

Date: 7 January 2026
Application: 253136



**WOKINGHAM
BOROUGH COUNCIL**

WBC Ecology Newts

Development Management &
Compliance

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Dear WBC Ecology Newts,

Full Planning Approval Consultation

Application Number: 253136

Applicant: Ms P Kay and Mr L Sanders

Site Address: The Lodge, 178 Bearwood Road, Wokingham, RG41 4SH

Parish: Barkham

Grid Reference: Easting - 478455, Northing - 168605

Type of Development: Minor Dwellings (1-9)

Proposal: Full application for the proposed erection of 1 no. detached dwelling with associated landscaping following the demolition of the existing dwelling.

Case Officer: Cameron Young

Development Management has received the above application, and we require your comments on the proposal using the recommended memorandum below. The documents associated with this are available to view in NEC DM using the application number 253136. Alternatively, public documents are available to view on the Council's planning application search page: [Wokingham Borough Council Online Planning](#).

Please index your response into NEC DM against the application. If you are recommending conditions, you should give a reason with reference to relevant policies. A list of standard conditions can be requested from the case officer.

Your observations are required in respect of this application by **28 January 2026**.

Yours sincerely,
Development Management & Compliance

MEMORANDUM

From:	Berkshire District Licensing Officer
Service	WBC Ecology Newts
App No:	253136
Address:	The Lodge, 178 Bearwood Road, Wokingham, RG41 4SH.
Proposal:	Full application for the proposed erection of 1 no. detached dwelling with associated landscaping following the demolition of the existing dwelling.
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

Summary:

- The development falls within the red impact risk zone for great crested newts. Impact risk zones have been derived through advanced modelling to create a species distribution map which predicts likely presence. In the red impact zone, there is highly suitable habitat and a high likelihood of great crested newt presence. Whilst the on-site habitat consists of close mown grassland there is a reasonable likelihood of GCN being present given that it is situated next to a pond in the red zone.
- There are 6 ponds within 250m of the development proposal, the closest of which being c.10m west of the site boundary, and within c.50m of the development footprint. Please note that not all ponds are shown on the map below.
- There is direct connectivity between the waterbodies and terrestrial habitat in the landscape and the development site, which could aid great crested newt dispersal into the development site. There are also GCN records northwest of the site with suitable connectivity to those within 250m of the site.
- There is potential for GCN to be disturbed, injured or killed during the demolition of the existing building and as a result of construction activities when erecting the new dwelling.

- Further eDNA surveys completed in 2026 revealed GCN presence in the two ponds adjacent to the site, c.10m west and c.25m west of the site boundary.

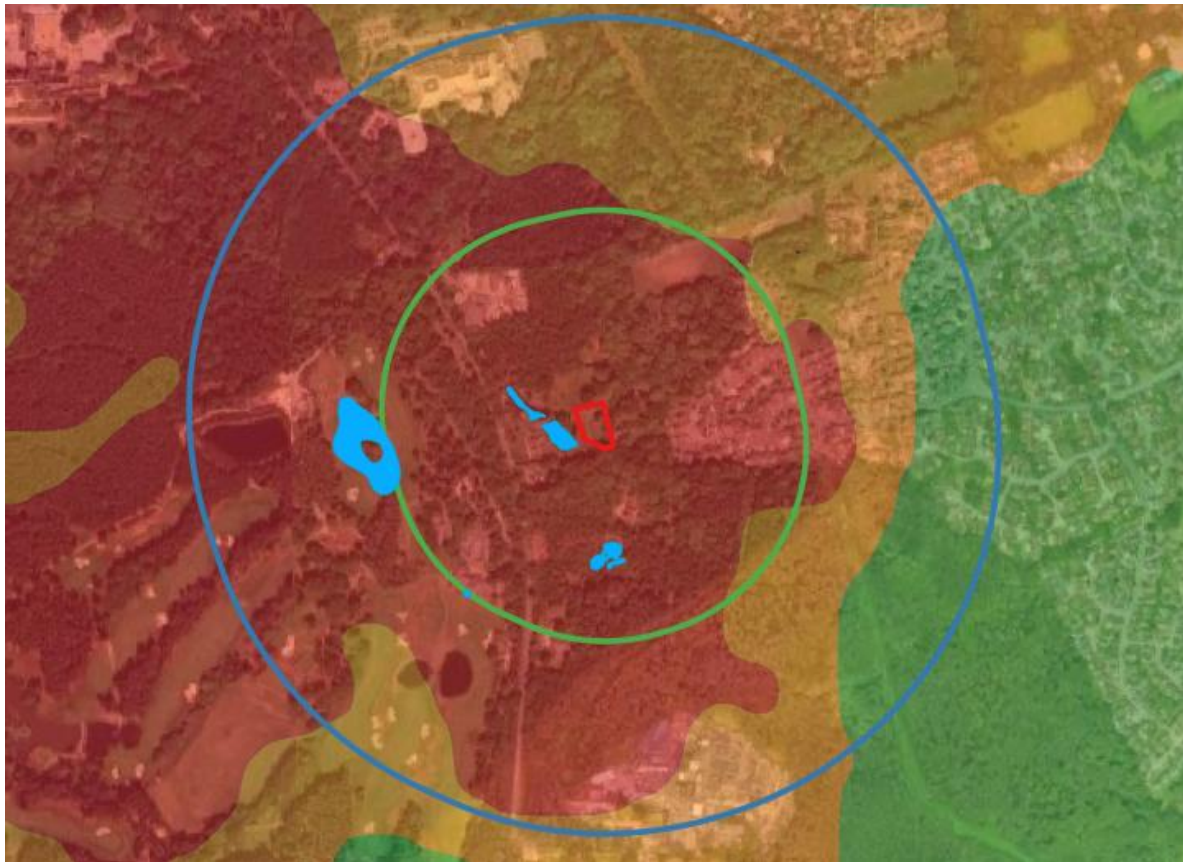


Figure 1: Outline of the site (red) in the context of the surrounding landscape, including the Impact Risk Zones for GCN. Ponds are shown in light blue. A 250m buffer is shown around the site in green and a 500m buffer in blue. Contains public sector information licensed under the Open Government Licence v3.0.

Ecological Information

The applicant has provided ecological information:

- Preliminary Ecological Appraisal (PEA), The Lodge, Bearwood Road, Ellendale Environmental, 13th May 2026
- Non-Licensed Method Statement (NLMS) for Great Crested Newts, The Lodge, Bearwood Road, Ellendale Environmental, 16th May 2026

Within the PEA, habitat on site is described as comprising amenity grassland, broadleaved woodland, introduced shrub, and dense rhododendron as well as a built structure. It is also highlighted that areas of dense scrub surrounding the site may provide foraging and sheltering opportunities. Target notes for the site indicate the presence of a log pile on the lawn and a brash pile to the north of the house.

eDNA surveys were completed in 2026 on the 4 ponds within 250m of the site boundary. Of these, Pond 1 (P1) and Pond 2 (P2), c.10m west and c.25m west of the site boundary respectively, returned a positive result for GCN.

The NLMS rules out the need for licensing as the development area is surrounded by amenity grassland, the entry track to the site is bare ground and there is more suitable habitat to the north, west and south of the ponds. A non-licensed method statement is provided, with the report stating:

- “It is critical that, even where it is decided not to apply for a licence, that the development ensures that any works take account of potential newt dispersal.”

Conclusion

The presence of great crested newts (GCN) recorded approximately 10 m from the site boundary and within 50 m of the proposed development footprint indicates a high likelihood that GCN are present and using terrestrial habitat within the site. As GCN routinely disperse up to 250 m from breeding ponds, the site lies well within their recognised terrestrial range and is therefore highly likely to support individuals. Consequently, the potential presence of GCN within adjacent ponds and terrestrial areas significantly increases the risk of offences being committed once works commence, as activities such as groundworks, vegetation clearance, machinery movement, and general construction operations could result in the killing or injuring of GCN. Despite the provision of a NLMS, in the absence of a licence there remains a high risk that the development could lead to a wildlife offence under the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981.

No barriers exist to prevent newts from accessing the site and while it is largely composed of habitat of lower suitability for GCN, primarily amenity grassland and areas of bare ground, GCN are known to cross sub-optimal terrain, including open, unvegetated ground (Great Crested Newt Conservation Handbook, 2001). Scattered features such as isolated trees, a log pile, and a brash pile provide intermittent opportunities for refuge, while the dense surrounding scrub may offer additional foraging and sheltering habitat. Given these conditions, it is reasonably likely that GCN could move across the site and may even utilise the log or brash piles as temporary refuge during dispersal from breeding ponds or when travelling between terrestrial and breeding habitats.

Furthermore, there is a risk that on-site development could degrade the ponds within the landscape, especially P1 and P2 due to their proximity, through mechanisms including, but not limited to, surface runoff, dust deposition, pollution from machinery, or accidental spills. As such the proposals have the potential to damage breeding places which is an offence under “The Conservation of Habitats and Species Regulations 2017”.

Therefore, in line with the guidance from Natural England ([Great crested newts: District Level Licensing for development projects, Natural England, March 2021](#)), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must **either**:

1. Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through the Council's District Licence. This method of licencing often removes the need for survey work and onsite mitigation for great crested newts as it provides compensation habitats off site. This would provide certainty to the applicant, as their licencing route can be determined within 10 working days at any time of the year (more details can be found at www.naturespaceuk.com).; or

2. The standard EPSL route via an application to Natural England can be taken. This will require the submission of a mitigation strategy to the LPA as part of the planning application in order to ensure that sufficient information is provided for the LPA to make a decision. This is in line with the NPPF, Circular 06/2005 and local planning policy. It would also be in line with Natural England's Standing Advice. The mitigation strategy would need to ensure sufficient information for the LPA to be able to consider whether the 3 licensing tests are likely to be met. The implementation of the approved mitigation strategy could then form a condition of planning consent subject to any amendments made by Natural England.

Great Crested Newt Licensing Options

District Licensing

The District Licensing Scheme operated by West Berkshire Council can be applied for in the absence of the further information or in place of the current site-based mitigation licensing required for a European Protected Species Licence. Under the Local Planning Authority's District Licence, development works that may cause impacts upon great crested newts can be authorised as part of the planning process. A NatureSpace Report or Certificate must be submitted prior to determination to demonstrate that the impacts of the proposed development can be addressed the District Licence scheme.

More information on the district licence can be found at www.naturespaceuk.com

European Protected Species Licensing for Great Crested Newts

Before granting planning permission, the local planning authority must satisfy itself that the impacts of the proposed development on European Protected Species (EPS) have been addressed and that if a protected species derogation licence is required, the licensing tests can be met and a licence is likely to be granted by Natural England.

As an EPS licence is required the applicant will need to provide the answers to all three licensing tests, alongside a mitigation strategy. The three tests are that:

1. The activity to be licenced must be for imperative reasons of overriding public interest or for public health and safety;
2. There must be no satisfactory alternative; and
3. Favourable conservation status of the species must be maintained.

Together with an ecological report, which answers test 3, the applicant should provide written evidence for tests 1 & 2. This can be contained within the ecological report or as separate document.

If the competent authority is satisfied that the three tests can be met, it should impose a planning condition preventing the development from proceeding without first receiving a copy of the EPS licence or correspondence stating that such a licence is not necessary. This approach ensures compliance with the Conservation of Habitats and Species Regulations 2017 (as amended) and enables a local planning authority to discharge its obligations under the Crime and Disorder Act and

its wider duties under Section 40 of the Natural Environment and Rural Communities Act 2006 in relation to protected species.

More information on European Protected Species Licences can be found [here](#).

Legislation, Policy and Guidance

Reasonable Likelihood of Protected Species

Permission can be refused if adequate information on protected species is not provided by an applicant, as it will be unable to assess the impacts on the species and thus meet the requirements of the National Planning Policy Framework (December 2024), ODPM Circular 06/2005 or the Conservation of Habitats and Species Regulations 2017 (as amended). The Council has the power to request information under Article 4 of the Town and Country (Planning Applications) Regulations 1988 (SI1988.1812) (S3) which covers general information for full applications. CLG 2007 'The validation of planning applications' states that applications should not be registered if there is a requirement for an assessment of the impacts of a development on biodiversity interests.

Section 99 of ODPM Circular 06/2005 states:

"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. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations before permission is granted."

Great crested newts

Great crested newts and their habitats are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Therefore, it is illegal to deliberately capture, injure, kill, disturb or take great crested newts or to damage or destroy breeding sites or resting places. Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to intentionally or recklessly disturb any great crested newts occupying a place of shelter or protection, or to obstruct access to any place of shelter or protection (see the legislation or seek legal advice for full details). Local planning authorities have a statutory duty in exercising of all their functions to 'have regard, so far is consistent with the proper exercise of those functions, to the purpose of conserving and enhancing biodiversity,' as stated under section 40 of the Natural Environment and Rural Communities Act 2006 (as amended), as well as a duty under the Conservation of Habitats and Species Regulations 2017 (as amended) to have regard to the requirements of the Habitats Directive. As a result, GCN and their habitats are a material consideration in the planning process.

Lifespan of Ecological Reports and Surveys

Validity of ecological reports and surveys can become compromised overtime due to being out-of-date. CIEEM Guidelines for Ecological Report Writing (CIEEM, 2017) states, if the age of data is between 12-18 months, "the report authors should highlight whether they consider it likely to be necessary to update surveys". If the age of the data is between 18 months to 3 years an updated survey and report will be required and anything more than 3 years old "The report is unlikely to still be valid and most, if not all, of the surveys are likely to need to

be updated”.

Conditions & Reasons (if required)

Please use this section to detail any conditions that are required to make this development acceptable in planning terms. All conditions should be accompanied by reasons.

Date:	03/06/2026	Signed:	NatureSpace
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