

QUALITY ASSURANCE

Internal Reference: UK0029541.0848

Completed by: 100105738

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SUMMARY

From here onwards the red line boundary of the Proposed Development is referred to as 'the Site'. The party submitting the planning application is referred to as 'the Applicant'.

Based on the information provided for the Site, potential ecological constraints requiring further consideration are limited to designated sites, badger/otter, bats, birds and biodiversity net gain (BNG).

DOCUMENTS REVIEWED

ECOLOGICAL IMPACT ASSESSMENT- P/10076/013(009)

BIODIVERSITY NET GAIN CALCULATIONS - P/10076/013(023)

OUTLINE CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN - P/10076/013(030)

SHADOW HABITAT REGULATIONS ASSESSMENT (SHRA) - P/10076/013(018)

VALIDITY OF ECOLOGICAL INFORMATION

Ecological information reviewed as provided by the Applicant includes a Phase 1 Habitat survey undertaken in October 2023, supplemented by a UKHab survey undertaken in August 2024 to cover the full Site. The data is considered to remain valid, i.e. in-date according to relevant guidance (12-18 months). The surveys undertaken followed accepted methodologies and guidance, as referenced within the ecological reports.

DESIGNATED SITES

A shadow Habitats Regulations Assessment (sHRA) to inform the competent authority's assessment was undertaken which identified that the Site lies within the zone of influence of South West London Waterbodies Special Protection Area (SPA) and Ramsar and Windsor Forest and Great Park Special Area of Conservation (SAC). Wraysbury Reservoir and Staines Moor Site of Special Scientific Interest (SSSI) are constituent parts of the larger SPA, Ramsar and SAC sites with comparable qualifying features.

The sHRA included individual air quality, noise and transport assessments and concluded no likely significant effects on relevant designated sites from the identified impact pathways; this includes on the SSSI. The information provided on the levels of noise and air quality during construction and operation should not be exceeded.

The Applicants sHRA states there will be no Likely Significant Effects relating to noise during either construction or operation (para. 5.2.1). The sHRA relies on the study by Sharps Redmore to confirm this. A review of the acoustic report which is in the sHRA appendix does not appear to provide the construction noise assessment/threshold that is being relied on. SBC should clarify the source of this modelled data.

It is noted that in combination effects were discounted in Table 5.2 of the sHRA, however, the Applicant does not seem to provide the rationale for this in main body of the report. Whilst the conclusion seems

reasonable, it would be appropriate to ask for this rationale this to be provided (why are there no in combination effects?).

As competent authority under the Habitat Regulations it necessary for SBC to provide a screening decision based on information provided by the Applicant in the sHRA. We advise you to confirm the position on in combination effects before doing so.

HABITATS & FLORA

The ecological information provided details the habitats present on Site; a combination of urban and semi-natural habitats which are accurately geo-referenced. From photographs provided, these are all considered to have been accurately assessed against their relevant UKHab category.

No further information is therefore required about habitats and flora present on Site.

SPECIES

The ecological information provided notes that the Site has the potential to support protected and or notable species, and specific assessments were undertaken for bats and breeding birds. Other protected and notable species were scoped out of further assessment. This approach was considered largely suitable; however, prior to commencement of works on Site a further check should be undertaken for badger setts and otter holts, due to the mobility of the species and time elapsed between the initial survey and likely commencement of development. Evidence of this check should be provided to the planning authority. Furthermore, precautionary methods of working with regard to mammal species, e.g. covering excavations overnight, should be included within a suitably worded Construction Environmental Management Plan (CEMP).

Bats

Bat activity surveys (transects and static detectors) were undertaken across the Site, which identified multiple species utilising linear features for commuting and foraging. As per the current post-development landscape design, it is considered that these features should be retained to maintain accessibility for the species. The Site was assessed to be of local significance for bats, which is considered appropriate based on the information provided.

Trees and buildings on Site were identified as having Potential Roosting Features (PRFs). These features were mapped and subsequently surveyed with no confirmed roosts recorded. No further information on the status of bat activity within the Site is required.

Under provisions in the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Species and Habitats Regulations 2017 (as amended), it is a criminal offence (among other offences) to: damage or destroy a place used by a bat for breeding or resting; intentionally or recklessly disturb a bat occupying a structure or place used for shelter or protection; and/or Intentionally or recklessly obstruct access to any structure or place used for shelter or protection by bats.

Should post-development plans change to result in loss of linear features identified as important for commuting bats, the impact of the development should be reassessed, and any mitigation or compensation then included within the design. As specified by the Applicant's consultant a lighting strategy of low impact

to bats should to be implemented prior to commencement. SBC should seek to secure this by condition. Guidance is available from the Institute of Lighting Engineers¹.

Birds

All British birds' nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended.

Breeding bird transect surveys were undertaken in-line with best practice with the breeding bird assemblage assessed to be of local importance only.

A pre-works check should be undertaken for nesting birds (including in buildings and boundary features) and, where nesting birds are recorded, a 10m buffer should be maintained until the young are fledged. Further detail has been provided within the outline CEMP, where suitable measures to mitigate against disturbance of nesting birds has been provided.

BIODIVERSITY NET GAIN

A proposed net gain in biodiversity of 115.53% for habitat units and 10.07% for hedgerow units is recorded, this is to be achieved through the creation of on-site habitats. The mandatory biodiversity gain target of 10% and the applicable trading rules within the Statutory Metric have been satisfied for habitat and hedgerow units. However, Ordnance Survey mapping identifies a ditch within the Site which has not been identified within reporting and as such may if present result in the requirement to deliver BNG for watercourses.

Further information regarding the presence or absence of this potential watercourse should be provided to the local authority, in the form of an updated BNG assessment with Statutory Metric if required to demonstrate the updated baseline and post-development units.

Following a resolution to the above, documents required to discharge the Biodiversity Gain Condition should be provided to local authority prior to commencement of the Proposed Development.

As per the BNG Planning Practice Guidance², significant on-site gains must be maintained for at least 30 years through planning conditions or legal agreements. In this instance the on-site units should be secured by the condition, Section 106 agreement or Conservation Covenant, where they comprise significant enhancements. It is a matter of planning practice which route for securing the gains SBC wishes to take.

¹ Institute of Lighting Engineers (2023). Guidance Note 8 Bats and Artificial Lighting [on-line] <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

² Ministry of Housing, Communities and Local Government (MHCLG) and Department for Levelling Up, Housing and Communities (DLUHC) (2024) *Understanding biodiversity net gain*. Available at: <https://www.gov.uk/guidance/understanding-biodiversity-net-gain>