

APPENDIX EA 10 – Planning conditions.

Condition 3

No development shall take place until a scheme for the provision and management of buffer zones, a minimum of 10 metres in width alongside all watercourses on or adjacent to the proposed development site has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zones shall be free from built development including lighting, domestic gardens, parking and formal landscaping. The scheme shall include:

- plans showing the extent and layout of the buffer zones. The buffer zones shall be measured from the top of the watercourse banks, defined as the point at which the bank slope meets the level of the surrounding land. Where a watercourse runs through the site, the buffer zone will be provided on both sides of the channel
- details of any proposed planting scheme which should use locally native species of UK genetic provenance
- details of any proposed footpaths, fencing, lighting, etc in the vicinity of the buffer zones
- details demonstrating how the buffer zone will be protected during development and managed over the longer term, including adequate financial provision and named body responsible for management plus the production of detailed management plan

Reason 3

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Undeveloped buffer zones are important as they can help to:

- allow the watercourse to undergo the natural processes of erosion and deposition and natural changes to the bank profile without necessitating intrusive and harmful bank protection works
- provide space for semi-aquatic and terrestrial habitats which are important to the lifecycle of many species
- create, maintain and enhance wildlife corridors which can also be used as part of the green infrastructure networks within development
- prevent permanent overshadowing of the water by buildings
- reduce the risk of pollution caused by run-off, and
- reduce incidences of flooding by allowing water storage and the natural drainage of rainwater.

This approach is supported by paragraphs 187 and 193 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and

providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and promote the expansion of biodiversity.

Condition 4

No development shall take place/[insert other relevant trigger] until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- details of any new habitat created on-site
- details of treatment of site boundaries and/or buffers around water bodies
- details of maintenance regimes
- details of management responsibilities

Reason 4

To ensure the protection and of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted policy TB23: Biodiversity and Development of the [Wokingham Borough Development Plan: Adopted Managing Development Delivery Local Plan, February 2014](#).

Condition 5

No demolition or construction works shall take place until a Construction Environment Management Plan (CEMP) detailing, in full, measures to protect existing habitat, including the Hatchgate Ditches main river, the watercourse adjacent to the southern boundary of the site and their associated riparian corridors during demolition and construction works has been submitted to and approved in writing by the Local Planning Authority. The development works shall be carried out in accordance with the approved CEMP. Such a scheme shall include details of the following:

- The timing of the works.
- Demolition and construction methods.
- Any necessary pollution protection methods including to prevent contaminated surface water run-off entering the watercourses.

- Any necessary mitigation measures to be used during demolition and construction in order to minimise potential disturbance and damage to existing and newly created habitats and their associated species.
- A lighting scheme designed in accordance with the Institution of Lighting Professionals/Bat Conservation Trust Guidance Note 08/23: Bats and Artificial Lighting at Night. This lighting scheme should be designed to cover all aspects of the development from demolition through construction to how the site is operated once the development is completed. This shall ensure that light is directed away from the river, backwater and the riparian corridor associated with the buffer zone in order to protect wildlife such as bats that may use these areas for commuting or foraging.
- A map or plan showing habitat areas to be specifically protected such as the minimum 10 metre wide buffer zones alongside the watercourses.
- Information on the persons/bodies responsible for particular activities associated with the CEMP that demonstrate they are qualified for the activity they are undertaking, for example an Ecological Clerk of Works.

Reason 5

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

The National Planning Policy Framework (NPPF) paragraph 187 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 193 of the NPPF states that if significant harm 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 and that opportunities to incorporate biodiversity in and around developments should be encouraged.

Article 10 of the Habitats Directive stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats and promote the expansion of biodiversity. River corridors are particularly effective in this way. Such networks and corridors may also help wildlife adapt to climate change.