West Berkshire Local Plan Review 2023-2041 (adopted June 2025)

Biodiversity and Geodiversity

Policy SP11

Biodiversity and Geodiversity

Development proposals will be required to demonstrate how they conserve and enhance biodiversity and/or geodiversity including their long-term future management and, where required, deliver Biodiversity Net Gains.

Development will be permitted where it:

a. Protects biodiversity and/or geodiversity value and implements appropriate conservation management. The degree of protection will be proportionate to the status of the site or species in terms of its international, national and/or local importance;
b. Avoids fragmentation and maximises opportunities for restoration, enhancements and connection of linear features which enables strong connectivity of biodiversity as part of an integrated habitat network (including links to habitats outside the District);
c. Incorporates beneficial biodiversity and/or geodiversity conservation features and enhances existing features, including those that will help wildlife to adapt to climate change where appropriate;
d. Provides or retains at least 10m buffer zones between development proposals and designated sites, habitats for protected or priority species or main rivers, which are informed by detailed site-based assessment;
e. Provides coherent ecological connectivity and permeability that is integrated and linked to the wider green infrastructure and any nature recovery network identified as relevant to the location;
f. Seeks to eradicate or control any invasive non-native species present on site; and
g. Is compatible with any Biodiversity Action Plan, Local Nature Recovery Strategy and /or other strategic conservation management plans for species or habitats that have been formally adopted by the Council.

In addition to the above, where specific identified sites are to be affected the following will be taken into account:

Internationally Designated Sites

Development likely to result in a significant effect on an internationally designated site will be subject to assessment under the Habitats Regulations and will not be permitted unless it can be demonstrated that there are no alternatives following/through appropriate derogation tests for the proposal and that any adverse effects on the integrity of the site can be fully avoided, mitigated and/or compensated and proposals are in the public interest.

Nationally Designated Sites

Development which is likely to have any adverse impact on the notified features of a nationally designated site will not normally be permitted. In exceptional circumstances, a proposal may be found acceptable where it can be demonstrated that:

j. A suitable alternative site with a lesser impact than that proposed is not available;
k. The on-site benefits of the proposal clearly outweigh the impacts on the notified features of the site and where applicable, the overall site or habitat network;
l. All appropriate mitigation measures have been proposed and secured through the development management process; and
m. It does not prevent future attainment of nationally protected sites from meeting Favourable Condition, or to provide enhancements to enable the nationally designated sites to meet Favourable Condition as per their Conservation Objectives.

Irreplaceable Habitats

Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat (such as ancient woodland, ancient or veteran trees, ancient hedgerows, traditional unimproved meadows/ancient grasslands and lowland fens) will only be permitted for wholly exceptional reasons where:

o. The need and benefits of the development in that location clearly and unambiguously outweigh the loss;

West Berkshire Local Plan Review 2023-2041 (adopted June 2025)

p. It has been adequately demonstrated that the irreplaceable habitat cannot be retained with the proposed scheme; and
q. Appropriate compensation measures are provided on site wherever possible and off-site where this not is feasible. The scale and quality of the compensation measures required will be commensurate to the loss or deterioration of the irreplaceable habitat and will be considered on a site by site basis, including long term management and maintenance.

Sites of Local Importance

Development proposals affecting sites of local importance should always seek to contribute to their favourable management in the long term.

Where a proposal is likely to result in harm to sites of local importance (including habitats or species of principal importance for biodiversity, and sites that meet the criteria for designation as a Local Wildlife Site or designation as a Local Geological Site), developers will be required to accord with the following sequential approach:

r. Firstly, seek an alternative site in the District with a lesser impact than that proposed;
s. Secondly, if the first is not possible, demonstrate mitigation measures can be taken on site; and
t. Thirdly, and as a last resort, seek appropriate compensation measures, on site wherever possible and off-site where this is not feasible including long term management and maintenance.

Supporting Text

5.71 West Berkshire supports a rich and diverse range of biodiversity and geodiversity assets which reflect both the underlying geology and soils and traditional management practices that have been carried out over many years. The aim of this policy is to provide a framework for conserving and enhancing this richness and diversity both for its own sake, but also the positive contribution that it makes to the overall quality of life and sense of place for residents and visitors to West Berkshire in both urban and rural areas. Policy SP11 sets out how new development in West Berkshire will be expected to contribute to and enhance the natural and local environment at a landscape scale as well as sites of biodiversity importance at different levels. Where appropriate, new development should promote conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and should secure opportunities for a net gain for biodiversity.

5.72 The 2019 ‘State of Nature Report’ indicates that biodiversity across the UK is continuing to decline and as such, change is required in relation to how we manage land. The Report highlights that urbanisation can fragment landscapes by creating barriers between habitats, thus isolating some populations but also recognises the wide variety of green spaces which exist within urban environments including domestic gardens, parks, allotments, cemeteries, ponds, and road verges which can all add to biodiversity value. Habitat connectivity is a key challenge for biodiversity and linked to the challenge of the climate crisis it is important that habitats do not become isolated with metapopulations and local populations of faunal and flora species finding themselves less able to respond to natural fluctuations where they can face heightened risk of decline and extinction.

5.73 Linear features, or stepping stones, which form part of the connected habitat includes networks of hedgerows and ditches; habitats along all water courses; roadside verges; and (cumulatively) private gardens (including links to habitats outside the District) are essential for the migration, dispersal, and genetic exchange of wild species. Examples of linear features within West Berkshire include waterways such as the River Kennet, River Lambourn and the Kennet & Avon Canal and they play an important role in providing strong connecting links across the biodiversity network. By protecting these natural habitats and networks across the District, the Council may be able to avoid or repair fragmentation and isolation of natural habitats and ultimately conserve and enhance our priority natural areas and the connections between them. This element of the policy closely links with policy SP10.

5.74 A buffer zone is a landscape feature which can be used to protect a sensitive area from the impacts of development (or other harmful neighbouring land use). Buffers which are linked to corridors will be supported as a means of increasing connectivity across the District to help nature thrive. Buffers should be appropriately designed and informed by an understanding of what needs to be protected and/or mitigated. Regard should also be given to policy DM6 in regards to providing appropriate buffers along watercourses.

5.75 The policy takes a hierarchical approach according to the designation and significance of the natural assets and will apply the principle of net gain through delivery in line with paragraph 179 a) of the NPPF and wider Government policy including the 25 Year Environment Plan (2018).

West Berkshire Local Plan Review 2023-2041 (adopted June 2025)

Sites of International and National Importance

5.76 The most important sites for biodiversity and individual wildlife species receive statutory protection under international and national legislation and form part of the national site network. Special Protection Areas (SPA) and Special Areas of Conservation (SAC) are internationally important and are afforded the highest level of protection. Candidate SACs and proposed SPAs will be afforded the same level of protection as those already designated.

5.77 SACs are internationally important conservation sites which are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Under these regulations, it is a requirement to seek and protect the most valuable and threatened habitats and species. In accordance with the policy, any developments which are likely to have significant effects on SACs will be required to prepare an appropriate assessment to identify the implications for the site in respect of the site's conservation objectives. There are three SACs in the District (which are all sensitive to surface and groundwater quality and quantity):

- Kennet and Lambourn Floodplain
- River Lambourn
- Kennet Valley Alderwoods.

5.78 The Kennet and Lambourn Floodplain SAC is ecologically important as it contains a cluster of sites which supports one of the most extensive known populations of Desmoulin's whorl snail in the UK and is one of two sites representing the species in the south-western part of its range in the important chalk stream habitat. Integrity of the population is being maintained by taking measures, including habitat creation, to safeguard populations.

5.79 The River Lambourn SAC is an example of a chalk river characterised by an abundance of water-crowfoots. These species help to modify water flow, promote fine sediment deposition and provide shelter and food for fish and invertebrate animals. The River provides a habitat which is only found in southern and eastern England. For part of its length it is a winterbourne, drying through the summer months. It is one of the least-modified rivers of this type, with a characteristic flora dominated by pond water-crowfoot upstream and water-crowfoot further downstream. It is adversely affected by nutrient enrichment, mainly from sewage inputs and agriculture, but is also vulnerable to artificial reduction in river flows. In March 2022 Natural England advised that the SAC was in unfavourable condition due to unnaturally high levels of phosphorus. It also advised that future development within the hydrological catchment of the River Lambourn SAC must achieve 'nutrient neutrality' to ensure that it does not impact on the condition of the protected site. The Council's approach to nutrient neutrality is set out in policy DM6 and a more detailed Supplementary Planning Document will also be produced.

5.80 The Kennet Valley Alderwoods SAC is an alluvial forest with alder and ash and which contains the largest fragments of alder-ash woodland on the Kennet floodplain. The wettest areas are dominated by alder over tall herbs, sedges and reeds, but dryer patches include a base-rich woodland flora with much dog's mercury and also herb-Paris. The occurrence of the latter is unusual, as it is more typically associated with ancient woodland, whereas evidence suggests that these stands have largely developed over the past century.

5.81 The Council also has a duty to ensure that future development does not adversely affect the integrity of SACs outside of its geographical area. This includes the Solent Maritime SAC, which receives water from the River Test. The catchment for the River Test extends into a very small part of the District around Combe. It is also adversely affected by nutrient pollution and in March 2022 Natural England advised that the SAC was in unfavourable condition due to excessive levels of nitrogen. It also advised that future development within the hydrological catchment of the River Test must achieve 'nutrient neutrality' to ensure that it does not impact on the condition of the protected site.

5.82 There are no SPAs within West Berkshire, although there is a very small part of the District (256 hectares) around Beech Hill within 5km of the Thames Basin Heaths SPA. The 5km boundary has been determined by Natural England as a buffer area to regulate development near the SPA. However, it is possible that certain types of development up to 7km from the boundary of the SPA could have an impact on the SPA. Proposals for new residential development of one or more net additional dwellings up to 5km from the boundary of the SPA, and residential development of over 50 dwellings located between 5 and 7km of the boundary of the SPA, will therefore require screening to assess whether they will have a likely significant effect on the SPA. Where a significant effect exists or cannot be excluded, an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 (as amended) would need to be undertaken. Proposals will only be permitted if they do not adversely affect the integrity of the SPA. The Thames Basin Heaths SPA Delivery Framework will be used to guide assessment and any avoidance or mitigation measures that may be needed. The provision of Suitable Alternative Natural Greenspace (SANG) to attract new residents away from the SPA is a key part of these avoidance measures, together with strategic access management on the SPA and monitoring. Since the level of development expected to come forward in this area of

West Berkshire Local Plan Review 2023-2041 (adopted June 2025)

the District is extremely low, the Council will explore opportunities for cross boundary working in this regard. Alternatively, SANG may be provided by developers for individual developments where it complies with Natural England's guidelines and there is an appropriate contribution to strategic access management and monitoring. In all cases SANGs will need to be agreed with Natural England.

5.83 Sites of Special Scientific Interest (SSSI) are nationally designated sites which have important wildlife or geological value. There are currently 51 SSSIs within West Berkshire covering 1470 hectares. Six fall within the SACs. The pre-dominant (60%) designated habitats are chalk streams and grassland, and ancient woodland.

Irreplaceable Habitats

5.84 The NPPF states that "*Development resulting in the loss or deterioration of irreplaceable habitats .... should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.*" Within West Berkshire there are a number of irreplaceable habitats such as ancient woodland, ancient or veteran trees, ancient hedgerows, traditional unimproved meadows/ancient grasslands and lowland fens. However, this list is not definitive and applicants should assess whether there are any other irreplaceable habitats present on a site by site basis. Compensation measures for irreplaceable habitats will not be considered acceptable where the replacement habitat provided results in a neutral impact. Instead, the compensation to be provided will be based on the nature or extent of damage or loss to the irreplaceable habitat and will contribute towards the enhancement of biodiversity. Compensation could be in the form of habitat creation, enhancement or restoration and potentially be large in nature to reflect the irreplaceability of the habitat loss or damage. This will be assessed on a site by site basis in consultation with the relevant conservation body. If a proposal impacts upon Ancient Woodland, ancient or veteran trees or ancient hedgerows, development will also need to be in accordance with policy DM15 Trees, Woodland and Hedgerows.

Sites of Local Importance

5.85 The District contains a range of habitats and geological features of local significance designated as Local Wildlife Sites and Local Geological Sites. Local Wildlife Sites are non-statutory sites of significant value for the conservation of wildlife. These sites represent local character and distinctiveness, and have an important role to play in meeting local and national targets for biodiversity conservation. There are 508[(73)] sites (c.7600 ha) designated for their county level importance and covering 11% of West Berkshire, many of which are ancient semi-natural woodland.

5.86 Site selection criteria for Local Geological Sites have been drawn up by the Berkshire Geoconservation Group, and there are currently five sites in West Berkshire covering 150 hectares.

Protected and Priority Species

5.87 Some species, such as bats, great crested newts and badgers, have special protection under international and national legislation (such as the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017) and must be considered as part of the planning application process. Similarly, priority species are identified under Section 41 of the Natural Environment and Rural Communities (NERC) Act as of principal importance for the purposes of conserving biodiversity in England. The Thames Valley Environmental Records Centre also holds information for rare, scarce and notable (but not limited to) species in West Berkshire.

5.88 Where there is a reasonable likelihood that a protected or priority species may be present and affected by a proposal, comprehensive surveys will need to be undertaken to provide the evidence needed to allow a determination to be made and licenses to be sought where necessary. Appropriate compensation measures should be provided where development would disadvantage the conservation of a priority species. For example, the Sky Lark, Lapwing and other ground nesting birds require suitable habitats so that the species are not displaced as part of development which would limit the success of the species. There are many opportunities for biodiversity and geological enhancement in all parts of the District and not just on identified sites.

5.89 Ponds are critical to great crested newts for breeding. Whilst on land, great crested newts are also dependent upon other habitats such as woodland, hedgerows, rough grassland and scrub. They are generally found within 500m of ponds, although may travel further than this. West Berkshire Council has been granted a District Licence as part of the Nature Space supported District Licence Scheme for Great Crested Newts. This enables the Council through its planning function to authorise activities affecting Great Crested Newts. Developers will be required to pay compensation for their impacts of the proposed development which will enable long term management agreements to be put in place with land owners and managers to fund and maintain newt habitats which is more effective for newts on sites and on a landscape scale.

73 Thames Valley Environmental Records Centre (TVERC), 2017

West Berkshire Local Plan Review 2023-2041 (adopted June 2025)

Biodiversity Net Gain

5.90 The Council will deliver Biodiversity Net Gain in line with the latest national guidance and the Environment Act 2021. Biodiversity Net Gain (BNG) can be defined as "*Development that leaves the environment in a measurably better state than beforehand*" (DEFRA, 2018). In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environmental Act 2021)[(74)]. BNG is part of the mitigation hierarchy and applicants for planning permission will be required to demonstrate that they have made all reasonable efforts to avoid losses of significant habitats and to mitigate any significant effects on biodiversity before demonstrating how the legally required BNG will be delivered. BNG will be achieved through a combination of retaining important features of the site and by making on site and off-site biodiversity enhancements to ensure an overall measurable minimum 10% net biodiversity gain is achieved, which contributes to restoring and enhancing the wider ecological networks and biodiversity of the District. To achieve net gain, a development must have a higher biodiversity unit score after development than before development (except where exemptions apply). The most up to date Natural England Biodiversity Metric should be used to allow the assessment of biodiversity losses of a planning proposal, and where necessary the size of contribution required to offset the biodiversity loss from that development and deliver the additional 10% minimum net gain. Applicants will need to submit a Biodiversity Net Gain Plan (including the completed Metric calculator) to demonstrate how the required net gain is to be delivered and to enable the local planning authority to discharge the statutory condition. Development cannot commence until the Biodiversity Net Gain Plan has been approved and the condition discharged.

5.91 The Environment Act 2021 requires that any on-site or off-site biodiversity net gain must be secured for a minimum of 30 years. Applicants will therefore need to demonstrate how the proposed BNG will be delivered and managed over that period of time. The Council will require periodic monitoring to assess whether the required BNG is being delivered and will seek appropriate remedial measures where monitoring demonstrates that it is not satisfactorily delivering and maintaining the required target condition. To secure the delivery of significant on-site and off-site BNG over the 30 years period, a legal agreement between the applicants/landowners and the local planning authority will be required. Where applicants propose to use off-site credits to deliver the required net gain in whole or in part, they will need to demonstrate that these credits are from a site registered to provide such credits.

5.92 To demonstrate that development proposals have met the requirements of Policy SP11, they will need to be accompanied by an appropriate ecological impact assessment (EcIA) where this is relevant to the type of development proposed and its relationship with biodiversity and geodiversity interests. These assessments should be undertaken by a suitably qualified and/or experienced ecologist, be consistent with nationally accepted standards and guidance from the Chartered Institute of Ecology and Environmental Management, and will need to include a Biodiversity Net Gain Plan (including the completed Metric calculator) to measure the net gain achieved on site or loss that would need to be compensated. The assessment should be proportionate to the scale and impact of the development and so for householder and most minor applications this will initially involve a Preliminary Protected Species Survey or Preliminary Ecological Appraisal in order to assess if further work is required.

Compensatory measures and long term management

5.93 Compensatory measures refer to all measures designed to help offset the adverse effects that cannot be further reduced by mitigation measures. Compensation for residual harm is considered the last step and will be considered where it can be evidenced that on-site improvements are not possible, may result in piecemeal mitigation on small sites, or where better opportunities exist to secure net gain elsewhere. Compensatory measures (also known as biodiversity offsetting) will normally involve off-site measures to balance losses within the development site or to offset residual effects on affected wildlife sites. Compensatory measures should provide a biodiversity net gain in accordance with policy SP11. In addition, newly created habitats should be in place in time to provide fully the ecological functions that they are intended to compensate for.

5.94 Biodiversity Opportunity Areas (BOA) have been identified by the Berkshire Local Nature Partnership. There are 17 which have currently been identified, either whole or in part, across the District. BOAs do not represent a statutory designation or a constraint upon development, rather, they are the areas where biodiversity improvements are likely to have the most beneficial results at a strategic scale. The Council will pursue net gains for biodiversity in and around BOAs and projects which seek to enhance biodiversity within West Berkshire, particularly based on Biodiversity Opportunity Areas, will be supported.

74 Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environmental Act 2021): https://www.legislation.gov.uk/ukpga/2021/30/schedule/14/enacted

West Berkshire Local Plan Review 2023-2041 (adopted June 2025)

5.95 Local Nature Recovery Strategies are a new system of spatial strategies for nature they will: map the most valuable existing habitat for nature; map specific proposals for creating or improving habitat for nature and wider environment goals; and agree priorities for nature's recovery. Once the Local Nature Recovery Strategy is produced for the District it will guide the delivery of biodiversity net gain and other nature recovery measures through illustrating where the most valuable existing habitats are located and will focus on habitat creation and/or improvement where it will achieve the best outcomes. Prior to the Local Nature Recovery Strategies being produced the Council will work with applicants and relevant stakeholders to identify strategic locations for the delivery of off-setting as part of the Local Nature Recovery Network. The Biodiversity Opportunity Areas are likely to be incorporated into the Local Nature Recovery Network.

5.96 Where compensation is required, regard will be had for the risks associated with the difficulty of success and the time-lag between any loss of biodiversity, and the achievement of the requisite habitat quality or other feature in determining the level of compensation required. To ensure the successful delivery and conservation in perpetuity, management arrangements will also need to be considered. Policy SP11 requires the long term management and maintenance of a site, and this should be achieved through a Habitat Management Plan. Details of maintenance requirements and arrangements must be set out, including who is responsible for these requirements. Funding arrangements for delivery of the long-term maintenance requirements should be demonstrated to the Council before construction starts, including measures to secure biodiversity through all phases and stages of the development.

5.97 The Environment Act 2021 sets out that in relation to biodiversity net gain any on-site or off-site biodiversity increase must be secured for 30 years. To allow for a consistent approach the Council will define long term management and maintenance to be a minimum of 30 years. To assist in undertaking appropriate compensatory measures, the Council will require the developer to use prevailing guidance by respective designating bodies.