

MEMORANDUM

From:	Duncan Fisher Ecology Officer	To (Case Officer):	Kieran Neumann
Service	WBC Ecology	App No:	242665
Address:	Land west of Kingfisher Grove, Three Mile Cross.		
Type of Development:	Major Dwellings (10+)		
Proposal:	Application for approval of Reserved Matters pursuant to Outline Planning Consent 201002 (approved under appeal ref. APP/X0360/W/22/3304042 dated 31/01/2023) for the erection of 49 no. affordable dwellings with associated drainage and attenuation, open space and landscaping. Details of appearance, landscaping, layout and scale to be considered, plus details for discharge of conditions 11, 12, 13, 15 and 16 from the Outline permission.		
Site Visit Made:	Yes/No		

Summary Of Recommendations

- ☒ Recommend approval but with condition(s) & reason(s) **stated below**;
- ☐ Recommend approval with no conditions
- ☐ Recommend refusal for the reason(s) **stated below**;
- ☐ Negotiate the amendments **stated below**; or
- ☐ Request further information before determination as **stated below**.

Comments On Proposal

Reserved Matters

The revised plans have addressed the concerns that I have previously raised with the exception of ecological permeability and showing the detail of how mitigation measure MM10 of the Updated Ecological Appraisal will be installed.

I note that the Indicative Level Information plan refers to a separate planning condition to resolve the detail of levels and retaining walls. As these retaining walls are relevant to the ecological permeability detail, it is reasonable that the ecological permeability detail is resolved as part of the levels discharge condition. I recommend that the levels discharge condition reference the need for between plots ecological permeability measure to be detailed within the plan in order to accord with local plan policy TB23.

I have seen that the revised Landscape Environmental Management Plan includes Proposed Hedgehog Highways routes within the Faunal Enhancement Plan. This is not the right location for this measure to be detailed as the highway routes pertain

to the residential units rather than the open space. Further, the proposals are inadequately detailed to meet the precision and enforceability requirements of a condition. I therefore continue to recommend that the actual detail of what is to be implemented is shown in the levels and boundary treatment plans.

If this condition is added I would be able to recommend approval of reserved matters.

Condition 13 – Arboricultural Method Statement

This condition can only partially be discharged because it has not provided the necessary information regarding point e).

I note that the latest version does include reference to the ecological mitigation measures from the Updated Ecological Appraisal that are relevant to the arboricultural work – albeit the wording appears dismissive. I'm satisfied that this at least highlights the mitigation measures that a responsible tree removal contractor need to be aware of and seek direct advice from the developers ecologist.

I am therefore able to recommend the partial discharge of this condition.

Condition 15 – Biodiversity Net Gain

The full spreadsheet of the biodiversity net gain metric has now been submitted.

Aspect ecology have supplied a response to my previous comments and provided a rebuttal to the concerns that I raised.

An explanation has been given as to why the site no longer achieves a net gain of 10% for river units. This highlights how the assessment at outline stage was overly optimistic and not grounded in discussions with the other disciplines about what is possible. However, I accept that the wording of the condition is not as watertight as the mandatory process and there is wiggle room for this proposal to row back from its previous ambitions on the watercourse units.

In respect of individual trees, The idea that 140 individual trees will be retained on this site for the full thirty years is unrealistic. The idea that the term thinning refers to thinning of foliage is sophistry. The claim that some of the trees could achieve moderate size runs contrary to the user guide for the metric. However, I do accept, now that the spreadsheet has been submitted, it is possible to test what the implication is for half the individual trees failing within the next thirty years. Making this test, I accept that the development would still achieve at least a 10% biodiversity net gain.

I can therefore recommend discharge of this condition.

Condition 16 – Landscape Environmental Management Plan

A revised Landscape Environmental Management Plan (LEMP) (Aspect Ecology, ref: 5796-04 LEMPvf2 AN/LP/CL, March 2025) has been submitted with changes made to address the concerns that I raised within my previous response.

Based on the changes incorporated, I can now recommend discharge of this condition.

Conditions & Reasons (if required)

Detailed Levels and Ecological Permeability

Within the levels condition wording, please include:

The plan shall include detail of all ecological permeability measures to provide Hedgehog Highways through the gardens, as per MM10 of the Updated Ecological Appraisal.

Reason: *to comply with local plan policy TB23 which requires development to provide ecological permeability.*

Date:

16 April
2025

Signed:

D. Fisher