
MEMORANDUM

From:	Tina Cuss Ecology Officer		
Service	WBC Ecology	App No:	251233
Address:	Warren Crest Farm, Wick Hill Lane, Finchampstead, Wokingham, RG40 3PY.		
Proposal:	Full application for the proposed erection of 3no. dwellings following demolition of existing dwelling, outbuilding and agricultural barns.		
Type of Development:	Minor Dwellings (1-9)		
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 Ecological Impact Assessment (EclA) (Ecology by Design, Ref EBD0442, June 2025), Tree Survey Report, Impact Appraisal & Tree Protection Details (Venners Arboriculture, April 2025), Landscape and Visual Impact Assessment (Portus + Whitton Ref 1822-RP-0003 Red D, May 2025), Design & Access Statement (Anderson Orr, May 2025) Flood Risk Assessment And Surface Water Drainage Strategy (Glanville, Issue 2, 29 April 2025_ and Planning Statement (JPPC May 2025). I have also reviewed the Landscape Plan (Portus + Whitton, Dwg PWL-ZZ-XX-DR-L-101 Rev P05, 7 March 2025) and other plans and elevation submitted in support of the application. I have also reviewed the site planning history and the Preliminary Ecological Appraisals (Ecology by Design, Ref EBD2436, 9 September 2022) and Bat Report (EBD02436, 10 July 2024).

TREE SURVEY REPORT

According to the AIA, nine BS5837 Grade C fruit trees and one Grade B Mulberry tree will be lost because of the proposals, and the remaining trees can be retained and adequately protected during the works. While Section 8.10 states 10 smaller ornamental trees will be removed, according to the Section 4 Tree Survey Data Tulip tree T36 is not a small tree.

The Arboriculturist has not taken account that all the west part of the site is identified by DEFRA Traditional Orchard Priority Habitat. I must therefore disagree that there

are “no special habitats or species noted and no tree species of ecological value or rarity will be lost to the development”.

The Arboriculturist states that the 10 trees removed could easily be replaced as part of future landscaping of the site but that a major planting scheme is not considered necessary. The 5 new trees that are proposed in the Landscape Plan do not provide adequate replacement tree planting to compensate for the loss of trees required by planning policy.

I am not satisfied that the removal of Tulip tree T36 and Mulberry T32 are unavoidable. I request that the layout is amended to protect and retain the orchard habitat and fruit trees, and where possible T36 and T3.

LANDSCAPE AND VISUAL IMPACT ASSESSMENT

The LVIA 3.3 states that part of the site is Priority Habitat identified as Traditional Orchard. While Constraints and Opportunities Plan Figure 14 suggests there is a “possibility to enhance with significant trees to be retained” in the orchard, multiple mature fruit trees are currently proposed to be lost.

The Traditional Orchard Priority Habitat will not be conserved in the proposed Landscape Plan DwgPWL-ZZ-XX-DR-L-101 Rev P05. The scheme does not compensate loss of biodiversity habitat or provide enhancement. The doesn't demonstrate that existing understorey and hedgerow planting to the northwestern and northeastern boundaries with will not cause further loss of Traditional Orchard Priority Habitat and the Oak trees T44 to T50.

A revised Landscape Plan that retains Priority Orchard, provides replacement tree and shrub planting and recreates foraging and commuting corridors on the eastern and southern boundaries should be submitted prior to determination of the application. Details of any proposed works to the Leylandii should be included in the Arboricultural Method Statement and landscaping proposals, and LEMP/HMMP to ensure the impact to wildlife is mitigated. A planning obligation would need to restrict the ornamental garden and amenity lawns to the area immediately around the house that is proposed in the long term.

SUSTAINABILITY STATEMENT

In order that all mature high-quality trees and grassland are retained as proposed in section 3.7 and compaction is avoided, I request that the large composting area proposed in the Sustainability Statement is relocated outside the Traditional Orchard and the Root Protection Area of T22.

I welcome statements made in Section 8.1 that outdoor illumination will be minimized and aligns with ecological recommendations to further reduce environmental impact. I am concerned that no recommendations are made avoid and reduce light pollution or provision of mitigation measures such a filters or blinds to the skylights and windows.

ECOLOGICAL IMPACT ASSESSMENT

Habitats

The EcIA desk study results do not consider the area which has been identified by as Traditional Orchard priority habitat. The results of the TVERC data search are not

included in the EclA appendixes, however the LVIA does refer to this record of habitat of principal importance not considered by the Ecologist.

The survey of vegetation, baseline habitat condition assessments and the photos which are presented in the EclA, do not justify assessing the orchard area in the south as Intensive Orchard.

Photograph 9: PR3 with vegetable garden. Photograph 8: PR2 with trees



According to UK Biodiversity Action Plan Traditional Orchards are defined, *“for priority habitat purposes, as groups of fruit and nut trees planted on vigorous rootstocks at low densities in permanent grassland; and managed in a low intensity way”*. The Ecologist has provided no evidence that the orchards match the UK Habs definition or UK BAP Intensive Orchard definition of intensive for fruit production *“by the input floor rather than grazing or cutting for hay, and planting of short-lived, high-density, dwarf or bush fruit trees”*. According to UKHabs, the defining feature of Traditional Orchard is habitat structure, rather than vegetation type topography or soils.

The orchard includes plum, cherry, and apple trees. The no proof of use of chemicals such as pesticides and inorganic fertilisers, and planting of short-lived, high-density, dwarf or bush fruit trees is given. Spacing of trees in traditional orchards can vary quite widely from c3m in some plum orchards and traditional cobnut plats, and there is some overlap of density of planting with intensive orchards. The description of spacing, age and pruning is inconsistent with the tree schedule and descriptions in the AIA. JNCC recommend for *“The simplest visual indicator of intensive management is the presence of herbicided strips along the tree rows, where the ground is generally bare or with some annual plant re-growth”* Localised areas of species associated with past disturbance and nutrient enrichment are typical of Traditional Orchards according to UKHabs.

For the above reasons I must disagree with the EclA. In the absence of contrary evidence, Traditional Orchard should be recorded in the area identified by TVERC. An orchard condition assessment should be included in the EclA showing that that P2, P3 and P5 pass 6 of the criteria and the orchard is in moderate condition unless there are veteran trees.

I am concerned that the developed land/sealed surface between the existing access track and T18 on the Baseline Habitats drawing is not shown on the tree constraints plan, Site Plan or proposed Landscape Plan. I request confirmation if the orchard has been degraded in this area and the assessment must ensure all Traditional Orchard which was present in January 2020 is included in the baseline assessment.

The baseline habitat units should take account of any significant changes to grassland management which have degraded grassland habitat condition since 2020, or management has changed.

The Arboricultural Impact Assessment does not make an adequate case to justify removal of T36. This tree and all the fruit trees in the orchard were proposed to be retained in the layout which was approved under permission 241564. To protect the large tree with bat roosting potential in good habitat condition, I request the tree is retained and protected and where necessary ground protection and specialise foundations are used to ensure this unnecessary loss of biodiversity habitat is avoided.

Due to the omission of Traditional Orchard priority habitat the mitigation hierarchy has not been adequately considered. The LVIA, previous PEA and the EclA have not informed the proposed layout, in particular the proposals for the swimming pool and gym which result in the loss of priority habitat.

Photograph 7: T33



12 months. As the house has multiple roost features, the emergence surveys are more two years old and the suspected roost and features will be lost, I must disagree that a non-licensed method statement is sufficient to protect bats and that the existing surveys are adequate to ensure demolition would not cause illegal disturbance for bats.

Further information is needed for the LPA to determine if the compensation enhancement measures for bats recommended in section 5.5.5 and appendix 3 is adequate. The application should not be approved without further assessment of impact to bats and provision of a mitigation strategy which would secure compensation in line with UK Bat Mitigation Guidelines (CIEEM 2023).

The endoscopic aerial inspection of trees T27 and T33 recorded negligible bat roosting potential. Tulip tree T36 (TN3) had multiple split limbs with possible entry points. The endoscope investigation of the single TN3 potential roosting feature found no evidence of bats. The EclA should not address that the felling of T36 is avoidable. In the absence of replacement tree planting to recreate an eastern wildlife corridor the proposed tree removal is contrary to planning policy and does not maintain and enhance habitat for bats.

Lighting

EclA paragraph 5.4.5 contradicts some of the advice given by the ecologist in paragraph 5.5.7 of the previous PEA.

I welcome the recommendation for PIR sensors. I cannot support the use of 'in-ground waymarkers' round path edges around B1. The use of lighting on the track and car park is unnecessary. The Ecologist doesn't demonstrate that these will comply with the other recommendations made. They have not justified there is any need for any path lighting on a gated site in the countryside, where the existing dwelling has no path lighting and the building won't have any commercial use.

The Ecologist fails to make any recommendations to avoid and mitigate the impact of light pollution from the floor to ceiling windows, dormers and roof lights such as filters and integral automatic blinds to maintain dark corridors on boundaries and the retained orchard habitat.

To demonstrate that external lighting and the additional light pollution will have no detrimental impact on wildlife and access routes to replacement roosting features are protected, an external lighting scheme and pollution mitigation measures must be submitted to and approved by the LPA. To achieve the dark corridors recommended, the layout, location of exits and windows should be revised to take account for the relevant advice in GN08/23, EclA section 5, the PEA and planning policy.

Bat Boxes

The EclA does not demonstrate that 2 integral Habitat bat boxes would adequately compensate the potential roosting features and the roost in LA1 that will be lost. Mitigation currently recommended is not in line with UK Bat Mitigation Guidelines (CIEEM 2023) and bat populations would be maintained and enhanced. Direct loss of roosting features as well as indirect impacts of predation by pets, impact of light pollution and loss of foraging and commuting routes on the eastern boundary and across the southern elevation should be compensated. I advise the EclA includes

detailed proposals for further integral boxes in the buildings on the east of the site and identified appropriate locations for roosting features on each building.

Other Protected or Priority Species

Birds are recorded nesting in B1, B2, B3 and B4. More information is needed to ensure that Habitat or 1SP Schwegler Sparrow terraces recommended are adequate to compensate for the loss of wild bird nesting habitat. Opportunities to provide compensation and enhancement for swifts or barn owl in the proposed eastern dwellings have not been considered in the EclA.

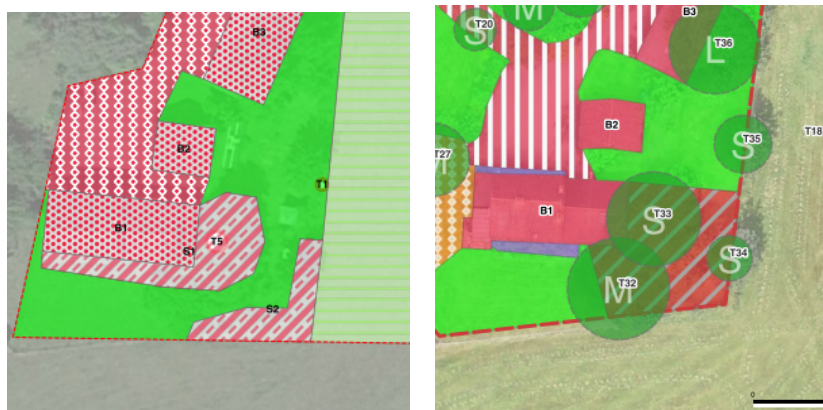
A badger hole was found less than 50m southeast of the site, the proximity and local data records indicate that the site could be used for foraging and commuting. While the temporary impact of installation of flood attenuation tanks is addressed, no reference is made in the EclA to excavation and construction of the proposed ha-ha.

According to PTES ha-has can divide habitats, making it harder for hedgehogs to move between foraging areas, nesting sites, or water sources. Creation of barriers can increase predation. The ha-ha must be designed with an adequately gentle or /shallow slope to avoid creation of a barrier to hedgehogs and badgers.

To support the inclusion of the ha-ha, the impact and appropriate mitigation during clearance, construction and the occupation phase must be assessed in the revised EclA. A revised Landscaping Plan should compensate for the impacts of the ha-ha and ensure access to orchard and grassland foraging habitat for wildlife is maintained and enhanced.

Biodiversity Statement

The EclA does not provide a degradation statement. However, the shrub areas S1 and S2 shown to the southeast of the house B1 appear to have been cleared since the Preliminary Ecological Appraisal (Ref EBD2436) was prepared by in 2022. The baseline habitat assessed must consider the habitats and condition prior to clearance and degradation which has been undertake since January 2020. The metric should therefore be amended to include the introduced shrubs and grassland which have been cleared. Any change in management or reseeded of grassland which has negatively affected habitat condition since 2020 must also be assessed.

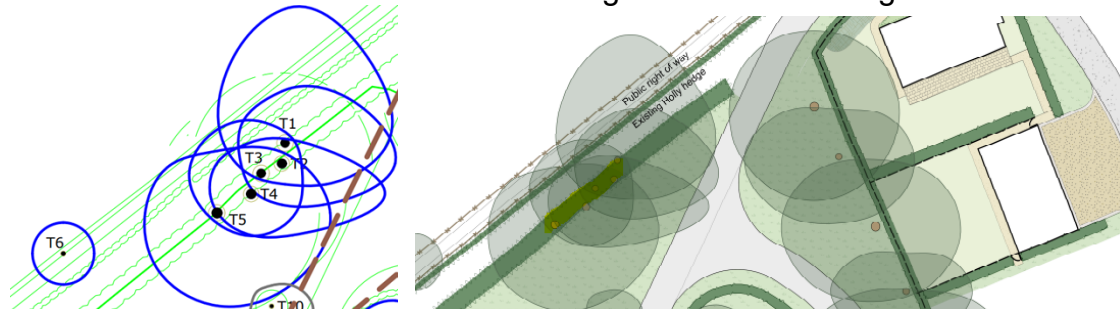


Biodiversity Net Gain Assessment

Based on UK BAP and UKHabs definitions, MAGIC and TVERC data, and the

information submitted in the EclA and LVIA I consider that the site supports traditional orchard, modified grassland, introduced scrub, vegetated garden, native and ornamental hedgerow, individual trees and ecologically valuable lines of trees and a dry ditch.

Tree T28 has been omitted from the Individual Trees Condition Sheet in appendix 6. A revised report should address that the Ecologist's assessment of tree size and species is inconsistent with the AIA. The Arboriculturist identified T28 as a cherry and assesses the diameter at breast height as 27cm. The tree should therefore be recorded as a small tree in moderate habitat condition. 4 large and one medium Oak trees T1 to T5 are on-site and have also been missed from the condition assessment and the metric. These trees need either to be assessed as an Ecologically valuable line of trees or the northern section of hedge recorded as hedgerow with trees.



I do not agree with the assessment presented in Table 5.1: Results of Baseline Statutory Metric Calculator. The metric and condition assessments should be amended to show that the Line of trees L1 complies with the UKHabs definition and meets the criteria of an Ecologically valuable line of Trees. Traditional Orchards in moderate condition are medium habitat distinctiveness and cannot be compensated by vegetated garden and habitat which can be secured on-site. The Baseline Habitat Condition Assessments in Appendix 6 of the EclA should be amended to include Hedgerow and Traditional Orchards.

For the above reasons I disagree with the Ecologist's assessment that the site has a baseline biodiversity value of 5.77 habitat units and 0.83 hedgerow units.

If the loss of habitat since 2022, recording PR2, PR3 and PR5 as priority Traditional Orchard, assessment of L1 as an Ecologically valuable line of trees, and the omitted T1 to T5 and T28 are included, and condition assessments corrected then the on-site baseline habitat units would be higher than calculated by EBD. Subject to further details on degradation and consideration of local strategies to determine strategic significance, I calculate that the baseline habitat units are likely to be around 6.41 units and the on-site hedgerow units would increase to 1.07 units.

Relevant Planning Policy

According to CP3 planning permission will be granted for proposals that:

- c) Have no detrimental impact upon important ecological... landscape (including features) ...
- 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, elevations and streetscenes and where required Masterplans, Development Briefs, Concept Statements and Design Codes.

Policy CP7 states that development,

b) which may harm habitats of principle importance for nature conservation, or features of the landscape that are of major importance for wild flora and fauna (including wildlife and river corridors), whether directly or indirectly; or

c) That compromises the implementation of the national, regional, county and local biodiversity action plans,

will be only permitted if it has been clearly demonstrated that the need for the proposal outweighs the need to safeguard the nature conservation importance, that no alternative site that would result in less or no harm is available which will meet the need. And mitigation measures can be put in place to prevent damaging impacts; or appropriate compensation measures to offset the scale and kind of losses are provided.

NPPF paragraph 187 requires that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity, recognising the benefits from ecosystem services – including of trees and woodland; and minimising impacts on and providing net gains for biodiversity, incorporating features which support priority or threatened species such as swifts, bats and hedgehogs. NPPF 193 states that when determining planning applications, local planning authorities should apply the principles 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.

The applicant has failed to demonstrate that there is a need for the swimming pool which overrides need to retain and conserve the Traditional Orchard habitat of principle importance. The development will result in direct detrimental impact on priority habitat. The loss Traditional Orchard is also contrary to national and local Biodiversity Action Plans. The submitted statements and assessments do not demonstrate that there will be no loss or detrimental impact on Traditional Orchard habitats, or negative impacts on bats or other wildlife.

The habitat of principle importance would have been retained in the layout for the extensions permitted under application 242753. The bat roost was also to have been retained, and loss of potential roosting features compensated in this permission. The applicant therefore has failed to show that an alternative layout or location would not result in no or less harm. Application 250063 was not supported by any ecological survey or assessment and did not take any account or seek to secured compensation for loss of BAP priority habitat. The applicant's desire for a swimming pool does not outweigh the need to retain nationally important habitat.

Contrary to CP11 5i) the development will not maintain the quality nor bring about ecological environmental improvements. The proposed landscaping scheme and recommended measures fail to propose compensation for the loss of trees, Traditional Orchard or neutral grassland and net enhancements for bats, hedgehog, badger, or swift. For these reasons the current development proposals are contrary to Local Plan Policies CP1, CP3, CP7 and CP11 as well as MDD TB23 and section 15 of the NPPF and should not currently be approved.

SUMMARY

I must object to the conclusion of the Ecological Appraisal and the biodiversity metric, Arboricultural Impact Assessment and the Landscaping Plan. To ensure that the proposals comply with the NPPF and local policies and best practice guidance I request that the layout and EcIA and metric are amended to provide and secure:

- Retention and conservation of Traditional Orchard BAP habitat.
- Where appropriate the retention and long-term protection of T36.
- Compensation tree and shrub planting and restoration of grassland.
- Provision of buffers to Ecologically valuable lines of trees and mature oaks.
- Further surveys and details to confirm absence or presence of bat roost.
- Compensation roosting features and mitigation to enhance to maintain and enhance wildlife.
- A wildlife-friendly external lighting scheme and mitigation for light pollution.

Conditions & Reasons (if required)

Awaiting revised Ecological Impact Assessment, Metric and Landscaping Plan.

Date:	01/08//2025	Signed:	T Cuss
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