ECOLOGICAL EXPERTISE, EVOLVED

Old Town, Newbury

Ecological Impact Assessment (EcIA)

Prepared on behalf of

Lochailort Newbury Ltd

Final Report

27 November 2024

30/20-1B

Old Town, Newbury

Ecological Impact Assessment (EcIA)

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Old Town, Newbury

Ecological Impact Assessment (EcIA)

Contents

MAPS

APPENDICES

Old Town, Newbury
Ecological Impact Assessment (EcIA)

Executive Summary

Ecological Planning & Research Ltd was commissioned by Lochailort Newbury Ltd in February 2024 to undertake an Ecological Impact Assessment of the proposals for redevelopment of the Old Town in Newbury, RG14 5EN. The Proposed Development is comprised of residential and commercial space along with associated infrastructure.

A planning application for the phased redevelopment of the Kennet Centre was originally submitted in 2021 (Ref: 21/00379/FULMAJ). To inform the 2021 application an Ecological Appraisal, Preliminary Roost Assessment for bats and bat emergence surveys were undertaken in 2020. Overall, the habitats on Site were found to be of little nature conservation value, being comprised almost solely of buildings and hardstanding. A single Common Pipistrelle bat was recorded on two occasions emerging from the clay tiled roof above the Sunseekers retail unit adjacent to the multi-storey car park, confirming the presence of a Common Pipistrelle day roost. Bats, along with nearby Designated Sites, were identified as Important Ecological Features (IEFs) to be considered in the Ecological Impact Assessment. Full planning permission was subsequently sought for the redevelopment of the Kennet Centre in September 2023 (Ref: 23/02094/FULMAJ) which utilised the 2021 Ecological Impact Assessment report (EPR, 2021), the application is still awaiting decision.

In March 2024 EPR carried out an Ecological Appraisal and Preliminary Roost Assessment in order to update the ecological baseline and inform an Ecological Impact Assessment for the redevelopment of the Kennet Centre known as Old Town in Newbury. The purpose of this assessment was to verify if the conditions of the Site had changed significantly since the previous planning application submission. Dusk emergence surveys for bats were undertaken in May 2024. No bats were recorded emerging on the two visits conducted in May 2024 or on the survey visits conducted in June 2024.

Overall ecological work conducted to date has confirmed the presence of the following Important Ecological Features within the potential Zone of Influence of the proposals:

- the River Lambourn Special Area of Conservation (SAC);
- the River Kennet Site of Special Scientific Interest (SSSI); and
- an assemblage of bats including roosting bats.

In addition to this, the Site provides nesting habitat for a common bird assemblage. Measures have been outlined to ensure legal compliance with respect to this species group.

The following report sets out an Ecological Impact Assessment of the Proposed Development with regards to these Important Ecological Features and includes measures to avoid, mitigate and, if necessary, compensate for significant residual effects. Ecological enhancement measures are also proposed to provide biodiversity net gains in line with local and national planning policy.

Subject to implementation of the proposed measures within this Ecological Impact Assessment, the Proposed Development will not result in any significant negative residual effects on the remaining Important Ecological Features within the Site. It will deliver biodiversity net gain through habitat creation, as well as through the delivery of integrated bird and bat boxes.

Old Town, Newbury
Ecological Impact Assessment (EcIA)

1. INTRODUCTION

Brief

1.1 Ecological Planning & Research Ltd (EPR) was commissioned by Lochailort Newbury Ltd in February 2024 to undertake an Ecological Impact Assessment (EcIA) of the proposals for redevelopment of the Old Town in Newbury, RG14 5EN (hereafter referred to as the 'Site').

1.2 A planning application for the phased redevelopment of the Kennet Centre was originally sought in 2021 (Ref: 21/00379/FULMAJ). To inform the 2021 application an Ecological Appraisal, Preliminary Roost Assessment for bats and bat emergence surveys were undertaken in 2020. Overall, the habitats on Site were found to be of little nature conservation value, being comprised almost solely of buildings and hardstanding. During the bat emergence/re-entry surveys conducted across the Site in 2020 a single Common Pipistrelle *Pipistrellus pipistrellus* bat was recorded emerging from the clay tiled roof above the Sunseekers retail unit adjacent to the multi-storey car park. Bats, along with nearby Designated Sites, were identified as Important Ecological Features (IEFs).

1.3 Full planning permission was subsequently sought for the redevelopment of the Kennet Centre in September 2023 (Ref: 23/02094/FULMAJ) which utilised the 2021 Ecological Impact Assessment report (EPR, 2021).

1.4 The new scheme which is the subject of the application will comprise of a combination of residential and commercial space with associated parking and infrastructure and landscaping and open space (herein after referred to as the 'Proposed Development').

1.5 Updated ecological survey work was undertaken in 2024 to inform the proposed mitigation and compensation with respect to the adjusted layout and design of the Old Town. This report sets out the results of the updated ecological surveys, including the ecological baseline, predicted impacts, impact avoidance and mitigation measures and enhancements for wildlife and biodiversity.

Site Location and Context

1.6 The Old Town (referred to as the 'Site') is located within the centre of Newbury with Site access from Market Street (**Map 1**). The Site comprises a shopping centre (the Kennet Centre) of multiple units over varying levels, and a multi-storey car park. The main delivery bay is located on the roof of the centre, accessed via Market Street.

1.7 The Site is bordered on all sides by existing shops and flats. The Kennet and Avon Canal lies approximately 100m to the north; a bridge over the canal provides pedestrian and vehicular access from the Site to Northbrook Street.

1.8 The surrounding landscape is predominately urban given its centralised location within Newbury Town Centre. The Site falls within the Thames Basin Heaths Nation Character Area, an area

characterised by its open countryside, high proportion of woodland cover and the urban areas of Newbury, Bracknell, Camberly, Aldershot and Weybridge.

Outline of the Proposed Development

1.9 The Proposed Development comprises of an alternative scheme for the redevelopment of the Kennet Centre to provide traditional and mews type housing with flatted development to the south and retail space within the Site. The Proposed Development will comprise of 317 dwellings with retail units with associated infrastructure such as garages, cycle and refuse stores and associated parking as well as landscaping and amenity space.

1.10 To facilitate the above, the majority of Old Town will be demolished. Some units are to be retained and modified, including the multi-story car park and Vue Cinema (**Appendix 1)**.

Relevant Legislation, Policy and Guidance

1.11 Key legislation relating to the protection of wildlife and nature conservation include:

- The Environment Act 2021;
- The Conservation of Habitats and Species Regulations 2017 (as amended);
- The Wildlife and Countryside Act 1981 (as amended);
- The Countryside and Rights of Way (CROW) Act 2000; and
- The Natural Environment and Rural Communities (NERC) Act 2006.

1.12 In addition to this consideration has been given to:

- The National Planning Policy Framework (NPPF) (2023);
- West Berkshire Core Strategy Development Plan Document (2006 – 2026) adopted July 2012;
- West Berkshire Housing Site Allocations Development Plan Document adopted May 2017;
- West Berkshire District Local Plan 1991 – 2006 (Saved Policies 2007) as amended in July 2012 and May 2017;
- Planning Practice Guidance Notes: Natural Environment (June 2021);
- The Natural Environment in Berkshire: Biodiversity Strategy 2014 – 2020; and
- Berkshire Biodiversity Opportunity Areas (Berkshire Local Nature Partnership 2009).

1.13 Further information on relevant nature conservation legislation, planning and biodiversity policy is provided in **Appendix 2**.

Consultation

1.14 In 2020 Gareth Ryman, the Principal Ecologist for West Berkshire Council, was consulted regarding the off-site provision of bat boxes required to mitigate for the loss of the Common Pipistrelle roost during construction. It was agreed that use of off-site council-owned land along the Kennet and Avon Canal corridor would be permitted for use for this purpose.

1.15 Piotr Behnke, Lead Advisor for Natural England, was also consulted regarding the proposals for redevelopment of the Kennet Centre in Newbury in February 2024 for application reference 23/02094/FULMAJ. In consultation it was confirmed that Natural England had no concerns regarding designated sites and confirmed the Site lies outside of the River Lambourn catchment (**Appendix 6**).

2. ASSESSMENT METHODOLOGY

Introduction

2.1 The approach to Ecological Impact Assessment (EcIA) taken in this report accords with guidance presented in the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2 (CIEEM, 2018).

2.2 In summary, EPR takes the following step-wise approach to EcIA:

- Prediction of the activities associated with a proposed scheme that are likely to generate biophysical changes which may lead to significant effects (either positive or negative) upon Important Ecological Features (IEFs);
- Identification of the likely Zone of Influence (ZoI) of those activities;
- Scoping to select the ecological features (habitats, species, ecosystems and their functions/processes) that are likely to fall within the predicted ZoIs and be affected by the activities;
- Evaluation of IEFs likely to be affected – both negatively and positively;
- Identification of likely impacts (positive and negative) on IEFs, together with an assessment of the geographic level at which effects are likely to be significant;
- Application of the mitigation hierarchy - refinement of the proposed scheme to incorporate impact avoidance and/or mitigation measures for negative effects on IEFs, and enhancements in order to deliver net gains;
- Assessment of the significance of residual effects and identification of any policy drivers for additional mitigation or compensation in the event of residual significant negative effects; and
- Advice on conformance with policy and legislation.

2.3 Further information regarding the methods for ecological evaluation and impact assessment are provided in **Appendix 3**.

Likely Biophysical Changes and Zone of Influence

2.4 The activities associated with the Proposed Development which are likely to lead to biophysical changes, and could accordingly give rise to ecological impacts, are set out in **Table 2.1** below, which is drawn from Box 9 of the EcIA Guidelines (CIEEM, 2018).

2.5 The Zone of Influence (ZoI) of a proposed development is defined by the EcIA Guidelines as *"… the area(s) over which ecological features may be affected by the biophysical changes caused by the proposed project and associated activities"*.

2.6 In this case, the ZoI of the Proposed Development will encompass different areas, and thus potentially impact upon different ecological receptors, depending upon the spatial extent of the relevant biophysical change (e.g. light, noise, habitat loss, recreational disturbance). The ZoI(s) relevant to this assessment are summarised in **Table 2.1** below.

Table 2.1: Activities and Biophysical Changes associated with the Proposed Development which may give rise to ecological impacts, and associated Zone(s) of Influence.

Activity	Potential Impact	Zone of Influence
Site Clearance and Construction Phase		
Access and travel on / off site	Noise / visual / lighting disturbance of vulnerable species	Site and immediately adjacent land
Assembly and storage areas for machines and materials; construction compounds	Loss and fragmentation of habitats Noise / visual / lighting disturbance to vulnerable species	Site and immediately adjacent land
Site clearance, ground, excavation and structural works, demolition and alteration operations	Loss and fragmentation of habitats Direct harm to vulnerable species Noise / visual /vibration/ lighting disturbance to vulnerable species Dust generation	Site and immediately adjacent land
Lighting of work area	Disturbance to vulnerable species	Site and immediately adjacent land
Drainage / water quality	Change of groundwater flows Change of water quality in groundwater Change in habitats fed by groundwater flows	Site and immediately adjacent land, potentially including Kennet and Avon Canal.
Operational Phase		
Access and travel on / off site	Noise / visual / lighting disturbance to vulnerable species	Site and immediately connected roads
Occupation / use of new development	Noise / visual / lighting disturbance to vulnerable species. Wastewater discharge.	Approximately 400m radius of new housing. Hydrologically connected waterbodies.
Recreation: Increased recreational use of greenspace	Fragmentation of vulnerable habitats by trampling Noise / visual disturbance to vulnerable species by members of the public and/or dogs	Up to a 5km radius

Survey Constraints and Limitations

2.7 During the building suitability assessment not all units of the Kennet Centre were accessible internally due to access constraints associated with the ongoing operation of the shopping centre. However this was limited to sections of the Site that were considered low suitability for roosting bats. Adjacent units were internally access where possible where internal structure was likely to be similar. This is not considered a significant constraint as further surveys have also proposed been undertaken in the form of dusk emergence surveys to inform the ecological impact assessment.

3. ECOLOGICAL BASELINE

Overview

3.1 The ecological baseline has been compiled following the programme of surveys set out in **Table 3.1** below. Further information regarding the survey work carried out, including methodologies, metadata and results is provided in **Appendix 4**.

Table 3.1: Overview of ecological survey programme.

Survey Type	Month	Year
Ecological Appraisal and Preliminary Roost Inspection for Bats	July	2020
Dusk and Dawn Bat Emergence/Re-entry Surveys	August – September	2020
Ecological Appraisal and Preliminary Roost Assessment for Bats	March	2024
Desk Study including review of records from Thames Valley Environmental Records Centre (TVERC)	March	2024
Bat Emergence Surveys	May - June	2024

Ecological Appraisal and Preliminary Roost Assessment

3.2 The update Ecological Appraisal 2024 was the starting point in determining the ecological features potentially needing to be considered within this EcIA.

3.3 A detailed desktop study was carried out prior to the Site visit to gather contextual ecological and geographical information. A data search was commissioned from Thames Valley Environmental Records Centre (TVERC) for records of protected and notable species recorded within a 2km radius of the Site boundary. The desktop study did not identify any significant changes to the distribution in protected and notable species which was likely to impact upon the species assemblage within the ZoI.

3.4 The update Ecological Appraisal identified that the habitats present on Site has not changed significantly from those described by EPR in 2021 and thus significant changes in the ecological baseline within the Zone of Influence of the proposals when compared to the 2021 application are unlikely.

3.5 Given the historical presence of a bat roost recorded by EPR in 2020 (see Appendix 7 for full details) an updated building inspection to assess the suitability of the buildings for supporting roosting bats was also undertaken. The inspection revealed roosting features across all levels of the centre and the feature previously utilised for roosting by Common Pipistrelle bats, namely missing tiles on the south-western elevation, remain unchanged.

3.6 Following on from the Update Ecological Appraisal and a review of existing survey data, a number of species were also scoped out from the need for further consideration as part of this EcIA due to the lack of supporting habitats. As there is suitable habitat for a common assemblage of nesting birds within the Site, precautionary measures will be undertaken as part of the Mitigation Strategy that must be taken into account to ensure legal compliance as detailed in **Section 7** below.

Designated Sites

3.7 The desktop study identified several designated sites within a 5km radius of the Site, the locations of which are shown on **Map 2**.

Internationally Designated Sites

River Lambourn SAC

3.8 The River Lambourn Special Area of Conservation (SAC) is designated for its rare habitats namely winterbourne chalk stream forming an Annex 1 habitat. A number of notable Annex 2 species are also present within the SAC such as the Bullhead *Cottus gobio*. At its closest point, the SAC is approximately 1.2km from the Site's boundary and is separated from the Site by urban development forming the centre of Newbury town.

3.9 The River Lambourn SAC is designated under the Conservation of Habitats and Species Regulations 2017 (as amended) and is as such of **International Importance**. Natural England have confirmed that the Site is outside of the River Lambourn catchment (see **Appendix 6**). The potential for impacts on the River Lambourn SAC are discussed in greater detail below in **Section 4**.

Kennet & Lambourn Floodplain SAC

3.10 The Kennet & Lambourn Floodplain SAC is designated for its population of Desmoulin's Whorl Snail *Vertigo moulinsiana*, an Annex 2 species. At its closest point, the Site is located approximately 2.3km from the SAC.

3.11 The main threats to the conservation status of this species relate to habitat degradation via inappropriate management. In view of the distance of this designated site from the Site, the nature of the proposals and as no supporting habitats for Desmoulin's Whorl Snail are present within the Site, adverse impacts arising as a result of the development are not considered likely. As a result, **the Kennet & Lambourn Floodplain SAC is not considered further within this EcIA.**

Kennet Valley Alderwoods SAC

3.12 Kennet Valley Alderwoods SAC is designated as it contains the largest fragment of Alder-Ash woodland on the Kennet floodplain, which is known to support a variety of important floral species. At its closest point the Kennet Valley Alderwoods SAC lies 2.5km west of the Site.

3.13 The Kennet Valley Alderwoods are susceptible to threats that impact the hydraulic conditions and interspecific faunal relations. Therefore in view of the distance to the site, the nature of designation and the Proposed Development, there are no adverse linking pathways on this designated site as a result of the proposals and **the Kennet Vallet Alderwoods SAC are therefore not considered further within this EcIA.**

Nationally Designated Sites

3.14 The desk study retuned ten Sites of Special Scientific Interest (SSSI) and one Local Nature Reserve within 5km of the Site. A brief description of these can be found in **Table 3.1** below.

Table 3.1. Nationally designated sites located within 5km of the Site.

Site Name	Primary Reason for Designation	Closest Unit	Unit Condition	Approx. Distance from Site
River Kennet SSSI	Supports an important assemblage of habitats and species associated with chalk and lowland clay rivers. Has the highest average number of species per site surveyed of any other lowland river in Britain.	3	Unfavourable – Recovering	0.1km
River Lambourn SSSI	A lowland chalk river, a nationally rare habitat. Supports nationally scarce species of invertebrates.	3	Unfavourable - Recovering	1.2km
Greenham and Crookham Commons SSSI	Largest area of heathland and acid grassland habitats in Berkshire supporting several important floral species. Supports populations of nationally important ground nesting birds, four species of reptile and all species of native newt.	1	Unfavourable - Recovering	2.0km
Kennet and Lambourn Floodplain SSSI	Known to support a particularly large concentration of Desmoulin's whorl snail	3	Favourable	2.1km
Kennet Valley Alderwoods SSSI	Supports wet Ash-Alderwood in the Kennet floodplain.	1	Favourable	2.5km
Thatcham Reedbeds SSSI & LNR	An extensive network of reedbed, fen and species rich alder woodland habitats, supporting a large assemblage of breeding birds and a population of European protected Desmoulin's Whorl Snail	1	Unfavourable - Recovering	2.5km
Bowdown and Chamberhouse Woods SSSI	A variety of woodland and heathland habitats. The woodland supports a particularly diverse ground flora and important assemblages of breeding birds and invertebrates.	1	Favourable	3.0km
Snelsmore Common SSSI	A varied woodland and heathland habitat supporting specialist communities of plants and animals. Including undisturbed peat bogs, wet alder woodlands and an important assemblage of breeding birds.	7	Unfavourable - Recovering	3.1km
Enborne Copse SSSI	A semi-natural broadleaved woodland which supports a large population of small-leaved lime, a species confined to ancient woodlands and very rare in Berkshire.	1	Unfavourable - Recovering	3.5km
Avery's Pightle SSSI	A species-rich unimproved meadow, a rapidly declining nationally important habitat.	1	Unfavourable - Recovering	3.7km

3.15 The closest nationally designated site is the River Kennet SSSI located 0.1km north of the Site. The Site falls into the Impact Risk Zone for the River Kennet SSSI. The River Kennet SSSI is of **National Importance**. **Potential impacts on the River Kennet SSSI are considered in Section 4 below.**

3.16 The Site also lies within the Greenham and Crookham Commons SSSI Impact Risk Zone. Greenham and Crookham Commons SSSI are in favourable condition (10.64%), unfavourable recovering condition (72.30%) and unfavourable no change condition (17.05%). The condition assessment of the individual SSSI units indicates that the principal issues with this SSSI relate to a lack of suitable management, in particular scrub control. There is no viable pathway for the proposals to contribute to this issue, so **this SSSI is not considered further within this EcIA**.

3.17 The site is not within the Impact Risk Zone for the remaining SSSIs. Development which falls outside of IRZs are less likely to have a significant effect upon the qualifying features of the related designated sites, therefore these SSSIs are not considered further within this report due to the absence of impact pathways to these sites.

Local Wildlife Sites

3.18 A total of eight Local Wildlife Sites (LWS) and one proposed Local Wildlife Site Extension were recorded within a 2km radius of the Site (see **Map 2**).

3.19 A summary of the LWS's are provided in **Table 3.2** below.

Table 3.2. LWS's within 2km of the Site.

Site Name	Reason for designation	Approximate Distance from Site
Northcroft Meadow	This site is an area of wet meadow next to the River Kennet. A number of small ponds have been created in the site. The site is considered important for birds such as Reed Warbler and Whitethroat.	0.8km
Meadows And Wetlands Near Donnington	A mosaic of habitats running along the River Lambourn SSSI, including tall herb fen, wet woodland, willow scrub, open drains and an area of secondary woodland. Supports Kingfisher, Greater Water-parsnip and Desmoulin's Whorl Snail.	1.2km
West Wood	Comprises a small area of semi-natural ancient woodland with woodland streams and wetter areas running throughout.	1.6km
Young Copse	A semi-natural ancient woodland with a canopy of Oak and Alder with some Birch and Ash.	1.6km
Mill Pond Field	Mill Pond Field is a small island surrounded by the River Lambourn SSSI and a carrier stream. The site consists of a rank, tall poor herb fen community with alder and willow scrub encroaching around the edge known to support amphibians.	1.7km
Donnington Grove Park	Designated for its lake and adjacent grassland within the Lambourn Valley. Known to support Bluebell and an assemblage of important bird species.	1.9km
High Wood complex	This site is a group of six woods all of which are largely semi-natural ancient woodland	2.0km

Site Name	Reason for designation	Approximate Distance from Site
Benham Park and Speen Moor	The area encompasses riverside pasture, with some remnant wet grassland, woodland which has significant areas of wet woodland, the park itself which includes a lake and veteran trees.	2.0km
High Wood Complex (Sandleford Valley) **(*Proposed LWS)***	A mosaic of Purple moor grass rush pasture and marshy grassland.	2.0km

3.20 As LWS, these sites are considered to be of **County Importance.** The most likely impact on these sites is as a result of recreational use by new residents.

3.21 The closest of the LWS is Northcroft Meadow LWS located 0.8km from the Site at its closest point. It is designated as a LWS for the species of wet meadow flora and fauna that it supports. However Northcroft Meadows, along with a further five of the LWS, has no permitted public access.

3.22 The Kennet Valley West LWS, adjacent to Northcroft Meadows LWS, does have public access however is managed to accommodate recreational impacts. The site is open to the public via a permissive footpath and stock fencing separates the path from the vulnerable habitats. Donnington Grove Park and Mill Pond Field are managed in a similar way, both lying adjacent to Donnington Grove Golf Club.

3.23 The remaining LWS are all at distances great than 1.6km from the Site.

3.24 Based on the distances and nature of the designation of the remaining LWSs no adverse impacts are anticipated as a result of the Proposed Development.

3.25 **As a result, impacts arising from new residents is not considered likely and as a result Local Wildlife Sites are not considered further within this EcIA.**

Habitats and Vegetation

3.26 The Site is comprised entirely of built development that forms the Kennet Centre shopping mall and associated units with a single semi-mature tree located on the western side at street level (**Map 3)**. None of these habitats are of ecological significance. Several structures on the roof possess features with the potential to support roosting bats and nesting birds, which is discussed in greater detail below.

3.27 The Kennet & Avon Canal lies approximately 100m to the north of Site and is within commuting distance for any bats that may be roosting within Site. This section of the river forms a confluence between the River Kennet and the Kennet and Avon Canal. The watercourses return to separation toward the east of central Newbury. The area between the Kennet Centre and Canal to the east is subject to minimal lighting and provides a suitable dark corridor for commuting bats. This area includes a church garden and river-side garden part of a nearby flat complex. The Kennet and Avon Canal is also well connected to the wider landscape of parks in

central Newbury (Northcroft Park and Victoria Park) and to the countryside and woodlands that fringe the town.

Evaluation

3.28 None of the habitats present on Site are themselves of ecological value outside of the immediate zone of influence and they are not considered further.

Fauna

Bats

Desktop Study

3.29 The data search (undertaken on the 28th February 2024) returned records of at least ten species of bat within a 2km radius of the Site namely:

- Common Pipistrelle *Pipistrellus pipistrellus*;
- Soprano Pipistrelle *Pipistrellus pygmaeus*;
- Nathusius Pipistrelle *Pipistrellus nathusii*;
- Brown Long-eared Bat *Plecotus auritus*;
- Noctule bat *Nyctalus noctule*;
- Serotine *Eptesicus serotinus*;
- Barbastelle *Barbastella barbastellus*;
- Whiskered bat *Myotis mystacinus*;
- Daubenton's bat *Myotis daubentoniid;* and
- *Myotis* species.

3.30 Roosts for Brown Long Eared bats, Common and Soprano Pipistrelles bats were among the records returned within the desk study (see **Map 4**).

3.31 The desktop study returned six granted European Protected Species Mitigation Licences for bats within 2km of the Site, the closest being a licence for the destruction of a resting place for Common Pipistrelle bats (2018-38382-EPS-MIT) located 110m south of the Site.

3.32 Dusk emergence and dawn re-entry surveys for bats were undertaken by EPR between August and September 2020. Three species of bat were recorded during the survey visits namely Noctule, Common Pipistrelle and Soprano Pipistrelle. A single Common Pipistrelle bat was recorded emerging from the clay tiled roof above the Sunseekers retail unit adjacent to the multi-story car park during survey visits on the 4th August and 1st September 2020 resulting in the identification of a Common Pipistrelle day (non-breeding) roost. Results are illustrated on **Map 7**.

Field Survey 2024

3.33 The 2024 Preliminary Roost Assessment recorded suitable roosting features across multiple elevations of the on-Site buildings.

3.34 Potential Roost Features noted across the building included:

- Gaps beneath bargeboards;
- Gap in soffits;

- Missing mortar in the brickwork;
- Gaps beneath roofing felt and lead flashing;
- Weep holes in brickwork;
- Lifted slate tiles; and
- Lifted clay tiles.

3.35 Full details of the features suitable to support roosting bats are detailed further in **Appendix 5** and are shown on **Map 5 and 6**.

3.36 The single tree on Site was inspected for its potential to support a bat roost and was determined to possess no suitable roosting features.

3.37 Dusk emergence surveys for bats were undertaken in May and June 2024. To effectively cover all aspects and features with bat roosting potential, for the purposes of the survey the centre was 'divided' into two cross-sectional halves creating an east side and a west side. **Appendix 4** details the methodology and metadata of these surveys.

3.38 In order to update the results of the 2020 emergence survey the east side was subject to an update bat emergence survey on 16th May 2024. No bats were recorded emerging during the survey. Passes by Common Pipistrelle and Soprano Pipistrelle were recorded during the survey.

3.39 An updated bat survey was undertaken of the west side on the 23rd May 2024. No bats were recorded emerging during the survey, but a Common Pipistrelle was observed foraging close to the roof of the sunseekers unit close to sunset. An update survey of the west side was also undertaken on the 19th and 24th June (split across two surveys due to number of surveyors required). No bats were recorded emerging.

3.40 The results of the 2024 emergence surveys are summarised on **Map 8**.

3.41 The results of the 2024 surveys recorded limited activity by low numbers of Common Pipistrelle and Soprano Pipistrelle only. No significant foraging or commuting behaviour was observed. The results of final update 2024 bat surveys will be presented in an Ecological Impact Assessment Addendum which will present the results, updated impact assessment and mitigation strategy (if necessary).

3.42 Based on the initial building inspection and the update emergence surveys, there appear to be no significant changes in terms of bat habitat at the site.

Evaluation

3.43 Most notably a Common Pipistrelle Day Roost was recorded on-Site in 2020 and the Site has been known to support passing Noctule and Soprano Pipistrelle bats. Based on the assemblage of bat species know to the local area, the previously identified roost, and given the localised nature of the Proposed Works, the bat assemblage is likely to be of no more than **Local Importance**.

Birds

Desktop Study

3.44 The majority of bird species records returned from the data search were for common and widespread species. Habitat within the search area is suitable for supporting assemblages of garden birds and other species which have adapted to exist in urban environments. Notable

species returned included Peregrine Falcon *Falco peregrinus*, Starling *Sturnus vulgaris* and Swift *Apus apus*. A number of records were returned for water birds, such as Kingfisher *Alcedo atthis*, due to the proximity of the Site to the Kennet River.

3.45 During surveys conducted by EPR in 2020 several bird species were identified as likely nesting within the ZoI, including Pied Wagtail *Motacilla alba* and Feral Pigeon *Columba livia domestica*. Swift were also observed foraging over the Site. Peregrine Falcons were observed flying over the Site during the dusk bat emergence surveys.

Field Observations 2024

3.46 During the Ecological Appraisal several bird nests and signs of use by Pigeons were recorded across the Site.

3.47 During the dusk emergence survey on the 24th June 2024, five Peregrine Falcons were recorded flying over the Site during the dusk emergence survey. Two flew in the direction of the St Nicolas Church and three appeared to land on the tower block behind the Royal Mail Newbury Delivery Office on Bear Lane.

Evaluation

3.48 The ZoI of the proposals supports a varied assemblage of common and widespread bird species. The Site itself provides nesting habitat for Pigeon and likely some other species. It is not anticipated that the proposals will have an effect upon the Peregrine Falcon pair previously recorded by EPR in 2020 as no evidence of breeding was recorded on Site.

3.49 As a result of the above, the bird assemblage is considered to be of within **Zone of Influence Importance only**. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). Measures to ensure legal compliance are set out in **Section 7**.

Summary of Important Ecological Features

3.50 With reference to the assessment criteria set out in **Appendix 3,** IEFs that are considered to be of Local importance or greater to be taken forward for impact assessment in **Section 4** are summarised in **Table 3.3** below.

Table 3.3: Important Ecological Features to be considered further in this EcIA.

Feature	Importance
River Lambourn SAC	International
River Kennet SSSI	National
Bat Assemblage (including Common Pipistrelle using roost on site)	Local

4. IMPACT ASSESSMENT

Introduction

4.1 This section examines the potential for significant ecological impacts and effects on IEFs as a result of the biophysical changes arising from the Proposals, both during the site clearance and construction phase and operational phase. Where impacts are identified, opportunities for impact avoidance and mitigation are explored. If the potential for significant residual effects remains after mitigation, then opportunities for compensation are also set out.

Impact Avoidance by Design

4.2 In accordance with the principle of the mitigation hierarchy, the scheme has been designed to avoid ecological impacts as far as possible in the first instance, thus reducing the need for extensive mitigation measures. In view of the limited ecological interest of the Site, opportunities to adjust the design to avoid impacts are similarly limited.

Mechanisms for Implementing and Securing Mitigation

4.3 Throughout this section reference is made to a suite of plans and strategies which will include and expand upon the key principles of the impact avoidance and mitigation measures described below, and which can be secured through planning conditions or obligations, including:

- European Protected Species Mitigation Licence (EPSL);
- Construction Environmental Management Plan (CEMP);
- Lighting Strategy; and
- Landscape and Ecology Management Plan (LEMP).

Impact Assessment

River Lambourn SAC

4.4 At its closest point, the SAC is approximately 1.2km from the Site's boundary and is separated from the Site by existing urban development. As highlighted in the Natura 2000 data form for this site, the most important threats and pressures affecting the site are as follows;

- *H02 – Pollution to groundwater (point sources and diffuse sources)*
- *J02 – Human induced changes in hydraulic conditions*
- *I01 – Invasive non-native species*

Assessment of Impacts and Mitigation - Site Clearance and Construction Phase

4.5 Due to the distance of the Site from the SAC, the proposals are unlikely to present a viable impact pathway to the designated site with the above threats in mind during the construction phase. However potential impacts arising from pollution will be avoided through the implementation of measures identified in the CEMP to include procedures in the event of environmental accident such as incorporating a suitable buffer zone to exclude any storage of potentially polluting materials near water bodies or potential pathways to water bodies. The CEMP will also include procedures for tackling accidental spillages and preventing them from

entering the surface water drainage system and being carried to the River Kennet and subsequently the River Lambourn.

4.6 As the mitigation techniques are best practice and known to be successful, no negative impacts are predicted during the construction phase, thus avoiding any significant negative effects on the designated sites within the Zone of Influence.

Assessment of Impacts and Mitigation - Operational Phase

4.7 With reference to the threats and pressures referenced in the SAC data form and the impacts considered in the HRA of the West Berkshire Core Strategy, possible impacts resulting from the proposals include those related to water abstraction and waste-water discharge.

4.8 In relation to potentially significant effects arising from abstraction, it should be noted that, based on the most recent available West Berkshire Infrastructure Delivery Plan, Thames Water state that "*There are no known deficiencies in the availability and ability to supply the current and projected demands within any of these areas in the current business plan period (2015 – 2020)*", indicating that there are no anticipated issues with water abstraction that could affect this site. Water supply information for the period going forward was not available at the time of writing the report. The River Lambourn SSSI unit 3 (the closest unit to the site), also notes that "*There is no damaging abstraction*". It should also be noted that the Site is currently utilised as a shopping centre with a significant proportion of catering/restaurants. In view of the age of the buildings and infrastructure, water efficiency is likely to be minimal and there will be an existing baseline water use from the existing uses which will cease with site clearance and demolition.

4.9 In relation to potential effects arising from wastewater discharge, Natural England guidance on nutrient neutrality summarised on the West Berkshire Planning pages[1] includes a River Lambourne SAC catchment map and a phosphate budget calculator. New development within the identified catchment is required to demonstrate nutrient neutrality in respect of phosphates entering the catchment. The Site lies outside of the catchment identified by Natural England. It can therefore be concluded that the proposals will not result in a likely significant effect in respect of Phosphates entering the SAC.

4.10 In addition, Natural England have stated the following in respect of nutrient neutrality and the River Lamborne SAC (see correspondence at **Appendix 6**):

> *'The site is outside of the River Lambourn catchment so would not be required to account for being nutrient neutral.'*

4.11 In view of the above, it can be concluded that a significant negative effect on the River Lambourn SAC is unlikely, and it is not considered further.

[1] https://www.westberks.gov.uk/article/41081/Phosphates-and-Nutrient-Neutrality

River Kennet SSSI

4.12 At its closest point the River Kennet SSSI lies about 80m from the Site. The entirety of the SSSI is in unfavourable but recovering condition as of December 2021.

4.13 Natural England have stated the following in relation to the potential for impacts on the SSSI (see correspondence at **Appendix 6**):

> *'Having looked at the location of the development and checked this with a colleague in land management I can confirm that we wouldn't have any specific concerns regarding designated sites. The River Kennet SSSI is some ~80m to the north of the tip of the proposal boundary however does have other land use in between it and the site so there isn't likely to be any direct impact pathway.*
>
> *It would be useful however to ensure that the demolition and construction phases had a Construction Environmental Management Plan (CEMP) which would ensure that dust / noise / run off etc are controlled for as would be expected.*
>
> *Any changes implemented through the new proposals should hopefully be incorporating a greening element to help combat climate change and the urban heat island effect locally as any areas of green space will aid in combating this. Equally these areas would also encourage some biodiversity to come to what was previously otherwise a concrete and brick dominated roofscape which would only be a good thing.'*

Assessment of Impacts and Mitigation - Site Clearance and Construction Phase

4.14 Natural England have confirmed that there isn't likely to be any direct pathway to a significant impact on the SSSI as a result of the proposals (see above).

Bats

4.15 The bat surveys conducted on the Kennet Centre by EPR in 2020 confirmed the presence of a Common Pipistrelle day roost from under the clay tiled roof above the Sunseekers retail unit adjacent to the multi-story car park. The surveys also recorded low levels of activity by Soprano Pipistrelle and Noctule bats. Updated surveys conducted in 2024 confirmed low levels of activity by Common Pipistrelle and Soprano Pipistrelle bats only. The Kennet Centre also provides additional suitable roosting features across the building and retail units.

4.16 All bats and bat roosts are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Bats are also a European Protected Species protected under the Habitats Regulations 2017 (as amended). Development proposals affecting bats or their roosts require a European Protected Species mitigation licence from Natural England. It is an offence to:

- Intentionally or deliberately kill, injure or capture bats;
- Intentionally, deliberately or recklessly disturb bats in such a way as to be likely to significantly affect the ability of any significant group of bats to survive, breed, or rear or nurture their young or the local distribution of or abundance of a species of bat;
- Intentionally, or recklessly damage, destroy or obstruct any place used for shelter or protection (i.e. bat roosts) or intentionally or recklessly disturb a bat whilst it is occupying such a place;

- Damage or destroy a breeding site or resting place of a bat; and
- Possess, sell or transport a bat, or anything derived from it.

4.17 Based on the initial building inspection and updated emergence surveys, there appear to be no significant changes in terms of bat habitat at the site since 2020.

Assessment of Impacts and Mitigation - Site Clearance and Construction Phase

Removal of Roosts and Suitable Roosting Features

4.18 Unmitigated, the demolition of the buildings within the Site will result in the loss of a confirmed day (non-breeding roost) for Common Pipistrelle. This would result in an offence under the provisions of the Wildlife and Countryside Act (1981, as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). Loss of roosts through conversion and redevelopment is a major cause of decline in these species (BCT, 2010).

4.19 In the absence of mitigation, the loss of Common Pipistrelle day roost would result in a **permanent negative impact** significant at the **Local level**.

4.20 In order for the roost to be destroyed lawfully, a European Protected Species Licence (EPSL) will be required. The licence application will include a detailed mitigation strategy, in accordance with best practice guidelines.

4.21 As part of the EPSL application, a method statement will be submitted which will provide further detail on the exact number, locations and specifications of compensation roosts.

4.22 Update bat surveys will be required to update the baseline data for the Site for any structures identified with suitability to support roosting bats. This will help guide an appropriate mitigation strategy for the proposed works.

4.23 To compensate for the Common Pipistrelle roost lost during demolition, artificial roosting locations suitable for crevice dwelling bats (such as Pipistrelle bats) will be incorporated into the Site design of the new development. Integral roost boxes will be located on several elevations of the new development in designated ‘dark zones’ which will have minimal lighting in order to maintain their suitability as roosting locations. This will include one integrated Eco bat box, one Schwegler 1FE box and three Bat access slates all of which will be installed at suitable locations on Site. One integrated bat box will be installed as close to the position of the lost roost as is possible. It is recommended that compensatory features are installed on the western elevation closest to the commuting corridor to the river in order to provide reasonable compensation for the disruption and loss of the initial roost.

4.24 Appropriate elevations would be those facing toward suitable foraging and commuting habitat for bats, such as the Kennet and Avon Canal and the Kennet River.

4.25 In the unlikely event that additional roosts are located during update surveys, there are multiple opportunities for incorporating additional compensation features, if required.

4.26 As described above, lighting around these features will be sensitively designed to preserve their functionality as suitable roosting locations. There will be no illumination of or light spill over compensatory roosts.

4.27 Demolition of areas with no recorded bat roosts will be undertaken using controls that are proportionate to the risk of bats being present. This will be informed by the update bat surveys but is likely to include demolition of some of the higher risk elements under ecological supervision and a precautionary working method statement (PWMS).

4.28 Temporary roosting provision will be provided during demolition to provide roosting locations in the short term and somewhere for the licenced ecologist to relocate bats found during works. Due to the nature and extent of the demolition works required, nowhere on site provides a suitable undisturbed location to install a bat box. Therefore, off-Site mitigation has been secured with West Berkshire Council along the Kennet and Avon Canal corridor immediately north of Site. Three tree mounted bat boxes such as Schwegler 2F boxes (or suitable alternatives) will be installed along the corridor in suitable locations to be agreed with West Berkshire Council.

4.29 Providing mitigation as outlined above is implemented, **no significant residual impacts** are anticipated although this will ultimately depend on the results of the pre-construction update bat surveys. After mitigation, a legal offence will be avoided.

Harm, Death or Disturbance and loss of Potential and Confirmed Bat Roosts

4.30 Should bats be present within roosts at the time of demolition works, there would be a high risk of injury or death to bats. Although the injury or death of individual bats is unlikely to represent a significant impact on the conservation status of the bat assemblage above Zone of Influence level, this would result in an offence under the provisions of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

4.31 Prescriptions for the appropriate timings, supervisions and control of works affecting the buildings with bat roosts will be agreed with Natural England and will become conditions of any issued EPSL.

4.32 As noted above, demolition of areas with no recorded bat roosts will be undertaken using controls that are proportionate to the risk of bats being present, likely including demolition of some of the higher risk elements under ecological supervision and a precautionary working method statement

Disturbance

4.33 Bats are highly sensitive to light, and therefore insensitive lighting on the construction site may discourage bats from usual commuting routes and foraging areas, as well as negatively impacting known and potential roosts.

4.34 In the absence of mitigation, the lighting of foraging and commuting areas would result in a **temporary negative impact** significant at the **Local level only**.

4.35 In order to mitigate against these potential disturbances, a CEMP will be implemented on the construction site, which will include measures to reduce the impacts of noise and vibration. A lighting strategy will also be included which will prevent light pollution to retained suitable bat roosting features and retained suitable adjacent habitat and will aim to minimise the use of unnecessary lighting. This will include a restriction on working hours and lighting restrictions. The CEMP will remain in place throughout the duration of the construction works.

4.36 With the correct implementation of mitigation, **no significant residual impacts** are likely.

Assessment of Impacts and Mitigation - Operational Phase

Light Pollution and Disturbance

4.37 Once complete, the Proposed Development has the potential to result in increased lighting levels within the immediate vicinity of the Site. Due to the light-sensitive nature of bat this could deter bats from using an area. In its current state the Site in some areas is already well lit however dark areas, such as the identified roosting location, are present.

4.38 In the absence of mitigation, this will have a **permanent negative impact** on the bat assemblage, significant the **Local level**.

4.39 To prevent long-term disturbance to the local bat assemblage, a lighting strategy will be conditioned and implemented which will detail specifications for lighting to minimise impacts and provide detailed plans to ensure sensitive areas are not significantly and unnecessarily illuminated. Given the urban nature of the site and the well lit nature of much of the Site pre-works, the lighting strategy will focus on the areas which accommodate bat compensation and enhancement roosting features and flight lines to and from those features.

4.40 The lighting strategy will take into account the guidance provided in Bats and Lighting (Stone, 2013) and the guidance contained within Bats and Artificial Lighting at Night (2023) (Guidance note 08/23 produced jointly by the Bat Conservation Trust and the Institute of Lighting Professionals).

4.41 The lighting strategy will ensure that:

- Lighting around compensatory roosting features and key flight lines will be kept as low as safety levels permit;
- Lights around compensatory roosting features and key flight lines will be shielded to make light directional and directed away from sensitive features;
- If security lighting is required, this will be directed away from retained potential roost features and will use motion sensors on a short timer. There will also be onsite management and a concierge whole will monitoring lighting;
- luminaires will be mounted on the horizontal and directed downwards';
- No upward lighting to be used around compensatory roosting features and key flight lines; and
- Only LED luminaires will be used with a warm white spectrum (ideally <2700 Kelvin) and peak wavelengths higher than 550nm.

4.42 With the correct implementation of an appropriate strategy, **no significant residual effects** on bats are anticipated.

Summary of Impact Assessment

4.43 **Table 4.1** below provides a summary of the potential impacts of the Proposed Development on IEFs, opportunities for impact avoidance and mitigation, or compensation where significant residual effects have the potential to remain.

Table 4.1: Summary of Impact Assessment.

Feature	Importance	Unmitigated Impacts	Mitigation	Significance of Residual Effects	Compensation
Site Clearance and Construction Phase					
River Lambourn SAC	International	Accidental pollution during the construction phase	Implementation of CEMP	None	N/A
River Kennet SSSI	National	Accidental pollution during the construction phase	Implementation of CEMP	None	N/A
Bats	Local	Injury or death Disturbance	Works conducted under European Protected Species Mitigation Licence (EPSL) and PWMS. Construction works conducted following a CEMP.	Loss of Common Pipistrelle roost – significant to ZoI level.	Artificial roost opportunities incorporated into multiple elevations of the new buildings.
Operational Phase					
River Lambourn SAC	International	None	N/A	N/A	N/A
River Kennet SSSI	National	None	N/A	N/A	N/A
Bats	Local	Disturbance	Implementation of a sensitive lighting strategy	None	N/A

5. BIODIVERSITY NET GAIN

Introduction

5.1 The Environment Act 2021 places a requirement on the Secretary of State to make regulations setting out long-term targets for air quality, water, biodiversity, resource efficiency and waste reduction. The Act makes provisions for 10% biodiversity gain as a condition of planning permission in England, through amendments to the Town and Country Planning Act 1990, measurable using the Statutory Metric.

5.2 The Biodiversity Gain Requirements (Exemptions) Regulations 2024 sets out de minimis exemptions whereby the Biodiversity Net Gain planning condition does not apply in relation to planning permission for development which meets the below two conditions:

'(2) The first condition is that the development does not impact a priority habitat.

(3) The second condition is that the development impacts

(a) less than 25 square metres of habitat that has a biodiversity value (b) greater than zero; and

(b) less than 5 metres in length of linear habitat.'

5.3 The Site is almost entirely developed land (buildings and hardstanding) with the exception of a single tree. Given this tree (the location of which is shown on Map 3) is not a priority habitat and occupies less than 25m^2,the proposals are exempt from needing to demonstrate a measurable Biodiversity Net Gain using the statutory metric.

5.4 Section 15 of the National Planning Practise Framework (NPPF) provides guidance on conserving and enhancing the natural environment through the planning system and states that planning policies and decisions should contribute to and enhance the natural and local environment through "*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".*

5.5 Section 15 also states that "*development whose primary objective is to conserve or enhance biodiversity should be supported, while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity."*

5.6 There is currently no policy requirement in West Berkshire to demonstrate net gain quantitively, however demonstration of net gain is still required, Policy CS17 of the West Berkshire Core Strategy (2006 – 2026) states:

"… all new development should maximise opportunities to achieve net gains in biodiversity…"

5.7 Policy CS14 of the same strategy also states:

"Development proposals will be expected to:… Provide, conserve and enhance biodiversity and create linkages between green spaces and wildlife corridors"

5.8 At present, the Site is made up entirely of hard standing (with the exception of a single tree). Designs for the proposals include the provision of a variety of green and open spaces (**Appendix 1**) including:

- Private and community gardens (to include terraces, balconies and courtyards); and
- Tree planting.

5.9 The provision of these green spaces will increase the value of the Site for wildlife by providing habitat for a range of plants and invertebrates, where previously there was none. Stand-alone planters can be used to create community herb gardens which provide foraging opportunities for pollinating insects, and also sensory benefits for the inhabitants of the development.

5.10 This provision will likely increase the invertebrate population within the ZoI which will in turn provide a foraging resource for both bat and bird species foraging within the area.

Wildlife Boxes

5.11 To provide additional nesting/roosting opportunities within the new development, integrated bird and bat boxes will be incorporated into the design.

5.12 Swifts were observed foraging over the Site on multiple bat surveys in 2020. Swift are Amber Listed under the Birds of Conservation Concern and have suffered significant recent declines in breeding population. Installing “Swift Bricks”, a specialised nesting box for this species, is an achievable and low cost way of enhancing a development for both Swifts, and a variety of other bird species which have also been recorded using these features. House Sparrows *Passer domesticus*, Starlings *Sturnus vulgaris* and Great Tits *Parus major* have all been recorded nesting in Swift Bricks (Day *et al*. 2019).

5.13 The development will include the installation of five Swift bricks (such as Schwegler 17 Swift box or suitable alternative) which will be installed in clusters under the eaves of buildings where possible. The boxes will be a minimum of 5m above ground level, (the higher up the better), with a clear fall beneath them, and away from windows and doors. Five Starling Box (smooth bricks) will be installed across the development in suitable locations and will be positioned at a height of at least 3m from the ground facing north or east. The Proposed Development will also include the installation of five built in open nest boxes to provide nesting cavities from species such as Robins, Wagtails and Black Redstarts.

5.14 In addition the Proposed Development will incorporate the installation of one integrated Eco bat box, one Schwegler 1FE box and three Bat access slates to provide roosting opportunities across the development. These boxes will be sited close to the known bat roost within the south-west of the Site and close to suitable offsite commuting and foraging corridors.

6. CONSEQUENCES FOR DECISION MAKING

Summary of Mechanisms to Secure Impact Avoidance, Mitigation and Compensation Measures

6.1 The following strategies, which will be secured by planning conditions and/or obligations, will be required to ensure the successful implementation of the impact avoidance, mitigation and compensation measures set out in **Section 4**:

- Construction Environmental Management Plan (CEMP);
- Lighting Strategy, focussing on compensatory roosting features and key flight lines;
- Landscape and Ecology Management Plan (LEMP); and
- European Protected Species Mitigation Licence (EPSL) for bats.

6.2 This EcIA has predicted that, subject to the implementation of the impact avoidance, mitigation and compensation measures set out in **Section 4**, the Proposed Development will not have any significant negative residual effects on IEFs and will conform to all applicable nature conservation related legislation and policy.

6.3 As a result of the enhancement measures proposed, the proposals will not result in significant harm to biodiversity.

7. LEGAL CONSIDERATIONS

7.1 Should planning permission be granted for the Proposed Development, the following legal considerations will apply, in accordance with the following items of legislation:

- The Conservation of Habitats and Species Regulations 2017 (as amended);
- The Wildlife and Countryside Act 1981 (as amended);
- Countryside and Rights of Way Act (2000);
- The Natural Environment and Rural Communities (NERC) Act 2006; and
- The Wild Mammals (Protection) Act 1996.

Bats

7.2 All bats and bat roosts are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Bats are also a European Protected Species protected under the Habitats Regulations 2017 (as amended). Development proposals affecting bats or their roosts require a European Protected Species mitigation licence from Natural England. It is an offence to:

- Intentionally or deliberately kill, injure or capture bats;
- Intentionally, deliberately or recklessly disturb bats in such a way as to be likely to significantly affect the ability of any significant group of bats to survive, breed, or rear or nurture their young or the local distribution of or abundance of a species of bat;
- Intentionally, or recklessly damage, destroy or obstruct any place used for shelter or protection (i.e. bat roosts) or intentionally or recklessly disturb a bat whilst it is occupying such a place;
- Damage or destroy a breeding site or resting place of a bat; and
- Possess, sell or transport a bat, or anything derived from it.

7.3 The results of previous surveys indicate that the Site is in use as a Common Pipistrelle day roost. This roost will be lost through redevelopment. In the absence of mitigation, the loss of this roost has the potential to cause an offence. Following planning approval, a European Protected Species Mitigation Licence (EPSL) for bats will be obtained in order to demolish the building and the bat roost in compliance with legislation.

7.4 The presence of bats will mean that there will be seasonal constraints for destruction of the roost during demolition of the building, which need to be taken into account when planning the build programme.

7.5 With the implementation of the above mitigation measures this will ensure legal compliance with regards to bats.

Nesting Birds

7.6 All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), making it an offence to intentionally kill, injure or take any wild bird and to take, damage or destroy their

nests or eggs. In the absence of mitigation, the proposals have the potential to contravene this legislation.

7.7 Any vegetation or features on the Site that have the potential to support nesting birds should be removed outside of the nesting bird season (which runs from March – August inclusive). Where this is not possible, a nesting bird check must be carried out within 24hrs before vegetation removal or building demolition. This nest check should be conducted by a suitably experienced ecologist. Should nesting birds be found, works in the immediate vicinity should not commence/be stopped, and should only recommence when an ecologist has deemed the nest is no longer active.

7.8 With the implementation of the above mitigation measures this will ensure legal compliance with regards to nesting birds.

8. SUMMARY AND CONCLUSIONS

8.1 The ecological impact assessment has identified the River Lambourn SAC, River Kennet SSSI and Bat Assemblage as ecological receptors within the Site. A CEMP will be implemented during construction to include procedures in the event of environmental accident such as incorporating a suitable buffer zone to exclude any storage of potentially polluting materials near water bodies or potential pathways to water bodies. The CEMP will also include procedures for tackling accidental spillages and preventing them from entering the surface water drainage system and being carried to the River Kennet and subsequently the River Lambourn.

8.2 A sensitive lighting strategy will also be conditioned and implemented to ensure no adverse impacts to adjacent retained habitats and consequently the species utilising these habitats such as bats. Works will be conducted under a EPSL and PWMS with regards to roosting bats with artificial roost opportunities incorporated into the elevations of the new buildings.

8.3 Mitigation measures will also be implemented to ensure legal compliance with regards to roosting bats and nesting birds.

8.4 As measures to avoid, mitigate and compensate for significant residual effects have been outlined for the above ecological receptors, the Proposed Development will not result in any significant negative residual effects within the Site. The Site will also deliver biodiversity net gain through habitat creation, as well as through the delivery of integrated bird and bat boxes in line with planning policy.

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Maps

MAP 1 Site Location

KEY

Site boundary

SCALE: 1:16,000 at A3

0 200 400 600 800 1,000 Metres

N

EPR

CLIENT: Lochailort Newbury Ltd

PROJECT: Old Town, Newbury

DATE: 14 March 2024

Y:\Kennet Centre, Newbury 2049\GIS\Map1_SiteLocation_P2049_2827_140324.mxd

P20/49

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

MAP 2 Statutory and Non-statutory Designated Sites and Ancient Woodlands

KEY

- Site boundary
- 5km linear distance from site boundary

Non-Statutory Sites

- Local Wildlife Sites (LWS)
- Proposed Local Wildlife Site Extension (LWSe)
- Berks, Bucks and Oxon Wildlife Trust Reserves (BBOWT)
- Biodiversity Opportunity Areas
- Ancient & Semi-Natural Woodland
- Ancient Replanted Woodland

Statutory Sites

- Special Areas of Conservation
- Sites of Special Scientific Interest (SSSI)
- Local Nature Reserves (LNR)

SCALE: 1:38,000 at A3

0 500 1,000 1,500 2,000 Metres

N

EPR

CLIENT: Lochailort Newbury Ltd

PROJECT: Old Town, Newbury

DATE: 04 March 2024

Y:\Kennet Centre, Newbury 2049\GIS\Ecl\Map1_StatutoryNon-statutoryDesignatedSites_P3020_2815_040324.mxd

P30/20

MAP 3 Habitats & Features

KEY

- Site boundary
- Tree
- Buildings & hardstanding

SCALE: 1:800 at A3

0 10 20 30 40 50 Metres

N

EPR

CLIENT: Lochailort Newbury Ltd

PROJECT: Old Town, Newbury

DATE: 14 March 2024

Y:\Kennet Centre, Newbury 2049\GIS\Map2_Habitats&Features_P2049_2827_140324.mxd

P20/49

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

MAP 4 Bat Records

KEY

- Site boundary
- 2km linear distance from site boundary

Activity records:

- Brown Long-eared bat
- Common Pipistrelle
- Daubenton's bat
- Myotis Species
- Nathusius's Pipistrelle
- Noctule Bat
- Pipistrelle Bat Species
- Serotine
- Soprano Pipistrelle
- Unidentified Bat
- Western Barbastelle
- Whiskered Bat
- Roost records

SCALE: 1:16,000 at A3

0 250 500 750 1,000 Metres

N

EPR

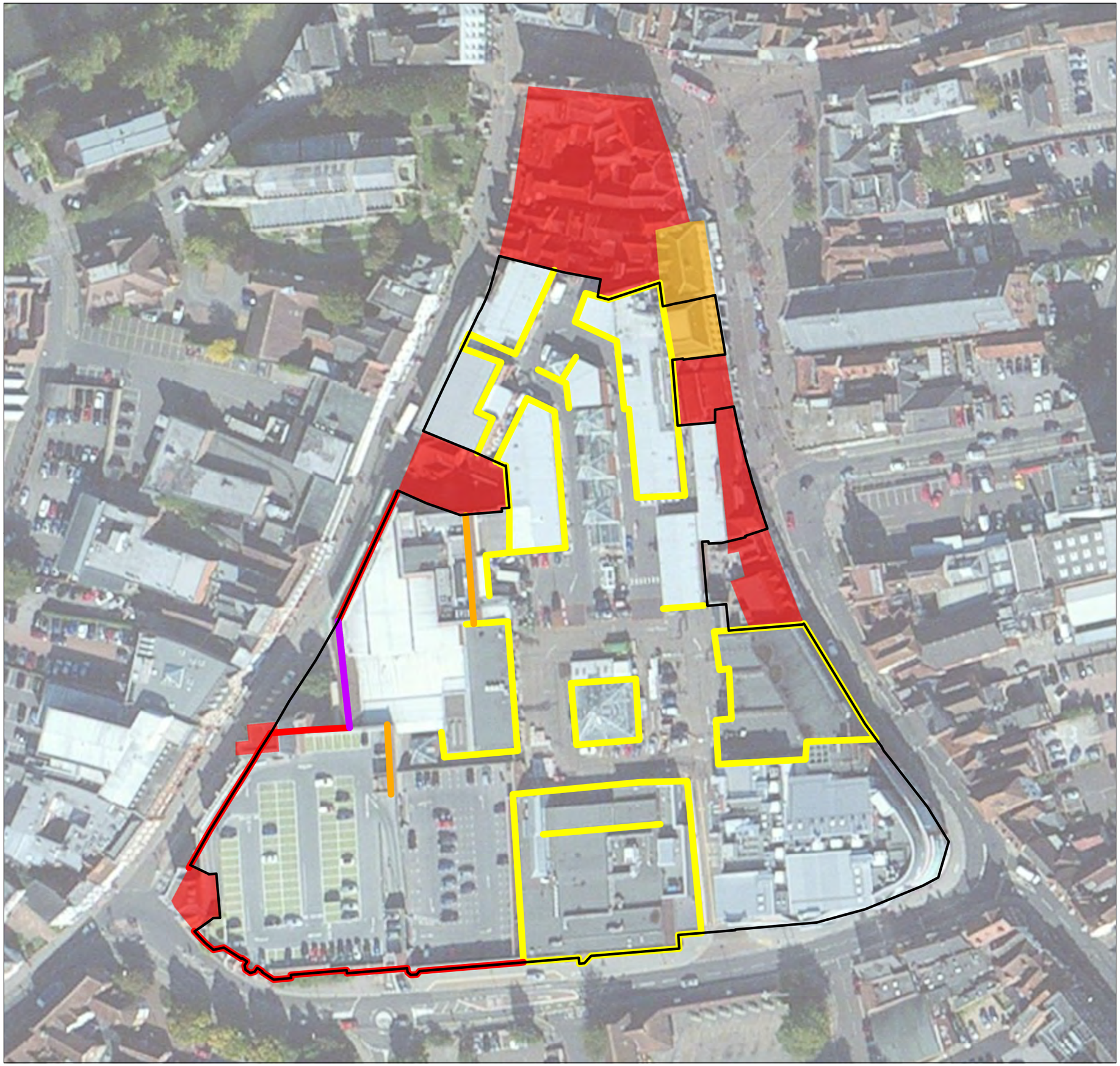
CLIENT: Lochailort Newbury Ltd

PROJECT: Old Town, Newbury

DATE: 04 March 2024

Y:\Kennet Centre, Newbury 2049\GIS\EcIA\Map2_BatRecords_P3020_2815_040324.mxd

P30/20



MAP 5 Summary of Bat Roost Suitability

KEY

- Site boundary
- Confirmed roost
- High roost suitability
- Moderate roost suitability
- Low roost suitability

All other areas within site boundary are negligible potential

SCALE: 1:1,000 at A3

0 10 20 30 40 50 Metres

N

EPR

CLIENT: Lochailort Newbury Ltd

PROJECT: Old Town, Newbury

DATE: 14 March 2024

Y:\Kennet Centre, Newbury 2049\GIS\Map5_RoostSuitability_P2049_2827_140324.mxd

P20/49

Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

MAP 6 Preliminary Roost Assessment Results

KEY

- Site boundary
- Gap in bargeboard
- Gap in soffit
- Gap via missing mortar
- Missing window
- Open vent
- Gap above shutter door
- Gap in soffit/bargeboard
- Lifted Slate tiles
- Lifted/missing clay tiles
- Roofing felt/Lead Flashing
- Weep holes in brickwork

SCALE: 1:1,000 at A3

0 10 20 30 40 50 Metres

N

EPR

CLIENT: Lochailort Newbury Ltd

PROJECT: Old Town, Newbury

DATE: 14 March 2024

Y:\Kennet Centre, Newbury 2049\GIS\Ecol\Map6_PreliminaryRoostAssessmentResults\y_P2049_2827_140324.mxd

P20/49

Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

MAP 7 2020 Bat Emergence/Re-entry Survey Results

KEY

- Site boundary
- Survey areas
- West surveyor positions
- East surveyor positions
- Pp Common Pipistrelle
- Ps Soprano Pipistrelle
- Nn Noctule
- (f) Foraging
- (p) Pass
- Emergence

04/08/20
01/09/20
02/09/20 - no bats
15/09/20
16/09/20
29/09/20

SCALE: 1:800 at A3

0 10 20 30 40 50 Metres

N

EPR

CLIENT: Lochailort Newbury Ltd

PROJECT: Old Town, Newbury

DATE: 14 March 2024

Y:\Kennet Centre, Newbury 2049\GIS\Map7_2020BatEmergenceReentrySurvey_P2049_2827_140324.mxd

P20/49

Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

MAP 8 2024 Bat Emergence/Re-entry Survey Results

KEY

- Site boundary
- Survey areas
- West surveyor positions
- East surveyor positions
- Pp Common Pipistrelle
- Ps Soprano Pipistrelle
- (f) Foraging
- (p) Pass

16/05/24

23/05/24

24/06/24

SCALE: 1:800 at A3

0 10 20 30 40 50 Metres

N

EPR

CLIENT: Lochailort Investments Ltd

PROJECT: Old Town, Newbury

DATE: 25 June 2024

Y:\Kennet Centre, Newbury 2049\GIS\Map8_2024BatEmergenceReentrySurvey_P3020_2990_250624.mxd

P30/20

Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

Appendix 1

Site Proposals

NOTES

1. Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies must be reported to the Architect or Engineer before proceeding. © This drawing is copyright.

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N

THE ARCADE

The Globe Inn

MARKET PLACE

BARTHOLOMEW STREET

The Newbury

Pub Terrace

void

William Hill

The Sushi Maki

No 21

The Catherine Wheel

BUS STOP

CHEAP STREET

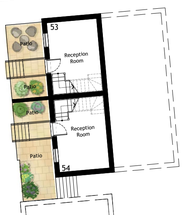
MARKET STREET

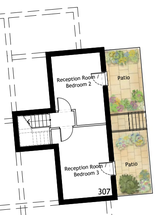
WEAVERS YARD

BUS STOP

BUS STOP

BUS STOP





0 2 4 6 10 20 30
SCALE 1:200

REV	DESCRIPTION	DRN	CHD	DATE
■	PRELIMINARY	☐	INFORMATION	☐ TENDER
☐	CONSTRUCTION	☐	AS BUILT	

SCALE	1:200 @ A0	DATE	FEB 2024
DRAWN	AT/JPG	CHK	JAL
DRAWING NO.	19401/1002	REV	-

TITLE: Old Town, Newbury.

DETAILS: Semi-Basement Floor Plans, Site Layout.

LOCHAILORT

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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS DRAWING

Legend:

- Metal (black) c.0.9-1.2m high railings.
- Dwarf Wall (c.0.3m) with c.0.9m railings (black) on top.
- Brick wall 1.8m min. high.
- Metal (black) gates (various heights).
- Way-finding lantern.
- Retraceable Bollard.
- Bollard.
- Denotes lockable gates.
  (Community Security - Gates to be automatic closing at all times & automatically locking at set times (approx. sunset to sunrise). Residents to have the key code and/or fob granting access).
- Elevation Symbols
- Courtyard Water Hose Stand.
- CCTV Camera.
- Cycle Maintenance Stand.
- Denotes Cycle Store Location.
- Denotes Refuse Store Location.
- Denotes GSHP Location.
- Denotes Cobbled Sets Laid Horizontally.
- Denotes Cobbled Sets Laid in a Fan Pattern.
- Denotes York Flag Stone.

THE ARCADE

The Globe Inn

MARKET PLACE

BARTHOLOMEW STREET

The Newbury

Pub Terrace

Artist's Mews (North)

Artist's Mews (South)

Eagle Yard

Crown Court

Falkland Place

William Hill

The Catherine Wheel

Alma Court (North) (One-way)

Alma Court (South) (One-way)

Alma Court (One-way)

Ashton Court

Ashton Thicket

Victoria Court

Smith's Yard

Plenty's Place (One-way)

Iron Yard

CHEAP STREET

MARKET STREET

WEAVERS YARD

Bartholomew Street subject to improvement works to enable two-way traffic , in part, to access the site.

Proposed highway improvements to facilitate access into the site.

In (Only)

Out (Only)

Old Town Community Cycle Storage Capacity: 184 Cycles

Maintenance Bike Stand

Level 0 (Ground Floor)

73 spaces
(inc. 18 disabled bays)

Proposed new layby parking.

Existing Vehicular Ramp to be made into A Pedestrian Access and Retained by the Existing Dwellings.

Bus Shelter

SCALE 1:200

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Old Town Newbury

REV	DESCRIPTION	DRN	CHD	DATE
■	PRELIMINARY	☐	INFORMATION	☐	TENDER
☐	CONSTRUCTION	☐	AS BUILT		

SCALE	1:200 @ A0	DATE	FEB 2024
DRAWN	AT/JPG	CHK	JAL
DRAWING NO.	19401/1003	REV	-
TITLE	Old Town, Newbury.		
DETAILS	Ground Floor Plans, Site Layout.		

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Legend:

- Metal (black) c.0.9-1.2m high railings.
- Dwarf Wall (c.0.3m) with c.0.9m railings (black) on top.
- Brick wall 1.8m min. high.
- Metal (black) gates (various heights).
- Way-finding lantern.
- Retraceable Bollard.
- Bollard.
- Elevation Symbols

Old Town Newbury

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Level 2 (Second Floor)

101 spaces

7 Auditorium Cinema - 860 Seating Capacity
- Fit Out Retained as Existing.
First Floor.

REV	DESCRIPTION	DRN	CHD	DATE
■	PRELIMINARY	☐	INFORMATION	☐	TENDER
☐	CONSTRUCTION	☐	AS BUILT		

SCALE	1:200 @ A0	DATE	FEB 2024
DRAWN	AT/JPG	CHK	JAL
DRAWING NO.	19401/1004	REV	-
TITLE	Old Town, Newbury.		
DETAILS	First Floor Plans, Site Layout.		

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SCALE 1:200

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- Brick wall 1.8m min. high.
- Metal (black) gates (various heights).
- Way-finding lantern.
- Retraceable Bollard.
- Bollard.
- Elevation Symbols

THE ARCADE

The Globe Inn

MARKET PLACE

Artist's Mews (North)

Artist's Mews (South)

Eagle Yard

William Hill

BARTHOLOMEW STREET

Crown Court

The Newbury

Falkland Place

Alma Court (North)

Alma Court

Alma Court (South)

Smith's Yard

The Catherine Wheel

Ashton Thicket

Ashton Court

Plenty's Place

Iron Yard

Victoria Court

CHEAP STREET

BUS STOP

Bus Shelter

MARKET STREET

WEAVERS YARD

Vue Cinema

Vue Cinema & 4 Commercial Units

Level 2 (Second Floor)

101 spaces

SCALE 1:200

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Old Town Newbury

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☐	CONSTRUCTION	☐	AS BUILT		

SCALE	1:200 @ A0	DATE	FEB 2024
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DRAWING NO.	19401/1005	REV	-
TITLE	Old Town, Newbury.		
DETAILS	Second Floor Plans, Site Layout.		

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- Brick wall 1.8m min. high.
- Metal (black) gates (various heights).
- Way-finding lantern.
- Retraceable Bollard.
- Bollard.
- Elevation Symbols

THE ARCADE

The Globe Inn

MARKET PLACE

Artist's Mews (North)

Eagle Yard

Artist's Mews (South)

William Hill

BARTHOLOMEW STREET

Crown Court

Falkland Place

The Newbury

Alma Court (North)

The Catherine Wheel

Alma Court

Smith's Yard

Alma Court (South)

CHEAP STREET

Ashton Thicket

Plenty's Place

Ashton Court

Iron Yard

Victoria Court

Vue Cinema

Vue Cinema & 4 Commercial Units

MARKET STREET

WEAVERS YARD

Level 3 (Third Floor)

101 spaces

SCALE 1:200

Old Town Newbury

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☐	CONSTRUCTION	☐	AS BUILT		

SCALE	1:200 @ A0	DATE	FEB 2024
DRAWN	AT/JPG	CHK	JAL
DRAWING NO.	19401/1006	REV	-
TITLE	Old Town, Newbury.		
DETAILS	Third Floor Plans, Site Layout.		

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