

Memo

To: Anthony Scholes

From: Cathy Holwill (RBC Ecology Consultations)

CC:

Date: 17 February 2025

Re: Planning application ref: PL/25/0102

Address: 1029 OXFORD ROAD, TILEHURST, READING

Description: Development of new building to provide 2no.1 bedroom and 6no. 2 bedroom flats along with the creation of 8 parking spaces and associated landscaping Following the demolition of the existing building

The application site comprises a detached house with garden along the Oxford Rd in a residential area of west Reading. It is proposed to demolish the house and replace with a building comprising 8 flats. The site is surrounded by habitat of good suitability for use by commuting and foraging bats – large connected gardens to the rear, a railway corridor bordered with trees 60m east, with the River Thames 100m east.

Biodiversity Net Gain (BNG)

The application is accompanied by a Biodiversity net gain report (Echological Ltd, December 2024) which concludes that the development will lead to a net gain of 36.58% habitat units.

The proposed development will increase the built footprint of development onsite causing a loss of vegetated garden and the net gain in appears to be incorrectly calculated as:

- (1) the calculation has broken up the garden habitats into their constituent parts for the baseline habitats and the proposed habitats. The habitats within the garden of the new house should be classified as “Urban - vegetated garden” and not “, Other neutral grassland”, “modified grassland” or “mixed scrub” as shown on the baseline habitats section and in the “Habitats to be created” sections.

This does not align with the User Guide to the Statutory Metric, which states:

The post-development private garden has no public access, and biodiversity net gains cannot be legally secured. As these gains cannot be secured you should only record created private gardens as either:

- ‘urban – vegetated garden’; or
- ‘urban - unvegetated garden’

You should not:

- record the creation of any other new habitats within private gardens
- record enhancement of any habitat within private gardens

Private garden is defined in the user guide as; *A garden within the curtilage of a privately owned or tenanted dwelling house. The post-development private garden has no public access, and biodiversity net gains cannot be legally secured.*

As these gains cannot be secured you should only record created private gardens as either: urban vegetated garden ; or urban - unvegetated garden

Correcting the spreadsheet to exclude these additional habitats leads to a net loss in biodiversity units of -0.04 A-HU (equivalent to -35.56%). Furthermore, the application does not comply with trading rules and will result in the loss of 0.0374 habitat units of low distinctiveness, due to the loss of the garden habitats.

The applicant will need to resubmit a corrected BNG report and spreadsheet and provide information on how they propose to offset the net loss.

Protected Species

The bat report (Echological Ltd, December 2024) concludes that the building had a number of potential roosting features. The authors have presented an argument suggesting that further survey work is unnecessary. However, our advice is that additional survey work is required. If a roost were to be found after development begins, this would constitute a legal offence, as the bat roost would have been destroyed.

Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System 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, since 1) the extent to which bats (a protected species) will be affected by the proposals has not been established, and 2) there appear to be no “exceptional circumstances”, the application would not be in accordance with the above planning policy

As such, further survey from May 2025 would need to be undertaken to determine the presence/absence roosting bats. The application should not be determined until the survey has been carried out and the results submitted to the council. If this information is not provided the application would need to be refused on the grounds that insufficient information has been provided for the council to determine the likely impact of the proposals upon bats, which are a protected species and material consideration in the planning process.