

Land at Athol Villa and Woodside
Westbourne Road
College Town
Sandhurst
Berkshire
GU47 0QX

Updated Preliminary Ecological Appraisal

Ref: R2104_UpdPEA/a

Report Quality Control Information

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1 EXECUTIVE SUMMARY

- 1.1.1** John Wenman Ecological Consultancy LLP (JWEC) was commissioned by Rio Homes to update a Preliminary Ecological Appraisal (PEA) of land to the rear of Athol Villa and Woodside on Westbourne Road, Berkshire. The updated PEA was commissioned to support a planning application to be submitted to Bracknell Forest Council seeking consent for the construction of 9 new dwellings, following demolition of the existing dwellings and out-buildings.
- 1.1.2** This report updates a PEA issued by ERA's Consultancy in May 2020 and a Reptile Survey carried out by JWEC in summer 2021 and issued in a report dated May 2022 (Report ref.: R2872/e), which found the site to support a low population of slow worm (*Anguis fragilis*) and grass snake (*Natrix helvetica*) and set out a programmed of reptile mitigation comprising the capture and translocation of reptiles to Buckler's Forest – a public open space in Crowthorne, Berkshire.
- 1.1.3** The application site covers 0.2ha of land north of Westbourne Road and consists of amenity grassland and hard standing in the gardens of two residential properties - Athol Villa and Woodside - with the Cove Brook on the north-western boundary. The following UK Habitat Classification (UKHab) habitats were observed during the site walkover: g4 Modified grassland; u1f Sparsely vegetated urban land; u1b Developed land; sealed surface; and u1b5 Buildings.
- 1.1.4** The desk study found that the application site falls within the Zone of Influence (Zoi) for the Thames Basin Heaths Special Protection Area (SPA). The proposals may have an impact on the nearby SPA by increasing the number of dwellings in the area around the SPA. Contributions to a programme of mitigation will likely be required as set out in Bracknell Forest Council's Thames Basin Heaths SPD.
- 1.1.5** The survey showed that the site supports habitats and species typical of garden habitats in lowland Britain. The grassland had some structural diversity with scattered scrub present around the boundaries. The habitats on site are of ecological value within context of a site level only.
- 1.1.6** The earlier ecological survey work has shown that the buildings are unlikely to support roosting and that the site supports populations slow worm and grass snake. The findings of this survey show there is unlikely to be a

change in the site's suitability for protected species; however, updated surveys in the form of a building inspection for bats and an updated reptile survey of the site should be carried out before any work starts on site.

1.1.7 Section 9 of this report provides recommendations regarding habitat protection measures, lighting design to lessen impacts on bats and other wildlife, precautionary mitigation for amphibians, reptiles and small mammals, precautionary measures for nesting birds and ecological enhancements.

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2 INTRODUCTION

2.1 Project Background

2.1.1 John Wenman Ecological Consultancy LLP (JWEC) was commissioned by Rio Homes to update a Preliminary Ecological Appraisal (PEA) of land to the rear of Athol Villa and Woodside on Westbourne Road, Berkshire.

2.1.2 The updated PEA was commissioned to support a planning application to be submitted to Bracknell Forest Council seeking consent for the construction of 9 new dwellings, following demolition of the existing dwellings and out-buildings.

2.1.3 This report updates a PEA issued by ERA's Consultancy in May 2020 and a Reptile Survey carried out by JWEC in summer 2021 and issued in May 2022 (Report ref.: R2872/e). The PEA completed in 2020 included an inspection of the buildings and found these to show no evidence of use by bats. The reptile survey found the site to support a low population of slow worm (*Anguis fragilis*) and grass snake (*Natrix helvetica*). Therefore, it was deemed that the proposed development would potentially lead to reptiles being harmed in the absence of mitigation and will lead to the loss of reptile habitat. A program of capture and translocation to a suitable off-site receptor site (Buckler's Forest – a public open space in Crowthorne, Berkshire) was prepared and agreed with the site's land managers for the development to go ahead lawfully and to maintain the conservation status of local reptile populations.

2.2 Site Location and Context

2.2.1 The land at Athol Villa and Woodside is situated on the northern side of Westbourne Road, College Town in Sandhurst, Berkshire (OS grid reference: SU 85317 61160).

2.2.2 The site is in a suburban setting with neighbouring properties on all boundaries of the site, apart from the north-western boundary where the boundary comprised the Cove Brook with trees and scrub on the banks. To the east of the property there is the Royal Military Academy Sandhurst, with areas of conifer and broadleaved woodland, heathland and grassland. There are two lakes within the grounds of the Academy, approximately 840 metres from the site.

2.3 Objectives

2.3.1 The aim of this updated PEA is to understand the nature of the site and assess its ecological value. The key objectives are to:

- identify any likely ecological constraints associated with the planning proposals;
- establish appropriate mitigation measures in accordance with the mitigation hierarchy (i.e. avoid > minimise > remediate > compensate);
- determine any additional surveys that may be required following on from this preliminary stage; and
- recognise opportunities to deliver ecological enhancements in line with national and local planning policy.

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3 LEGISLATIVE BACKGROUND

3.1 Overview

3.1.1 The following legislation is considered relevant for the purpose of this preliminary ecological appraisal:

- Wildlife and Countryside Act (W&CA) 1981 (as amended)
- Conservation of Habitats and Species Regulations ('Habitat') Regulations 2017 (as amended)
- Countryside and Rights of Way (CRoW) Act 2000
- Natural Environment and Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992
- Wild Mammals (Protection) Act 1996

3.1.2 These acts hold relevance to both protected and invasive species and the degree of protection varies depending on faunal/floral group or species. For example, some species of European importance receive full protection within the UK under the Habitat Regulations (e.g. bats), whereas others, may only be afforded protection through national legislation such as the Wildlife and Countryside Act 1981 (as amended) (e.g. common lizard). For a detailed overview of species-specific legislation, please refer to **Appendix 1**.

3.2 European Protected Species Mitigation Licensing

3.2.1 The government's statutory conservation advisory organisation, Natural England, is responsible for issuing European Protected Species (EPS) mitigation licences, which permit activities that would otherwise lead to an infringement of the Habitat Regulations 2017. An EPS mitigation licence can be issued if the following three tests have been met:

- **Regulation 55(9)(a)** - there is "*no satisfactory alternative*" to the derogation;
- **Regulation 55(9)(b)** - the derogation "*will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range*"; and
- **Regulation 55(2)(e)** - the derogation is for the purposes of "*preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment*".

3.2.2 Local Planning Authorities (LPAs) have a statutory duty under Regulation 7(3e) of the Habitat Regulations 2017 to regard requirements of the Habitats Directive in the exercise of their functions. Consequently, the LPA must consider and determine whether these three tests are likely to be satisfied by an application affecting EPS before granting planning permission.

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4 PLANNING POLICY

4.1 National Planning Policy

4.1.1 The ODPM Circular 06/2005 provides guidance on the application of the law relating to planning and nature conservation in England, stating that *'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.'*

4.1.2 The revised National Planning Policy Framework (NPPF), published in December 2023, sets out the Government's planning policies for England and how they should be applied. Section 15 of the NPPF sets out the approach local authorities should adopt to conserve and enhancing the natural environment when preparing planning policy and when considering planning applications. Paragraph 180 sets out the principles local authorities should apply when determining planning applications as follows:

186. When determining planning applications, local planning authorities should apply the following principles:

186. *When determining planning applications, local planning authorities should apply the following principles:*

(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

(b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons ⁶⁷ and a suitable compensation strategy exists; and

(d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

4.2 Local Planning Policy

4.2.1 Bracknell Forest Council currently has in place an adopted Core Strategy Development Plan document (DPD) (February 2008) and saved policies from the Bracknell Forest Borough Local Plan (2002). Although some of these policies have been dropped, many were 'saved' by the Secretary of

State beyond 27th September 2007 and remain in effect. The emerging Bracknell Forest Local Plan document (BFLP) will replace the Core Strategy and saved policies and will set out the long term spatial vision and development strategy for the borough up to 2034.

4.2.2 The Environment Chapter of the Core Strategy DPD recognises there are areas of the Borough that should be protected from development, including land covered by national policy designations (e.g. the Green Belt) and land important for its nature conservation value (e.g. the Thames Basin Heaths Special Protection Area). Several saved policies in the Local Plan (2002) aim to encourage the conservation and enhancement of those areas and features contributing to the quality of the built heritage and the natural environment.

4.2.3 The Bracknell Forest Biodiversity Action Plan (2018-2023) aims to conserve and enhance biodiversity within the borough in line with the BFLP (in draft) and sets out objectives for general themes and six key habitats. Key species have been identified to represent each habitat and will be used to promote the maintenance, enhancement and expansion of the habitats in the borough.

4.2.4 A large part of Bracknell Forest falls within the 5km zone of influence for the nationally designated Thames Basin Heath Special Protection Area (SPA). The Thames Basin Heath SPA Supplementary Planning Document (SPD) (adopted on 18th April 2018) provides guidance to ensure that new development does not have adverse effects on the SPA. The SPD provides an avoidance mitigation strategy to show how the negative impacts of new (principally) residential developments on an SPA designated for rare birds should be avoided and mitigated.

5 SURVEY METHODOLOGY

5.1 Zone of Influence

5.1.1 Ecological assessment guidance (CIEEM 2018) recommends that all ecological features that occur within a 'Zone of Influence' (ZoI) for a proposed development are investigated. The ZoI includes:

- Areas directly within the land take for the proposed development and access;
- Areas which will be temporarily affected during construction;
- Areas likely to be impacted by hydrological disruption; and
- Areas where there is a risk of wider disbenefits including, but not limited to, any increase in air, water, or noise pollution; or visual or vibrational disturbance during construction and/or operation.

5.1.2 The ZoI is variable depending on the nature of the construction activities and the ecological receptors affected. For this assessment the following zones have been defined as described in Table 5.1.

Ecological features	Zone of influence	Notes
Internationally designated sites - see notes	5km	Special Area of Conservation (SAC), Special Protection Area (SPA) & Ramsar site
Nationally designated sites – see notes	2km	Sites of Special Scientific Interest (SSSI)
Local sites – see notes	1km	Local Wildlife Site (LWS), Local Nature Reserve (LNR) & Biodiversity Opportunity Area (BOA)
Species records (notable and protected) – see notes	2km	Refer to Table 5.2
Habitats of principal importance for conservation (HPI)	1km	As defined under Section 41 of the NERC Act 2006
Site (species and habitats)	Site and land within 30m (as access constraints allow)	

Table 5.1 – Zone of influence

Legislation and Policy
Annex II of the Habitats Directive (non-priority species) - Endangered animal and plant species that are of Community interest (i.e. endangered, vulnerable, rare or endemic in the European Community) requiring the designation of special areas of conservation.
Annex IV of the Habitats Directive - Animal and plant species of Community interest (i.e. endangered, vulnerable, rare or endemic in the European Community) in need of strict protection. They are protected from killing, disturbance or the destruction of them or their habitat
Schedule 2 of Conservation of Habitats and Species Regulations 2010 (European Protected Species animal) - It is an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2.
Priority Species listed under Section 41 of the Natural Environment and Rural Communities Act 2006.
Schedule 1 Part 1 of the Wildlife and Countryside Act 1981 (as amended) – birds protected from disturbance at their nests, or their dependent young.

Schedule 5 Section 9 Part 1 (taking) of the Wildlife and Countryside Act 1981 (as amended) - Animals which are protected from being taken.
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Schedule 5 Section 9 Parts 4b/c of the Wildlife and Countryside Act 1981 (as amended) - Animals which are protected from intentional disturbance while occupying a structure or place used for shelter or protection / Animals which are protected from their access to any structure or place which they use for shelter or protection being obstructed.

Table 5.2 – Notable and protected species definitions.

5.2 Desk Study

- 5.2.1** A desktop study was conducted by Meghan Porter qualifying member of CIEEM. The study utilised data from the local environmental records centre and online resources to acquire information on the nature of the site and its surroundings and highlight any potential ecological features.
- 5.2.2** Thames Valley Environmental Records Centre (TVERC) was commissioned to undertake a search of pre-existing records of protected and/or notable species and non-statutorily designated wildlife sites held by them within a 1km radius around a central point inside the site. NatureSpace impact risk maps were consulted to accurately predict great crested newt (GCN) presence through the analysis of habitat suitability in the landscape. A review of ecological information available for nearby developments on the Local Planning Authority's (LPA) planning portal was conducted.
- 5.2.3** The DEFRA Data Services Platform was used to obtain geospatial datasets for designated sites (i.e. RAMSAR, SPA, SAC, SSSI) and habitat inventories (i.e. Priority Habitat Inventory, Ancient Woodland Inventory) to be analysed in QGIS. The Multi-Agency Geographical Information Centre (MAGIC) website was examined for granted European Protected Species (EPS) licence applications. Furthermore, geospatial datasets and Google Earth satellite imagery were used to determine the extent and connectivity of habitats, how the site is linked to the surrounding landscape and whether the development could have wider scale impacts on biodiversity.
- 5.2.4** Google Earth satellite imagery was consulted to provide insight into historic and current land use; such information helps contextualise the continuity of habitats and determine the importance of existing ecological features.

5.3 Field Survey

- 5.3.1** A site walkover was undertaken on the 2nd January 2024 by John Wenman MCIEEM. The site was surveyed using the UK Habitat Classification (UKHab) system (UKHab Ltd. 2023) in accordance with the CIEEM Guidelines for Preliminary Ecological Appraisal 2nd Edition (CIEEM 2017).

Particular attention was given to evidence of protected and priority species (NERC Act 2006 Section 41 species of principal importance) and the site's potential to support such species.

5.3.2 Photographs of habitats and ecological features were taken during the site walkover and mapped using QGIS software after the survey visit (**Appendices 2 & 3**). Plant species were recorded to aid habitat classification and are detailed in **Appendix 4**.

5.4 Survey Constraints

5.4.1 Full access was available to the site and therefore there were no significant access constraints during the survey work.

5.4.2 All ecological survey work is subject to seasonal constraints because not all plant and animal species are visible throughout the year and therefore the report represents a snapshot of the site at the time of the survey only. The plant species list in **Appendix 4** should not be considered a comprehensive list of species present.

6 DESK STUDY FINDINGS

6.1 Designated Sites and Habitats

6.1.1 The desk study highlighted: one statutorily designated international site within a 5km radius of the application site four statutorily designated sites of national importance within a 2km radius and three non-statutorily designated sites of local importance plus two Biodiversity Opportunity Areas within a 1km radius (see **Tables 1a & 1b**).

Table 1a. Statutory designated sites within the vicinity of the site (Source: DEFRA).

Site name	Designation	Description	Distance from nearest site boundary (m)
Thames Basin Heaths	Special Protection Area (SPA)	Thames Heath SPA is classified under Article 4.1 of EC Directive 79/409 on the Conservation of Wild Birds (the Birds Directive). The site consists of tracts of heathland, scrub and woodland. The site supports important breeding populations of a number of birds of lowland heathland, especially nightjar <i>Caprimulgus europaeus</i> and woodlark <i>Lullula arborea</i> , both of which nest on the ground, often at the woodland/heathland edge, and Dartford warbler <i>Sylvia undata</i> , which often nests in gorse <i>Ulex</i> sp.	1200NE
Blackwater Valley	Site of Special Scientific Interest (SSSI)	An area of unimproved alluvial meadows, swamp and wet valley alder wood in the Blackwater Valley between the towns of Sandhurst and Blackwater supporting scarce flora and fauna.	673m S
Broadmoor to Bagshot Woods and Heaths	Site of Special Scientific Interest (SSSI)	This site has an extensive mosaic of broadleaved woodland, coniferous plantation, dry and wet heathland, valley mire, a series of base-poor ponds and a scarce breeding invertebrate assemblage. In particular, the heathland and coniferous plantation supports internationally important populations of woodlark, nightjar and Dartford warbler, and have a nationally important dragonfly and damselfly population. The site includes the valley bogs of Broadmoor Bottom and Wishmoor Bottom which form the most important remaining examples of this type of habitat in the area.	1200m NE
Sandhurst to Owlsmoor Bogs and Heaths	Site of Special Scientific Interest (SSSI)	An area of wet and dry heathland and mixed broadleaved/coniferous woodland, supporting a rich and varied fauna and flora. Together with the nearby Broadmoor Bottom complex this site forms the largest and most important area of heathland remaining in east Berkshire and is particularly important for its wet heath community dominated by cross-leaved heath <i>Erica tetralix</i> and purple moor grass <i>Molinia caerulea</i> . The site includes a shallow, spring-fed valley mire of outstanding importance which supports an extremely interesting flora including round and long-leaved sundews <i>Drosera rotundifolia</i> and <i>D. intermedia</i> , white beak sedge <i>Rhynchospora alba</i> , flea sedge <i>Carex pulicaris</i> , bog asphodel <i>Narthecium ossifragum</i> and several other plants which are rare in the county, as well as populations of rare and localised insects	1341m NW
Castle Bottom to Yateley and Hawley	Site of Special Scientific Interest (SSSI)	This site is notified for its heathland and young conifer plantation which supports an internationally important population of Dartford warbler and	1790m S

Commons		populations of two other internationally important species, woodlark and nightjar. The scrub/heathland interface supports a particularly rich invertebrate fauna including a number of nationally scarce species. It also supports an outstanding Dragonfly assemblage.	
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Table 1b. Non-statutory designated sites within the vicinity of the site (Source: TVERC).

Site name	Designation	Criteria	Distance from nearest site boundary (m)
Thames Basin Heath	Special Protection Area (SPA) Biodiversity Opportunity Area (BOA)	Thames Heath SPA is classified under Article 4.1 of EC Directive 79/409 on the Conservation of Wild Birds (the Birds Directive). The site consists of tracts of heathland, scrub and woodland. The site supports important breeding populations of a number of birds of lowland heathland, especially nightjar <i>Caprimulgus europaeus</i> and woodlark <i>Lullula arborea</i> , both of which nest on the ground, often at the woodland/heathland edge, and Dartford warbler <i>Sylvia undata</i> , which often nests in gorse <i>Ulex</i> sp.	370 N
Blackwater Valley	Biodiversity Opportunity Area (BOA)	This site includes lowland meadow, purple moor grass and rush pasture, standing water in the form of gravel pits including Moor Green Lakes Nature Reserve and areas of deciduous woodland.	585 S
Seeby's Copse	Berkshire Local wildlife Site (LWS)	The site is a small wet woodland located on the southern edge of Sandhurst in the floodplain of the Blackwater River and covers an area of 2.2ha. The canopy comprises predominantly alder with willows more frequently in the canopy towards the south of the site. The woodland is included on the Ancient Woodland Inventory with 21 species more strongly associated with ancient woodland have been recorded over the years, including wood anemone, wood sorrel, pignut, yellow pimpernel and remote sedge.	700 W
Shepherds Meadow (North)	Berkshire Local wildlife Site (LWS)	Shepherds meadow consist of two areas adjacent to the Blackwater Valley SSSI. The north-eastern area consist of 4.34ha and has neutral, semi-improved grassland with a mosaic of drier grassland and wet rushy areas and small single stands of reed sweet-grass and reed canary-grass. This area has elements of lowland meadow and rush pasture. In the wetter areas, species such as sharp-flowered rush, cuckooflower, oval sedge, greater bird's-foot-trefoil, brown sedge and carnation sedge are present.	770 SW
Sandhurst Military Academy Training Area and Woods	Proposed Local Wildlife Site (LWS)	The site covers 91.5 ha and is an extensive area of acidic oak and birch woodland, including a pond with reedbed on the east edge.	370 N

6.2 Protected and Notable Species

6.2.1 The search of the TVERC database revealed a range of protected and/or notable species records dating from the 1990s onwards; no records were found for the application site. Only recent records defined as fewer than ten years old are included in this report (see **Tables 2a & 2b**).

Table 2a. Recent protected and/or notable species records within the vicinity of the site (Source: HBIC).

Common name	Scientific name	No. of records	Most recent record	Nearest record (m)	Precision (m)	Status
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Amphibians						
Common frog	<i>Rana temporaria</i>	1	2016	980	100	WACA-Sch5-s9.5a
Palmate newt	<i>Lissotriton helveticus</i>	1	2017	1500	1000	WACA-Sch5-s9.5a
Reptiles						
Adder	<i>Vipera berus</i>	1	2021	1500	1000	NERC_s41 WACA-Sch5-s9.5a
Common Lizard	<i>Zootoca vivipara</i>	1	2021	1500	1000	NERC_s41 WACA-Sch5-s9.5a
Grass Snake	<i>Natrix helvetica</i>	1	2021	800	10	NERC_s41 WACA-Sch5-s9.5a
Slow-worm	<i>Anguis fragilis</i>	6	2019	186	10	NERC_s41 WACA-Sch5-s9.5a
Terrestrial Mammals (excl. bats)						
Eurasian badger	<i>Meles meles</i>	1	2022	1200	1000	PBA
West European Hedgehog	<i>Erinaceus europaeus</i>	12	2020	360	0	NERC_s41
Bats						
Daubenton's	<i>Myotis daubentonii</i>	15	2017	760	0	Hab_4 HabReg_2 NERC_s41 WCA_5s94b/c
Leisler's Bat	<i>Nyctalus leisleri</i>	1	2016	1760	1000	Hab_4 HabReg_2 NERC_s41 WCA_5s94b/c
Noctule	<i>Nyctalus noctula</i>	18	2021	5	0	Hab_4 HabReg_2 NERC_s41 WCA_5s94b/c
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	22	2021	5	0	Hab_4 HabReg_2 NERC_s41 WCA_5s94b/c
Soprano pipistrelle	<i>Pipistrellus pygmaeus</i>	10	2021	5	0	Hab_4 HabReg_2 NERC_s41 WCA_5s94b/c
Nathusius's Pipistrelle	<i>Pipistrellus nathusii</i>	3	2017	910	0	Hab_4 HabReg_2 NERC_s41 WCA_5s94b/c
Brown long-eared	<i>Plecotus auritus</i>	3	2021	95	10	Hab_4 HabReg_2 NERC_s41 WCA_5s94b/c
Serotine	<i>Eptesicus serotinus</i>	8	2017	760	0	Hab_4 HabReg_2 NERC_s41 WCA_5s94b/c

Birds						
Crossbill	<i>Loxia curvirostra</i>	2	2020	1500	1000	WCA_s1p1
Dartford Warbler	<i>Curruca undata</i>	19	2021	1500	1000	WCA_s1p1
Firecrest	<i>Regulus ignicapilla</i>	4	2018	1500	1000	WCA_s1p1
Honey-buzzard	<i>Pernis apivorus</i>	1	2015	1500	1000	WCA_s1p1
Kingfisher	<i>Alcedo atthis</i>	3	2021	750	100	WCA_s1p1
Red Kite	<i>Milvus milvus</i>	9	2021	1500	1000	WCA_s1p1
Redwing	<i>Turdus iliacus</i>	5	2021	1500	1000	WCA_s1p1
Invertebrates						
Small heath	<i>Coenonympha pamphilus</i>	1	2013	899	1000	UK BAP Priority, NERC_s41
White admiral	<i>Limenitis camilla</i>	1	2017	917	100	NERC_s41

Table 2b. Species status key.

Abbreviation	Legislation
Hab_2np	Annex II of the Habitats Directive (non-priority species) - Endangered animal and plant species that are of Community interest (i.e. endangered, vulnerable, rare or endemic in the European Community) requiring the designation of special areas of conservation.
Hab_4	Annex IV of the Habitats Directive - Animal and plant species of Community interest (i.e. endangered, vulnerable, rare or endemic in the European Community) in need of strict protection. They are protected from killing, disturbance or the destruction of them or their habitat
HabReg_2	Schedule 2 of Conservation of Habitats and Species Regulations 2010 (European Protected Species animal) - It is an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2.
NERC_s41	Priority Species listed under Section 41 of the Natural Environment and Rural Communities Act 2006.
WCA_1p1	Schedule 1 Part 1 of the Wildlife and Countryside Act 1981 (as amended) – birds protected from disturbance at their nests, or their dependent young.
WCA_5s91t	Schedule 5 Section 9 Part 1 (taking) of the Wildlife and Countryside Act 1981 (as amended) - Animals which are protected from being taken.
WCA_5s94b/c	Schedule 5 Section 9 Parts 4b/c of the Wildlife and Countryside Act 1981 (as amended) - Animals which are protected from intentional disturbance while occupying a structure or place used for shelter or protection / Animals which are protected from their access to any structure or place which they use for shelter or protection being obstructed.
PBA	Protection of Badgers Act 1992

6.2.2 The NatureSpace great crested newt (GCN) impact map depicts that the application site falls within a green risk zone; these are defined as comprising moderately suitable habitat where GCN may be present. No ponds were identified within a 500m radius of the site, with the closest pond approximately 850 east of the site.

6.3 Historic and Current Land Use

6.3.1 Google Earth Satellite imagery dating back to 1999 shows that there has not been a significant change in the land use within the application site boundary. The site was previously two separate residential plots and

gardens, with an area of vegetation to the rear of the plots which was cleared and joined to the gardens before 2017.

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7 FIELD SURVEY FINDINGS

7.1 Overview

- 7.1.1 The application site covers 0.2ha of land north of Westbourne Road that consisted of amenity grassland and hard standing in the gardens of two residential properties: Atholl Villa and Woodside; the Cove Brook – a small watercourse – is on the north-western boundary.
- 7.1.2 The following UK Habitat Classification (UKHab) habitats were observed during the site walkover: g4 Modified grassland; u1f Sparsely vegetated urban land; u1b Developed land; sealed surface; and u1b5 Buildings.
- 7.1.3 The UKHab primary habitats and secondary codes are described below; associated photographs are displayed in **Appendix 2** and the habitat survey is mapped in **Appendix 3**.

7.2 g4 Modified grassland

10 scattered scrub, 108 Frequently mown, 510 Bare ground, 847 Introduced shrub

- 7.2.1 Most of the site consisted of formally managed grassland (modified grassland), which was mown short to the front of the residential houses with some introduced shrubs, and less frequently cut in the rear garden with associated areas of bare ground and scattered scrub (**Photograph 1**). Species present included perennial rye grass (*Lolium perenne*), creeping bent (*Agrostis stolonifera*), Yorkshire fog (*Holcus lanatus*), red fescue (*Festuca rubra*), dandelion (*Taraxacum officinale* agg.), broadleaved dock (*Rumex obtusifolius*) and creeping buttercup (*Ranunculus repens*). There were small areas of scrub along the north-eastern boundary adjoining the off-site Cove Brook and scattered trees (**Photograph 2**). There were stored building materials centrally and in the north-western part of the site (**Photograph 3**). The ground was slightly raised on the eastern boundary, with a small area of bramble (*Rubus fruticosus* agg.) and shrubby honeysuckle (*Lonicera nitida*) (**Photograph 4**). There were areas of scattered scrub present along the northern and eastern fence lines with bramble, common nettle (*Urtica dioica*) and couch grass (*Elymus repens*) (**Photograph 5**). The grassland was taller beside the greenhouse and between the sheds with bramble growing over the greenhouse (**Photograph 6**).

7.3 u1f Sparsely vegetated urban land

81 Ruderal or ephemeral, 510 Bare ground

- 7.3.1** There was an area of recently disturbed ground in the middle of the site, around a mound of earth and rubble (**Photograph 7**). A bank of earth was present along the hedgerow on the western side of the site with ruderal species including creeping buttercup, Yorkshire fog, green alkanet (*Pentaglottis sempervirens*), lesser hawkbit (*Leontodon saxatilis*) and ribwort plantain (*Plantago lanceolata*) (**Photograph 8**).

7.4 u1b5 Buildings

- 7.4.1** There were numerous buildings present within the site including two residential dwellings towards the front of the site (**Photographs 9 & 10; B1 & B2**), a detached garage to the rear of the houses (**B3**), and three timber sheds and a glass-roofed greenhouse present (**Photographs 11 & 12**) within the site.

7.5 u1e Built linear features

- 7.5.1** An asphalt walkway was situated across the front of the site along with a concrete driveway between the two dwellings with a small area of patio and pathways present around the outbuildings in the garden.

8 DISCUSSION

8.1 Assessment of Existing Ecological Value

Designated sites

8.1.1 The desk study revealed that the application site is not statutorily or non-statutorily designated for its wildlife interest and therefore is not currently recognised as being of international, national or county level conservation significance. However, the site does fall within the Thames Basin Heaths Special Protection Area (SPA) Zone of Influence (Zol) as stated in the Thames Basin Heaths Protection Area Avoidance Strategy Supplementary Planning Document (SPD) and therefore the proposals, which will lead to a net increase in the number of dwellings on the site, may have an impact on the designated sites through increased recreational pressure from the new occupants in the absence of mitigation.

8.1.2 The desk study data showed that there are two locally designated sites within a 1km radius of the application site; the closest is Seeby's Copse LWS which is approximately 700 metres to the east of the site.

Habitats

8.1.3 The application site is characterised by two residential buildings and modified grassland – urban habitats of very low to low distinctiveness. There are no priority habitats (NERC Act 2006 Section 41 habitats of principle importance) within the application site boundary.

Bats

8.1.4 The desk study data included local records of eight species within the site area, with the closest records of noctule, common pipistrelle and soprano pipistrelle bats recorded flying at the neighbouring property to the west of the site. There were no trees present within the site, however the garden habitats connected to the trees present along the ditch on the north-eastern boundary of the site and maybe an important commuting/foraging resource for bats in the local suburban area, but in the context of extensive open spaces within a 1-2km radius, it is unlikely to be of more than site level value to bat populations. The timber sheds and garage were of simple construction offering no roosting opportunities for bats. The pre-existing survey work has shown that the two dwellings - Athol Villa and Woodside - showed no evidence of bats and no features suitable for roosting bats in 2020. This survey showed no fundamental change in the habitats on site so a

significant change in bat roost status/potential is considered unlikely; however, demolition should be preceded by an updated survey (refer to Recommendations in Section 9).

Hazel dormice

- 8.1.5** Hazel dormice favour dense habitat connected to woodland that allows animals to move easily through habitats without coming to the ground (English Nature 2006). There were no contemporary records of hazel dormice in the search radius of the application site and no suitable on-site habitat. A search of MAGIC showed no dormice mitigation licences within 2km radius of the site and as such, no further consideration of hazel dormice is made within this report.

Great Crested Newt (and other amphibians)

- 8.1.6** The desk study data included no recent records of great crested newt (GCN) and a search of MAGIC for granted EPS licence application returned none within a 2km radius. The NatureSpace GCN impact map shows the application site falling within a green risk zone; these zones are defined as moderately suitable habitat where GCN may be present. There were no ponds that could potentially support breeding GCN were identified within a 500m radius of the application site; with the nearest pond present approximately 700m west of the site and therefore it is considered highly unlikely that GCN would be present on site, and they are not considered further in this report.

- 8.1.7** There are local records of other amphibian species within the search area and the presence of the Cove Brook along the north-eastern elevation offers connective habitat offsite. Therefore, the site is considered unlikely to be of more than site level value to amphibian populations.

Reptiles

- 8.1.8** There were nearby records of reptiles present within the background data search and the previous reptile survey carried out in 2021 (JWEC, R2872/e) found that the site supported a low population of slow-worm and grass snake, with slow worms found across the whole of the site and grass snake observed on one occasion to the north-eastern corner of the site. The site is

therefore of local importance for reptiles, but not of conservation importance in a wider context.

Nesting birds

- 8.1.9** There were very limited suitable habitats on site for nesting birds, with no hedgerows or trees present, only limited areas of taller grass and scrub/shrubs. The outbuildings were of simple construction and offered limited nesting opportunities for birds and no nests were identified during the walkover survey. Therefore, the site is considered to be of no more than site level value to bird populations.

Badgers (and other mammals)

- 8.1.10** There are no records of badger setts within the search radius, with one individual dead badger record from approximately 1km to the south-west of the site in 2022 and there was no evidence of badger activity on site (i.e. sett entrances). The managed lawn within the survey site is unlikely to support badgers and the urban habitats surrounding the site to the north, south and west do not provide suitable habitat in the near vicinity. There is suitable habitat present to the east within the Royal Military Academy Sandhurst, which is separated by a ditch and metal fence. However, badgers are considered highly unlikely to be present on the application site and as such, no further consideration of this species is made within this report.

Invertebrates

- 8.1.11** The garden habitats within the survey site boundary are species and structurally poor and therefore considered unlikely to support invertebrate assemblages of conservation importance. As such, no further consideration of invertebrates is made within this report.

8.2 Impact of Proposals

Summary of proposals

- 8.2.1** The planning proposals involve the construction of nine dwellings following the demolition of the existing residential dwellings and outbuildings (see proposed plans in **Appendix 4**).

Designated sites and habitats

- 8.2.2** A net gain of one or more residential units is considered to give rise to a significant effect to the Thames Basin Heath (SPA) within a 7km radius (Zone of Influence) of it; the survey site is just over 1km from the site.

Residential development within the zone of influence can be permitted if avoidance and mitigation measures are applied. In accordance with the Bracknell Forest Council Thames Basin Heaths Special Protection Area SPD, avoidance and mitigation comprising a financial contribution towards a Strategic Suitable Alternative Natural Greenspaces (SANG) and Strategic Access Management and Monitoring (SAMM) could be applied.

- 8.2.3** The proposals will affect habitats of very low to low distinctiveness including already developed land and modified grassland. There will be opportunities for enhancements to be included within the landscape plan which should aim to increase biodiversity of the site (refer to recommendations in **Section 9**). Cove brook and trees neighbouring the north-eastern site boundary will be unaffected by the works; protection measures should be adopted to prevent damage or run-off from construction activities (refer to recommendations in **Section 9**).

Bats

- 8.2.4** The demolition of the outbuildings on site are unlikely to support roosting bats and therefore the removal of these will not have an impact on bats or their roosts and would not require a European Protected Species (EPS) mitigation licence to proceed lawfully. Pre-existing survey work from 2020 has shown the demolition of the two dwellings is unlikely to affect roosting bats; however, an updated building inspection should be carried out before demolition to confirm the findings remain valid (refer to recommendations in **Section 9**).
- 8.2.5** The proposals will remove the existing garden habitats on site, which are unlikely to be of more than site level value to bats, and therefore are unlikely to have a significantly adverse impact on the availability of foraging or commuting habitat for bats locally; and there are opportunities for habitat enhancement as part of development. There is likely to be a significant increase in artificial lighting on site and therefore the risk that illumination will cause disturbance to bats is high; therefore, external lighting should be designed to minimise adverse impacts to nocturnal wildlife (refer to recommendations in **Section 9**).

Amphibians

- 8.2.6** The site provides relatively poor habitat for amphibians; habitats of higher suitability are available offsite connected to the site via Cove Brook along the boundary, and overall, the proposals are unlikely to lead to the loss of

amphibians or affect individuals. However, there remains a small risk of amphibians being found on site and therefore a precautionary approach should be adopted.

Reptiles

- 8.2.7** Previous surveys carried out in 2021 confirmed the presence of low populations of slow worm and grass snake on site. The modified grassland covering most of the site, was mostly managed or had been recently disturbed during the walkover survey. However, there were areas of longer grass and scattered scrub, which provides the structural diversity for reptiles to bask, forage and take shelter. A programme of capture and translocation was developed in 2022 and this is reported in the pre-existing reptile survey report (R2872/e; May 2022), which will be applicable to these proposals; however, an updated reptile survey of the site should be carried out to determine if there have been any changes to inform the (refer to recommendations in **Section 9**).

9 RECOMMENDATIONS

9.1 Habitats

9.1.1 The trees neighbouring the site and Cove Brook present adjacent to the site should be protected. The following protection measures are recommended:

- Erection of Heras fencing in advance of site clearance, enclosing tree Root Protection Areas (RPAs);
- Prohibition of construction activities, material storage, use of vehicles, fires etc. within the fenced RPAs to prevent damage to tree roots and compaction of the soil; and
- Compliance with up-to-date pollution prevention guidelines and environmental protection legislation to mitigation any impacts of ground disturbance, surface water flow, dust and chemicals.

9.2 Bats

9.2.1 An updated Preliminary Roost Assessment should be carried out before demolition or site clearance to comprise a daylight visual search of the interior of any roof voids and exterior of the buildings for evidence of use by bats. The survey would look for features suitable for bats and assess the potential of the building to support roosting bats, and if evidence of the presence of bats or potential for bats to be present is found, then a mitigation plan will be created which may include a recommendation for further surveys.

9.2.2 During construction, external lighting should be kept to a minimum and if security lighting is required, this should be controlled by passive infra-red motion sensors with no light spillage onto trees neighbouring the site.

9.2.3 In the long-term, dark corridors should be retained on site along existing boundaries thereby maintaining foraging and commuting corridors for bats across the site, i.e. trees neighbouring the site. Exterior lighting on the replacement dwelling should be avoided, particularly facing onto trees neighbouring the site, but where essential the lighting should make use of low UV lamps, e.g. warm white LED lamps, and be controlled using passive infrared sensors so that lighting operates only when necessary.

9.3 Reptiles

9.3.1 An updated reptile survey should be carried out, to determine if there have been any changes to the populations of slow worm or grass snake that were

recorded on site in 2021, and therefore if the reptile mitigation strategy - as set out in the Reptile Survey report (R2872/a; May 2022) - remains appropriate. The survey should comprise a minimum of seven survey visits to check artificial refugia set out on the site in advance; surveys should be carried out between March and September and within this period are most reliable when carried out in April, May or September (Froglife 1999).

9.4 Amphibians and small mammals

9.4.1 In order to avoid contravening the legislation and harming individual animals during the works, the following precautionary avoidance measures should be adopted during the course of the construction:

- During construction, any open excavations and trenches should be backfilled before nightfall or alternatively, escape ramps should be installed to allow amphibians, reptiles and small animals to escape if they become trapped;
- Any building materials or materials excavated during the development that need to be stored on site prior to use/disposal should be positioned on hard standing and raised off the ground on pallets or in skips to avoid them providing temporary resting places or hibernation sites for individual reptiles and amphibians; and
- In the unlikely event that reptiles are encountered during the construction phase, the works will stop immediately and a licensed ecologist will be called onto site to attend to the GCN and liaise with Natural England on how to proceed; work will continue only once written advice has been received.

9.5 Ecological Enhancement

9.5.1 The development proposals could provide opportunities for the enhancement of the site's biodiversity value and to deliver a net gain in biodiversity. The inclusion of the following recommendations would be of ecological benefit and be in line with the Nation Planning Policy Framework (NPPF):

- The aim of the landscaping should be to increase the structural diversity and species diversity of the site. The proposed new gardens and boundaries should seek to enhance the ecological value of the site by making use of native plant species of local provenance.

- Fencing on the north-western boundary with Cove Brook should be open such as post or rail or have gaps on opposing boundaries to allow the free movement of wildlife such as badgers and hedgehogs into the site.
- The provision of bird nest boxes at the eaves of the new dwellings on site for Priority Species such as the house sparrow (*Passer domesticus*).
- The provision of bat roosting features, such as integral or external bat boxes in the new walls of the buildings, to be incorporated into the new residential dwellings to provide crevice roosting opportunities for bats.

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APPENDIX 1 – LEGISLATIVE BACKGROUND

Amphibians

The seven native species of amphibian receive protection under the W&AC 1981 (as amended). The four widespread and common amphibians (common frog, toad, smooth newt and palmate newt) receive only limited protection – making their sale illegal.

The great crested newt (*Triturus cristatus*) receives full protection under the W&CA 1981 (as amended) and under the Habitat Regulations 2019. The combined legislation makes it illegal to:

- intentionally or recklessly kill, injure or take a great crested newt;
- possess or control any live or dead specimen or anything derived from a great crested newt;
- intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a great crested newt; and
- intentionally or recklessly disturb great crested newts; in particular, any disturbance which is likely to impair their ability to survive, breed or reproduce or nurture their young; or in the case of hibernating or migrating animals, to hibernate or migrate.

Great crested newts (*T. cristatus*) and common toads (*Bufo bufo*) are species of principal importance for the conservation of biodiversity in England ('UKBAP Priority Species') under Section 41 of the NERC Act 2006.

Badgers

Badgers are protected by the Protection of Badgers Act 1992. The Act makes activities such as development that would harm or disturb badgers or damage, obstruct or destroy their setts illegal. If badgers are to be affected by the proposed development, activities can be undertaken only under a licence issued by Natural England.

Bats

All bat species in Britain are fully protected by the W&CA 1981 (as amended) and by the Habitat Regulations 2019. In summary, the combined legislation makes it an offence to:

- damage or destroy a breeding site or resting place or intentionally or recklessly obstruct access to a structure or place used for shelter by a bat;

- deliberately, intentionally or recklessly disturb bats; in particular, any disturbance which is likely to impair the ability of bats to survive, breed or reproduce or nurture their young; or in the case of hibernating or migrating bats, to hibernate or migrate; or to significantly affect the local distribution or abundance of the species; and
- deliberately kill, injure or take any bat.

Birds

All wild birds are protected under the W&CA 1981 (as amended). The Act makes it an offence to kill, injure or take a wild bird or to damage or destroy the nest of a wild bird whilst in use or being built. Species listed on Schedule 1 of the Act, such as barn owls and kingfishers, are afforded additional protection against disturbance while nesting.

Hazel dormice

Hazel dormice receive full protection under the W&CA 1981 (as amended) and under the Habitat Regulations 2019. These make it illegal to:

- intentionally or recklessly kill, injure or take a dormouse;
- possess or control any live or dead specimen or anything derived from a dormouse;
- damage or destroy a breeding site or resting place or intentionally or recklessly obstruct access to a structure or place used for shelter by a dormouse; and
- intentionally or recklessly disturb dormice; in particular, any disturbance which is likely to impair their ability to survive, breed or reproduce or nurture their young; or in the case of hibernating or migrating animals, to hibernate or migrate.

Invasive non-native plants

The W&CA 1981 (as amended) provides the primary controls on the release of non-native species into the wild in Great Britain. It is an offence under Section 14(2) of the Act to 'plant or otherwise cause to grow in the wild' any plant listed in Schedule 9, Part II. The species listed in the Act include Japanese knotweed (*Fallopia japonica*), giant hogweed (*Heracleum mantegazzianum*) and Himalayan balsam (*Impatiens glandulifera*).

Otters

Otters are fully protected by the W&CA 1981 (as amended) and by the Habitat Regulations 2019. In summary, the combined legislation makes it an offence to:

- damage or destroy a breeding site or resting place or intentionally or recklessly obstruct access to a structure or place used for shelter by an otter;
- deliberately, intentionally or recklessly disturb otters; in particular, any disturbance which is likely to impair the ability of otters to survive, breed or reproduce or nurture their young; or to significantly affect the local distribution or abundance of the species; and
- deliberately kill, injure or take any otter.

Reptiles

The four widespread reptiles most likely to be encountered (adder, grass snake, slow worm and common lizard) are protected under the W&CA 1981 (as amended). The Act makes it an offence to intentionally kill, injure, possess or sell any of the species.

The aforementioned species are all listed as being of principal importance for the conservation of biodiversity in England (*'UKBAP Priority Species'*) under Section 41 of the NERC Act 2006.

Water voles

Since April 2008, water voles have received full protection under Section 9 in Schedule 5 of the W&CA 1981 (as amended). This makes it an offence to intentionally kill, injure or take water voles or to possess or control live or dead water voles or derivatives. It is an offence to intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection or intentionally or recklessly disturb water voles whilst occupying a structure or place used for that purpose.

The water vole is listed as being of principal importance for the conservation of biodiversity in England (*'UKBAP Priority Species'*) under Section 41 of the NERC Act 2006.

Wild mammals

Under the Wild Mammals (Protection) Act 1996 it is an offence to intentionally inflict unnecessary suffering, as specified by the Act, on any wild mammal.

APPENDIX 2 - SITE PHOTOGRAPHS



1. Modified grassland along the northern end of the site, viewed from the east (g4 10 510).



2. Scattered scrub on the north-western boundary adjacent to the offsite Cove Brook and scattered trees.



3. Stored items and timber shed present at the north-western corner of the site (g4 10 510).



4. Scattered scrub on the edge of the grassland along the eastern fenceline (g4 10 510).



5. Scattered scrub on the edge of the grassland present along the northern fenceline (g4 10 510).



6. Uncut grass and scattered scrub next to the greenhouse and stored items (g4 10 510).



7. Area of bare ground surrounding mound of earth and rubble in the middle of the site (u1f 510).



8. Bank of earth along a hedgerow on the western boundary (u1f 81 510).



9. Athol Villa residential property viewed from the southern elevation (B1).



10. Woodside residential property viewed from the southern elevation (B2).

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APPENDIX 3 – UK HABITAT CLASSIFICATION SURVEY PLAN



**Land at Atholl Villa and Woodside
Westbourne Road
Sandhurst
GU47 0QX**

**Preliminary Ecological Appraisal
UKHab Survey Plan**

Key:

-  Red Line Boundary
-  u1f - Sparsely vegetated urban land
-  u1b - Developed land; sealed surface
-  u1b5 - Building
-  g4 - Modified grassland

Secondary codes:

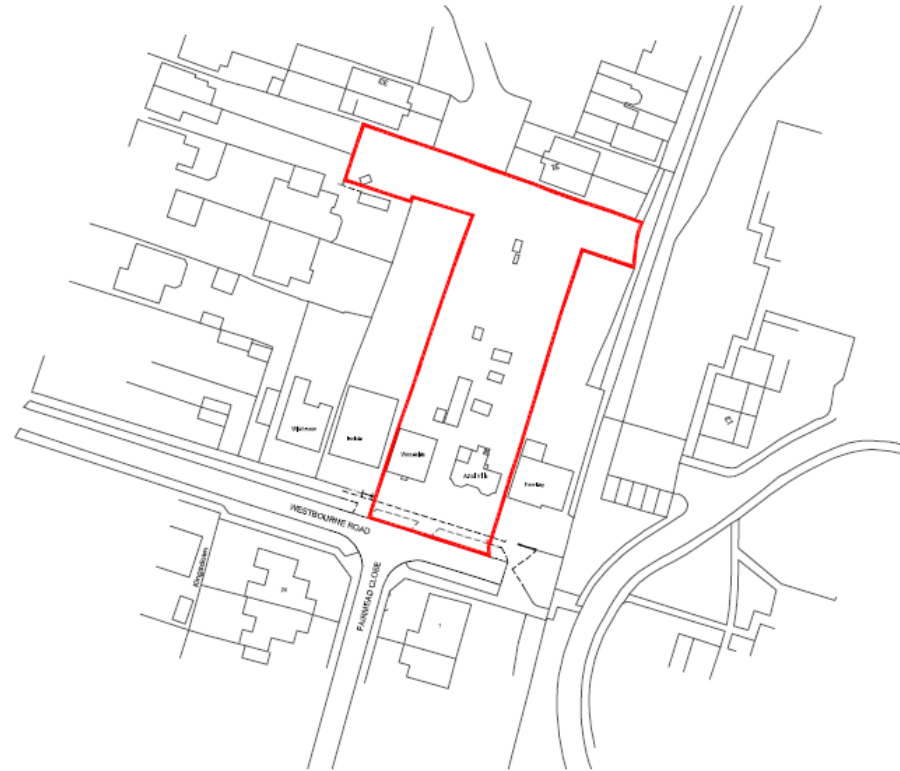
- 10 - Scattered scrub
- 81 - Ruderal or ephemeral
- 108 - frequently mown
- 510 - Bare ground
- 847 - Introduced shrub

Mapped by: Meghan Porter
Date: January 2024

JOHNWENMAN
ecological consultancy

APPENDIX 4 – EXISTING AND PROPOSED SITE PLANS

A4



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Rev	Comment	By	Date

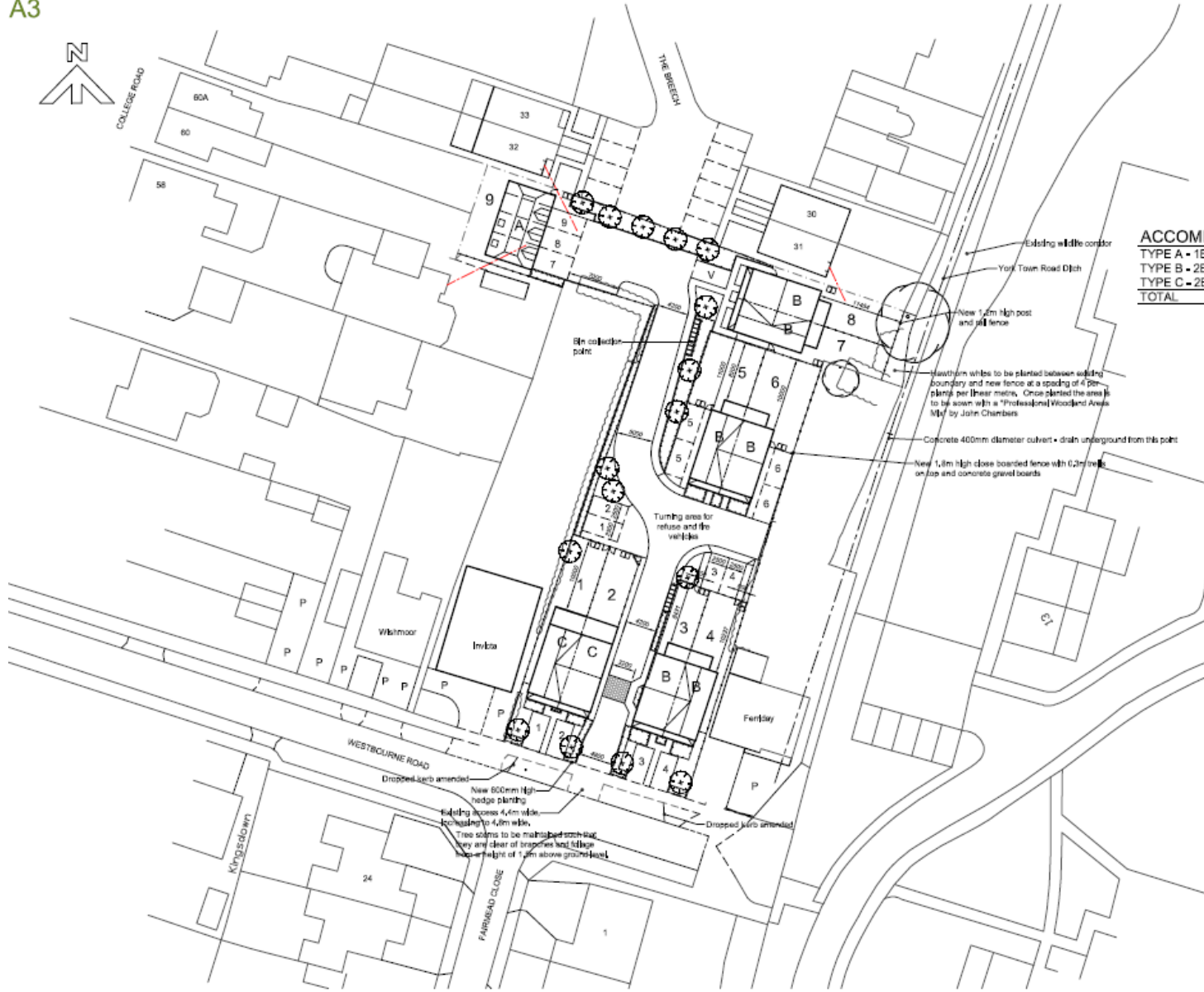
Client: Rlo Homes		
Address: Land at Athol Villa and Woodside, Westbourne Road, Sandhurst, GU47 0QX.		
Drawing Title: Location Plan		
Scale: 1:1250	Date Drawn: 16.06.20	Drawn by: JAS
Job No: 0506	Org No: PL01	Rev: -
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 Date: 05/06/2018 By: JAS



ACCOMMODATION SCHEDULE:

TYPE A - 1B/2P COACH HOUSE @ 710sq.ft. -	1no.	710 sq.ft.
TYPE B - 2B/4P HOUSE @ 831sq.ft. -	6no.	4,986 sq.ft.
TYPE C - 2B/4P HOUSE @ 884sq.ft. -	2no.	1,768 sq.ft.
TOTAL	9no.	7,464 sq.ft.



Client Rio Homes		
Address Land at Athol Villa and Woodside, Westbourne Road, Sandhurst, GU147 0QX.		
Drawing title Sketch layout for 9 no. dwellings.		
Project 1:500	Rev. Issued 30.10.23	Drawn by JAS
Job No. 0506	Proj. No. SK14	Disc. -
Status SKETCH LAYOUT		

