

MEMORANDUM

From:	Louise Aparo Ecology Officer		
Service	WBC Ecology	App No:	261216
Address:	Elmlands, Little Hill Road, Hurst, Wokingham, RG10 0TG.		
Proposal:	Full application for the proposed change of use of part of the existing paddock to residential curtilage, erection of a detached leisure outbuilding, plus installation of ground-mounted PV panels.		
Type of Development:	Other Change of Use		
Site Visit Made:	Yes/No		

Summary Of Recommendations

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

Comments On Proposal

Biodiversity Net Gain

The applicant's ecologist has submitted a Biodiversity Net Gain (BNG) Assessment and Statutory Biodiversity Metric. However, I disagree with aspects of the baseline habitat assessment.

The Statutory Biodiversity Metric User Guide is clear that where habitat degradation has occurred prior to survey, a precautionary approach should be adopted unless sufficient evidence demonstrates otherwise, requiring practitioners to “*assign a higher condition score in the absence of contrary evidence*”.

The applicant's ecologist acknowledges that habitat degradation occurred prior to survey, comprising the removal of two trees. However, the conclusion that one was an ‘urban-style’ tree and the other an ash tree in poor condition is unsupported by any evidence. I question how the ecologist came to the decision that one tree is categorised as urban, when the remaining trees on site as categorised as rural. In the absence of evidence, and following the precautionary principle, these trees should be assessed as moderate-sized trees in good condition.

I also disagree with the classification of the eastern boundary as native hedgerow. Based on aerial imagery and photographs within the Preliminary Ecological Appraisal, this feature appears more consistent with a treeline.

Furthermore, clarification is required regarding where the proposed loss of native hedgerow habitat is to take place. The submitted pre- and post-development habitat plans do not identify any hedgerow loss, and it is therefore unclear how this loss has been calculated.

In addition, the applicant's ecologist should provide further justification to baseline habitat categorisation by provision of condition sheets as required under the government guidance of Biodiversity Net Gain.

As further information is required to verify the baseline habitat assessment, I cannot be satisfied that the submitted metric accurately reflects the site's existing biodiversity value or the biodiversity impacts of the proposed development. Furthermore, there are multiple inconsistencies between the metric and the report itself, comments in the metric highlight these errors.

Notwithstanding the above issues, the submitted Biodiversity Metric demonstrates that the proposal does not achieve the statutory requirement of a minimum 10% biodiversity net gain in habitat units on site and relies on off-site habitat enhancement and creation within blue-line land.

The use of blue-line land to deliver the required biodiversity net gain is acceptable in principle, subject to compliance with the Environment Act 2021 and the statutory Biodiversity Net Gain framework. Any off-site biodiversity land relied upon must be legally secured for the required 30-year management period through a planning obligation and registered on the statutory Biodiversity Gain Site Register prior to commencement.

In addition, a Habitat Management and Monitoring Plan (HMMP) is required to ensure onsite habitat retention and off-site habitat creation to ensure the successful delivery of the mandatory 10% biodiversity net gain. As the HMMP will apply to both the application site and the blue-line land, it is recommended that the planning obligation also secures the implementation, management and monitoring requirements of the HMMP.

Protected Species

Amphibians

According to the Council's internal pond inventory, there are seven ponds within a 500 m radius of the application site, predominantly to the north. The only identified dispersal barriers are B-class rural roads, which are not generally considered significant barriers to amphibian dispersal.

I do not agree with the applicant ecologist's conclusion that the intervening land substantially restricts amphibian movement. The surrounding landscape contains relatively little residential development and is predominantly comprised of open space, agricultural land, and treeline margins. These features are likely to facilitate amphibian dispersal and provide connectivity across the wider landscape. In particular, the northern and western treelines may function as commuting corridors linking the site to the deciduous woodland located to the south-west.

However, I agree with the applicant ecologist's conclusion that further amphibian surveys would be disproportionate in this instance. The implementation of precautionary vegetation clearance methods and reasonable avoidance measures should be sufficient to mitigate potential impacts on amphibians associated with the development as well as reptiles. These mitigation measures are recommended to be secured via biodiversity method statement condition.

Bats – Roosting, Foraging and Commuting

All bat species and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. Several bat species are also listed as Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. These legislative provisions make it an offence to deliberately capture, injure, kill or disturb bats, or to damage or destroy a breeding site or resting place.

I broadly agree with the applicant ecologist's assessment of the site's suitability for roosting and foraging bats. The assessment concludes that all linear habitat will be retained and that the proposal involves only the conversion of a vegetated garden area to an outbuilding, resulting in limited impacts on foraging habitat and no impacts on roosting bats.

However, this conclusion is currently caveated by the absence of arboricultural information, a matter already raised by colleagues within the Trees and Landscape team. Additionally, the biodiversity metric indicates native hedgerow loss, it is not clear if this loss will include any semi-mature trees within the hedgerow that have the potential to support roosting bats. Arboricultural details are required to confirm whether any trees will be affected by the proposals and, consequently, whether the ecological survey effort undertaken is sufficient.

Given the location and scale of the proposed development, a sensitive lighting strategy will be required. The height of the proposed building, combined with integrated lighting positioned at elevated wall levels, has the potential to illuminate the traditional orchard and adjoining treeline (currently categorised as native hedgerow habitat). This could adversely affect bat commuting routes and foraging areas, particularly for light-sensitive species.

The purpose of the lighting strategy should be to ensure that artificial lighting does not negatively affect the adjacent treeline corridor or associated foraging habitat. In particular, a dark corridor should be maintained along the western boundary of the site and adjacent treelines to minimise ecological disturbance.

The Sensitive Lighting Plan should provide details of the location, type, intensity and specification of all proposed lighting and should be prepared in accordance with the *Bat Conservation Trust Guidance Note 08: Bats and Artificial Lighting*. A planning condition requiring the submission and approval of a Lighting Design Strategy for Light-Sensitive Biodiversity is therefore recommended.

Mammals

In relation to hedgehogs and badgers, I agree with the applicant ecologist's assessment. Whilst the site provides foraging opportunities for these species, they are highly mobile and unlikely to be significantly affected by the proposed development.

The applicant ecologist has recommended a series of precautionary measures, including covering open trenches overnight and providing means of escape, such as mammal ramps or suitably positioned wooden boards, should wildlife become trapped during construction works. These precautionary measures should be secured through the Biodiversity Method Statement.

Nesting Birds

The applicant ecologist states that no vegetation suitable for nesting birds, including scrub, hedgerows or trees, is proposed for removal. On this basis, significant impacts on nesting birds are not anticipated. However, the biodiversity assessment indicates that 73m of native hedgerow is to be removed.

Nevertheless, as a precautionary measure, the ecologist recommends that any vegetation clearance is undertaken outside of the bird nesting season (March to September inclusive), unless the area has first been checked by a suitably qualified ecologist and confirmed to be free of active nests.

Whilst I agree with this assessment, the conflicting reports further reinforces the need for an arboricultural report. Confirmation that no trees will be removed is necessary before the ecological impacts of the proposal can be fully understood and before any requirement for compensation or additional mitigation can be determined.

Biodiversity enhancements

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

In order to comply with national and local policy, the applicant's ecologist has recommended the incorporation of bat, bird boxes and deadwood log piles for invertebrates. As well as hedgehog highways if any closed board fencing is proposed. As no specific quantities have been set out, it is considered reasonable and proportionate to require the installation of two bat boxes and two bird boxes, this required as biodiversity enhancement and compensation for the loss of two trees. To ensure delivery of these biodiversity enhancements, it is recommended that a Species Compensation and Enhancement condition.

Conditions & Reasons (if required)

A Habitat Management and Monitoring Plan (HMMP)

A HMMP shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the HMMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.

- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The HMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the HMMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To secure appropriate management for the on-site habitats in order to deliver the mandatory biodiversity net gain targets.

Biodiversity method statement condition

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

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

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

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

Lighting design strategy for light-sensitive biodiversity – Condition

Prior to occupation, a “lighting design strategy for biodiversity” for buildings,

features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority

Reason: To policy compliance with national legislation Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2017 and Wokingham Core Strategy, Policy CP7.

Species Compensation and Enhancement Condition

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

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

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

Date:	21/07/26	Signed:	L.Aparo
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