

MEMORANDUM

From:	Tina Cuss Ecology Officer		
Service	WBC Ecology	App No:	242129
Address:	Warren Crest Farm, Wick Hill Lane, Finchampstead, Wokingham, RG40 3PY.		
Proposal:	Full application for a proposed access, including formation of new trackway, improvement of existing track, and installation of new gates.		
Type of Development:	Minor All other developments		
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 covering letter (JPPC, Ref 8534, 18 June 2024) and reviewed the Statutory Small Sites Metric completed by JPPC on 1 August 2024, Appendix 1b - Tree Constraints on the existing layout - South Access Area, Section 4 Tree Survey, Topographical Survey (Mapmatic, Ref 6246 Dwg 0001 Sheet 3, 7 September 2024) and other submitted plans.

The covering letter states that agricultural permitted development rights with prior notification do not allow for works within 25m of the classified road meaning a planning application is required for the part of the track and access works that meet the highway. The letter states that the application covers "*the entire development to allow the proposal to be considered comprehensively*". I must disagree as the plans fail to include application site-wide boundaries, trees and natural features, a comprehensive Tree Plan and Arboricultural Impact Assessment including impacts to hedges, and a biodiversity survey or Preliminary Ecological Assessment and species surveys for trees and hedges which the applicant demonstrates cannot be protected and retained.

According to Thames Environmental Records Centre habitat data part of the site is likely to support semi-improved acid grassland and scrub or broadleaved deciduous woodland which are habitats of principle importance which should assessed and protected in line with local plan policies.

The submitted Biodiversity Metric and covering letter alone do not address the requirement to comply with policies, CP1 , CP3, CP7 and TB23 and a biodiversity survey including habitat assessment plan and detailed proposals of habitat retained, protected and compensation proposed is needed to avoid, reduce and where necessary compensate impact.

Paragraph 99 of the 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, since 1) the extent to which bats (which are a protected species) may be affected by the proposals has not been established, and 2) there appear to be no “exceptional circumstances”, the application would not be in accordance with the above planning policy.

According to CP3 development proposals must (c) have no detrimental impact upon important ecological, heritage landscape (including river valley) or geological features or water courses. And (d) Maintain or enhance the ability of the site to support fauna and flora including protected species. CP3 states 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.

Policy CP7 states that development which may harm habitats or, species of principle importance veteran trees or features of the landscape that are of major importance for wild flora and fauna whether directly or indirectly, will be only permitted if mitigation measures can be put in place to prevent damaging impacts.

According to MDD TB23 planning permission will only be granted where they comply with policy CP7 – Biodiversity and also demonstrate how they:

- a) Provide opportunities, including through design, layout and landscaping to incorporate new biodiversity features or enhance existing.
- b) Provide appropriate buffer zones between development proposals and designated sites as well as habitats and species of principle importance for nature conservation.
- c) Ensure that all existing and new developments are ecologically permeable through the protection of existing and the provision of new continuous wildlife corridors, which shall be integrated and linked to the wider green infrastructure network.

Until an assessment of bat roost potential for affected trees is submitted it is not possible to comment on the small site metric which has been submitted. Where European protected species will be affected, applications may not be supported by Small Sites Metrics. The habitat affected appears to be considerable larger than 25m and therefore the application must be supported by a full Statutory Metric, baseline habitat plan and post-development plan, and a statement describing degradation of the site which has taken place since 30 January 2020.



Summary

In the absence a site-wide existing and proposals plan, Arboricultural Impact Assessment, biodiversity survey with protected species surveys and mitigation strategies, the application fails to assess the effects on the natural environment. Surveys and existing and proposed plans of the whole development proposed are needed in line with to demonstrate habitat loss is unavoidable, and compensation and mitigation can be secured to maintain and enhance wildlife habitat and fauna on site. If further information is not submitted the application could be refused on grounds of lack of ecological information contrary to the NPPF section 15 can policies CP1, CP3, CP7 and TB23.

Conditions & Reasons (if required)

Awaiting biodiversity survey, site-wide Arboricultural Impact Assessment and site plans and tree bat roost potential and badger and other protected species surveys recommended in the PEA/EcIA.

Date:	31/10/24	Signed:	T Cuss
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