

MEMORANDUM

From:	Tina Cuss Ecology Officer		
Service	WBC Ecology	App No:	260049
Address:	Pound Lane Cottage, Pound Lane, Hurst, RG10 0RS.		
Proposal:	Full application for the proposed change of use of land to mixed used comprising of agriculture (keeping of goats) and storage of building materials together with the erection of 2no. storage buildings.		
Type of Development:	Other Change of Use		
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 (Darwin Ecology, December 2025), Biodiversity Net Gain Assessment (Darwin Ecology, January 2026), and BS5837 Arboricultural Report (Duckworths Arboriculture, Ref ASIA/AMS 06901/2025, December 2025). I have also reviewed the submitted Biodiversity Metric, plans and elevations, as well as local planning history and biodiversity records.

Biodiversity Habitat

From my assessment of pre-application site visit and Streetview photos and aerial photos there has been impact to on-site habitats (or 'degradation') prior to the submission of a planning application which has affected pre-development biodiversity value.

Paragraph 6 of Schedule 7A of the Town and Country Planning Act 1990 makes provision relating to unauthorised degradation takes place:

Where unauthorised degradation of the onsite habitat has taken place on the land between 30 January 2020 and the date of relevant date, the biodiversity pre-development value of the onsite habitat should be calculated as the biodiversity value of the habitat on the date immediately before the carrying out of these degradation activities. The relevant date should therefore be set as a date immediately before these activities. Unauthorised degradation of onsite habitat is any degradation which is not in accordance with a previous planning permission.

*If there has been degradation and there is insufficient evidence about the biodiversity value of the onsite habitat immediately before the degradation, the pre-development biodiversity value of the onsite habitat must be taken to be the **highest biodiversity value of the habitat which is reasonably supported by any available evidence relating to it**. This requirement must be applied to the calculation of pre-development biodiversity value in the metric tool.*

Where degradation activities have taken place, the applicant must provide:

- *a statement setting out that these degradation activities have been carried out;*
- *confirmation of the date immediately before these activities were carried out;*
- *the pre-development biodiversity value of the site on this date;*
- *the completed metric calculation tool showing the calculations, and*
- *any available supporting evidence of this.*

No degradation statement has been submitted with the application. The Ecologist has failed to follow guidance in the Statutory Biodiversity Metric User Guide including using an earlier baseline and:

- *use the pre-degradation habitat type as the site's baseline*
- *evidence how this habitat type and condition has been determined in the user comments*
- *record the habitat as lost within the biodiversity metric tool*
- *account for the time between the habitat loss and compensation using the 'delay in starting habitat creation or enhancement' function.*

The submitted metric takes no account of the site clearance. The no site photos are included and the aerials provided should provide evidence habitat condition in 2020 or prior to habitat degradation and potential import of inert. I must therefore disagree with both the EclA assessment of baseline biodiversity habitat, and linear habitat of the Site Area. I also cannot assess if the habitat creation on and off-site is achievable as insufficient evidence of the off-site habitat condition is provided and I am not satisfied the habitat creation proposals are likely to achieve a 10% biodiversity gain and long-term maintenance of habitat on and off-site for 30 years from completion.

Protected Species

I agree with the EclA assessment that the site contained/s suitable habitat to support foraging and commuting bats, with the species-rich native hedgerows with trees offering good foraging and commuting opportunities for bats, as these habitats provide good linear features within the wider landscape. The desktop survey fails to take account of local planning history, and no local data search has been completed. The Ecologist has therefore not assessed the impact on bat roosts record in adjacent properties to the north and south of the Site Area.

The ruderal vegetation, bramble scrub and the hedgerows on site would provide suitable foraging, commuting, and resting opportunities for reptiles. Hedgerows with trees and bramble scrub provide good nesting opportunities for a variety of bird species and I agree it is likely that the site is frequented by an assemblage of common garden and woodland bird species. Prior to clearance both the redline and blueline land have potential to support Barn owl.

BS42020 Code of Practice for Planning and Development paragraph 6.4.8 states:

“Where relevant, any report on survey activities should also include reference to any evidence of material events occurring on site, either before or after ecological surveys have been carried out, for example:

- a) removal or management of vegetation, including trees;*
- b) alteration or loss of other biodiversity features, such as hedgerows, ponds, ditches or buildings and features of value to protected species;*
- c) control of weeds or other species; and*
- d) cessation or reintroduction of grazing or mowing.*

Such events should be described and the cause explained where known along with the implications, if any, for the main findings of the ecological report”.

Contrary to BS42020 6.4.8 the ecologist has failed to assess the detrimental impact of site clearance and the need according to planning policy to compensate this clearance and the impact to invertebrates, reptiles and breeding birds and to enhance the site for wildlife. I do not therefore agree the mitigation and enhancement measures set out in EclA section 6 and 7 are adequate to compensate for the impact of the groundworks, site clearance and the development as assessed.

Summary

Contrary to guidance, no photos or habitat plans have been included in the biodiversity metric. The BNG Assessment includes no evidence of habitat condition prior to clearance. The degradation of the Site Area has not been assessed in the calculation of the baseline habitat value, and the agent has not provided a degradation statement. I must therefore disagree with the assessment of baseline biodiversity habitat of 0.94 units and 1.10 hedgerow units. The Ecological Impact Assessment and Metric must be amended to take account of the habitat clearance and degradation which have taken place since January 2020 and habitat condition assessment of the off-site biodiversity gain land should be provided. If the assessment of baseline biodiversity value and detriment impacts on the Site are not reassessed in line with the BS42020, Metric User Guidelines, UK Habs and CIEEM best practice, the application may be refused on lack of ecological information, impact to biodiversity and protected and notable species and failure to comply with local plan policies CP1, CP3 and CP7 and the 2024 NPPF section 15.





Conditions & Reasons (if required)

Date:	10/4/26	Signed:	T Cuss
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