

Property:	caravan Site, Land South of Valois, Range Road, Finchampstead, Wokingham, RG40 3NR
Proposal:	Retrospective change of use of land to a Gypsy / Traveller site formed from two static mobile homes, two touring caravans works to access and ancillary works.
Applicant:	SHERIDAN
Local Planning Authority:	Wokingham

SHADOW HABITATS REGULATIONS ASSESSMENT

1. s63 of the Conservation of Habitats and Species Regulations 2017 requires there to be an appropriate assessment if the development is likely to have a significant effect on a Euros site (also known as a Habitats Site. MHCLG have published guidance in 2019.¹
2. Natural England advise that there is no possibility of the application site having any effect on any registered habitats site either on its own or in combination with other projects. This is shown at **Tab 8**.
3. AECOM produced a Habitats Regulations Assessment (HRA) for Wokingham Borough Council in 2021. This is shown at **Tab 11.1**. The HRA was based on inventories of Euro sites maintained by Natural England and Joint Nature Conservation Committee (JNCC) and was not based on registers maintained by the Secretary of State and Wokingham Borough Council. The register is definitive and must be correct.
4. Tampering with the inventories of the JNCC has been identified as taking place by DEFRA and JNCC by Natural England. The reason for this appears to have been to increase the level of tax that Natural

¹ <https://www.gov.uk/guidance/appropriate-assessment>

England could secure from development under s63. The inventories of JNCC and Natural England are different and it would appear that they were either provided with different versions of the Secretary of States register. The consequence is that there are no Euros sites and none should have zones of influence that can be taxed, particularly as Natural England has identified in their Surveillance Monitoring that there is no threat of recreational or nutrients having an adverse impact on a Euros site. Natural England forgot to tell Council's about the surveillance of Euros sites that it had undertaken since 1994.

5. Wokingham has identified that they are taxing development of land to fund mitigation for a Euros site that is not registered and as such cannot be corrected and is based on flawed advice provided by Natural England to fund development of Suitable Alternative Green Space (SANG) and Strategic Access Management and Monitoring (SAMM). These charges are based on a flawed Local Land Charge that has not been provided by the Secretary of State to be registered as a Local Land Charge. This is shown at Tab 11.2.
6. The charges as shown at **Tab 11.3** are based on the distance that people to travel to car parks.

Conclusion

7. This Shadow Habitat Regulations Assessment concludes that the Thames Heaths have not been designated as a Special Area of Protection as the designation is completed through registration, and that taxes are being levied wrongly on development.
8. If the Wokingham Council is able to provide a copy of the Secretary of States register and not an inventory record maintained by a

statutory nature conservation organisation that is also a non-departmental public body that has been identified as seeking to increase its tax revenues by tampering with records then obviously the position might change. It is likely that significant areas of the Wokingham Council Local Plan are out of date, and that it has serious questions to ask Natural England.

9. Currently there should be no need for the applicant to enter into a s106 agreement with the Wokingham Council requiring payment of SANG and SAMM funds.

Stuart H CARRUTHERS

March 2026