noise and activity around their setts, and that a low or moderate level of apparent disturbing activity at or near to badger setts does not necessarily disturb the badgers occupying those setts.

Licences are normally not granted from December to June inclusive (the badger breeding season) because dependent cubs may be present within setts.

Species and Habitats of Principal Importance for the Conservation of Biodiversity

Section 40 of the Natural Environment & Rural Communities Act (NERC) 2006 sets out the duty for public authorities to conserve biodiversity in England.

Habitats and species of principal importance for the conservation of biodiversity are identified by the Secretary of State for England, in consultation with Natural England, are referred to in Section 41 of the NERC Act for England. The list, known as the 'England Biodiversity List', of habitats and species can be found on the Natural England web site.

The 'England Biodiversity List' is used as a guide for decision makers such as public bodies, including local and regional authorities, in implementing their duty under Section 40 of the NERC Act 2006 to have regard to the conservation of biodiversity in England when carrying out their normal functions.

³¹Reptiles: guidelines for developers, English Nature 2004

³² Interpretation of 'Disturbance' in relation to badgers occupying a sett, Natural England (2009)

C.3 Non-native Invasive Plant Species

Under the Wildlife and Countryside Act 1981 (as amended), it is an offence to plant or otherwise cause these species to grow in the wild.

Any contaminated soil or plant material is classified as controlled waste and should be disposed of in a suitably licensed landfill site, accompanied by appropriate Waste Transfer documentation, and must comply with Section 34 of the *Environmental Protection Act 1990*.

Appendix D Planning Policy

National Planning Policy Framework, 2023

The NPPF is an important policy document in respect of ecology and has been taken into account when preparing this report. The NPPF was first published in March 2012 and has been updated in July 2018, February 2019, July 2021, September 2023 and most recently in December 2023³³.

The NPPF states the commitment of the UK Government to minimising impacts on biodiversity and providing net gains in biodiversity, contributing to the Government's commitment to halt the overall decline in biodiversity. It specifies the obligations that the Local Authorities and the UK Government have regarding statutory designated sites and protected species under UK and international legislation and how this is to be delivered in the planning system. Protected or notable habitats and species can be a material consideration in planning decisions and may therefore make some sites unsuitable for particular types of development, or if development is permitted, mitigation measures may be required to avoid or minimise impacts on certain habitats and species, or where impact is unavoidable, compensation may be required.

Chapter 15 of the NPPF '*Conserving and enhancing the natural environment*' sets out the requirements to consider biodiversity in planning decisions. A summary of the paragraphs of the NPPF relevant to terrestrial ecology and nature conservation, is provided below.

Paragraph 180 Planning policies and decisions should contribute to and enhance the natural and local environment by protecting designated sites, minimising impacts on and providing net gains for biodiversity.

Paragraph 181 states that plans should: distinguish between the hierarchy of international, national and locally designated sites.

Paragraph 185 states that plans should help protect and enhance biodiversity and geodiversity and identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks. Plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.

Paragraph 186 states that 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 reasons⁶⁷ 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.

Berkshire Nature Recovery Strategy

This is currently being developed and will inform how Berkshires Nature Recovery Network will deliver Biodiversity Net Gain for each Local Authority within Berkshire. Berkshire Biodiversity Opportunity Areas will inform potential recovery sites on the Local Habitat map.

Wokingham Emerging Local Plan

³³ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Work is underway on a new local plan – the Local Plan Update – which will put in place a new planning strategy for the period to 2040. Once adopted, it will replace the current Core Strategy and Managing Development Delivery local plans.

Wokingham Core Strategy 2010-2026

The policies relevant to this report are CP7 Biodiversity, CP8 Thames Basin Heaths Special Protection Area.

CP7 Biodiversity sets out that the local planning authority will resist inappropriate development which may harm sites designated for nature conservation, or priority habitats and protected species. Where relevant, appropriate mitigation and compensation measures can be put in place to reduce impact and offset losses.

CP8 Thames Basin Heaths Special Protection Area states that “Development which alone or in combination is likely to have a significant effect on the Thames Basin Heaths Special Protection Area will be required to demonstrate that adequate measures to avoid and mitigate any potential adverse effects are delivered”.

Arborfield Garrison Strategic Development Location, Supplementary Planning Document October 2011

This document sets out the plans to transform former Ministry of Defence land to 3,500 dwellings and transport and community infrastructure.

