

Memo

To: Marcelina Rejwerska

From: Cathy Holwill (RBC Ecology Consultations)

CC:

Date: 3 December 2024

Re: Planning application ref: PL/24/1444

Address: 236 WENSLEY ROAD, READING, RG1 6DP

Description: Conversion of 236 Wensley Road into 2 apartments and 1 maisonette, including rear and side extensions

The application site is a semi detached house in a residential area of Coley, Reading. The house backs on to a treelined railway line and the site lies on a Green Link as per local policy EN12. The proposals include the addition of rear and side extensions to the existing building, along with the conversion of the house into three dwellings with associated parking and separate gardens.

The building is surrounded by habitat of good suitability for use by foraging and commuting bats (adjacent to a line of trees associated with the railway line with open space and woodland to the north and south). The proposals include the erection of a double rear and side two storey extension and there is a risk that the proposals may affect roosting bats. As such a bat survey report will need to be provided before this application can be determined. Further details are given below.

Legislation

All species of bats receive protection under UK law and it is a criminal offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 (The Habitat Regulations), deliberately or recklessly to destroy or damage their roosts, or to disturb, kill or injure them without first having obtained the relevant licence for derogation from the regulations from the Statutory Nature Conservation Organisation (the SNCO - Natural England in England).

Planning policy

Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System (this document was not revoked by the National Planning Policy Framework) states that:

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.”

In this case because neither the presence or otherwise of protected species, nor the extent to which they may be affected has been established, the application would not be in accordance with

the above planning policy, or other planning policy in relation to biodiversity.

Survey requirements

A presence / absence bat survey is normally undertaken in two stages, firstly a preliminary roost assessment, whereby the inside and outside of the building is surveyed for bats and signs of bats. This survey can be undertaken at any time of year.

If bats are found or features within the building have the potential to support roosting bats and these will be affected by the proposals, further dusk emergence and or pre-dawn re-entry surveys during the bat active season (i.e. between May and the end of August/ sub optimally until mid-October) would need to be carried out. The applicant would then need to submit the results of the survey(s) along with any associated mitigation strategy prior to determination of the application. Surveys should be carried out by suitably experienced ecologists who are a member of a professional organisation such as the Chartered Institute of Ecology and Environmental Management and / or are licensed or accredited by Natural England to survey bats.

Summary

The building may host roosting bats and to confirm whether this is the case, and if so how bats will be affected by the proposals, a bat survey will need to be carried out. The survey will need to be carried out prior to determination of the application, or the application would need to be refused on the grounds that insufficient evidence had been provided to determine the likely impacts of the proposals on bats (which are a protected species and a material consideration in the planning process).

Biodiversity Net Gain (BNG)

The applicant has declared on the application form that the proposals do not require a biodiversity Net gain calculation. It states that the reason for this is because the site is “Development of a biodiversity Net gain site” and that “there is no change of use and the site is too small to count”

However, it would appear that the reasons provided are incorrect and that a BNG calculation should indeed be submitted. Arguably the application should not have been validated without this information. If the applicant believes their statement is correct, then they will need to submit information detailing why they believe the site is a Biodiversity Net Gain site, and why it is too small to require a calculation.

For guidance on BNG, it might be helpful for the applicant to refer to the following documentation:

<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

Our advice is that a BNG calculation should have been provided as the site qualifies as a Small Site development. BNG requirements were made mandatory for small sites from April 2024, and the proposed development will affect over 25m² of onsite habitat.

As such, the applicant will need to submit a BNG calculation.