

**John Rabson Recreation Ground
Northumberland Avenue
Reading
Berkshire**

Preliminary Ecological Appraisal

Report Quality Control Information	
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1 EXECUTIVE SUMMARY

- 1.1.1** John Wenman Ecological Consultancy LLP was instructed by Reading Borough Council to undertake a Preliminary Ecological Appraisal (PEA) of John Rabson Recreation Ground in Reading, Berkshire. The PEA was commissioned to consider the ecological impacts of proposals to construct a new skate park.
- 1.1.2** The desk study revealed that the site is not statutorily or non-statutorily designated for its wildlife interest. The site is 125m west of The Cowsey LWS; the wider recreation ground borders the LWS site. The proposed skate park is unlikely to cause any adverse impacts to the designated site as all activities are restricted to the park. Works during construction may have a minor short-term adverse impact if avoidance and mitigation measures are not in place.
- 1.1.3** Site walkovers were undertaken on 19th March and 20th November 2024 by Conor Watson ACIEEM. The following UK Habitat Classification (UKHab) habitats were observed: g4 Modified grassland; u1b Developed land – sealed surface.
- 1.1.4** The land is defined as low distinctiveness habitat and compensation for the loss of grassland will be in the form of planted trees in the wider recreation ground.

2 INTRODUCTION

2.1 Project Background

2.1.1 John Wenman Ecological Consultancy LLP was instructed by Reading Borough Council to undertake a Preliminary Ecological Appraisal (PEA) of John Rabson Recreation Ground in Reading, Berkshire. The PEA was commissioned to consider the ecological impacts of proposals to construct a new skate park (refer to proposed site plan in **Appendix 1**).

2.2 Site Description, Location and Context

2.2.1 The site covered an area of 0.179 hectares of modified grassland used as amenity space on a recreational ground within a central urban area in Reading, Berkshire (OS Grid Reference: SU 72436 70421). The wider recreation ground was mostly modified grassland with some artificial sports pitches and a leisure centre building.

2.2.2 The recreation ground is bordered by dense urban residential housing to the north and south, sports facilities to the west and the wooded Cowsey Wood nature reserve to the east. The recreation ground and adjoining wooded habitats offer suitable habitats for species adapted to urban environments but is otherwise isolated by urban infrastructure from further suitable habitat in the wider area.

2.3 Objectives

2.3.1 The aim of this 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.

3 LEGISLATIVE BACKGROUND

3.1 Overview

3.1.1 The following legislation is considered relevant for the purpose of this Preliminary Ecological Appraisal (PEA):

- Wildlife and Countryside Act (W&CA) 1981 (as amended)
- Conservation of Habitats and Species Regulations ('Habitat') Regulations 2017
- 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 2**.

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 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.

4 PLANNING POLICY

4.1 National Planning Policy

4.1.1 The biodiversity duty imposed through the Environment Act 2021 states that Local Planning Authorities (LPAs) must consider what action they can take to conserve and enhance biodiversity in England.

4.1.2 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.’*

4.1.3 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 186 sets out the principles LPAs should apply when determining planning applications, as follows:

‘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 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.'*

4.1.4 In England, BNG became mandatory for major development from the 12th February 2024 and for minor development (small sites) from the 2nd April 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). In practice, planning permission in England is now subject to a condition to secure a minimum 10% net gain for biodiversity, unless the development is a type that is exempt from mandatory BNG requirements.

4.2 Local Planning Policy

4.2.1 Planning policy within the Reading Borough is defined by the policies within the Local Plan (adopted Nov 2019). The policy relevant to biodiversity and natural environment is as follows:

'EN12: BIODIVERSITY AND THE GREEN NETWORK

a) *The identified Green Network, the key elements of which are shown on the Proposals Map, shall be maintained, protected, consolidated, extended and enhanced. Permission will not be granted for development that negatively affects the sites with identified interest or fragments the overall network. The Green Network comprises:*

- *Sites with identified biodiversity interest - Local Wildlife Sites, Local Nature Reserves, Biodiversity Opportunity Areas, protected and priority species and their habitats, Priority and Biodiversity Action Plan habitats, and the River Thames and all its tributaries (including the River Kennet and the Kennet & Avon Canal); and*

- *Areas with potential for biodiversity value and which stitch the Green Network together – designated Local Green Space and open green spaces, and existing and potential Green Links.*

New development shall demonstrate how the location and type of green space, landscaping and water features provided within a scheme have been arranged such that they maintain or link into the existing Green Network and contribute to its consolidation. Such features should be designed to maximise the opportunities for enhancing this network. All new development should maximise opportunities to create new assets and links into areas where opportunities are as yet unidentified on the Proposals Map.

- b) On all sites, development should not result in a net loss of biodiversity and geodiversity, and should provide a net gain for biodiversity wherever possible. Development should:*

- *Protect and wherever possible enhance features of biodiversity interest on and adjacent to the application site, incorporating and integrating them into development proposals wherever practicable; and*
- *Provide new tree planting, wildlife friendly landscaping and ecological enhancements (such as wildlife ponds, bird and bat boxes) wherever practicable.*

In exceptional circumstances where the need for development clearly outweighs the need to protect the value of the site, and it is demonstrated that the impacts cannot be: 1) avoided; 2) mitigated or; 3) compensated for on-site; then new development will provide off-site compensation to ensure that there is “no net loss” of biodiversity. Provision of off-site compensation shall be calculated in accordance with nationally or locally recognised guidance and metrics. It should not replace existing alternative habitats and should be provided prior to development.’

5 SURVEY METHODOLOGY

5.1 Desk Study

- 5.1.1** A desktop study was conducted by Sarah Foot - a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM) - before and after visiting the site. The study utilised data from the Thames Valley Environmental Records Centre (TVERC) and online resources to acquire information on the nature of the site and its surroundings and highlight any potential ecological features.
- 5.1.2** 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.
- 5.1.3** The DEFRA Data Services Platform was used to obtain geospatial datasets for designated sites (i.e. RAMSAR, SPA, SAC, SSSI) and habitats (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.
- 5.1.4** Google Earth satellite imagery and online OS mapping websites were 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.

5.2 Field Survey

- 5.2.1** Site walkovers were undertaken on 19th March and 20th November 2024 by Conor Watson ACIEEM. 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.

- 5.2.2** Photographs of the existing habitats and other ecological features were taken during the site walkover, and a baseline map of habitats was prepared using this information and aerial photography (Google Earth) to form a baseline for the site; this was mapped using the QGIS software (**Appendix 3**). Plant species were recorded to aid habitat classification.

5.3 Survey Constraints and Report Validity

- 5.3.1** Full access was available to the site and therefore there were no significant access constraints.
- 5.3.2** 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 recorded should not be considered a comprehensive list of species present.
- 5.3.3** This report will likely be valid for up to 18 months; after which point a professional ecologist may need to undertake a site visit and update the desk study to review the report's validity (CIEEM 2019b).

6 DESK STUDY FINDINGS

6.1 Designated Sites and Habitats

6.1.1 The desk study returned no internationally designated statutory sites within a 5km radius and no nationally designated statutory sites within a 2km radius of the site.

6.1.2 The desk study returned two non-statutorily designated sites within a 1km radius of the site (see **Table 1**).

Table 1. Non-statutory designated sites within the vicinity of the site (Source: TVERC).

Site name	Designation	Description	Distance from nearest site boundary (m)
Cowsey Nature Reserve	Berkshire Local Wildlife Site (LWS)	The Cowsey is situated in Whitley, South Reading. It lies next to the John Rabson Recreation Ground and forms part of a larger playing area with open access. This west-facing hillside stretches over 17.8 ha and is largely covered by mature scrub and broadleaved woodland which surrounds grassy enclaves. There are natural springs, one supporting a ribbon of wetland plants in a shallow valley, one feeding a small pond and another drains an area of mature woodland. There are fragments of richer grassland by the northwestern boundary. More sandy, acidic grassland occurs in an area rich with large anthills.	~125 E
Shinfield Park, Nores Hill	Berkshire Local Wildlife Site (LWS)	7.51 ha of woodland including areas of semi-natural ancient woodland. These areas have a canopy of ash and oak with hazel coppice below. Dormouse has been recorded at this site in 1987. Woodland species present include yellow pimpernel, three-nerved sandwort, yellow archangel and bluebell.	~900 SE

6.1.3 The application site contains no habitats mapped in the Priority Habitat Inventory (NERC Act 2006 Section 41 habitats of principle importance). The nearest priority habitat is deciduous woodland at The Cowsey LWS 125 m to the east.

6.2 Protected and Notable Species

6.2.1 The search of the TVERC database revealed a range of protected and notable species records starting from 1986. Only recent records defined as fewer than ten years old are included in this report (see **Tables 2a & 2b**).

Table 2a. Protected and Notable species within the vicinity of the site (Source: TVERC)

Common name	Scientific name	No. of records	Most recent record	Nearest record (m)	Status
Amphibians					
Common toad	<i>Bufo bufo</i>	1	2014	~900	WACA-Sch5-s9.5a NERC-S41

Bats					
Brown long-eared bat	<i>Plecotus auritus</i>	3	2018	~500	Hab_4, HabReg_2, WCA_5s94b/c, NERC_s41
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	29	2020	~500	Hab_4, HabReg_2, WCA_5s94b/c
Daubenton's bat	<i>Myotis daubentonii</i>	10	2016	~900	Hab_4, HabReg_2, WCA_5s94b/c
Long-eared bat	<i>Plecotus</i> sp.	2	2015	~500	Hab_4, HabReg_2, WCA_5s94b/c, NERC_s41
Noctule	<i>Nyctalus noctula</i>	12	2018	~500	Hab_4, HabReg_2, WCA_5s94b/c, NERC_s41
Serotine	<i>Eptesicus serotinus</i>	2	2017	~850	Hab_4, HabReg_2, WCA_5s94b/c
Soprano pipistrelle	<i>Pipistrellus pygmaeus</i>	17	2020	~500	Hab_4, HabReg_2, WCA_5s94b/c, NERC_s41
Birds					
Black-headed gull	<i>Chroicocephalus ridibundus</i>	121	2021	~250	BOCC_amber
Brambling	<i>Fringilla montifringilla</i>	1	2016	~600	WACA-Sch1-p1
Bullfinch	<i>Pyrrhula pyrrhula</i>	6	2016	~600	BOCC_amber NERC_s41
Common gull	<i>Larus canus</i>	31	2018	~900	BOCC_amber
Common tern	<i>Sterna hirundo</i>	2	2014	~900	Bird_1
Crane	<i>Grus grus</i>	1	2014	~250	Bird_1 BOCC_amber
Cuckoo	<i>Cuculus canorus</i>	1	2015	~900	BOCC_red NERC_s41
Dunnoek	<i>Prunella modularis</i>	35	2020	~250	NERC_s41
Fieldfare	<i>Turdus pilaris</i>	8	2017	~600	BOCC_red WCA_1p1
Firecrest	<i>Regulus ignicapilla</i>	27	2018	~600	WACA-Sch1-p1
Gadwall	<i>Mareca strepera</i>	3	2016	~900	BOCC_amber
Garganey	<i>Spatula querquedula</i>	3	2017	~1000	WACA-Sch1-p1 BOCC_amber
Great black-backed gull	<i>Larus marinus</i>	1	2015	~900	BOCC_amber
Greenfinch	<i>Chloris chloris</i>	21	2020	~250	BOCC_red
Grey wagtail	<i>Motacilla cinerea</i>	23	2020	~600	BOCC_red
Greylag goose	<i>Anser anser</i>	5	2018	~600	BOCC_red NERC_s41
Herring gull	<i>Larus argentatus</i>	29	2020	~250	BOCC_red
House martin	<i>Delichon urbicum</i>	2	2015	~900	BOCC_red
House sparrow	<i>Passer domesticus</i>	16	2020	~250	BOCC_red NERC_s41
Kestrel	<i>Falco tinnunculus</i>	12	2018	~700	BOCC_amber
Kingfisher	<i>Alcedo atthis</i>	11	2016	~900	WCA_1p1
Lapwing	<i>Vanellus vanellus</i>	3	2018	~1000	BOCC_red NERC_s41
Lesser black-backed gull	<i>Larus fuscus</i>	35	2020	~900	BOCC_amber
Lesser redpoll	<i>Acanthis cabaret</i>	2	2015	~900	NERC_s41
Little egret	<i>Egretta garzetta</i>	3	2021	~900	Bird_1
Mallard	<i>Anas platyrhynchos</i>	104	2021	~250	BOCC_amber
Marsh tit	<i>Poecile palustris</i>	1	2015	~900	BOCC_red NERC_s41
Meadow pipit	<i>Anthus pratensis</i>	4	2015	~900	BOCC_amber
Mistle thrush	<i>Turdus viscivorus</i>	40	2017	~900	BOCC_red
Moorhen	<i>Gallinula chloropus</i>	82	2021	~250	BOCC_amber
Nightingale	<i>Luscinia megarhynchos</i>	3	2016	~250	BOCC_red
Peregrine falcon	<i>Falco peregrinus</i>	7	2016	~900	Bird_1
Pochard	<i>Aythya ferina</i>	11	2018	~900	BOCC_red
Red kite	<i>Milvus milvus</i>	154	2021	~250	WCA_1p1

Redwing	<i>Turdus iliacus</i>	64	2020	~700	BOCC_red WCA_1p1
Rook	<i>Corvus frugilegus</i>	4	2021	~250	BOCC_amber
Shoveler	<i>Spatula clypeata</i>	37	2018	~900	BOCC_amber
Skylark	<i>Alauda arvensis</i>	3	2015	~900	BOCC_red NERC_s41
Snipe	<i>Gallinago gallinago</i>	2	2018	~790	BOCC_amber
Song thrush	<i>Turdus philomelos</i>	78	2020	~250	BOCC_red
Sparrowhawk	<i>Accipiter nisus</i>	20	2018	~250	BOCC_amber
Spotted flycatcher	<i>Muscicapa striata</i>	1	2015	~900	BOCC_red NERC_s41
Starling	<i>Sturnus vulgaris</i>	23	2020	~250	BOCC_red NERC_s41
Stock dove	<i>Columba oenas</i>	26	2017	~250	BOCC_amber
Swift	<i>Apus apus</i>	10	2020	~250	BOCC_red
Tawny owl	<i>Strix aluco</i>	4	2017	~900	BOCC_amber
Teal	<i>Anas crecca</i>	4	2021	~1000	BOCC_amber
Water pipit	<i>Anthus spinoletta</i>	2	2018	~800	BOCC_amber
Whitethroat	<i>Curruca communis</i>	4	2015	~900	BOCC_amber
Wigeon	<i>Mareca penelope</i>	4	2018	~1000	BOCC_amber
Willow warbler	<i>Phylloscopus trochilus</i>	3	2018	~700	BOCC_amber
Woodpigeon	<i>Columba palumbus</i>	161	2021	~250	BOCC_amber
Wren	<i>Troglodytes troglodytes</i>	93	2021	~250	BOCC_amber
Higher Plants					
Bluebell	<i>Hyacinthoides non-scripta</i>	1	2014	~350	WACA-Sch8
Grape-hyacinth	<i>Muscari neglectum</i>	1	2014	~350	NERC-S41 Status-NR
Lizard orchid	<i>Himantoglossum hircinum</i>	1	2019	~800	WACA-Sch8 Status-NS
Invertebrates					
A true bug	<i>Raglius alboacuminatus</i>	1	2018	~850	Notable-B
Autumnal Rustic	<i>Eugnorisma glareosa</i>	1	2019	~900	NERC-S41
Blood-vein	<i>Timandra comae</i>	3	2019	~900	NERC-S41
Buff ermine	<i>Spilosoma lutea</i>	2	2016	~900	NERC-S41
Centre-barred sallow	<i>Atethmia centrargo</i>	4	2019	~900	NERC-S41
Cinnabar	<i>Tyria jacobaeae</i>	4	2019	~900	NERC-S41
Common darter	<i>Sympetrum striolatum</i>	7	2017	~900	RL-GB-post2001-DD
Deep-brown dart	<i>Aporophyla lutulenta</i>	1	2018	~900	NERC-S41
Dot moth	<i>Melanchra persicariae</i>	1	2015	~900	NERC-S41
Dusky thorn	<i>Ennomos fuscantaria</i>	5	2019	~900	NERC-S41
Feathered gothic	<i>Tholera decimalis</i>	1	2015	~900	NERC-S41
Ghost moth	<i>Hepialus humuli</i>	1	2015	~900	NERC-S41
Green-brindled crescent	<i>Allophyas oxyacanthae</i>	4	2019	~900	NERC-S41
Jersey tiger	<i>Euplagia quadripunctaria</i>	1	2019	~900	HabDir-A2np NERC-S41
Knot grass	<i>Acronicta rumicis</i>	2	2017	~900	NERC-S41
Lackey	<i>Malacosoma neustria</i>	1	2018	~900	NERC-S41
Mottled rustic	<i>Caradrina morpheus</i>	6	2019	~900	NERC-S41
Oak hook-tip	<i>Watsonalla binaria</i>	1	2018	~900	NERC-S41
Powdered quaker	<i>Orthosia gracilis</i>	2	2019	~900	NERC-S41
Rosy rustic	<i>Hydraecia micacea</i>	1	2019	~900	NERC-S41
Rustic	<i>Hoplodrina blanda</i>	3	2018	~900	NERC-S41
Sallow	<i>Cirrhia icteritia</i>	3	2019	~900	NERC-S41
Shaded broad-bar	<i>Scotopteryx chenopodiata</i>	1	2016	~900	NERC-S41
Small square-spot	<i>Diarsia rubi</i>	1	2019	~900	NERC-S41
Stag beetle	<i>Lucanus cervus</i>	30	2021	~350	NERC-S41
White ermine	<i>Spilosoma lubricipeda</i>	2	2017	~900	NERC-S41
Mammals (excl bats)					
Eurasian badger	<i>Meles meles</i>	11	2022	~700	Badgers-1992
West European	<i>Erinaceus europaeus</i>	30	2022	~300	NERC_s41

hedgehog					
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Table 2b. Species status key.

Abbreviation	Legislation
Badgers-1992	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.
Bird_1	Species listed on Annex 1 of EC Directive 79/409/EEC on the Conservation of Wild Birds. This covers birds which are the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction in their area of distribution.
BOCC red/amber	Birds of Conservation Concern Red list – Globally threatened according to IUCN criteria; those whose population or range has declined rapidly in recent years; and those that have declined historically and not shown substantial recovery.
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.
Hab_2np	Animal and plant species of Community interest (i.e. endangered, vulnerable, rare or endemic in the European Community) whose conservation requires the designation of special areas of conservation.
HabReg_2	Schedule 2 of Conservation of Habitats and Species Regulations 2017 (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.
Notable-B	Nationally Notable species; Taxa which don't fall within IUCN categories but are uncommon in Britain and occur in 31-100 10 km sq/ or for less or for less well recorded groups between 8 and 20 vice counties
RL-GB-post2001-DD	GB Red List Species – Data deficient; a taxon with insufficient data to make an assessment of its risk of extinction.
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-Sch5-s9.1k/s9.5a	Schedule 5 Section 9 Parts 1k and 5a of the Wildlife and Countryside Act 1981 (as amended) – Animals which are protected from intentional killing or injuring / Animals which are protected from being sold, offered for sale or being held or transported for sale either live or dead, whole or part.
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.

6.2.2 The NatureSpace great crested newt (GCN) impact map shows the application site falling within an amber risk zone; this zone is defined as having suitable habitat where GCN are likely to be present. Online mapping shows one pond linked to a drain/ditch approximately 230m to the northeast within The Cowsey LWS; there are no other visible ponds within a 1km radius other than potential unmapped small ponds in residential gardens. A search of MAGIC for GCN pond surveys returned one record of a survey undertaken in 2018 of the pond at The Cowsey and assessed it to be of poor suitability for GCN and GCN were absent.

6.2.3 A search of MAGIC for granted European Protected Species (EPS) licence applications returned one GCN licence granted for the destruction of a resting place in 2010, approximately 450m to the northwest of the site. In

addition, the search returned one bat licence granted for the destruction of a resting place for the common pipistrelle (*Pipistrellus pipistrellus*) in 2009, over 1km to the south of the site.

6.3 Historic and Current Land Use

- 6.3.1** Google Satellite imagery dating back to 2003 shows the site to have been in constant use as a recreation ground for amenity use. One of the artificial sports pitches to the south was constructed in 2004 but otherwise the land-use has remained unchanged.

7 UK HABITAT CLASSIFICATION SURVEY

7.1 Overview

7.1.1 The site was 0.179 hectares of modified grassland, part of a much larger recreation ground. Artificial sports pitches, buildings and a children's playground are situated to the south and west of the site. The Cowsey LWS is situated 125m to the east of the proposed development footprint.

7.1.2 The following UK Habitat Classification (UKHab) habitat was observed during the site walkover: g4 Modified grassland; u1b Developed land – sealed surface.

7.1.3 The UKHab primary habitats and secondary codes are detailed below with associated photographs and the habitat survey is mapped in **Appendix 3**.

7.2 g4 Modified grassland

822 Recreational ground

7.2.1 The site comprised a small area of a much wider regularly managed recreational ground (**Photographs 1 & 2**). The grassland was dominated by common grass species that thrive in regularly mown grassland such as common bent (*Agrostis capillaris*), perennial ryegrass (*Lolium perenne*) and annual meadow grass (*Poa annua*), and herbaceous species such as white clover (*Trifolium repens*), common daisy (*Bellis perennis*), dandelion (*Taraxacum* agg.), autumn hawkbit (*Leontodon autumnalis*) and hoary plantain (*Plantago media*).



1. The modified grassland (g4) looking at the area proposed for the skate park.



2. The modified grassland (g4) leading to the area proposed for the skate park.

7.3 u1b Developed land – sealed surface

822 Recreational ground

- 7.3.1** There was a small section of concrete and asphalt path leading onto the grassland.

8 DISCUSSION

8.1 Designated Sites for Nature Conservation

Evaluation of Baseline

- 8.1.1** The desk study revealed that the site is not statutorily or non-statutorily designated for its wildlife interest and therefore not currently recognised as being of international, national or county level importance. No internationally designated sites for nature conservation were identified within a 5km radius or nationally designated sites within 2km of the application site. The site is 125m west of The Cowsey LWS; the wider recreation ground borders the LWS site.

Impact Assessment

- 8.1.2** The Cowsey LWS is connected to the site by a large expanse of modified grassland. The proposed skate park is situated at the furthest point from the LWS boundary and the use of the skate park is unlikely to cause any adverse impacts to the designated site as all activities are restricted to the park. Works during construction may have a minor short-term adverse impact if avoidance and mitigation measures are not in place.

8.2 Habitats

Evaluation of Baseline

The recreation ground is characterised by regularly managed modified grassland including the area to be directly impacted by the new proposed skate park, i.e. grassland habitat of low distinctiveness (g4).

Impact Assessment

- 8.2.1** The proposed construction footprint for the skate park falls fully within the modified grassland and will result in an area of low distinctiveness habitat that can be compensated through the planting of trees.

8.3 Bats

Evaluation of Baseline

The recreation ground offers very limited foraging habitat for bats, particularly in the area proposed for the skate park close to the leisure centre building and artificial sports pitches and associated artificial lighting. The nearest habitat to be of importance for foraging and commuting bats is the woodland at The Cowsey LWS 125m to the east. There were no structures on site offering roosting opportunities for bats. The TVERC data search results revealed at least six bat species within the search radius, however no roost records were in close proximity to the site.

Impact Assessment

- 8.3.1** The proposals will not lead to any loss in roosting or foraging opportunities and there will be no increase in artificial lighting, which can have an adverse impact on bats and other nocturnal species (ILP 2023). Therefore, there are no significant adverse effects foreseen as a result of the proposed plans.

8.4 Hazel dormice

Evaluation of Baseline

- 8.4.1** The site has no suitable dormouse habitat on site or connectivity to suitable dormouse habitat in the local area. There are no hazel dormouse records within the TVERC data search results and the nearest known records are in West Berkshire and not in close proximity to the centre of Reading.

Impact Assessment

- 8.4.2** The presence of dormice on site is highly unlikely and therefore no impact is foreseen, and this species is not considered further.

8.5 Amphibians

Evaluation of Baseline

- 8.5.1** There is no standing water on site offering breeding opportunities for protected species such as the fully protected great crested newt (*Triturus cristatus*) or notable species e.g. common toad (*Bufo bufo*). There are

amphibian records held by TVERC in the surrounding 1km radius area that include historic common frog (*Rana temporaria*) records in The Cowsey, a record of common frog eggs adjacent to the sports pitch on the recreation ground likely to have been recorded in a temporal pool created in wet conditions as there is no permanent waterbody in that area.

- 8.5.2** There is one pond in The Cowsey that returned negative great crested newt records and no other ponds showing on mapping within a 500m radius of the site. The site falls within the amber risk zone for great crested newts, yet there is no suitable habitat on site.

Impact Assessment

- 8.5.3** The presence of amphibians on site is highly unlikely and therefore no impact is foreseen, and amphibians are not considered further.

8.6 Reptiles

Evaluation of Baseline

- 8.6.1** The short, modified grassland does not offer suitable habitat for reptiles and there are no recent records of reptiles within the TVERC 1km radius data search apart from two historic records of a slow worm (*Anguis fragilis*) isolated over 500m away from site.

Impact Assessment

- 8.6.2** The presence of reptiles on site is highly unlikely and therefore no impact is foreseen, and reptiles are not considered further.

8.7 Nesting Birds

Baseline Evaluation

- 8.7.1** The short, modified grassland offers no nesting habitat for birds and the sward height and continuous disturbance from human activity means it is not suitable for ground nesting birds.

Impact Assessment

- 8.7.2** The proposed plans will not impact on any nesting habitat and therefore no impact is foreseen, and nesting birds are not considered further.

8.8 Badgers (and other mammals)

Baseline Evaluation

- 8.8.1** There are pre-existing records of badger within the search radius; however, there was no sett entrances or evidence of badger activity (i.e. sett trails, snuffle holes or mammal diggings) on site. The nearest sett is over 600m from the site and isolated by residential development. The small area of modified grassland continuously disturbed by human activity does not offer suitable habitat for badgers.
- 8.8.2** Hedgehog (*Erinaceus europaeus*) – a priority species (NERC Act 2006 Section 41 species of principal importance) – has been recorded in the general locality and within the urban residential areas and therefore may use the recreation ground to forage and commute through the site.

Impact Assessment

- 8.8.3** The proposals will only impact a small area of modified grassland that will have no impact on hedgehog populations due to the extensive wider recreation ground remaining unaffected. The proposed plans will not impact on badgers or hedgehogs and therefore these species will not be considered further.

8.9 Invertebrates

Baseline Evaluation

- 8.9.1** The modified grassland does not have the species or structural diversity required to support ecologically important assemblages of invertebrates.

Impact Assessment

- 8.9.2** The presence of an important invertebrate assemblage in the modified grassland to be impacted on site is highly unlikely and therefore no impact is foreseen, and they are not considered further.

9 RECOMMENDATIONS

9.1 Designated Sites

- 9.1.1** The skate park is not foreseen to have any impacts on The Cowsey LWS, however there may be minor adverse impacts from dust pollution, for example if avoidance and mitigation measures are not in place during construction. The preparation of a Construction and Environmental Management Plan will prevent any indirect or direct effects on the LWS during construction.

9.2 Habitats

- 9.2.1** The proposals will result in the loss of modified grassland, a habitat of low distinctiveness and therefore low ecological value. To compensate for this loss, proposed tree planting on the recreation ground will contribute to biodiversity net gain off-site but within the same ownership (details below and in separate BNG assessment (R2661_BNG_a)).

9.3 Ecological Enhancement Opportunities

- 9.3.1** The proposals present opportunities for ecological enhancements at the site, such as:
- Planting of trees at the recreation ground will benefit nesting and foraging birds and invertebrate species.

10 REFERENCES

Bat Conservation Trust and Institute of Lighting Professionals (2023).
Guidance Note 08/23: Bats and artificial lighting at night. ILP, Rugby.

CIEEM (2017) *Guidelines for Preliminary Ecological Appraisal, 2nd edition*.
Chartered Institute of Ecology and Environmental Management, Winchester

UKHab Ltd. (2023). *The UK Habitat Classification User Manual Version 2.0*
at <http://www.ukhab.org/>

APPENDIX 1 – PROPOSED SITE PLAN



APPENDIX 2 – 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 2017 (as amended). 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 2017 (as amended). 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 2017 (as amended). 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 bat.

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 3 – UK HABITAT CLASSIFICATION BASELINE HABITATS PLAN

