

Appendix 13-1 Consultation

TECHNICAL NOTE

Job Name: East Reading Mass Rapid Transit Scheme

Job No: 28791

Note No: TN001/Eco

Date: 8th May 2017

Prepared by: Johanna Fewtrell

Subject: Record of Consultation

Table A1 and A2 below provides a summary of consultation completed for the East MRT Site and TVP P&R Site. Full copies of correspondence are appended to this technical note.

Table A1: Summary of Consultation: TVP P&R Site

Date	From	To	Summary	Other
18/07/2016	Duncan Fisher (DF), Ecologist, WBC	Justin Turvey (JT), Planning officer, WBC	DF confirmed the approach to dealing with ecological constraints on the Site. Of particular note: - DF confirmed that the application is unlikely to adversely affect great crested newts <i>Triturus cristatus</i>; - DF confirmed that impacts on badgers <i>Meles meles</i> can be dealt with through a watching brief, with the scheme design providing potential for badger to continue to disperse to connected habitat along the river; - DF queried the approach to reptile mitigation, recommending habitat retention along the southern extent of the Site (along the railway line), and querying the mechanisms of off-site translocation; - DF confirmed that the site is of local importance to foraging and commuting bats, but subject to landscaping and no artificial lighting of the TVP P&R site, the development is unlikely to cause significant disturbance to bats; - DF confirmed that the results of the single breeding bird survey were likely representative, and that	See email chain Appendix A.A.

DOCUMENT ISSUE RECORD

Technical Note No	Rev	Date	Prepared	Checked	Reviewed (Discipline Lead)	Approved (Project Director)
28791/TN001/Eco	1	08/05/17	JF	KE	KE	XXX

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TECHNICAL NOTE

			impacts on breeding birds could be mitigated through appropriate seasonal timing; - DF confirmed that the development will not cause a significant loss or degradation to habitats of principal importance; and - DF confirmed that risk to hedgehogs can be mitigated by capturing appropriate working measures within an Ecological Mitigation and Management Plan (EMMP), to be conditioned. DF then outlined a recommended condition for the EMMP.	
19/08/2016	Tom Beck (TB), WSP PB	JT, WBC	Letter outlining the proposed approach to reptile mitigation, to be included within the EMMP, confirming that if below 10 reptiles are found they will be retained on site; if more than 10 reptiles are found, they will be moved off site. Additional comments are provided on the approach to lighting and landscaping.	See letter Appendix A.B.
23/08/2016	DF, WBC	JT, WBC	- DF confirmed the reptile 'issue' can likely be conditioned, but a more detailed strategy may be required. - DF queried the reptile population assessment and the approach proposed, but identified that it would be possible for the detail to be conditioned, so long as it has been clearly established that there is a suitable receptor site, under WBC ownership and management. - DF queries the approach to lighting of the TVP P&R Site.	See email chain Appendix A.A.
24/08/2016	TB, WSP PB	DF & JT, WBC	Continued conversation between DF and JT regarding approach to ecological constraints. Of particular note, TB confirmed: - Low population of reptiles present on site; with an area of mitigation to be made available, a similar size to that currently used; - No lighting would be used overnight, with the shuttle bus operating between 7am and 7pm. 3 m columns with cowals to minimise leakage could be used.	See email chain Appendix A.A.
24/08/2016	DF, WBC	JT, WBC	Continued conversation between DF and JT regarding approach to ecological constraints. Of particular note: - DF recommended that a planning condition be included within the permission to ensure a final detail of lighting is captured, with appropriate consideration to wildlife; and - DF queried the approach to reptile population assessment and area of suitable habitat, DF requested an addendum to the ecology report to provide further details in relation to off-site	See email chain Appendix A.A.

TECHNICAL NOTE

			translocation and justify why this approach is required, as it is different to the reptile mitigation strategy contained within the report.	
14/10/2016	Berks, Bucks & Oxon Wildlife Trust (BBOWT)	JT, WBC	In summary, no objection from BBOWT subject to detail on mitigation and probable impacts on protected species pre-, during and post-construction; and evidence that the development will ensure no net loss in biodiversity and will seek a net gain.	See letter Appendix A.C.

Table A2: Summary of Consultation: East MRT Site

Date	From	To	Summary	
29/04/2016	PBA	Andy Glencoss (AG) Biodiversity Officer, WBC, and Giles Sutton, (GS), Ecologist, RBC	JF confirmed the suggested approach to ecology survey at the East MRT Site. Of particular note: - Further detailed botanical survey in June/July 2016 in order to fully determine the value of the habitats within the LWS, as well as wider site - Further bat activity surveys (see the attached doc for full scope), as well as targeted survey of the adjacent bridge and trees to be felled with potential to support roosting bats - Presence/absence surveys for reptiles	See email chain Appendix A.D
05/05/2016	Duncan Fisher (WBC)	JF PBA	DF confirming he is the point of contact, confirming the scope of the proposed surveys, and suggesting an extra automated bat detector survey in October to consider migrating Nathusius Pipistrelle.	See email chain Appendix A.D
06/05/2016	JF PBA	DF WBC and GS RBC	JF confirming suitability of the existing railway bridge structure for roosting bats, and confirming extent of scope of activity surveys to pick up migrating Nathusius pipistrelle.	See email chain Appendix A.D
22/07/2016	JF PBA	DF WBC and GS RBC	JF confirming results of ground level assessment to determine their potential to support roosting bats and approach to further survey.	See email chain Appendix A.D
26/07/2016	DF WBC	JF PBA and GS RBC	DF confirming it is reasonable to progress with lower survey effort for roosting bats when there are contextual factors that lessen the potential of the features identified subject to appropriate consideration / mitigation going forward.	See email chain Appendix A.D
29/07/2016	JF PBA	DF WBC and GS RBC	JF confirming approach to bats and trees.	See email chain Appendix A.D
11/08/2016	PBA	RBC	Scoping report issued to both planning authorities. In relation to ecology, this identified	See ES Appendix A.
11/08/2016	PBA	WBC	- Ecology baseline data collection methodologies; - Current baseline conditions (where data was available); - Scope and methodology of the assessment; - Risks and limitations were also identified.	
12/08/2016	Sarah Hanson	PBA	Pre-application response identifying:	See memo Appendix A.E.

TECHNICAL NOTE

	(SH) and GS RBC		▪ Likely benefits of the scheme; ▪ Likely impacts of the scheme; ▪ Relevant planning policy; ▪ Summary	
29/11/2016	Natural England (NE)	PBA	Natural England's formal Scoping Opinion providing standing advice.	See letter Appendix A.F.
03/05/2017	JF PBA	Carolyn Jenkins (CJ), Parks Team, RBC	JF email following up telephone conversation with CJ to discuss ecological mitigation and management within The Coal, Kennetmouth and Kings Meadow East Local Wildlife Site, including portions of this land located outside the redline boundary	See email chain Appendix A.G.
03/05/2017	CJ RBC	JF PBA	Confirmation of approach.	See email chain Appendix A.G.

Justin Turvey

From: Duncan Fisher
Sent: 18 July 2016 17:46
To: Justin Turvey
Subject: 161596 Land to the West of Thames Valley Park Drive RG6 1PT ~[UNCLASSIFIED]~

Hi Justin,

Great Crested Newts

Following on from discussions with the ecologist working on this application and an internal data review, I am satisfied that this application is unlikely to adversely affect this European Protected Species.

Badgers

There is some evidence to indicate that badgers have been moving through this site (one possible latrine) but the ecological surveys do not indicate that there is a sett present on site or that this site is an important foraging area of a local badger group. Provided a watching brief is maintained during the scrub clearance work, I am of the opinion that this application will not adversely affect the local badger population and that the layout provides potential for badger to continue to disperse to connected habitat alongside the river.

Reptiles

A medium population of slow-worm has been identified on the application site. Perhaps due to the season, perhaps due to dispersal pressures, I note that the majority of the slow-worms observed were juveniles. It is likely that a population of slow-worm is present on the railway line along the southern edge of the site. Habitat retention on this edge and along the riverside edge of the site should continue to provide suitable slow-worm habitat post construction but there is no indication of how this might be enhanced and maintained to increase the carrying capacity for reptiles. I note that the Ecology Surveys report (Combined Report 001 CA CS 06.11.15) recommends using offsite areas (beyond the redline) to act as suitable reptile receptor locations. This is acceptable as long as:

- a) There is a plan to enhance the carrying capacity for reptiles for these areas.
- b) There is some thought given to the risk of flooding of these receptor sites and how this risk to the moved reptiles may be mitigated.
- c) It is shown that these areas will retain habitat connectivity with the broader reptile population (that they will not be in an isolated pocket).
- d) That there is agreement (s106, if necessary) with the landowner of the areas identified to act as a reptile translocation receptor.

Do you know if the reptiles are included in any s106 agreement, yet? This needs to be agreed in addition to the condition, as written below, being given.

Bats

I agree that the bat surveys of the site indicate that there are unlikely to be bat roosts directly affected by the development but that the site is of local importance for foraging and commuting bats including *Myotis* and *Nathusius Pipistrelle* species.

The layout proposed retains a green buffer of trees and shrubs between the river and car park to mitigate the hard landscaping. It appears from the plans that the park and ride will remain unlit by artificial lighting. Can you confirm this is the case? If so, then I think this is a good avoidance measure to one of the main risks to the bat species identified (the risk being fragmentation of commuting routes by artificial lighting).

On the basis that there is no artificial lighting of the car park, I am of the view that this development is unlikely to cause significant disturbance to the local bat populations. The only additional mitigation measure that might be beneficial, that would soften the hard landscaping of the car park, would be to include some tree planting within the car park. Do you know if this is planned or shown in a soft landscaping plan that I have not yet seen?

Breeding Birds

Although there were limitations to the breeding bird survey, I am of the view that it is likely to be a fair reflection of the potential of the site. I am in agreement that to the extent of the development is such that it is unlikely to cause a significant decline in any bird Species of Principal Importance or of conservation concern. Provided vegetation clearance is sympathetically timed, I am of the view that this development can avoid the risk to breeding birds that otherwise may be present on site. The timing of the vegetation clearance can be secured through the conditioning of a comprehensive Ecological Mitigation and Management Plan

Habitats of Principal Importance

I am satisfied that the proposed development will not cause a significant loss or degradation of Habitat of Principal Importance, provided the proposed mitigation measures are secured by conditioning the submission and approval of a detailed Ecological Mitigation and Management Plan.

Species of Principal Importance

The Ecology Report identifies there being a risk during the initial clearance work to hedgehogs and some invertebrates that are Species of Principal Importance. I am of the opinion that the construction risk can be mitigated and the long-term impacts of habitat loss to the car park are unlikely to be significant to the local population.

I am satisfied that the proposed development will not cause a degradation to the populations of Species of Principal Importance likely present on site, provided the proposed mitigation measures are secured by conditioning the submission and approval of a detailed Ecological Mitigation and Management Plan.

Condition: Prior to commencement of the development an Ecological Mitigation and Management Plan to synthesise and provide detail of the mitigation strategies proposed in the Thames Valley Park P&R Breeding Birds Report v1 24.08.15, the Combined Report 001 CA CS 06.11.15, and the Construction Management Plan 060616 shall be submitted to and approved in writing by the local planning authority. The measures contained within the Ecological Mitigation and Management Plan shall be implemented in accordance with the approved plans unless otherwise approved in writing by the local planning authority.

Reason: To secure appropriate mitigation for protected species and a strategy to maintain biodiversity, as appropriate under Core Strategy CP7.

Kind regards,

Duncan Fisher
Ecology Officer
Wokingham Borough Council
Civic Offices
Shute End
Wokingham
RG40 1BN

0118 974 6291

Justin Turvey

From: Duncan Fisher
Sent: 24 August 2016 10:35
To: Tom Beck; Justin Turvey
Cc: Matthew Gould; Stephen.Reed@WSPGroup.com; 'claire@caecology.co.uk'
Subject: RE: 161596 - TVP Park and Ride ~[UNCLASSIFIED]~

Hi Tom,

Bats

Your proposed operating hours of the park and ride and lighting do make me think that there will be limited impact from the lighting on bats but it is worth noting that most recent bat surveys were picking up bat activity late in the season, including rarer species.

Justin – I recommend that the following condition (based on the model condition given in BS 42020:2013) be given with any permission granted in order to resolve the final detail of lighting:

Condition: Prior to commencement of the development, a "lighting design strategy for biodiversity" for light sensitive species shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used to access key area of their territory, for example for foraging, commuting, or migration;*
- b) Show how and where external lighting will be installed, including a timetable for operation of the lighting, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.*

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained and operated thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To maintain favourable conservation status of the site for protected species and species of principal importance.

Reptiles

I think there is some confusion as to the number of reptiles seen during the survey and how this is categorised with the number of reptiles in the population on site. The sampling method used will only be counting a sub-population of what is present on site and therefore it is likely that more animals will be caught during the translocation and clearance work. CA Ecology has ranked the population as being in the medium category (see paragraph 4.3.2 of the submitted Combined Report). The HGBI Best Practice guidance for translocation work indicates that a medium population could be thought of as having a population size of 50 to 100 animals per hectare. Can you explain where you are getting the figure of 1416m² of suitable reptile habitat from? The submitted Combined Report seems to me to be indicating that the entire site has reptile suitability.

I think a simple one page addendum to the ecological report to identify the site that is proposed to be used as an ex-situ translocation receptor with information to show that it has a greater area of suitable new habitat than that being lost in the Park and Ride (and therefore there is likely to be a long-term gain in overall population in the borough) is necessary as this is a different reptile mitigation strategy to that currently proposed in the Combined Report.

Kind regards,

Duncan Fisher
Ecology Officer

Wokingham Borough Council
Civic Offices
Shute End
Wokingham
RG40 1BN

0118 974 6291

From: Tom Beck
Sent: 24 August 2016 09:07
To: Duncan Fisher; Justin Turvey
Cc: Matthew Gould; Stephen.Reed@WSPGroup.com; 'claire@caecology.co.uk'
Subject: Re: 161596 - TVP Park and Ride ~[UNCLASSIFIED]~

Hi Duncan/Justin

With regard to reptiles, I have spoken to Claire. The surveys of the current situation indicate a low population. That is why the low threshold has been used as anything above 10 would then class as a medium population. The area to be made available is a similar size to the current area used.

With regard to lighting, this is only intended during the hours of the shuttle bus operates (7am - 7pm). No cars are expected to be left in the car park overnight. This would mean there would be no lighting on during the night time in the peak season for bat activity (May - September) when sunset is around 9pm.

In the Design and Access Statement we mention the use of 5m columns, but we are open to use 3m columns with cowals to minimise any light leakage.

Kind Regards

Tom

From: Duncan Fisher
Sent: 23 August 2016 17:40
To: Justin Turvey
Cc: Tom Beck
Subject: RE: 161596 - TVP Park and Ride ~[UNCLASSIFIED]~

Hi Justin,

I think that the reptile issue can be dealt with by condition but we may need a more detailed strategy than a single page letter to reference.

Tom – is your ecologist expanding on this option and working out the metrics for what can be retained on site and where the threshold should be (in terms of reptile numbers)? If a medium population is predicted by your ecologist I predict that you will need to catch and move many more than ten reptiles. If you are proposing to bring the detail forward in a conditioned EMMP this would be unusual for a full application, but not unreasonable, as long as we have clearly established at this stage that there is a suitable receptor site under WBC ownership and management that will give the local planning authority confidence that overall conservation status will be maintained.

Regarding artificial lighting: I am not happy that no detail of lighting has been given so far and that I was led to believe that there would be no lighting until this point. To mention it at this stage with the assumption that the highways standard can retain the dark corridors that are important on the two main boundaries of the site does not fill me with confidence that this aspect has been fully considered.

Tom – are you able to draw up a plan showing the dark corridors that you are proposing to retain? If you want the final detail to be determined through condition (in the EMMP) then we must be clear at determination which areas are to be retained as dark corridors in order to take a view as to whether these are viable in providing habitat corridors.

Kind regards,

Duncan Fisher
Ecology Officer
Wokingham Borough Council
Civic Offices
Shute End
Wokingham
RG40 1BN

0118 974 6291

Your Ref: 161596 – Land To The West Of Thames Valley Park Drive

Our Ref: 70012699 TVP Park and Ride

19 August 2016

PUBLIC

Justin Turvey
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Dear Mr Turvey

Subject: TVP Park and Ride – Response to WBC Ecology comments on planning application

Following the comments on 18 July it has become clear that seeking to retain a medium population of reptiles on site by retaining and enhancing surrounding habitat owned by Reading University is not desirable and possibly not practical due to possible flooding issues.

Our reptile mitigation plan included in the EMMP would therefore include the following points:

- In the first instance we would aim to have the receptor site on the strip of retained land alongside the railway which is approximately 1300 square meters leaving access for the animals to get back on to the railway if the population on site is small the animals could easily be accommodated here as the total amount of on-site habitat suitable for reptiles is approximately 1416 square meters and decreasing.
- We could agree a threshold of say 10 animals (small population). If more animals were caught then there is an indication the population is larger and unlikely to be accommodated on site and therefore those animals should be translocated to the off-site receptor site (being one of the SANGS the WBC Ecology Officer suggested).

With regards to your comments on bats, there are plans to have lighting on the site for safety and security reasons but the lighting scheme will be the minimum amount of lighting required and designed in line with the institute of lighting engineers guidance to minimise any impacts specifically ensuring there is no leakage of light onto the buffer between the river and the site or to the river, the details of this will be fully specified within the EMMP.

The proposed buffer between the river and the site will in the most part need to be re-created once works are complete the details of proposed planting will be given in the EMMP but the Indicative Landscape Plan submitted on 16 August shows the proposed retained and replaced areas.

We trust the above clarifications are satisfactory. If you have any queries or would like to discuss any of the points raised, please do not hesitate to contact me.

Yours sincerely,

Tom Beck
Principal Transport Planner

Berks, Bucks & Oxon Wildlife Trust
Hasker House, Woolley Firs
Cherry Garden Lane
Maidenhead, Berks SL6 3LJ
samcartwright@bbowt.org.uk
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Justin Turvey
Case Officer
Wokingham Borough Council
Email: planning.enquiries@wokingham.gov.uk

14th October 2016

[By email only]

Dear Mr Turvey,

Ref: 161596
Address: Land to the west of Thames Valley Park Drive, RG6 1PT
Proposal: Full application for the proposed development of a Park and Ride facility providing approximately 277 vehicular spaces, motorcycle parking and associated vehicular access and landscaping.

In relation to the above full planning application, please see the following comments on behalf of the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT). As a wildlife conservation charity our comments relate specifically to the protection and enhancement of the biodiversity on and around the proposed development area.

BBOWT Position:

No objection, subject to the following concerns being addressed prior to development:

- 1) detail on mitigation for the probable impacts on protected species pre-, during, and post-construction**
- 2) evidence that the development will ensure no net loss of biodiversity and seek to achieve a net gain in line with National Planning Policy (NPPF) and Wokingham Borough Council Policy**

Please see the following detailed comments which support our position.

1) Mitigation of likely impacts on protected species

The Preliminary Ecological Appraisal (Oct 2015) and Ecology Surveys (Nov 2015; surveys for bat, badger, reptile, breeding birds and great crested newt) report that the proposed development site supports breeding slow worm (minimum population 5 individuals incl. juveniles), probable breeding birds, and is regularly used by foraging and commuting bats (alongside a possible roost at a building bordering the site).

Impacts on reptiles

We note the Wokingham Borough Council (WBC) Principal Transport Planner's "Response to WBC Ecology Comments" dated 19th August 2016 proposing a reptile mitigation plan to be

included in an EMMP and the intention to ensure no leakage of light onto the buffer between the site and the river. **We welcome the proposal that a detailed reptile mitigation plan be included within a suitably detailed and quantified Ecological Mitigation and Management Plan and would expect that this document is produced prior to any works beginning on site.**

We consider this is a reasonable requirement given:

- the legal protection afforded to all reptiles under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) from intentional killing and injury, and;
- the Council's duty to give material consideration to the presence of protected species when considering development proposals that may result in harm to the species or its habitat, as per guidance in ODPM Circular 06/2005 (as referenced within the NPPF), and;
- the status of the UK native reptile species (i.e. including the slow worm) as Species of Principle Importance under section 41 of the NERC Act 2006, which requires planning authorities to carry out 'reasonably practical' steps to further their conservation.

The reptile mitigation plan should identify how the proposed mitigation and enhancement measures are to be maintained and secured for the long-term, including detail on the suitability and long-term management of the potential receptor site for any individuals translocated off-site. This is required in order to avoid contravention of the Wildlife and Countryside Act 1981.

Impacts on bats

The removal of the majority of the dense scrub and scattered trees onsite and their replacement with hard standing constitutes a clear loss of bat foraging and commuting habitat, as evidenced by the survey findings of 'frequent' use by soprano pipistrelle plus the 'infrequent' and 'very infrequent' use by common pipistrelle and noctule bats, respectively.

In addition, the timing and choice of lighting type will impact on whether invertebrates are attracted to lights with ensuing negative impacts on them¹, and will also impact directly on bats², birds, and other wildlife³. **We would therefore expect a full and detailed lighting strategy to be produced, indicating how the lights have been chosen to minimise wildlife impact, detailing what the proposed operating hours of the lights are, explaining how the lighting scheme will be designed to prevent any impact on wildlife, and justifying the level of lighting provided. The EMMP should include detail on how WBC intend to protect and enhance the habitat on-site to safeguard its ecological functionality as foraging and commuting habitat for bats.**

We consider this is a reasonable requirement given:

- the legal protection afforded to all species of bat and their roost sites under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), and;
- the Council's duty to give material consideration to the presence of protected species when considering development proposals that may result in harm to the species or its habitat, as per guidance in ODPM Circular 06/2005 (as referenced within the NPPF), and;
- the status of soprano pipistrelle and noctule bats as Species of Principle Importance under section 41 of the NERC Act 2006, which requires planning authorities to carry out 'reasonably practical' steps to further their conservation.
- the status of all bats in the UK as European Protected Species under Schedule 2 of the Conservation of Habitats and Species Regulations 2010, thereby afforded strict protection against injury, killing or deliberate disturbance.

1 Bruce-White & Shardlow (2011) A Review of the Impact of Artificial Lighting on Invertebrates
<https://www.theilp.org.uk/documents/a-review-of-the-impact-of-artificial-light-on-invertebrates/>

2 BCT (2014) Artificial Lighting and Wildlife (interim guidance)
http://www.bats.org.uk/pages/bats_and_lighting.html

3 RCEP (2009) Artificial Light in the Environment
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228832/9780108508547.pdf.pdf

Impacts on wild birds, mammals, and other biota

Despite there being only a single site visit to survey breeding birds (WSP Breeding Bird Survey Report, Aug 2015), the results clearly indicate the habitat onsite is suitable nesting habitat for a range of wild bird species and supports territories of song thrush (seen and heard onsite) and dunnock (heard), which are two Species of Principle Importance under section 41 of the NERC Act 2006. The habitat is clearly also suitable for hedgehog, afforded the same status under the NERC Act 2006.

DEFRA have recently provided guidance to competent authorities (including local authorities) on how to comply with the legal requirements of paragraph 9A of the Conservation of Habitats and Species Regulations 2010 as amended in the Conservation of Habitats and Species (Amendment) 2012 Regulations). The guidance is available at:

<https://www.gov.uk/guidance/providing-and-protecting-habitat-for-wild-birds> and states that;

"You [the competent authority] must use your powers so that any pollution or deterioration of wild bird habitat is avoided as far as possible. ...

There are no national population targets for wild birds. However, you must aim to provide habitat that allows bird populations to maintain their numbers in the areas where they naturally live.

You should focus on habitats for wild birds in decline but also maintain habitats supporting wild birds with healthier populations....

Ways to provide wild bird habitat:

...

Preserve, maintain or establish the habitats that have been identified, or create new ones. You can do this if you're a competent authority in different ways, including any of the following:

...

- *consider bird populations when consulting on or granting consents, such as planning permissions, environmental permits, development or environmental consents, and other consents"*

In addition to the recommendations contained in the Preliminary Ecological Appraisal and Ecology Surveys, **we expect that in devising the EMMP, WBC will provide suitable detail on how they expect to mitigate the loss of wild bird habitat. This mitigation plan should look beyond the provision of nest boxes for hole-nesting birds and consider the ecological function of the habitat being lost (i.e. maintain or create forage, shelter and nesting habitat for wild birds and other taxa, ensure connectivity and permeability with the wider landscape).** We consider this a reasonable requirement given the legal protection afforded wild birds and Government guidance on how to comply.

2) Achieving no net loss in biodiversity and a net gain in biodiversity

The 1.35ha proposed development site is at present greenfield land, comprising broadleaved woodland, scrub, hedgerow and calcareous grassland, as well as areas of bare ground, amenity grassland and small buildings. As the Indicative Landscape Plan shows, the majority of the site is planned to be converted into hard standing for a car park, toilet block and access routes. **Notwithstanding the presence of protected species on site and the specific legal requirements for mitigation of likely impacts on individuals and their populations, without active management to enhance the site for biodiversity this proposed development will result in a clear net loss of biodiversity.** Such an outcome would be directly contrary to the National Planning Policy Framework (NPPF) and the statutory requirements of the NERC Act 2006.

NPPF paragraph 9 states:

"9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

.....

- moving from a net loss of bio-diversity to achieving net gains for nature;"*

NPPF paragraph 109 states:

"109. The planning system should contribute to and enhance the natural and local environment by:

.....

- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;"*

NPPF paragraph 118 states:

"118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm 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;*

.....

- opportunities to incorporate biodiversity in and around developments should be encouraged;"*

In addition, the NPPF planning guidance

(<http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/biodiversity-ecosystems-and-green-infrastructure/>) clearly indicates that the NERC Act 2006 also provides a statutory basis for planning to seek to minimise impacts on biodiversity and provide net gains in biodiversity where possible. e.g.

"Is there a statutory basis for planning to seek to minimise impacts on biodiversity and provide net gains in biodiversity where possible?

Yes. Section 40 of the Natural Environment and Rural Communities Act 2006, which places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making throughout the public sector, which should be seeking to make a significant contribution to the achievement of the commitments made by Government in its Biodiversity 2020 strategy.

.....

The National Planning Policy Framework is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution."

The Wokingham Borough Council Managing Development Delivery (MDD; 2014) is also clear that all new developments must demonstrate how they enhance biodiversity prior to planning permission being granted.

MDD Policy TB23 states:

"2. Planning permission for development proposals will only be granted where they comply with policy CP7- Biodiversity of the Core Strategy and also demonstrate how they:

- a) *Provide opportunities, including through design, layout and landscaping to incorporate new biodiversity features or enhance existing"*

At present this development is not clearly demonstrating a net gain in biodiversity. Therefore, **we would expect the production of a suitably comprehensive, detailed and quantified plan to clearly demonstrate how the Council will ensure no net loss of biodiversity, and also that a net gain in biodiversity is to be achieved. This will require actions that serve to mitigate any impacts on habitats and species, and actions that enhance opportunities for biodiversity.** This Ecological Management and Enhancement Plan should be produced and approved in writing by the Council so that the development can proceed in compliance with the statutory and policy obligations identified.

We hope these comments clearly detail our position. Please do not hesitate to contact me if you require any further information or clarification of these comments.

Yours sincerely,

Sam Cartwright, PhD
Senior Biodiversity and Planning Officer (Berkshire)
Berkshire, Buckinghamshire & Oxfordshire Wildlife Trust

Johanna Fewtrell

From: Johanna Fewtrell
Sent: 29 July 2016 15:44
To: Duncan Fisher
Cc: Andy Glencross; Kerry Elliott; Sarah Matthews; Neil Young; Arron Twamley; 'giles.sutton@reading.gov.uk'
Subject: RE: East Reading MRT - Ecology ~[UNCLASSIFIED]~

Hi Duncan

Many thanks for your response and for confirming that our approach is considered appropriate and proportionate given the contextual setting of the site and the existing knowledge available with regards bat activity within the area. I would agree that a precautionary methodology for felling is likely to be required, with specifics determined following these surveys. This will be contained within a clear method statement to ensure due consideration is made to avoid a contravention of the legislation by which bats are protected. The need for such method statements could be conditioned as part of planning consent and/or form part of a CEMP.

We will certainly use the results of these surveys to inform our assessment and determine the mitigation requirements. We will be working with the rest of the project team to seek biodiversity enhancement across the Site with features included to benefit local fauna identified within our surveys. With regards to roosting bats, this will probably include the installation of bat boxes in suitable locations on retained trees across the site.

Kind regards

Jo

Johanna Fewtrell

Senior Ecologist

For and on behalf of Peter Brett Associates LLP - [Bristol](#)



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From: Duncan Fisher [<mailto:Duncan.Fisher@wokingham.gov.uk>]
Sent: 26 July 2016 16:04
To: Johanna Fewtrell; 'giles.sutton@reading.gov.uk'
Cc: Andy Glencross; Kerry Elliott; Sarah Matthews; Neil Young; Arron Twamley
Subject: RE: East Reading MRT - Ecology ~[UNCLASSIFIED]~

Hi Jo,

I think it is reasonable to progress with lower survey effort when there are contextual factors that lessen the potential of the features identified so far – especially considering the limitations for tree surveys, which are likely to lead to a precautionary methodology being required anyway. To balance this risk of missing something during the

presence/absence surveying period I would expect there to be clear method statements for the tree work with appropriate checks and soft-felling clearly stated.

Within the analysis of the survey results and assessment of the implications of the development it will be important to provide local context. Do the potential features that will be lost represent the entire set of potential roost features in trees locally (or a significant proportion)? What is being proposed as compensation for the loss of these features (and will there be potential to make provision in slightly better locations)? We will be looking for this development to include enhancement to wildlife where in keeping with the scheme and habitat locally.

Kind regards,

Duncan Fisher
Ecology Officer
Wokingham Borough Council
Civic Offices
Shute End
Wokingham
RG40 1BN

0118 974 6291
07867 372468

From: Johanna Fewtrell [<mailto:jfewtrell@peterbrett.com>]
Sent: 22 July 2016 15:49
To: Duncan Fisher; 'giles.sutton@reading.gov.uk'
Cc: Andy Glencross; Kerry Elliott; Sarah Matthews; Neil Young; Arron Twamley
Subject: RE: East Reading MRT - Ecology ~[UNCLASSIFIED]~

Dear Duncan and Giles,

Further to our recent correspondence, I just wanted to drop you a quick email to update you on the bat work element of the survey work we are undertaking in relation to the MRT East site in Reading.

As part of the bat survey work, all trees within the boundary of the site have been subject to ground level assessment to determine their potential to support roosting bats.

Of these, three were identified to have high potential to support roosting bats, one to have medium potential, and a number of others to have low potential. Recommendations for further survey in advance of planning submission have been recommended for those identified to have high potential, whilst additional endoscope checks/working methods have been put forward for medium and low potential trees.

As our suggested approach is a slight deviation from the current bat survey guidelines (Collins, J. (ed.), 2016), I wanted to seek clarification from you ahead of undertaking the works that you are happy with our recommendations. Specifically, the guidelines recommend that high potential trees are subject to three survey visits in order to confirm the likely absence of a roost. However, the dusk activity transect survey data we have for the site (as well as static monitoring data) indicate the presence of a significant roost within on-site trees to be unlikely. Furthermore, a number of the trees, whilst supporting a number potential bat roosting features, are well lit by street lighting, further reducing their overall suitability. These two factors combined are the reason we have suggested a slightly more scaled-back approach. Full details of the survey approach/working methods are provided below.

High

Three trees were identified to have high potential to support roosting bats.

For H&S reasons, climbing of these trees will not be possible; as such each tree will be subject to a single dusk emergence or dawn return to roost survey with the aid of a night-vision camera. The aim of this will be to gain sufficient information to determine the likely usage of each tree by roosting bats; and consequently ascertain the likely impacts on bats should the tree be removed or otherwise affected as a result of the development proposals.

When considered in combination with the bat activity data that has been gathered for the Site (which includes transect and stopping point data from in close proximity to these trees), as well as their contextual setting (namely the location of T88 and T91 which are well lit); a single survey visit (i.e. a dusk or a dawn survey) is considered sufficient to establish the information required at this stage.

If the results of the single survey visit are considered insufficient to determine the likely impacts, or should a roost be identified to be present; a supplementary survey visit(s) may be completed to gain further understanding, or characterise a roost if found to be present. The scope of such supplementary survey would be subject to confirmation following the initial survey results.

Given that trees with suitable features can be used on an occasional basis at any time, it is anticipated that each tree would be subjected to a pre-dawn survey prior felling, assuming planning permission is granted.

Medium

One tree was identified to have medium potential to support roosting bats.

To check for roosting bats/evidence of roosting bats, a thorough inspection of potential roost features (located close to the ground) will be undertaken with an endoscope.

Considering the features identified during the initial site walkover survey, it is considered likely that this tree will be downgraded following the endoscope inspection.

Should this not be the case, a single dusk emergence or dawn re-entry may be required to determine the presence and character of a roost. The scope of such supplementary surveys would be subject to confirmation following the initial survey results.

Subject to being downgraded following endoscope assessment, this tree may be soft-felled by suitably qualified arborists in the presence of a licenced ecologist.

Low

Nine trees were identified to have low potential to support roosting bats.

To check for roosting bats/evidence of roosting bats if these trees are to be impacted, a thorough inspection of potential roost features identified (where applicable) will be completed with an endoscope prior to works; then these, and all other low potential trees (i.e. ivy cover) will be soft-felled by suitably qualified arborists in the presence of a licenced ecologist.

We have scheduled the surveys associated with the high potential trees for the end of August; and as such, I would be most grateful if you could confirm that you are happy with the above approach, and whether it is sufficient to enable you to validate and determine a future planning application, in advance of this?

I look forward to receiving your response and please don't hesitate to give me a call should you wish to discuss the project, or our suggested approach, in more detail.

Kind regards

Jo

Johanna Fewtrell

Senior Ecologist

For and on behalf of Peter Brett Associates LLP - [Bristol](#)



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From: Johanna Fewtrell

Sent: 06 May 2016 14:12

To: 'Duncan Fisher'

Cc: 'giles.sutton@reading.gov.uk'; Andy Glencross; Kerry Elliott; Sarah Matthews; Neil Young; Arron Twamley

Subject: RE: East Reading MRT - Ecology ~[UNCLASSIFIED]~

Hi Duncan

Many thanks for your response and recommendations.

As we're responding rapidly to get surveys underway in May, the PEA is currently being drafted. Once this has been finalised however, I will send a copy through for your information. Regarding the bridge; this structure is located off site (to the south) within adjacent Network Rail land and as such, a detailed inspection was not completed during the initial site walkover survey. The growth of butterfly-bush from the structure itself was noted from the adjacent pedestrian footbridge however, and as this suggested that the brickwork may be degraded to some degree, with potentially lose mortar; a precautionary emergence/ activity survey was proposed. This would allow us to ascertain whether bats are using this structure to roost, or equally whether they are commuting along the Kennet and Avon Canal from the south. If it is clear that the structure does support roosting bats, we would endeavour to undertake further surveys to fully determine the nature and status of the roost.

Thank you for your recommendation regarding an October automated detector survey to pick up migrating Nathusius Pipistrelle. We will extend our automated detector surveys to include this. Due to the date of the planning submission for this scheme, this October survey will be completed early in the month.

As outlined above, I will send through the PEA on draft completion and look forward to receiving any further comments on the above.

Kind regards

Jo

Johanna Fewtrell

Senior Ecologist

For and on behalf of Peter Brett Associates LLP

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From: Duncan Fisher [<mailto:Duncan.Fisher@wokingham.gov.uk>]

Sent: 05 May 2016 16:48

To: Andy Glencross

Cc: Johanna Fewtrell; 'giles.sutton@reading.gov.uk'

Subject: RE: East Reading MRT - Ecology ~[UNCLASSIFIED]~

Hi Johanna,

Those draft recommendations look good to me. Just as background reading for me, have you got a copy of the PEA that has classified the suitability for bats of the railway bridge?

The only thing I would suggest adding is an extra automated bat detector survey in October to consider migrating Nathusius Pipistrelle. We requested this for the adjoining Thames Valley Park Park & Ride and it appears as if this did pick up seasonal activity indicative of migration of this species – perhaps something that may be of relevance to the design/mitigation strategy for the East Reading MRT project.

Kind regards,

Duncan Fisher
Ecology Officer
Wokingham Borough Council
Civic Offices
Shute End
Wokingham
RG40 1BN

0118 974 6291

07867 372468

From: Andy Glencross

Sent: 04 May 2016 11:11

To: Duncan Fisher

Subject: FW: East Reading MRT - Ecology ~[UNCLASSIFIED]~

For you I think?

Cheers

Andy Glencross
Green Infrastructure Service Manager

0118 9746199

07500 975843

From: Johanna Fewtrell [<mailto:jfewtrell@peterbrett.com>]

Sent: 29 April 2016 16:15

To: Andy Glencross; giles.sutton@reading.gov.uk

Cc: Kerry Elliott; Sarah Matthews; Neil Young; Arron Twamley

Subject: East Reading MRT - Ecology

Dear Andy and Giles,

I am writing to you as the appointed project ecologist on the proposed East Reading MRT scheme; located between the junction of Lusclania View and Napier Road (grid reference SU 724 738) and the east of the Thames Valley Park Rowing Club (grid reference SU 733 738). You may already be aware of the proposed scheme (as it has featured in the local plan) and have an appreciation of the fact that the route spans both Reading Borough's and Wokingham Borough's boundaries. As the ecologist's for each authority, I understand you will be consulted as and when the scheme is submitted for planning.

We have recently undertaken an extended Phase 1 habitat survey of site and have subsequently drawn together a proposed approach for ecology as the scheme moves forwards. Due to the presence of an on-site Local Wildlife Site (LWS) and habitats considered suitable for use by a range of protected and notable species, we thought it prudent to get in contact with you both at an early stage to discuss and seek approval on our proposed approach to further surveys. I have attached a detailed schedule of the surveys we considered necessary in order to obtain a robust baseline against which to assess the impacts of the proposed scheme. The attached document also provides a rationale against those ecological features we have determined further survey will not be required. Given your in-depth local knowledge, we would welcome your feedback and comments on our proposed survey scope.

In summary, our suggested scope of further surveys, proposed for spring/summer 2016, is as follows:

- ☐ Further detailed **botanical survey** in June/July 2016 in order to fully determine the value of the habitats within the LWS, as well as wider site
- ☐ Further **bat activity surveys** (see the attached doc for full scope), as well as targeted survey of the adjacent **bridge and trees** to be felled with potential to support roosting bats
- ☐ Presence/absence surveys for **reptiles**

I would be most grateful if you could both review the attached document and let me know whether your happy with our proposed scope of further surveys, or if you think there's any other survey work that we've not allowed for that we should be undertaking.

We'll be starting the further surveys next month, in which case if you are able to get back to me within the next couple of weeks, that would be really helpful.

I look forward to receiving your responses – please don't hesitate to give me a call should you wish to discuss the project, or our suggested approach, in more detail, or similarly if I need to be liaising with any other of your colleagues.

Kind regards

Jo

Johanna Fewtrell
Senior Ecologist

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Memo

To: Richard Eatough, Planning

From: Sarah Hanson (Natural Environment Officer - planning) and Giles Sutton (Council Ecologist)

CC:

Date: 12 August 2016

Re: Consultation on an Application

Application No: 161174/PREAPP

Address: MRT - Land between Napier Road and Thames Valley Park Drive, Reading

With reference to submitted plans, pre-app meeting of 23 June 2016, our site visits of 21 July with Carolyn Jenkins and Kevin Lee and 29 July with Duncan Fisher of Wokingham Borough Council, we have the following comments:

The likely benefits of the scheme

It is our understanding that the scheme may result in a reduction in traffic congestion along the Wokingham Road and Kings Road and may result in a reduced journey times for bus and coach travellers.

The likely impacts of the scheme

The proposed MRT route (a two lane bus route, cycle lane and potential pedestrian lane) is approximately 900m in length, has a works area of approximately 5ha and will have a huge, detrimental impact on the natural environment and the landscape and amenity value of the River Thames. This includes but is not limited to:

- The loss / permanent damage to approximately 0.9ha. of woodland - which is a "priority habitat" as per the NPPF and designated as a Local Wildlife Site (The Coal, Kennetmouth and Kings Meadow East – henceforth referred to as The Coal LWS).
- The loss of trees - including TPO trees
- Impacts on protected species - a slow worm was seen under one of the mats during a walkover survey with Wokingham Borough Council's ecologist and the site is very likely to be of importance to bats
- Adverse impacts on the River Thames riparian zone as a result of the loss of semi-natural habitat adjacent to it (replaced with predominantly hardstanding) and its function as green link through an urban area – rivers are a "priority habitat" as per the NPPF

- The fragmentation of the green network
- A reduction in the usability and tranquillity of the footpath / cycleway that links Reading to Sonning and beyond.
- A reduction in the residents of Newtown using the river to walk Tesco, and Kings Meadow, and towards Sonning. This is particularly pertinent due to Newtown being one of the more deprived parts of the borough with very little alternative natural green space and there is a wealth of evidence to show the positive effects that access to high quality and wildlife rich green infrastructure has on health and wellbeing, reduction in crime rates etc¹. Many of these benefits will be lost or significantly reduced if the MRT is built [NB once the new Kenavon Drive development is built, there will be even more need for access to high quality green infrastructure]
- A reduction in the visual amenity of this part of the town particularly from the Rivers Thames and Kennet.

Planning policy

The NPPF

The NPPF refers to the three dimensions to sustainable development: economic, social and environmental and emphasises throughout the need to protect the natural environment (as it provides significant and multiple social, economic and environmental benefits). The proposals would not comply with the following paragraphs:

- Para. 7:

“There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles: [...] an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

The proposals clearly would not protect and enhance the natural environment.

- Para. 109:

“The planning system should contribute to and enhance the natural and local environment by: recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;”

The proposal clearly does not “contribute to and enhance the natural and local environment”, recognise the “the wider benefits of ecosystem services” nor will it contribute to the “Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444322/future-cities-green-infrastructure-health.pdf

■ Para. 110:

“In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.”

Since there are very likely to be more sustainable options it is considered that the proposals would not comply with this policy.

■ Para 117:

“To minimise impacts on biodiversity and geodiversity, planning policies should:

- *plan for biodiversity at a landscape-scale across local authority boundaries;*
- *identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;*
- *promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan; “*

The proposals would fragment the ecological network, have an adverse impact upon priority habitats (rivers, and, lowland mixed deciduous woodland) [in Reading the relevant policies referred to above are CS36 and DM17 (see below)]

■ Para. 118:

“When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

if significant harm 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; [and]..

“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;”

The development will clearly result in significant harm and it will not be possible to replace the woodland at this location and can therefore be considered to be irreplaceable.

Local planning policy

The proposals would also be in conflict with the following policies:

- DM1: Adaptation to Climate Change – the proposal will result in significant tree loss to allow for the route and its construction. Due to the space required for the proposal, replacement planting (plus additional) will never mitigate for that lost, hence meeting with the planting requirements of this policy will not be possible.
- DM17: Green Network: The Rivers Thames and Kennet and The Coal LWS are all part of the green network. The proposals would not maintain, protect, consolidate, extend or enhance the green network, nor would maintain or link into the existing green network.
- CS36: Biodiversity and Geology – this states that:

“Development should retain, protect and incorporate features of biodiversity or geological interest (including protected species and their habitats) found within the application site into their schemes” – clearly not the case

“Local Nature Reserves and Wildlife Heritage Sites [in line with government guidance the terminology has been changed and Wildlife Heritage Sites are now referred to as Local Wildlife Sites] will be safeguarded and where possible, enhanced. Permission will not be granted for any development that would adversely affect a designated nature reserve or Wildlife Heritage Site”. The proposals would result in a significant adverse impact upon The Coal LWS in direct conflict with this policy

‘Any development that would sever or threaten the integrity of an established wildlife link, as indicated on an adopted proposals map, will not be permitted’. – refer to comments re DM17 above.

- Objective 4 (Enhancing Biodiversity) of the Tree Strategy which, with reference to the management of Council owned trees and woodlands, refers to: ‘Conserving, enhancing and extending existing green corridors’.
- CS8: Waterspaces – ‘Where development in the vicinity of waterways is acceptable, it will provide: Positive contributions to the distinct character, appearance, landscape and amenity of the waterways’, and: ‘Development proposals that detract from the appearance of Reading’s water bodies and their settings will not be supported’.

The supporting text states that: *“Reading’s waterways are a part of the fabric of the town and a significant asset. The waterways and riverbanks have several functions, including water-related recreation and leisure, biodiversity and ecology, and contributions to local character and distinctiveness.”*

The proposal is clearly in direct conflict with this policy.

- CS28: Loss of Open Space – this policy states that:

‘Development proposals that will result in the loss of open space or jeopardise its use or enjoyment by the public will not be permitted’. These ‘natural assets’ such as the Thames ‘contribute significantly to the environmental quality and townscape of the Borough and to providing essential habitats for maintaining and enhancing local biodiversity’.

The MRT route will affect the enjoyment of this section of the Thames by the many users both walking or cycling along the path and those using the river. The loss of existing trees alongside the railway will increase the noise from this. Together with the increased noise

from the MRT and loss of trees/vegetation, the ability to enjoy of this section of the river will be significantly reduced.

- CS37: Major Landscape Features and Strategic Open Space (and SA16) – this policy states that *‘Planning permission will not be granted for any development that would detract from the character or appearance of areas designated as a Major Landscape Feature’*, going on to state: *‘New development should seek to maintain and enhance the natural beauty and visual amenity of the Borough’s open space and landscape areas. Development resulting in the loss of existing landscape features or detracting from the character or appearance of the Borough’s major landscape areas will be resisted’*.

We would suggest that the purpose of this policy, i.e. *‘protection and where possible, enhancement of the Borough’s major landscape features’* will not be achieved if this proposal is allowed to go ahead.

- DM18: Tree Planting – we have not yet received a tree survey, although we understand one is being completed. Given the inevitable and significant tree loss, it is difficult to see how the MRT route could meet the requirements of this policy in order to increase tree coverage in the Borough.
- CS38: Trees, Hedges & Woodlands – this policy states that *‘Individual trees, groups of trees, hedges and woodlands will be protected from damage or removal, and the Borough’s vegetation cover will be extended’*. The MRT proposal will not allow this. Numerous TPO trees in and adjacent to the Tesco supermarket, along with other significant trees along the riverside will be lost as a result of the MRT and its construction.
- Reading Central Area Action Plan lays down some key principles, which include:
 - “The centre will make the most of its waterside areas as a destination for leisure and recreation, and protect and enhance wildlife habitats.”
 - and
 - “Areas of designated open space within the centre will be protected and new opportunities will be sought”.

[It is noted that this document includes an indicative ‘preferred’ or ‘potential’ MRT route, as is currently proposed. However, alternatives to that proposed should be sought in order to provide an east-west route without compromising the principles of the RCAAP.]

- Paragraph 4.46 of the Core Strategy states: “Reading’s waterways are a part of the fabric of the town and a significant asset. The waterways and riverbanks have several functions, including water-related recreation and leisure, biodiversity and ecology, and contributions to local character and distinctiveness. “

The proposed MRT route will detrimentally impact on all these functions.

[NB it is worth noting that this paragraph also states that: *“The waterways are also established transport corridors with a navigation function, facilitating sustainable access and movement to and within the town”*].

- RC14 Public Realm – this states that ‘The Kennet generally runs through more urban higher-density areas, whilst the Thames retains its sense of tranquillity. These distinct

characters have informed the development of the RCAAP. It is essential that public access along waterways is retained and expanded in the central area'. The proposals certainly will not retain public access and the tranquillity of the area and public access will be significantly reduced.

Summary

The proposed scheme is inappropriate for this location, it will have a significant and irreversible, adverse impact upon the River Thames and The River Kennet, the impact of which cannot be mitigated, and would be contrary to local and national planning policy.

Should an application be submitted for the scheme as it currently stands, this will need to be supported by a full tree condition survey, Arboricultural Impact Assessment, Arboricultural Method Statement, detailed landscape plans, full ecological assessments etc. The application will also need to be accompanied by a full EIA (including chapters on ecology and landscape) and possibly an SEA and an assessment of the alternatives that have been considered.

Date: 29 November 2016
Our ref: 201999
Your ref: 161515



Mr R Eatough
Reading Borough Council

BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
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T 0300 060 3900

Dear Sir,

Environmental Impact Assessment Scoping consultation (Regulation 15 (3) (i) of the EIA Regulations 2011 as amended): Request for a Scoping Opinion for East Reading Mass Rapid Transit under Regulation 13 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (As Amended 2015)
Location: Land between East of Napier Road (Reading) and Broken Brow Roundabout, Thames Valley Park, Reading, Berkshire.

Thank you for your consultation dated and received by Natural England on 21st November 2016

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The scoping request is for a proposal that does not appear, from the information provided, to affect any nationally designated geological or ecological sites (Ramsar, SPA, SAC, SSSI, NNR) or landscapes (National Parks, AONBs, Heritage Coasts, National Trails), or have significant impacts on the protection of soils (particularly of sites over 20ha of best or most versatile land), nor is the development for a mineral or waste site of over 5ha.

At present therefore it is not a priority for Natural England to advise on the detail of this EIA. We would, however, like to draw your attention to some key points of advice, presented in annex to this letter, and we would expect the final Environmental Statement (ES) to include all necessary information as outlined in Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011. If you believe that the development does affect one of the features listed in paragraph 3 above, please contact Natural England at consultations@naturalengland.org.uk, and we may be able to provide further information.

Yours faithfully

Beth Seale
Consultations Team

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1. Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. [Guidelines for Ecological Impact Assessment \(EcIA\)](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EcIA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework ([NPPE](#)) sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2. Internationally and Nationally Designated Sites

Natural England undertakes an initial assessment of all development consultations, by determining whether the location to which they relate falls within geographical 'buffer' areas within which development is likely to affect designated sites. The proposal is located outside these buffer areas and therefore appears unlikely to affect an Internationally or Nationally designated site.

However, it should be recognised that the specific nature of a proposal may have the potential to lead to significant impacts arising at a greater distance than is encompassed by Natural England's buffers for designated sites. The ES should therefore thoroughly assess the potential for the proposal to affect designated sites, including Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites and Sites of Special Scientific Interest (SSSI). Should the proposal result in an emission to air or discharge to the ground or surface water catchment of a designated site then the potential effects and impact of this would need to be considered in the Environmental Statement

Local Planning Authorities, as competent authorities under the provisions of the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations'), should have regard to the Habitats Regulations Assessment process set out in Regulation 61 of the Habitats Regulations in their determination of a planning application. Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Statutory site locations can be found at www.magic.gov.uk. Further information concerning particular statutory sites can be found on the [Natural England website](#).

2.3. Protected Species

The ES should assess the impact of all phases of the proposal on protected species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

Natural England has adopted [standing advice](#) for protected species. It provides a consistent level of basic advice which can be applied to any planning application that could affect protected species. It also includes links to guidance on survey and mitigation.

Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species.

2.4. Regionally and Locally Important Sites

The ES should thoroughly assess the impact of the proposals on non-statutory sites, for example Local Wildlife Sites (LoWS), Local Nature Reserves (LNR) and Regionally Important Geological and Geomorphological Sites (RIGS). Natural England does not hold comprehensive information on these sites. We therefore advise that the appropriate local biological record centres, nature conservation organisations, Local Planning Authority and local RIGS group should be contacted with respect to this matter.

2.5. Biodiversity Action Plan Habitats and Species

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed in the UK Biodiversity Action Plan (BAP). These Priority Habitats and Species are listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, recently [published](#) under the requirements of S14 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication '[Guidance for Local Authorities on Implementing the Biodiversity Duty](#)'.

Government Circular 06/2005 states that BAP species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of BAP habitat for the area under consideration.

3. Landscape, Access and Recreation

3.1. Landscape and Visual Impacts

The consideration of landscape impacts should reflect the approach set out in the *Guidelines for Landscape and Visual Impact Assessment* (Landscape Institute and the Institute of Environmental Assessment and Management, 2013, 3rd edition), the *Landscape Character Assessment Guidance for England and Scotland* (Scottish Natural Heritage and The Countryside Agency, 2002) and good practice. The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England would expect the cumulative impact assessment to include those proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

3.2. Access and Recreation

The ES should include a thorough assessment of the development's effects upon public rights of way and access to the countryside and its enjoyment through recreation. With this in mind and in addition to consideration of public rights of way, the landscape and visual effects on Open Access land, whether direct or indirect, should be included in the ES.

Natural England would also expect to see consideration of opportunities for improved or new public access provision on the site, to include linking existing public rights of way and/or providing new circular routes and interpretation. We also recommend reference to relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

4. Land use and soils

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the valuing of the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society; for instance as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. The Natural Environment White Paper (NEWP) '*The Natural Choice: securing the value of nature*' (Defra, June 2011), emphasises the importance of natural resource protection, including the conservation and sustainable management of soils and the protection of BMV agricultural land.

Development of buildings and infrastructure prevents alternative uses for those soils that are permanently covered, and also often results in degradation of soils around the development as result of construction activities.

This affects their functionality as wildlife habitat, and reduces their ability to support landscape works and green infrastructure. Sealing and compaction can also contribute to increased surface run-off, ponding of water and localised erosion, flooding and pollution.

Defra published a Construction [Code of Practice for the sustainable use of soils on construction sites](#) (2009). The purpose of the Code of Practice is to provide a practical guide to assist anyone involved in the construction industry to protect the soil resources with which they work.

As identified in the NPPF new sites or extensions to new sites for Peat extraction should not be granted permission by Local Planning Authorities or proposed in development plans.

General advice on the agricultural aspects of site working and reclamation can be found in the Defra [Guidance for successful reclamation of mineral and waste sites](#).

5. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

6. Climate Change Adaptation

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment "by establishing coherent ecological networks that are more resilient to current and future pressures" ([NPPF](#) Para 109), which should be demonstrated through the ES.

Johanna Fewtrell

From: Jenkins, Carolyn <Carolyn.Jenkins@reading.gov.uk>
Sent: 03 May 2017 14:31
To: Johanna Fewtrell
Cc: Kerry Elliott; Sarah Matthews; Neil Young; Natasha Jones; Rosie James; Simon Earl
Subject: RE: The Coal, Kennetmouth and Kings Meadow East LWS - MRT East

Dear Jo

Thank you. I confirm that these are the things we talked about, and that I agree with your approach.

Kind regards,
Carolyn

Dr Carolyn Jenkins, CMLI
Landscape Architect
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From: Johanna Fewtrell [mailto:jfewtrell@peterbrett.com]
Sent: 03 May 2017 14:13
To: Jenkins, Carolyn
Cc: Kerry Elliott; Sarah Matthews; Neil Young; Natasha Jones; Rosie James; Simon Earl
Subject: The Coal, Kennetmouth and Kings Meadow East LWS - MRT East

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear Carolyn

Many thanks for taking the time to speak to me earlier this morning. It was a really helpful conversation and useful to get an understanding of the recent history and current approach to management of The Coal, Kennetmouth and Kings Meadow East Local Wildlife Site (LWS). I thought it would be useful to send through a quick summary email, which I hope will consolidate our approach and proposals.

In the first instance, we are looking to maximise the ecological and landscape mitigation within the redline for the scheme (both east and west of Kennetmouth). Because of the limited footprint however, we are looking to explore additional options, namely within The Coal, Kennetmouth and Kings Meadow East LWS, and particularly with regards to ecological mitigation. Our intention would be to set out a high level and cost effective approach to additional management of the LWS within our planning submission reports; this will include ecology and landscape chapters as part of an Environmental Statement. It is then envisaged that full details of management prescriptions (both within the redline and areas beyond its boundaries associated with the LWS) will be captured within a Landscape and Ecological Mitigation and Management Plan, the requirement for which could be conditioned as part of the planning consent. This document, or similar, would be subject to agreement from yourselves at RBC.

As discussed, initial thoughts would be to build on the existing initiatives / management in place for the LWS, through the targeted removal of invasive species both within the woodland (e.g. buddleia) and the marginal vegetation (e.g.

Himalayan balsam). These areas would then managed to encourage native species growth, increasing overall habitat biodiversity.

Low numbers of reptiles have been identified on the site. Although we are targeting retention of these within the footprint as far as practicable, improvement of the connecting habitats within the LWS will undoubtedly further increase the reptile carrying capacity of the area as a whole. We have included for the provision of deadwood / rubble piles as part of scheme design. In addition to siting these within the redline, it would be beneficial to include some such features within the LWS also.

The final details of the scheme are currently being fixed, although we have provided ecology and landscape input as the designs have evolved and continue to do so as the finer details are now being decided. The connecting path from the structure itself through the LWS to meet the Thames Path is currently undergoing finalisation, however it will adopt a route so as to avoid impacts on mature trees so far as possible. Our landscape team have been working on a landscape strategy to mitigate for tree removal required for the new footpath links and the main structure itself.

I hope this is useful, but any questions, please do let me know.

Kind regards

Jo

Johanna Fewtrell

Senior Ecologist

For and on behalf of Peter Brett Associates LLP - [Bristol](#)



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