

Memo

To: Alison Amoah

From: Giles Sutton (RBC Ecology Consultations)

CC:

Date: 4 February 2022

Re: Planning application ref: 200328

Address: Vastern Court Caversham Road Reading

Description: Outline planning permission for Demolition and redevelopment to comprise: up to 115,000 sqm GEA in one or more land uses comprising: Residential (Class C3 and including PRS); Offices (Use Class B1(a); development in Use Classes A1, A2, A3 (retail), A4 (public house), A5 (take away), C1 (hotel), D1 and D2 (community and leisure); car parking; provision of new plant and renewable energy equipment; creation of servicing areas and provision of associated services, including waste, refuse, cycle storage, and lighting; and for the laying out of the buildings.

The application site is a retail centre north of Reading Station located in a predominantly urban area where it is proposed to demolish the existing buildings and redevelop the site for office, retail and residential use.

The Ecological Impact Assessment (Ramboll UK Limited, Feb 2020) has now been submitted. This has been carried out to the appropriate standard and concludes that the site is of negligible ecological value due to its lack of natural habitats. This is discussed below:

Habitats

The site comprises two buildings separated by a large area of hardstanding, scattered trees, introduced shrub, amenity grassland, slate chippings and bare ground. The habitats on site are not “Priority Habitat” (as defined by the NPPF) . The report concludes that the habitats are of limited ecological value. and ‘*of importance at site level only*’

Bats

The trees and buildings on site have been assessed as having “*negligible*” potential for use by roosting bats, and as such, there should be no bat related constraints to the proposals.

Nesting birds

The shrubs and trees could be used by nesting birds and a condition should be set to ensure these are not harmed before and during construction, wording is provided below

Other protected species

The proposals are unlikely to affect other protected species, priority habitats or protected wildlife sites and any negative impacts could be mitigated via the implementation of a Construction Environmental Management Plan. Wording for such a condition is given below.

Biodiversity Enhancements and DEFRA Matrix

In line with national policy , paragraph 174 of the NPPF states that “*planning policies and decision should contribute to and enhance the natural and local environment by ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...* ”.

Paragraph 180 of the NPPF also reads “*opportunities to incorporate biodiversity in and around developments should be encouraged by [...] minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; And “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.”*

At a local level, Policy EN12 of the Reading Brough Local Plan also requires that development should provide a “*net gain for biodiversity wherever possible... and wherever possible enhance features of biodiversity interest on and adjacent to the application site... Provide new tree planting, wildlife friendly landscaping and ecological enhancements (such as wildlife ponds, bird and bat boxes) wherever practicable.*”. The RSAF also identifies the significance of new landscaping, which could include green walls, green and brown roofs, and tree planting, to biodiversity enhancement.

The applicant DAS report states that the landscaping proposals design elements will include “*Providing a rich and biodiverse planting scheme creating new habitats and wildlife corridors*”. Moreover, section 4.2 of the Ecological Impact Assessment includes details on ‘Mitigation Measures and Enhancement’. This section sets out a number of mitigation and enhancement measures to reduce residual negative effects on existing biodiversity and biodiversity enhancements that the proposal could offer. These include a landscape planting plan including native wildlife friendly species; tree planting, provision of bird, bat and insect boxes.

As per the recommendations given in these documents and in line with national and local policy above, a condition should be set to ensure that full ecological enhancements are provided within the new development. Wording is given below.

A document entitled ‘*Illustrative Landscape Scheme*’ has been provided. This shows the general layout of the proposed development and includes new street tree planting, gardens, podium gardens. However fuller details would need to be provided either prior to determination or via a planning condition (wording below).

Although any development of the site which has currently very little vegetation, could result in a net gain for biodiversity, no calculation has been submitted to show that scheme has been designed to maximise the opportunities for enhancing the network. Therefore, it has not been clearly demonstrated that the proposals would meet Policy EN12, in terms of “*development ... should provide a new gain for biodiversity wherever possible*” or paragraphs 174, 179 and 180 of the NPPF. The applicant would need to demonstrate how the development will result in a “net gain” in biodiversity units as measured using the DEFRA 3 Metric

Conditions

In conclusion, it is considered that overall, biodiversity enhancements could potentially be achieved with conditions requiring submission and approval of details, relating to biodiversity enhancements, boundary treatments, lighting and a Construction Environmental Management Plan, appropriately worded for a phased development, at the reserved matters stage.

However, there is a fundamental concern that, based on the submitted parameters, and in light of the trees and landscaping concerns, there would be inadequate space for meaningful landscaping and in turn ecological enhancement features, and therefore, it is considered that Policy EN12 would not be fully met with the outline scheme as presented

Should the committee be minded to approve the application then it is recommended that the conditions below are set.

Condition 1: No development shall commence until a report detailing the lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:

- A layout plan with beam orientation
- A schedule of equipment
- Measures to avoid glare
- An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of importance for commuting and foraging bats.

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To ensure that wildlife is not adversely affected by the proposed development in line with Local Plan Policy NE 6.

Condition 2: No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise impacts on biodiversity in accordance with Paragraphs 179 and 180 of the NPPF.

Condition 3: No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. Landscape details shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment).
- Schedules of plants and trees, to include large canopy, native and wildlife friendly species, and species likely to prove adaptable to climate change, noting species, planting sizes and proposed numbers / densities,
- Details of tree pits
- Details of sustainable drainage and irrigation systems such as rain gardens, and

temporary pools and swales

- Implementation timetables
- Biodiversity enhancements, including integral bird nesting and bat roosting opportunities on and around the new buildings
- Specifications for fencing demonstrating how hedgehogs and other wildlife will be able to continue to travel across the site (e.g. fences slightly raised above ground level)
- Above and below ground service routes (ensuring they do not conflict with new or existing planting)
- Permeable hard surfaces

Reason: To ensure the provision of amenity, and biodiversity enhancements, afforded by appropriate landscape design and to comply with local Core Strategy and paragraphs 179 and 180 of the NPPF.

Condition 4: All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision of amenity, and biodiversity enhancements, afforded by appropriate landscape design and to comply with Core Strategy Policy CP7, and paragraphs 1, 179 and 180 of the NPPF.

Condition 5: Prior to the occupation of the development, details of biodiversity enhancements, to include a minimum integral bird nesting features built into the new buildings and native and wildlife friendly landscaping, shall be submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved and prior to occupation of the development a letter report from a suitably qualified ecologist with photos of the bricks in situ shall be submitted to and approved in writing by the council.

Reason: To incorporate biodiversity in and around developments in accordance with paragraph 179 and 180 of the NPPF