

**ROSEBANK
TAPE LANE, HURST
RG10 0DP**

17 September, 2025

For the Attention of Mr Davies, Planning Inspector

Ref: Inquiry for Appeal APP/X0360/W/25/3364304 Land between Lodge Road and Tape Lane, Hurst. Up to 99 new homes, green infrastructure, open space, pedestrian and cycle links, recreational facilities and other associated infrastructure and access points on Lodge Road and Tape Lane with required improvements.

This is in response to the Tyler Grange Report (TGR) '*Addressing Appeal Site within Berkshire Local Nature Recovery Strategy (due to be published October 2025)*'¹ (**CD13.17**) uploaded on WBC portal 12 September, as requested by yourself and in response to my statement made at the inquiry (**CD13.8**).

I disagree with the TGR (**CD13.17**) and wish to draw the Inspectors attention to the following points:

- The TGR (**CD13.17**) has confirmed my statement at the inquiry and stated in Paragraph 3.2 '*Therefore, whilst the Berkshire LNRS is not yet published, the evidence base may be relevant in the decision making process*'.
- The TGR (**CD13.17**) is using the agreed BNG metric **CD11.5**².
- Paragraph 7.1 of the TGR (**CD13.17**) refers to paragraph 5.5 which doesn't exist.

The TGR (**CD13.17**) considers that the following will meet the LNR Strategy objectives and therefore will be of 'high strategic significance' on the following basis:

- **PM08** Veteranize Trees site (Undertake management activities to veteranize individual trees outside woodland with an overall priority to improve the quality and connectivity of wood pasture and parkland.

TG Report the following: '*The veteranisation of existing trees forms part of the agreed Tree Assessment and Compensation Strategy. The strategy also includes measures to improve the condition of existing veteran trees on the site. This is directly consistent with the objectives of PM08*'.

However, it should be noted that the Tree Assessment and Compensation Strategy has been agreed prior to, and without either party acknowledging or considering, the forthcoming LNRS designation.

¹ [ViewDocument](#) Tyler Grange Addressing Appeal Site within Berkshire Local Nature Recovery Strategy

² [CD11.5 Updated BNG Metric.xlsm](#)

1. TGR Report (TGR (CD13.17) - During Transition (i.e. site has been designated but before LNRS is published using the agreed BNG metric):

PM03 Restoration of Grassland

- *Grassland enhancement from 'modified grassland' in 'moderate condition' to 'other neutral grassland' in 'good' condition.'*
- *Enhancement of other neutral grassland in 'poor' condition' to other neutral grassland in 'good' condition.*
- *Creation of other neutral grassland in 'good' condition*

Overall (TGR Paragraph 6.3) (**CD13.17**) the area of improvement of grassland from modified grassland in moderate condition to 'other neutral grassland in 'good' condition is only 0.82 hectares out of the entire site of approximately 10.68³ hectares.

And a further 0.43 ha of other neutral grassland in 'poor' condition' to other neutral grassland in 'good' condition.

Therefore, in total there will be Grassland Improvements of only 1.25 ha out of a total site area of 10.68 ha (slightly less than 12% of the overall site area). This will be post-development whereby the introduction of 99 dwellings, 250 residents, roads, domestic animals and traffic will undoubtedly conflict with the limited proposed improvements. This does not align with the LNRS objectives.

TGR (**CD13.17**) Paragraph 6.3 goes on to state the following measures are being delivered as part of the development:

- *0.13 ha of created pond habitat in 'moderate' condition*
- *0.33 km of enhancement of species-rich native hedgerow in 'good condition' to species-rich native hedgerow with trees in 'good' condition*
- *0.07 km of created native hedgerow in 'moderate condition'.*

LNRS designation PM01 Create and Enhance hedgerows along Tape Lane

- *Enhancement of species-rich native hedgerow in 'good condition' to species rich native hedgerow with trees in 'good condition'*
- *Creation of native hedgerow in 'moderate condition'.*

The TGR (**CD13.17**) has ignored that the LNRS **PM01 refers only to the hedge boundary along Tape Lane⁴** to Create and Enhance Hedgerows (LNRS specifically wish to reconnect relic trees with the overall priority to improve the quality of habitats in agricultural land and the wider countryside).

Tape Lane (North):

There is no mention by the appellant in their update on the LNRS of the required removal of 3.7 metres of hedgerow to accommodate the Bus Access and a further 15m of hedgerow to be

³ Although WBC use 10.54 in DF's Statutory Biodiversity Metric

⁴ As per my statement CD 13.17

removed for the visibility splay for that access (**CD11.7 Updated Preliminary and Retention Removal of Tree and Hedgerow Plan**).

Neither does TGR (**CD13.17**) mention the requirement to remove protected hedgerow to accommodate the 1.5 metre pedestrian access at the north of Tape Lane, when clearly that will be the case.

Tape Lane (South):

The TGR (**CD13.17**) omits to mention the removal of protected hedgerow for the 3.00 metre access for the proposed Footway and cycleway **CD10.13 (Drawing ITB19328-GA-131B)** which will require a 43 metre visibility splay which will inevitably require the removal and/or reduction of protected hedgerow. Details of the proposed access and removal of hedgerow has been omitted from the Tyler Grange *Updated Preliminary Retention and Removal Tree and Hedgerow Plan (CD11.7)*

The existing hedgerow along South of Tape Lane (where the current allotments are) will be compromised/removed to facilitate the proposed 2 metre wide footway (which will adjoin the proposed footway and cycleway access to the site). This is outside the ownership boundary and not accounted for in the BNG metric; Tyler Grange do not account for this removal in their *Updated Preliminary Retention and Removal of Tree and Hedgerow Plan (CD11.7)*.

Therefore, the removal of hedgerow along Tape Lane is in conflict with the LNR Strategy objective which is to improve the quality of habitats in agricultural land and the wider countryside, as it does not restore, recover or enhance. Any new planting along Tape Lane is at the expense of removing existing mature, some of it ancient, hedgerow which is a far more valuable habitat.

Lodge Road: For the purposes of clarity LNRS designation PM01 is not applicable to Lodge Road. 125 metres of existing hedgerow will be removed on the Lodge Road to accommodate the visibility splays and site access from Lodge Road to the site. The appellant is proposing that 330 metres of enhancement of species-rich native hedgerow in 'good condition' to 'species rich native hedgerow with trees' in 'good condition' and a further 70 metres of created native hedgerow in 'moderate' condition. However, in total, the appellant will be removing approximately 200 metres of mature and ancient hedgerow habitat which will take years to replace which will be harmful to the existing habitat and is not in alignment with the LNRS. Whilst the Lodge Road additional replacement hedging is relevant for the current BNG calculation for this development, it is not part of the LNR strategy and as such is not delivering the habitat specified in the location identified in the LNRS.

PM11 There is no mention of PM11 *Creation of a Wet woodland site*, or **PM18** *to create and restore a network of clean water ponds site* (as mentioned by the appellant in the BNG metric calculation, the creation of attenuation ponds is not acceptable, due to the pipework requirements for attention ponds).

2) The TG Report then addresses what the status would be when the LNRS is published:

PM03 (No difference to Transitional Methodology)

- *Grassland enhancement from 'modified grassland' in 'moderate condition' to 'other neutral grassland' in 'good' condition.'*

- *Enhancement of other neutral grassland in ‘poor’ condition’ to other neutral grassland in ‘good’ condition.*
- *Creation of other neutral grassland in ‘good’ condition*

PM01 (No difference to Transitional Methodology)

- *Enhancement of species-rich native hedgerow in ‘good condition’ to species rich native hedgerow with trees in ‘good condition’.*
- *Creation of native hedgerow in ‘moderate condition’*

BNG Metric Table and calculations (CD 11.5)

The BNG metric ‘On-Site Habitat Baseline’ calculation includes the following, which are also offered as illustrative benefits as part of the proposal, however it should be noted the majority are NOT an acceptable part of the LNR Strategy:

- *Allotments (0.12 ha)* are not an acceptable part of the LNR Strategy
- *Bioswales (0.11)* are not an acceptable part of the LNR Strategy
- *Developed land: sealed surface (3.67 ha)* not an acceptable part of the LNR Strategy
- *Modified grassland (.89 ha)* not an acceptable part of the LNR Strategy
- *Ponds (non-priority habitat) (0.13 ha) - any ponds will be artificially connected as will be part of the drainage system.* Therefore, this does not replace the requirement of creating and restoring a network of clean water ponds.
- *Urban vegetated gardens (1.16 ha)* are not part of the LNR Strategy
- *Traditional orchards (0.46 ha)* are not part of the LNR Strategy
- *Individual Urban trees (0.62 ha)* are not part of the LNR Strategy

The only acceptable habitat which align with the LNR Strategy are:

- **The existing 0.46 ha six trees of irreplaceable habitat (was 0.51 but 2 veteran trees felled prior to application⁵**
- **Other neutral grassland (2.75 ha) of which they have only mentioned 1.25 ha to be improved**
- **0.07 Rural Tree (T15)**

(Total habitat area of 10.44 ha of which **over 7 ha do not align with the LNRS**)

As a result although the proposed development does provide the requisite 10% BNG it cannot and does not actively support the LNRS delivery contrary to NPPG, Environment Act, NERC and NPPF. TGR (**CD13.17**) paragraph 6.5 optimistically states that “*there will be further opportunity to refine any habitat enhancements/creation measures, if feasible, at Reserved Matters stage*’.

⁵ Irreplaceable habitats (as provided for in BNG regulations) are technically very difficult to recreate once destroyed (or recreation would take a significant amount of time). As such, the BNG requirement is disapplied for these habitats. Any losses or deterioration impacts to irreplaceable habitats cannot be calculated by the biodiversity metric tool and they are removed from the baseline. Where there are no losses or deterioration of irreplaceable habitat, their enhancement may contribute towards the calculation of post-development biodiversity units

However as the proposal is proposing such benefits as allotments, ponds, orchards together with a 'common', and 3.6 ha sealed surface – there is very little opportunity to refine any habitat enhancements to align it with being able to deliver the LNRS for this site.

Although the appellant has cited the Bedfordshire LNRS as stating development can be made on sites designated in the LNRS, each individual site must be judged on its own merits. The appellant can only provide a percentage uplift to a very small part of the site knowing full well that it will be impossible to deliver the enhancement actions or enhance the existing habitat to achieve producing the LNR Strategy as it is set out to be.

Not content with the degradation of the site by felling 2 veteran trees in 2021 to allow for the access to this development, this proposal now wishes to deny the opportunity for this location in Hurst to contribute towards a statutory national, nature recovery scheme.

The Defra/Government blog post '*Incorporating Local Nature Recovery Strategies when planning for Biodiversity Net Gain*⁶' under the heading 'Considerations for landowners and developers' specifically states '*As a land manager, when creating or enhancing the habitat in a location identified in your LNRS, you will be able to create 1.15x more units than you would have otherwise created. This is known as the 'strategic significance multiplier. **This multiplier only applies if you deliver the habitat specified and in the location identified, in the LNRS**'.*

In summary:

Throughout the planning application process the Appellant has not followed government recommendations in checking whether or not the site was designated in a forthcoming LNRS in their ecological evidence. They consider that they are able to retrospectively deliver the habitat specified in the location identified in the LNRS – however as they cannot fulfil the LNRS designations PM01, PM03 (only 12% of the site is relevant), PM11 and PM18 they cannot meet the LNR Strategy objectives and therefore the 'high strategic significance' is impossible to achieve.

Contrary to Tyler Grangers Report (**CD13.17**), because of the shortcomings detailed above, the development will have a negative impact on nature and it compromises connectivity between habitats. Whilst the BNG metric is just over the 10% requirement for this proposal, the measures to attain that 10% do not align with the LNRS priorities for recovery. It fails to expand and connect existing habitat and provide wider environmental benefits create, enhance or recover habitat enough to make a positive contribution towards the delivery of nature recovery. The strategic significance multiplier only applies if the habitat specified in the LNRS is delivered. This proposal cannot do this.

The proposal cannot actively support the LNRS delivery; It is not protecting an area identified by national and local partnerships for habitat management, enhancement restoration or creation and contrary to NPPF S15. This is a significant material consideration.

Belinda Robinson

⁶ [Incorporating Local Nature Recovery Strategies when planning for Biodiversity Net Gain – Environment](#)