

MEMORANDUM

From:	Tina Cuss Ecology Officer		
Service	WBC Ecology	App No:	242961
Address:	Heriots, Wokingham Road, Hurst, Wokingham, RG10 0RX.		
Proposal:	Proposed erection of a single storey extension; link extension to curtilage listed outbuilding and enlargement of first floor element over kitchen (part-retrospective). Removal of flue on east elevation; removal of black timber cladding from west gable end and two storey element of east elevation; replacement of ground floor French doors on east elevation with triple windows; alteration and extension of first floor rear extension. Reinstatement of partition wall in ground floor front bay; remodelling of main staircase and removal of first floor staircase and installation of faux fireplace & removal of walls and fittings forming ground floor WC		
Type of Development:	Other Listed Building alteration or extension		
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 read the Phase 1 Daytime Bat Assessment (Dr Jonty Denton, 10 September 2024), Heritage Assessment Report (Ridgeway, Ref RHC 2024-36, September 2024), Heritage Note – Assessment of unauthorised works (JP Heritage, 24 February 2025) and Planning Statement (Mark Leedale Planning, Ref WR/16/188, November 2024). I have also reviewed the plans and elevations submitted in support of the application.

In Britain all wild birds are granted legal protection under the Wildlife and Countryside Act 1981 (as amended). This legislation protects the birds, their eggs and nests whilst being built or in use. Bats are fully protected under the WCA 1981, as amended, and The Conservation and Species Regulations 2017 (as amended) from intentional killing and injury and from intentional damage, destruction or obstruction of access to a place of shelter. It is an offence to kill or injure a bat or interfere with any roosting or resting site. A bat roost is interpreted as "any structure

or place used for shelter or protection" whether or not bats are present at the time or not.

The Phase 1 Daytime Bat Assessment includes only a data search of DEFRA's MAGIC map and no local bat group/TVERC or planning history record search has been undertaken.

The external survey undertaken by the Ecologist recorded numerous openings into the under-tile spaces on the roof and into the under eaves which could provide access to bats as well as a potential opening at the apex of the north gable of the northern extension. The Ecologist does not specify what the constraint to completing the survey were, but it appears roof space above the northern extension was inaccessible, an internal inspection were limited to just the main oldest building. The Ecologist observed a number of old bat droppings on the floor of the main loft of the oldest. The Phase 1 Bat Assessment does not include DNA analysis of the bat dropping or describe their size and shape and suggest whether they are consider what species of bat is likely to have deposited them. The report does not include a plan of the potential roosting features and gaps which could provide access to roof voids or roosts for crevice-dwelling bats. The Daytime Bat Assessment has not assessed the detail of the works which are proposed. In particular the works ① detailed on the Proposed Elevations Dwg 2432/04 Rev C to remove large half round ridge tiles and the removal of timber cladding.

I am concerned that the Ecologist's summary includes serious errors that therefore there are both no signs of bat activity and low potential for bats, and that the assessment has not been carried out in full accordance with Bat Surveys for Professional Ecologists: Good Practice Guidelines 4th edition. I do agree that, because there is evidence of roosting bats within the loft of the house and roof voids in the north wing and above the single storey extension were inaccessible to the ecologist, and because the clay tiles and ridge tiles have dozens of potential openings for crevice-dwelling bats, that the property has high bat roosting potential. I disagree that a single emergence survey is adequate or in line with the Good Practice Guidelines.

According to the Daytime Bat Assessment Summary, the loft has large amounts of nest material from generations of house sparrows. The Conclusions do not include any avoidance and mitigation measures to reduce and prevent illegal impacts to breeding birds and provide compensation and enhancements.

Government Circular 06/05 states that: *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted."* In this case as the extent to which protected species could be affected by the proposals has not been established, and there are no exceptional circumstances, the application would not be in accordance with the circular or planning policy and guidance.

It is not clear what precautionary approach the Planning Agent is referring to in paragraph 4.19 of the Planning Statement. CP3 states that planning permission will be granted for proposals that d) maintain or enhance the ability of the site to support fauna and flora including protected species. Development proposals will be required to demonstrate how they have responded to the above criteria through the submission of Design and Access Statements, clear and informative plans, elevation and streetscenes. According to CP7 development which may harm species of principle importance whether directly or indirectly will be only permitted if mitigation measures can be put in place to prevent damaging impacts.

Summary

Unless a report is submitted providing the results and assessment of at least three separate dusk emergence surveys completed at least three weeks apart during the bat active season (i.e. between May and the end of August/ sub optimally until September) the planning application must not be approved. The report should compensation proposals which can be secured and detailed mitigation strategy that is prepared in line with current UK Bat Mitigation Guidelines best practice.

In the absence of the results of 3 emergence surveys I cannot agree with the Agent's summary to confirm or rule out the presence of and impacts to bats, that the proposals do not conflict with local plan policies CP3 and CP7. Potential impacts to protected species, which are a material planning consideration, have not been assessed, and mitigation cannot be secured. Approval of the application would be contrary to section 15 of the NPPF and the Local Plan.

As the applicant has not provided emergence survey, I advise that lack of ecological information and mitigation for impacts to protected species, and the failure to comply with policies CP3, CP7 and the NPPF may be include in reasons for refusal.

Conditions & Reasons (if required)

Date:	12/3/25	Signed:	T Cuss
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