

MEMORANDUM

From:	Tina Cuss Ecology Officer		
Service	WBC Ecology	App No:	242936
Address:	Land At Rear Of, 6 Johnson Drive, Finchampstead, Wokingham, RG40 3NW.		
Proposal:	Application for submission of details to comply with the following conditions of planning consent 223592 dated 09/06/2022. Condition 5 relates to a Construction Environmental Management Plan (CEMP), 8 to biodiversity mitigation and enhancements, 9 to a Landscape and Ecology Management Plan (LEMP) and 13 to drainage details.		
Type of Development:			
Site Visit Made:	No		

Summary Of Recommendations

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

Comments On Proposal

I have reviewed the Biodiversity Enhancement Plan (AAE, November 2024), Landscape and Ecological Management Plan (AAE, November 2024), Construction Environmental Management Plan (AAE, November 2024) and Drainage Layouts (Beal, Dwg 629:006 Rev P1 & 007 Rev P1, 24 November 2024).

8. Biodiversity Enhancement Plan

Mammals

I am only able to recommend installation of one lbstock on each property if the locations to be agreed are amended to ensure that boxes are constructed at least 4m high (i.e. into the garage in plot 2) and are not sited above windows. I therefore request that the bat bricks are installed on the south-facing gable end of plots 1 and 2.



In line with Deepdene Ecological Appraisal Appendix F the number of Eco Kent Bat Boxes that will be hung on mature trees around the site should be added to the amended Enhancement Plan to complete the detail of the developer's proposal for bat roost enhancement.

In order to recommend approval of the bird boxes, I request that the Habibat Swift Boxes are relocated to the eastern side elevations of plots 1, 2, 4 and 5, as the rear elevations proposed are all above the rear windows where boxes could not be installed. Deepdene state that integrated boxes do not require maintenance, and as they are integrated within the building, they will remain on Site for the building's lifetime which I suggest contradicts AAE's proposals for cleaning and periodic replacement.

While reference is made to installation of additional Woodcrete bat boxes and possibly bird boxes to be erected in trees, neither are shown in figure 1 or the numbers of boxes proposed. Deepdene's Ecologist recommended at least five Vivara Pro Seville bird box with a 32mm hole¹³ or similar installed on a retained trees around the site. In order to recommend approval of the Biodiversity Enhancement Plan and compliance with condition 19 the details of how many additional boxes are proposed is needed in order to discharge condition 8. Once the location of bird and bat boxes are approved by the LPA they must only be amended with written agreement of the Council and/or the project ECoW.

Figure 1 Annotated Site Plan (AAE, 18 November 2024) does not show where hedgehog gaps will be left or created in the closeboard fence. The hedgehog Highway shows the Hard Landscaping Plan (Palatine, JDF-1001) does not provide gaps every 10m in line with best practice or provide gaps in the c/b fencing of plot 3. I request the hedgehog mitigation is therefore revised.

Reptiles & Amphibians

The groundworks and vegetation clearance which took place in the red and amber reptile sensitive zones and the disturbance of refugia which took place in October 2024 need to be set out in the Reptile Mitigation and Enhancement Strategy. I don't agree that the extent of the orange zone, has taken into account the storage on the eastern side of the site, as well as new spoil heaps and recent groundworks. In order to support the strategy and agree that the red, amber and green areas are appropriate more information is needed and the Reptile Mitigation and Enhancement Strategy appended to the Biodiversity Enhancement Plan must be revised to include details of timing and translocation effort. The Strategy needs to clarify who is proposed to deem whether it is practicable for vegetation management to be carried out within the 'construction zone' and confirm how and when this would be approved by the LPA. If the LPA agree translocation is not practicable what, when and how would alternative proposals be approved? The strategy does not adequately detail the timing and other constraints reptiles have to site set-up, vegetation clearance, earthworks, investigations and service installation or drainage, particularly the clearance of plot 4 (previously plot 1) and creation of the storage area to the north. No reference to common toad or Great crested newts is proposed for the toolbox talk or reptile strategy as a whole.

To recommend agreeing to the proposals for 2 hibernacula the timescale for creation need to be provided. It is unclear why the retention of existing rubble piles/hibernacula has not been considered. The log pile should be relocated in order not to obstruct access within the landscape/wildlife corridors and maintenance of tree planting and newly created grassland habitats. I suggest the log pile adjacent to Plot 1 should be relocation to avoid interference, soft landscaping proposals and replacement of dead TPO trees. Any reptile fencing the LPA agree to must be temporary, and an amended Reptile Mitigation and Enhancement Strategy should be included in the Construction Environmental Management Plan. Consideration might be given to location the reptile fencing immediately to the north of the Tree Protection Fencing Construction Exclusion Zone. For these reasons, I would not currently recommend agreeing the reptile enhancements or mitigation strategy and the location of the hibernacula.

Habitat retention & new planting

Contrary to Drawing 15 the LPA secured retention of tree group G34 and the fruit tree on the southern boundary. The CEMP and hard and soft landscaping plans have failed to consider and to protect the Alder tree with high bat roost potential. In order to assess the impact of removal of the additional trees and compensation required, the Arboricultural Method Statement to be submitted under application 242698 to discharge condition 6 should be revised and the site plan drawing 15 and agreed AIA would have to be varied. Alternatively, the LEMP, CEMP, BEP, planting proposals, Construction Management Plan, and Site Set Up Plan must be revised to ensure trees as approved. Due to the lack of detail for enhancements for reptile and badger foraging, and trees shown in drawing 13 and 13A which have been omitted I can't recommend approving the Soft Landscaping Plan. (See detailed comments provided in Ecology comment on 242698).

Native hedges will not need cutting every 3 years after initial management, and no maximum height has been approved for the hedges adjacent to the landscape/wildlife areas. I would not support pollarding of new trees in the first 30 years.

To satisfy the requirements of condition 8 the Biodiversity Enhancement Plan should include name and full details of the management company proposed to maintain, manage and monitor habitat and species enhancement within the wildlife corridors, management company's responsibilities and any funding contributions from the developer that will be held in trust by the Developer and any contributions to be made by home owners. The BEP should state how long the Developer will be responsible for the initial implementation of the measures. E.g. 12 months after setting out and landscaping works are complete or confirm when management company will be set up and assume full responsibility from first occupation. The management company should not be appointed by residents and the structure should be approved by the LPA as part of approval of the LEMP, BEP and S106 obligations.

9. Landscape and Ecological Management Plan

The LEMP Annotated Site Plan and Soft Landscaping Plan need to be amended to show the protection and retention of tree group G34 and the fruit tree on the southern boundary or the Site Context Plan Dwg 15 must be varied and further compensation

proposed. The evaluation of design objectives set out in the LEMP do not consider the compensation planting in private gardens which has been missed from the planting proposals and there are minimal details on long term management of habitats and landscape features which are required by the condition except recommendations regarding use of chemicals, and litter clearance which are also not set out in adequate details. The objectives set out make no reference to management of wildlife areas for reptiles and badgers as well protection of dark corridors and foraging and commuting for bats or woodland birds.

I have recommended that Landscaping Plan (Treetop Dwg TTL-SM-PHJD181024) is not acceptable and should not be approved. Ornamental non-native flowering plants must not be planted within the Landscape Wildlife Areas. The LEMP should only include the hard and soft landscaping which have been approved by the LPA and which include the habitat to be retained and equivalent compensation planting in private gardens and habitat restoration and creation in the landscape wildlife areas as approved and shown in Dwg 13/13A. I suggest the LEMP should better differentiate between the wildlife areas and the landscaping to the east of the access road and confirmation is needed whether one management company will manage both the road and ornament and amenity grass and planting as well as the landscape wildlife areas.

The Management Prescriptions and Checklist in Appendix A does not satisfy the requirements of condition 9 (g). The LEMP needs to be revised to provide detailed prescriptions for management actions, a detailed work schedule (including an annual work plan capable of being rolled forward over a five-year period). The schedule in Appendix 1 should be amended to achieve revised detailed objectives and set out works to be carried out prior to commencement, during the construction phase and post-occupation when the landscape wildlife area will be maintained by a named management organisation or body.

The LEMP should refer to the Tree Preservation Order covering the western and eastern landscape/wildlife corridors and the need to get LPA approval for any works to any tree covered by the TPO. No tree species included in the current planting schedule is suitable to be managed by pollarding. I request that references to pollarding, particularly in the Management Prescriptions and Checklist in Appendix 1 are removed. There is no reference to British Standards including BS 8545:2014 Trees: From nursery to independence in the landscape – Recommendations.

With the possible exception of bird and bat boxes and garden waste, it doesn't appear necessary to include management proposals for private gardens in the LEMP. I have asked above for clarification how where and how many bat and bird boxes in trees will be erected. It is impractical to require householders to clean and empty integral Habitatat swift boxes installed in or next to the eaves. I support monitoring and maintenance of bird boxes in trees by the management company which will be contracted to manage and monitor the landscape wildlife areas. There are no formal lawns outside of private gardens, therefore reference to maintenance of "*short sward for amenity use*" should be omitted. There are no composting areas proposed on the Hard or the Soft Landscaping Plan, so any proposal for composting west of the access road should be removed from the LEMP or shown on the plans to be approved by the LPA. The schedule doesn't detail how regularly litter picking

will take place or how dumping of garden waste and garden grab will be monitored and reported. Hibernacula will not be constructed for 5 years on an annual basis and management prescriptions including watering and maintenance of fencing to conveyed to householders should be set out as month-by-month operations, as well as annual.

The Annual Monitoring Sheet is blank and doesn't address the needed for ongoing monitoring and remedial measures to ensure habitats establish and are maintained to provide enhancement for wildlife including bats, badger and reptiles required by condition 9 (i). The LEMP should make clear when monitoring by an ecologist is proposed and where landscape contractors or staff of a management company are considered competent to monitor habitat condition, tree health, sward density, weed species, or reptile populations. The LEMP must detail who is responsible for monitoring and reporting the details of the habitat in the landscape wildlife area and soft landscaping outside private gardens on the east of the access road. How monitoring will be reported and remedial measures agreed with the LPA is not currently adequately addressed.

The annual report monitoring impact of management prescriptions implemented and detailing any proposed remedial actions that are required must demonstrate how, if conservation aims and objectives of the LEMP are not met, action will be agreed with the LPA so that the development still delivers the fully functioning biodiversity objectives of the development assessed in the EclA and approved by the Council.

In order to recommend approval of the LEMP it should be revised to address inaccurate and omitted compensation, habitat as well as the objectives for the long-term establishment, management, monitoring, feedback and remediation to protect the TPO woodland, deliver biodiversity net gain and enhance the shared areas in development site and wildlife corridors for wildlife including badgers, bats, reptiles and birds in particular.

5. Construction Environmental Management Plan

The purpose of the CEMP condition is to identify sensitive areas and for the contractor to identify constraints, agree detailed methodologies and scheduled mitigation to avoid impacts and setting out detailed timetables, contacts and responsibilities. Loss of amenity is therefore not relevant to the CEMP Biodiversity which must focus on the avoidance, reduction and mitigation of impacts on biodiversity habitats and wildlife and not impacts on humans and neighbours, pedestrians or cyclists.

The CEMP fails to include a clear schedule of update surveys and pre-commencement checks including for badgers and bat roosts, and site condition (see comments on earthworks undertaken in October 2024). In the absence of any timetable or GANTT chart and proposal for pre-commencement checks/surveys and implementation of reptile mitigation strategy and nesting bird surveys, I can't recommend approval of the CEMP.

Paragraph 3.7 fails to address that the Reptile Mitigation and Enhancement Strategy Site Controls and 'traffic light' system were breached in October 2024. The has been adopted for the site. The Red sensitive areas were not demarcated on the ground

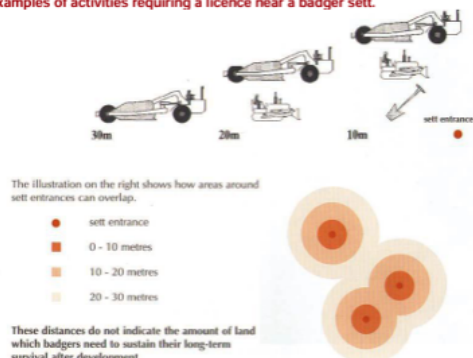
and pegged or Heras fencing erected to delineate the red area as proposed by the Ecologist.

The Reptile Strategy doesn't provide details of how long the translocation and habitat manipulation operations will continue before site set-up and vegetation clearance, creation of the permanent/ construction access could commence. A schedule should be included of when the amber zone will be demarcated and when are hand searches proposed to commence. There is insufficient detail of the role of the ECoW (or Site Manager), what is meant by "under supervision" needs to be defined. Justification must be provided for why dismantling the rubble and rubbish piles, removing refugia and groundworks in the amber zone when reptiles are not active would not risk impacting protected species. Reptiles and amphibians which are moved in winter would be unlikely to survive, given the risk of encountering reptile in the amber zone and works undertaken in October, I cannot currently support the detail of the traffic light system proposed. Its not possible to recommend agreeing the Reptile Strategy and Reptile Proof Fencing Plan or Sensitivity Plan without an updated habitat plan to identify existing and new features, impact on reptiles and amphibians and breeding birds.



I disagree that the detail of the Badgers Toolbox Talk proposed is appropriate for development site. I don't support the proposal that tree protection fencing is raised 200m off the ground to allow badgers unrestricted access throughout the construction site once grassland and potential foraging has been cleared. This is inconsistent with the proposal for erection of reptile fencing which would either obstruct or be damaged by badgers accessing the construction site. I don't agree that avoiding creation of large stockpiles of earth would avoid impact and mitigation for loss of foraging, as the CEMP doesn't include proposals to retain or dismantle existing spoil heaps or consider soil stripping, storage and importation likely to be necessary/proposed. I request that pre-commencement checks and site-specific species mitigation is proposed in the amended CEMP.

Examples of activities requiring a licence near a badger sett.



The CEMP has not assessed, schedules or proposed mitigation for the phasing and works to amend to the site access, and construct the permanent access to the east of the Leylandii treeline, and landscape enhancements to create biodiversity habitats on the existing access road. The revisions to the CEMP should also cover phasing including the detail of the proposals the use of the eastern track within the TPO as a temporary contractor pedestrian access.

I disagree with and find the comment in the Register of Environmental Effects misleading. "It is anticipated that the majority of the boundary vegetation will remain unaffected by the works." With the exception of a section of the hedge G1 all of the boundary trees, woodland and vegetation in the sacrosanct Construction Exclusion Zone outside the Tree Protection Fencing must be retained. The planning approval has not provided approval for any tree works to TPO woodland except as detailed in the AMS submitted to discharge condition 6. However, outside the CEZ there is significant vegetation clearance and not just "*some vegetation*" and clearance plans and details schedules need to be included in the CEMP to provide proposals of timing and clearance operations and supervision needed for that vegetation clearance.

To protect potential roosting features the alder tree and G34 need to be protected and retained as approved. Additional trees can't be removed unless an application for variation of condition or Non-Material Alternation as appropriate has been approved by the LPA. (I have therefore recommended that the AMS and landscaping plans and CMP are amended in line with Dwg 15 and condition 4 is not approved under application 242698). Unless the application is varied to allow removal of G34, the contractor parking should be relocated to plot 3 as shown in plan 15 and soils for new tree planting in the rear of plots 4 and 5 must be conserved.

The section on Dust and Air Quality is not appropriate and includes errors and irrelevant advice. I must strongly disagree with the CEMP that the prevailing wind is from the northeast. The proposal is that **no burning** will be permitted on site, and I do not consider that Thames Basin Heaths SPAs and SACs would be negatively impacted by air pollution from construction traffic. Routing of construction traffic should be addressed in the report submitted to discharge condition 4. Cladding Heras fencing in wind netting mesh is not consistent with the AMS proposals. Stockpiling of soil at up to 3m, particularly in the absence of a map and cut and fill drawings is not acceptable, and I would not recommend agreeing to the proposals.

For the above reason I request that the irrelevant section on air pollution is removed from the CEMP, so the relevant information proposed to secure avoidance and mitigation measures for wildlife and notable habitats is clearer for the contractor and the CEMP is not overlong and better focussed.

I request details on Landowner rights of access and ongoing operations, or confirmation when the developer will take control of the site. Clarification is needed as to when Palatine Homes propose to take sole responsibility for the site. Who is responsible prior to site set-up should be addressed in a revised CEMP. The details and contact for the Site Manager and the contractor have not been provided in section 2.1 as required by 5 (g) nor does it set out when these details will be made available to the LPA. Details of how the mitigation strategies will be adopted by the

Contractor and/or signed off by the ECoW should be added to the CEMP, as well as where they would be kept and displayed by the Contractor.

It is unclear what controls the Ecologist proposes that the Site Manager is responsible for ensuring? The CEMP should set out procedure and reporting to the LPA of unforeseen incident relating to breaches of habitat or protected species protection, incursion into the Construction Exclusion Zone, discovery or injury of protected species, damage to fencing etc. The ECoW's and Site Manager's role and responsibilities in investigating, recording and reporting incidents and inspecting the diary must be agreed by the contractor and set out in detail the CEMP to be approved by the LPA. I am concerned that no pre-commencement meeting has been scheduled and seek further information on the detail of responsibilities and communication with both the Ecological and Arboricultural Clerks of Works/ Project Arboriculturist and Project Ecologist. Neighbour complaints should be covered in the report submitted to discharge condition 4 and waste disposal should be covered in condition 4 (n).

No plan is provided to identify where are the sensitive habitats temporary lighting must avoid. Hours of operation have previously been approved, therefore statement regarding limiting to the hours from dawn to one hour before sunset where possible appear impossible for the contractor to implement or for the LPA to enforce. The Construction Management Plan report submitted to discharge condition 4 states that temporary lighting will not be required, and the CEMP needs to be consistent with the contractor's CMP and any construction lighting and hours of operation must be agreed with the ECoW. Detrimental impact of light pollution on protected species should be recorded and addressed, and nuisance to drivers is not a matter for condition 5.

As no information on piling is provided, can the Ecologist and the Contractor confirm that there will be no vibropiling, pile driving and impacts to bats, badgers or species sensitive to vibration?

The CEMP makes no reference to the schedule and operations to replace foul and install surface water drains and the construction of the headwall and outfall in the ditch. Details of when and how the ACoW and the ECoW liaise with the drainage engineers and site manager over protection of the ditch should also be set out in the submissions in support of both 242698 and 242936.

In accordance with BS5837:2012 guidance and requirements of the condition details of fuel storage and chemical stores must be agreed as part of discharge of condition and reference only to "*where possible*" and storing away of materials/equipment/chemicals are inadequate. CEMP Section 7.5 – 7.6 should be addressed in the AMS or the report to discharge condition 4 and is not relevant to condition 5 as long as the location of fuel storage is shown on the CEMP plans and is sited away from trees as per BS5837:2012.

Register of Environmental Effects C appears to contradict condition 27, which requires submission and approval of a programme of archaeological work. The CEMP should clarify when excavation of trenches is scheduled and mitigate for the impacts to wildlife.

I recommend that the Site Set Up Plan JDF – 1002 proposals for tree protection fencing are revised and red and amber reptile sensitivity, any proposed reptile fencing, location of habitat and sensitive zones for bats, the location of the badger outliers and rabbit warren, G34 and Alder tree and retained features and the proposed hibernacula. These sensitivities and protection measures as well as other target notes identified by Deepdene, and AEE ecologist need to be included on a plan in the CEMP to address the requirements of 5(b). The reptile sensitivity and fencing plans should be updated to take account of the works that took place in October.

13. Drainage Layouts

The drainage layouts do not show the hedgerow planting on the edge of the landscape wildlife corridor and landscaping proposals have not taken account of the foul package pumping station. The AMS does not provide adequate detail or schedule a meeting for the Engineer to agree the 2250 outfall “*bagwork headwall or preferred alternative*”. No reference is made to the Tree Preservation Order or the need for LPA approval and ACoW liaison in the landscape wildlife corridor.

Conditions & Reasons (if required)

Date:	2/1/25	Signed:	T Cuss
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