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Construction Ecological Management Plan (CEMP: Biodiversity)

Culloden Farm, CV9 3QF

Report on Behalf of:
Trent Rivers Trust

Date: 25/06/2025

PEG500-18C

Culloden Farm, CV9 3QF



Document Control

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1.0 Introduction

Project Background

- 1.1 In June 2025, Pioneer Environment Group Ltd. was commissioned by Trent Rivers Trust to prepare a Construction Environmental Management Plan (CEMP: Biodiversity), also known as a Construction Ecological Management Plan (CEcMP), for proposed works at a parcel of land located at Culloden Farm, near Norton-Juxta-Twycross, Atherstone, CV9 3QF (centred on Grid Reference SK 33818 07979), hereafter referred to as the 'Site.'
- 1.2 This assessment supports a planning application for the proposed river restoration scheme at the Site, delivering on objectives set out in the river restoration plan of 2012. The river restoration scheme will connect the two ditches on-site to create a new river channel and natural wetland system. This will involve opening part of the existing ditches and losing some of the grassland habitat to allow the river system to develop. This proposal is outlined in the drawing titled 'Landscape Plan'.
- 1.3 Condition 4 specifies the following requirements:
- 1.4 "No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA. The CEMP shall include the following details:
 - A. Identification of potentially damaging construction activities
 - B. practical measures and sensitive working practices to avoid or reduce impacts during construction on amphibians, bats, reptiles, and badgers
 - C. timing of works to avoid harm to nesting birds
 - D. responsible persons for overseeing sensitive works
 - E. use of protective fencing where required to safeguard hedges and trees
- 1.5 The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA."
- 1.6 Pioneer Environment Group Ltd. previously conducted the following ecological assessments for this Site, which have informed the development of this CEcMP:
 - PEG500-01B - Preliminary Ecological Appraisal (Pioneer Environment Group Ltd, 2024);
 - PEG500-08B - Biodiversity Net Gain Assessment Report (Pioneer Environment Group Ltd, 2025).
 - PEG500-07B – Water Vole and Otter Survey Report (Pioneer Environment Group Ltd, 2024).

Aims

- 1.7 This CEcMP aims to minimise the potential impacts of the construction phase of the development on the existing ecology of the Site and to ensure works proceed in accordance with current wildlife legislation.

Declaration of Compliance

- 1.8 This report has been prepared in accordance with British Standard 402020:2013 “Biodiversity: Code of Practice for Planning and Development”. The information prepared is true and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environment Management (CIEEM) “Code of Professional Conduct” (CIEEM, 2024).

Site Description and Context

- 1.9 Table 1 provides a brief summary of the Site and its surroundings.

Table 1. Summary of Site and Surroundings

Attribute	Description
Location	The Site is located within a dairy farm located approximately 1.5km southwest of the village of Snarestone and 1.9km north-east of Norton-Juxta-Twycross.
National Grid Reference	SK 33818 07979
Site Area (ha)	2.58
Topography	Predominantly Flat
On-site Land Cover	The survey Site comprised a single field of modified grassland, with watercourses flowing along the northern and southern boundaries. A dense hedgerow spanned the northern watercourse, with hawthorn trees scattered along the southern boundary; tall herbs were present along both watercourses. Additional hedgerows spanned the eastern and western boundaries of the Site.
Wider Landscape Land Cover	The wider landscape consists of arable land; the River Mease flows approximately 450m to the east of the Site.

Legislative Context

- 1.10 Several UK and European policies and legislation control the conservation of biodiversity. This section briefly outlines the legal and policy protection afforded to species and habitats scoped into this survey and described within the CEcMP.

Protected Habitats & Species

- 1.11 The Wildlife and Countryside Act 1981 (as amended) is the primary legislation that protects animals, plants, and habitats in the UK. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 additionally lists European Protected Species.
- 1.12 Under the Protection of Badgers Act 1992 it is an offence to disturb, kill, injure, or take a badger or to disturb, damage, obstruct access to, allow a dog to access or destroy a sett.
- 1.13 Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. In summary it is an offence to damage, destroy or obstruct any place used by bats for breeding and shelter, disturb a bat, or kill, injure, or take a bat. Seven bat species including noctule (*Nyctalus*

noctule) (but not common pipistrelle (*Pipistrellus pipistrellus*)) are listed as Species of Principal Importance under the provisions of the NERC Act 2006.

- 1.14 Common reptiles (grass snake (*Natrix helvetica*), adder (*Vipera berus*), common lizard (*Zootoca vivipara*) and slow worm (*Anguis fragilis*)) are listed under Schedule 5 of the Wildlife and Countryside Act (as amended) and are protected from killing and injury.
- 1.15 Common frog (*Rana temporaria*), common toad (*Bufo bufo*), smooth newt (*Lissotriton vulgaris*), and palmate newt (*Lissotriton helveticus*) receive limited protection under the Wildlife and Countryside Act 1981 (as amended), making it illegal to sell or trade them. Great Crested Newt (*Triturus cristatus*) and Natterjack Toad (*Epidalea calamita*) are fully protected under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 as European Protected Species. It is illegal to:
 - Deliberately capture, injure, kill, or disturb either species,
 - Intentionally or recklessly obstruct access to any structure / place used for shelter or protection, or
 - Damage or destroy a breeding site or resting place.
- 1.16 The Wildlife and Countryside Act 1981 (as amended) provides protection to all species of wild birds and their nests. Under Section 1 it is an offence to intentionally or recklessly take, damage, destroy, or otherwise interfere with nests or eggs, or to obstruct or prevent any wild bird from using its nest.
- 1.17 Water voles (*Arvicola amphibius*) are fully protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended). This legal protection makes it an offence to:
 - Intentionally kill, injure (capture) a water vole.
 - Possess or control a live or dead water vole, or any part of a water vole.
 - Intentionally or recklessly damage or destroy or obstruct access to any structure or place which water voles use for shelter or protection or disturb water voles while they are using such a place.
 - Sell, offer for sale, or advertise for sale live or dead water voles.
- 1.18 Otters (*Lutra lutra*) are listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and receive full protection under Section 9. This species is also listed as European Protected Species on Schedule 2 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which gives it full protection under Regulation 41. Protection was extended by the Countryside and Rights of Way Act 2000 (the CRoW Act).
- 1.19 Under the above legislation it is an offence to:
 - kill, injure, or take an individual of such a species.
 - possess any part of such species either alive or dead.
 - intentionally or recklessly damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection, or breeding.
 - intentionally or recklessly disturb such a species whilst using any place of shelter or protection; or

- sell or attempt to sell any such species.

- 1.20 Otters are also included as Priority Species in the UK Biodiversity Action Plan (UKBAP) and also as a species of principal importance for the conservation of biological diversity in England under Section 74 of the CRow Act.

Priority Habitats & Species

- 1.21 The NERC Act 2006 places a duty on public authorities to conserve biodiversity. Additionally, this Act states that a list of priority species and actions must be drawn up and published, to contain species and habitats of principal importance for the purpose of conserving biodiversity. These lists of Priority Species and Priority Habitats, which encompass the previous UK Biodiversity Action Plan (BAP) habitats and species, are those identified as being the most threatened and requiring conservation action. Priority habitats and species were chosen based on international importance, rapid decline, and high risk. The list contains over 1000 habitats and species in total. Some of the most pertinent in this area include lowland meadow, hedgerows, bats, yellowhammer (*Emberiza citrinella*), house sparrow (*Passer domesticus*), song thrush (*Turdus philomelos*), hedgehog (*Erinaceus europaeus*), common toad, grass snake and adder.

Invasive Species

- 1.22 Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) contains introduced species which have been identified as having a severe economic and ecological impact through their introduction. It is an offence to release or allow to escape into the wild any species which is listed under Part I or Part II of Schedule 9, or any species which is not native.

2.0 Assessment of Impacts

Overview of Construction Activities and Impact Pathways

- 2.1 The following activities are likely to be required for the duration of the works:
- Use of the Site by construction vehicles;
 - Use of the Site by personnel;
 - Use of machinery;
 - Vegetation clearance;
 - Groundworks;
 - Use of lighting for work compounds; and,
 - Storage of materials on Site.
- 2.2 In the absence of mitigation, these activities have the potential to adversely affect ecological features via the following impact pathways:
- Direct loss or damage to habitats intended for retention, in the event that areas outside of the construction zone are accessed by vehicles, machinery or people;
 - Increased noise and/or visual disturbance from vehicles, machinery, people or lighting;
 - Air, ground and water pollution on and adjacent to the Site due to emissions from vehicles and machinery; and,
 - Death, injury or disturbance to fauna during vegetation clearance and groundworks.

Summary of Potential Impacts in the Absence of Mitigation

- 2.3 Table 2 details the key ecological features identified during the baseline surveys (refer to Section 1.6) and assesses the potential for adverse impacts in the absence of mitigation, or control measures.

Table 2. Summary of Potential Impacts on Ecological Features from Proposed Works

Ecological Feature	Source to Inform Baseline	Potential for Impacts?	Description/Justification
Statutory Designated Sites			
River Mease (SAC/SSSI)	PEA Report (PEG500-01B, 2024)	Yes	Both of the watercourses subjected to the proposed works are active tributaries of the River Mease. It is therefore likely that these watercourses, and the River Mease itself, will be adversely affected by the works if no pollution prevention measures are adopted.
Ashby Canal (SSSI)	PEA Report (PEG500-01B, 2024)	No	The tributaries subjected to the proposed works do not feed into this watercourse.
Habitats			

Retained Vegetation (Existing Watercourses, Trees, Native Hedgerows)	BNG Report (PEG500-08B, 2025)	Yes	The Site is bounded by native hedgerows to the west (H1), north (H2) and east (H3) which will largely be retained, with minimal clearance (30m) required in order to facilitate the works. All 37 trees will be retained. The two existing ditches and their associated watercourse footprints will be retained. The retained hedgerows and trees could be subject to additional habitat loss, or damage, due to construction vehicle encroachment and storage of materials within Root Protection Areas (RPAs). The watercourses may be impacted if inadequate silt pollution mitigation measures are followed.
Other Habitats (Modified Grassland)	BNG Report (PEG500-08B, 2025)	Yes	Unavoidable loss of the modified grassland is anticipated in order to facilitate the works. Compensation and enhancement will be provided through the creation of new, higher quality habitats. See Report PEG500-08B for further details.
Species			
Badgers	PEA Report (PEG500-01B, 2024)	Yes	Minor, temporary loss of foraging habitat; killing or injury during vegetation clearance and groundworks; disturbance due to noise and vibration. Site works conducted without taking these factors into account could result in a breach of wildlife legislation. Post-development habitats will provide new, beneficial environments for foraging badgers.
Bats	PEA Report (PEG500-01B, 2024)	Yes	Minor, temporary loss of suitable foraging and commuting habitat; tree TN3 was surveyed and flagged as a PRF-M for roosting bats. Site works without taking these factors into account, could result in a breach of wildlife legislation. Post-development habitats will provide new, beneficial environments for foraging and commuting bats.
Breeding Birds	PEA Report (PEG500-01B, 2024)	Yes	Minor loss of nesting and foraging habitat; killing or injury during vegetation clearance; Tree TN3 had potential to support nesting owls. Site works conducted without taking these factors into account could result in a breach of wildlife legislation. Post-development habitats will provide a range of habitats for breeding birds to utilise.
GCN and other Amphibians	PEA Report (PEG500-01B, 2024)	Yes	GCN not considered a constraint due to lack of ponds on-site and within 500m. Site works will temporarily impact areas of suitable terrestrial habitat; minor risk of death or injury to species during vegetation clearance and groundworks. Habitats will undergo restoration as part of the

			development, resulting in improved quality and variety of habitats for all species.
Reptiles	PEA Report (PEG500-01B, 2024)	Yes	Site works will temporarily impact areas of suitable foraging and commuting habitat; minor risk of death or injury to species during vegetation clearance and groundworks. Habitats will undergo restoration as part of the development, resulting in improved quality and variety of habitats for all species.
Otters	PEA Report (PEG500-01B, 2024) Water Vole & Otter Survey Report (PEG500-07B, 2024)	Yes	No evidence of otters was identified at any point during the survey; the watercourses provide some potential for commuting otters. The bank and vegetation structure and regular management of the adjacent fields make the site of poor quality to support resting places for the species. The proposed works are unlikely to have a significant impact on otters. Once completed, the new habitats may impact favourably on otters by providing better quality foraging habitat within the area.
Water Voles	PEA Report (PEG500-01B, 2024) Water Vole & Otter Survey Report (PEG500-07B, 2024)	No	No evidence of water voles was identified during the survey; vegetation along the southern watercourse provided suitable foraging and cover. Given lack of evidence of water voles within the Site, it is considered unlikely that the proposed works will have any impact on the species.
Other Species	PEA Report (PEG500-01B, 2024)	No	All other species have been scoped out due to lack of desk study records and the absence of suitable habitats within the development Site and surrounding habitats.

- 2.4 Control measures to avoid and manage potentially adverse impacts on ecological features during the construction phase of the development are provided in Sections 3 and 4.

3.0 General Control of Works

- 3.1 This section of the report outlines the methods to be implemented during the construction phase, in order to protect ecologically sensitive habitats within the Site and to prevent significant adverse impacts on any protected or notable species present.

Roles and Responsibilities

- 3.2 The overall responsibility for ensuring construction works proceed in accordance with the CEcMP will lie with Trent Rivers Trust, or their appointed contractor.
- 3.3 Trent Rivers Trust, or their appointed contractor, will appoint an Ecological Clerk of Works (ECoW) to be responsible for advising relevant personnel with regards to ecological issues within the Site. Responsibilities of the ECoW will include, but not be limited to:
- Advising on the locations of ecological constraints, such as protected or notable species, or valuable habitats;
 - Supervising key works activities to ensure construction activities comply with Site protocols and mitigation measures to avoid ecological impact;
 - Provide advice to Site personnel on any ecological issues raised during works; and,
 - Liaising as necessary, with Trent Rivers Trust, or their appointed contractor, regarding any uncertainties in the management procedures set out within the CEcMP.

Identification of Biodiversity Protection Zones

- 3.4 As informed through the aforementioned baseline surveys, the following ecological features will be safeguarded through implementation of Biodiversity Protection Zones (BPZs), or through adaptation of sensitive working methods (see Sections 4.20 – 4.43) to avoid, or minimise, adverse impacts to ecological features during the construction phase.
- 3.5 The Site ECoW will identify and highlight BPZs on Site prior to the commencement of works, ensuring ecological features are mapped and marked on Site through agreed methods to prevent accidental encroachment. The locations and restrictions will be communicated to Site personnel through 'Toolbox Talks' during Site inductions. Regular checks will be conducted by the ECoW to ensure compliance with BPZ requirements. BPZs may include, but are not limited to, the following features:
- Retained vegetation (trees, hedgerows and watercourses) along the Site boundaries;
 - Foraging badgers, or their setts, within and adjacent to the Site;
 - Tree (TN3) with bat roost and/or owl nesting potential;
 - Bat flight corridors: mainly boundary hedgerows and watercourses;
 - Areas suitable for nesting birds (trees and hedgerows);
 - Widespread amphibian and reptile species likely to be utilising the hedgerows and grassland for foraging and dispersing. Any features that can be used by amphibians and reptiles for refuge;
 - Otter commuting corridors: mainly boundary watercourses.

Quality Control

Site Inductions/Toolbox Talks

- 3.6 All personnel on Site will receive a Site induction prior to the commencement of any work activities. The Site induction will highlight key ecological issues, sensitive operations, seasonal considerations, and protected areas. Toolbox talks will be delivered as needed to provide additional guidance on specific tasks or environmental sensitivities, such as working near nesting birds or amphibian habitats.

Ecological Certificates

- 3.7 Any personnel involved in specific ecological works, such as handling protected species or implementing habitat mitigation measures, must hold relevant qualifications and training certifications. Copies of these certificates will be kept on-site and made available for inspection by the ECoW or regulatory authorities upon request.
- 3.8 Any works that require ecological supervision will be issued a permit or certificate that will be signed by the ECoW upon completion to confirm works have been conducted in accordance with the measures listed in this document.
- 3.9 Method Statements may also be issued by the ECoW or Site Manager to ensure works comply with the CEcMP.

Daily Record Sheets

- 3.10 The ECoW, or designated Site supervisor, will maintain daily record sheets to document Site activities, ecological checks, and any observed wildlife activity. These records will include information on the implementation of mitigation measures, incidents, weather conditions, and any required remedial actions. The sheets will be stored securely and reviewed as part of regular quality control processes.

Progress Report

- 3.11 Periodic progress reports will be prepared by the ECoW to summarise ecological activities on-site, including the status of mitigation measures, compliance with the CEcMP, and any ecological observations. These reports will be shared with relevant stakeholders, including the client and local planning authorities (were required), to ensure transparency and ongoing compliance.

Revisions to Scheme

- 3.12 Any required revisions to the ecological mitigation scheme will be assessed and documented by the ECoW in consultation with the project team and relevant authorities. Revisions may be necessary due to unforeseen ecological constraints, changes in site conditions, or regulatory updates. All modifications will be clearly documented, communicated to the workforce, and integrated into the CEcMP to maintain ecological compliance.

4.0 Avoidance and Mitigation

Protective Barriers

- 4.1 A demarcation barrier (utilising items such as canes and barrier tape) will be installed along the retained hedgerows to the west, north and east of the Site, affording protection to the wildlife corridors and associated ecological features (trees) from construction activities; retained hedgerow and tree Root Protection Areas (RPA) should also be included within the defined areas. Protection should be in accordance with the British Standard (BS) 5837:2012 'Trees in Relation to Design, Demolition and Construction' (The British Standards Institution, BS 5837: Trees in Relation to Design, Demolition and Construction. Recommendations., 2012).
- 4.2 Barriers must be installed prior to the commencement of any works on site and will remain in-situ throughout the duration of the construction phase, to prevent any accidental encroachment to these retained habitats.
- 4.3 The utilisation of specialist excavator drivers, a suitably experience Ecological Clerk of Works (ECoW) and close, constant supervision from a qualified member of site staff will ensure that barriers are adhered to and no encroachment into hedgerow RPAs will occur. Machinery will work at their maximum distance from the hedgerows (i.e. machine reaching towards the hedgerows, rather than being sited by the hedgerows and reaching away).
- 4.4 Additional protection should be afforded to the retained watercourses across the Site, with adequate silt pollution prevention installed prior to the commencement of works (see Sections 4.16 - 4.18).

Site Compound and Storage of Materials

- 4.5 Areas identified for the Site compound/lay-down area, along with material storage locations, will be agreed with the ECoW prior to installation and will be positioned within habitats of negligible ecological value.
- 4.6 No storage of materials will be permitted in close proximity to the hedgerows/trees along any of the Site boundaries.

Pollution Prevention

- 4.7 No bulk storage of fuels and other liquids will be permitted on Site. Any fuels and other liquids that must be stored on Site, will be stored within bunded containers situated within areas of negligible value for wildlife. Spill kits will be available on Site and procedures will be implemented to ensure any incidents are efficiently and quickly dealt with, should they arise.
- 4.8 Refuelling of plant/machinery on Site should be avoided. If refuelling is required, it should be undertaken with care and with a drip tray placed beneath the area.
- 4.9 Construction vehicle engines will be turned off when stationary to minimise unnecessary air pollution.
- 4.10 Appropriate dust suppression measure will be implemented across Site to reduce impacts to habitats and species adjacent to the works area. Guidance on controlling construction dust can be found within the 'Construction Dust Information Sheet' issued by the Health & Safety Executive

(2020) and will be adhered to throughout the construction period (Health & Safety Executive, 2020).

Lighting

- 4.11 It is not anticipated that working at night will be necessary for this development. However, if security lighting at night is required, it should be directed away from retained features, such as the retained hedgerows and trees, and be low-level in order to prevent an increase of illumination on these key ecological features.

Noise and Vibration

- 4.12 Reasonable control measures will be implemented to avoid significant increase in noise and vibration during the construction phase of the development. All Site construction works will be carried out in accordance with BS 5228:2009+A1:2014 'Code of Practice for Noise and Vibration Control on Construction and Open Sites' (The British Standards Institution, Code of Practice for Noise and Vibration Control on Construction and Open Sites, 2009).
- 4.13 Construction vehicle engines will be turned off when stationary to minimise noise and vibration disturbance.

Fire Prevention

- 4.14 Throughout construction, fires will be prohibited on Site and 'Toolbox Talks' on fire risk and their impacts on surrounding habitats will be delivered.
- 4.15 Designated smoking areas will be implemented, with appropriate vessels provided for the safe disposal of cigarette butts to prevent fire risk.

Mitigation Measures for Notable Habitats

- 4.16 To remove/reduce the risk of silt pollution during the construction phase it is recommended that 'good practice guidelines' are followed and adhered to. The risk of silt pollution causing an incident will depend on many factors including:
- the time of year e.g. fish spawning season;
 - likelihood of silt being disturbed and the method/effectiveness of silt containment;
 - what the bed is made of, e.g. silt or gravel;
 - the conditions in which the work is carried out, e.g. working in the dry, weather.
- 4.17 Silt pollution caused by working in and near the water environment can be minimised or prevented by keeping water out of the working area using appropriate isolation techniques, such as coffer dams and by-pass channels. There may be a need for fish rescue prior to in-channel works, stream diversion or coffer dam work. Fish passage must be maintained during in-channel works.
- 4.18 Providing the appropriate permission from the environmental regulator is granted and pollutions prevention good practice is followed, then it is considered that the watercourse alterations will not impact the SSSI and SAC designation.

- 4.19 Retained habitats on Site will be protected according to the measures outlined in Sections 4.1 – 4.4. Where loss, damage or management of habitats (hedgerows/trees) is required in order to facilitate construction works, vegetation clearance will be undertaken in accordance with species-specific mitigation strategies as outline in Sections 4.20 – 4.43.

Mitigation Measures for Protected and Notable Species

Badgers

- 4.20 Badgers are transient in nature, and although no setts were identified during the initial visit, a pre-work survey should be carried out no earlier than 3 months prior to the commencement of works. The survey will check for newly constructed setts and identify potential risks and impacts that work activities might pose to badgers.
- 4.21 If badgers or their setts are identified within the works area, the survey will inform appropriate mitigation strategies, which may include adjusting work timelines, creating exclusion zones, or implementing alternative methods to minimise disturbance.
- 4.22 A pre-commencement badger survey was undertaken on the 11th June 2025 and is valid until 11th September 2025, with findings listed within the letter report (to be submitted alongside this CEcMP). Should works commence later than 11th September 2025, then an updated survey will be required.
- 4.23 The creation of features which could be used by badgers to excavate setts should be avoided. Temporary soil heaps arising from construction works should be sited upon hardstanding, left uncompacted and not allowed to grass over. Any piles that have been left without the above mitigation will require a pre-work check by a suitably qualified ecologist to ensure no badger setts are present.
- 4.24 All Site personnel will be made aware of the potential presence of badgers on Site, through the delivery of a 'Toolbox Talk' upon induction to the Site (example TBT in Appendix A).

Bats

- 4.25 Tree TN3 was flagged as a PRF-M with potential to support roosting bats. The tree is not expected to be impacted/felled in order to facilitate the works; therefore, no further emergence surveys are required. The following measures should be implemented to minimise impact to this tree:
- Creation of a physical 20m buffer zone around the identified tree, ensuring no machines enter this buffer zone; further limitation of their repeated use directly within the area. The usage of acoustic fencing directly attached to Heras fencing is permitted (e.g. Echo Acoustic Quilt H8, or similar approved).
 - Relocation of the inlet channel to >20m from the identified tree; relocation of access routes within the field to the southern boundary.
 - Minimal time using machines to create the central field channel that falls within the aforementioned 20m buffer zone, utilising smaller machinery (3T or smaller).
 - Ensure machines work at their maximum distance from the tree (i.e. machine reaching towards the tree, rather than being sited by the tree and reaching away).

- 4.26 In order to reduce impacts on foraging and commuting bats on Site, the following measures should be implemented:
- Retained vegetation will be protected in accordance with the measures outlined in Sections 4.1 – 4.4.
 - All construction phase lighting, noise and vibration will be kept to a minimum and in line with the measures outlined within Sections 4.11 – 4.13.
 - No illumination of retained boundary hedgerows and trees will be permitted.

Breeding Birds

- 4.27 The following measures will be implemented to ensure that any breach of legislation with regard to nesting birds is avoided:
- Any clearance of vegetation suitable for breeding birds, such as trees, tall herb vegetation and hedgerows should be implemented outside of the bird nesting season i.e., between September and February (nesting bird season generally extends between March and September). If this is not possible then the habitats should be checked by a suitably qualified Ecologist prior to starting works. If nesting is taking place, then these should be sufficiently buffered (species-dependent) until the chicks have fledged and the nest is no longer in use.
 - Retained vegetation will be protected in accordance with the measures outlined in Sections 4.1 – 4.4.
 - All construction phase lighting, noise and vibration will be kept to a minimum and in line with the measures outlined within Sections 4.11 – 4.13.
- 4.28 Tree TN3 has the potential to support nesting barn owls, and without further assessment, this possibility cannot be ruled out. The tree is not expected to be impacted/felled in order to facilitate the works; therefore, no further surveys are required. The measures listed in Section 4.23 are deemed sufficient in order to mitigate impacts to any nesting individuals, should they be present.
- 4.29 All Site personnel will be made aware of the potential presence of breeding birds on Site, through the delivery of a 'Toolbox Talk' upon induction to the Site (example TBT in Appendix A).

GCN, Other Amphibians and Reptiles

- 4.30 The local data search returned no records of GCN, other amphibians or reptiles within 1km of the development Site; additionally, no evidence of any species was identified during the PEA.
- 4.31 The grassland, hedgerows and riparian zones were deemed suitable for terrestrial-stage amphibians; moreover, habitats were considered suitable for basking, foraging and sheltering reptiles.
- 4.32 Due to the nature of the proposals, areas of suitable terrestrial habitat for amphibians and reptiles will be disturbed across the site, but this disruption will be temporary. Furthermore, the habitats will undergo restoration as part of the overarching river restoration scheme, resulting in an improved quality of habitat for all species after the development. As a result, the need for additional surveys is deemed unnecessary, and the implementation of a Precautionary Working Method Statement (PWMS) is recommended to initiate the scheme (Section 4.31). This PWMS is designed to guarantee that the activities minimise any impact on the suitable habitat and prevent harm to protected species during the course of the work.

- 4.33 In order to minimise any residual risks to amphibians or reptiles that may utilise the Site, the following construction phase mitigation measures will be implemented:
- Retained vegetation will be protected in accordance with the measures outlined in Sections 4.1 – 4.4.
 - All construction phase lighting, noise and vibration will be kept to a minimum and in line with the measures outlined within Sections 4.11 – 4.13.
 - A receptor area to the west of the Site should be established and left undisturbed throughout construction. Vehicles should not pass over this area.
 - Vegetation within the site boundary should be strimmed using hand tools, during the active season (March – October) when temperatures are >10°C; initially, to 150mm, then to ground level. The strimming process will be undertaken in a directional manner towards the receptor area (east to west) to encourage the dispersal of any species into the wider environment.
 - Any piles of debris/wood that may form potential hibernacula should be avoided if work is undertaken in winter months. The creation of any potential refuges should also be avoided; amphibians and reptiles will use stacked materials such as chipping, brash, arisings, stone, boards or metal sheets as refuges. The Site and working areas should therefore be kept tidy with materials stored on either hardstanding or raised on pallets, where possible. Any removal of such piles outside of the hibernation period must be done by hand and under ecologist supervision.
 - All Site personnel will be made aware of the potential presence of amphibians and reptiles on Site, through the delivery of a 'Toolbox Talk' upon induction (example TBT in Appendix A). Although the risk of GCN being present on Site is considered negligible, contractors should be aware of this species and what it looks like, should one be discovered.
 - If GCN or reptiles are identified during the works, then works should cease immediately and Pioneer Environment Group contacted.

Other Species

- 4.34 Pollution prevention measures will be implemented as outlined in Sections 4.7 – 4.10.
- 4.35 Retained vegetation will be protected in accordance with the measures outlined in Sections 4.1 – 4.6.
- 4.36 All construction phase lighting, noise and vibration will be kept to a minimum and in line with the measures outlined within Sections 4.11 – 4.13.
- 4.37 To minimise disturbance, all work should be undertaken by hand where possible, and machinery use limited. This will lessen the impact on any wildlife present or nearby.
- 4.38 Where possible, most work should be carried out in the winter months to limit disturbance to wildlife.
- 4.39 Any deep excavations which must be left open overnight must have sloping boards installed to ensure that any animals such as badgers, hedgehogs, or hares that fall in are able to escape.
- 4.40 Should any non-protected species such as hedgehog, frog, smooth newt, or toad be found during works they should be moved carefully by hand to an area to be left undisturbed by works.

- 4.41 Should evidence of protected species, such as bats, nesting birds, great crested newts, badgers, or reptiles, be discovered during works, works should temporarily stop while Pioneer Environment Group Ltd or the local office of Natural England are contacted for advice on the optimal way to proceed.

Timing Restrictions

- 4.42 Appendix B includes a detailed mitigation calendar designed to guide the scheduling of works to minimise potential ecological impacts. This calendar outlines the most appropriate timings for various activities, taking into account key ecological considerations such as breeding seasons, hibernation periods, and habitat sensitivities. By adhering to the recommended timings in the calendar, the risk of disturbance to protected species and habitats can be significantly reduced, ensuring compliance with environmental regulations and best practices.

Contingency Measures

- 4.43 Should any unexpected events occur, e.g. the discovery of a protected species on Site, works will cease and the ECoW will be contacted in order to determine the most appropriate way to proceed.

5.0 Reference List

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The British Standards Institution. (2009). *Code of Practice for Noise and Vibration Control on Construction and Open Sites*.

The British Standards Institution. (2012). *BS 5837: Trees in Relation to Design, Demolition and Construction. Recommendations*.



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Appendix A: Toolbox Talk Example

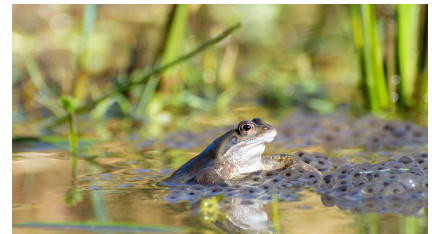
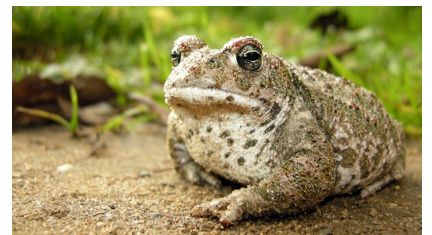
Amphibians—Toolbox Talk



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AMPHIBIANS IN THE UK

- In UK we have 7 species of native amphibians:
 - Toads; Common and Natterjack.
 - Frogs; Common and Pool
 - Newts; Great Crested (GCN), Smooth/Common and Palmate
- Amphibians spend most of their adult life terrestrially, however return to water to breed. All species start breeding in spring and some finish as late as September. During winter they undergo various levels of dormancy, majority undergo this terrestrially however some species do remain in the water in the mud and vegetation at the bottom of ponds.
- Breeding habitats - ponds and ditches with no or very slow moving water flow.
- Terrestrial habitats - Marshy grassland, grazed farmland, scrub and broad-leaved woodland, however normally within 250m of a suitable breeding habitat.



LOOK OUT FOR:

- Terrestrially - damp and secure places such as under logs, within splitting bark from fallen trees, rocks, compost heaps, damp soil, rotting vegetation and underneath man-made structures/features.
- Aquatic - ponds, ditches, reed beds, marshy areas and submerged mud and vegetation.

PROTECTION:

All species are protected under the Wildlife and Countryside Act (1981), Sect. 9. from being sold.

Great Crested newts and Natterjack toads have increased protection;

- Intentional killing/injuring or taking.
- Intentional disturbance or destruction of occupied shelter.
- Up to £5,000 fine and/or 6 months imprisonment.

DO:

- If you think you have come across amphibians in the work place, STOP immediately and inform your supervisor/line manager.
- Undertake all works in suitable habitats on a precautionary basis.
- Commence works only when advised to do so by an Ecologist.

DO NOT:

- It is an offence to handle GCN without a licence. However, do not attempt to handle any amphibians unless there is a good animal welfare reason to do so, as they are very delicate and handling may

Badgers—Toolbox Talk

BADGERS IN THE UK

- Badgers are native to the UK and relatively common to all areas of the country.
- Badgers are highly adaptable and can live successfully in a range of habitats including urban areas, gardens, woodland and farm land.
- They live in tunnels known as 'setts' which can range from small, single holes to extensive systems of underground tunnels and nesting chambers.
- The majority of badgers will live in social groups of 2-23 in a larger 'main sett', however some will often spend part of their time further from the main sett in solitary setts.
- Badgers are protected under The Protection of Badgers Act 1992. It is a criminal offence to Kill, injure or disturb a badger, disturb a badger when it is occupying a sett, interfere with a badger sett by damaging or destroying it or obstruct the access to any entrance of a badger sett.

WHAT TO LOOK OUT FOR:

- Burrow in the ground like large rabbit holes, particularly with a wide 'oval' shape. Any burrow should be inspected by an ecologist before any works are undertaken in its proximity.
- Be aware of signs such as well-worn paths, latrines, and distinctive paw prints that indicate the presence of badgers.

FAILURE TO COMPLY WITH LEGISLATION CAN LEAD TO:

- Up to £40,000 fine.
- 6 months imprisonment.
- Delays to works.

DO:

- Ensure all burrows are inspected by a qualified ecologist.
- Obtain a licence from natural England if works may disturb or damage a bat roost.
- Follow any mitigation advice given by an ecologist or stipulated in a licence.

DO NOT:

- If you have found a badger or a badger sett on site, **STOP** immediately and inform the ecologist. **No** works can continue until an ecologist has attended and given advice.
- Undertake any works within close proximity to a badger sett or unknown animal burrow.



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Adult Badger.



Entrance hole to a badger sett.



Badger print in mud.



Badger sett in woods.



Badger latrine.

Bats—Toolbox Talk

BATS IN THE UK

- There are 18 species (17 breeding) of bats in the UK and all 17 species, and their roosts, are protected by European Law. This makes it illegal to kill, injure, capture or disturb bats or obstruct access to, damage or destroy their roosts and protects important feeding areas from damage or disturbance.
- A roost is defined as any structure or place used by bats for shelter or protection.
- Roosts can be found in all kinds of unexpected places both in urban and rural settings. Just because you haven't seen them doesn't mean they're not there.
- A bat can fit into a gap the size of your thumb so can be very hard to find without specialist equipment and knowledge.

WHAT TO LOOK OUT FOR:

- Bats roost in all kinds of locations including: Buildings (under roof tiles, in gaps between bricks, behind soffits), Cavities in trees, bridges, caves and other structures.
- Bat roosts may be identified by: small mouse-like droppings which crumble easily, discarded insect shells or wings, staining around cracks and crevices, strong smell in/around roost area.

FAILURE TO COMPLY WITH LEGISLATION CAN LEAD TO:

- An unlimited fine.
- 6 months imprisonment.
- Delays to works.

DO:

- If you think you have found a bat or a bat roost on site, STOP immediately and inform the ecologist. **No** works can continue until the ecologist has attended and given the go ahead.
- Obtain a bat licence from natural England if works may disturb or damage a bat roost.
- Follow any mitigation advice given by an ecologist or stipulated in a bat licence.

DO NOT:

- Proceed with any works that might harm bats or disturb or damage a bat roost.
- Continue to work if bat roost is discovered on site.
- Touch or handle any bats found on site. It is against the law for untrained personnel to handle bats.



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Great Crested Newts—Toolbox Talk

GCN IN THE UK

- Newts are semi-aquatic amphibians meaning they live both in water and on land, spending much of the summer in ponds where they breed and the rest of the year on land.
- There are three native species of newt in the UK : Great crested, Smooth, and Palmate.
- Great crested newts are known for their distinctive appearance, featuring white warty skin and a prominent crest along their back during the breeding season.
- Great crested newts are protected under the Wildlife and Countryside Act 1981, and are a European Protected Species. Their habitats are safeguarded by the Conservation of Habitats and Species Regulations 2017 meaning the newts, their eggs, breeding sites and resting places are protected by law.

LOOK OUT FOR:

- On land - damp and secure places such as under logs, within splitting bark from fallen trees, rocks, compost heaps, damp soil, rotting vegetation and piles of rubble or building materials.
- In water - ponds, ditches, reed beds, marshy areas and submerged mud and vegetation.

FAILURE TO COMPLY WITH LEGISLATION CAN LEAD TO:

- Up to £5,000 fine
- 6 months imprisonment.

DO:

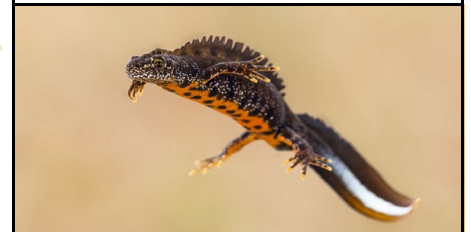
- If you think you have come across GCN in the work place, **stop works** immediately and seek ecological advice.
- Take a precautionary approach to works within suitable habitat. Ensuring suitable survey work has been completed before works commence.

DO NOT:

- Kill or injure a GCN, or disturb/destroy occupied places of refuge.
- Undertake works close to waterbodies without first seeking ecological advice.
- Handle GCN without a licence. Do not attempt to handle any amphibians unless removing them from immediate danger.



Female Great crested newt



Male great crested newt in water. Note spotted belly, large crest and white flash on tail.



Juvenile GCN (left), Adult GCN (middle), Adult Palmate Newt (right)



Hibernacula for newts and other amphibians to hibernate.



Nesting Birds - Toolbox Talk

NESTING BIRDS

- All wild birds their nests and eggs are protected by UK law whilst they are actively nesting so it is an offence to intentionally or recklessly take, damage or destroy the nest of any wild bird whilst it is in use or being built. Some less common bird species (schedule 1) have additional protection meaning that any kind of disturbance (reckless or intentional) to these birds or their dependant young is illegal.
- The UK breeding season is generally considered to be March to September, although this can be variable dependant upon weather conditions. Some species of bird will nest more than once, and some species will nest all year round.
- Potential nest locations include: mature trees, thick hedges, scrub vegetation, abandoned buildings, open barns, warehouses.
- Some nests are only used once, others are re-visited each year by similar or different species, so do not assume just because a nest was there last year—it is no longer in use!

WHAT TO LOOK OUT FOR:

- Nests vary in size and shape, however they are usually made of twigs, moss, grasses, leaves and sometimes manmade items such as string and soft fabrics. They are typically cup shaped and often well hidden though they do come in many shapes and sizes.
- Nest boxes, these may or may not be occupied.
- Breeding activity which may include singing, courtship displays or nest building activities.
- Feeding, nestling, fledgling activity such as regular visits to a nest with food items, regular calling of young birds.

FAILURE TO COMPLY WITH LEGISLATION CAN LEAD TO:

- An Unlimited fine
- 6 months imprisonment.

DO:

- If you think you have found a nest on site, STOP immediately and seek ecological advice.
- Ideally schedule any vegetation removal or demolition to be undertaken outside the nesting season.
- Commence works only when advised to do so by an Ecologist.

DO NOT:

- Proceed with any works that might harm or disturb breeding birds or their nests.
- Knowingly damage or remove any birds, nests or eggs.



Otters - Toolbox Talk

OTTERS IN THE UK

- Otters are mammals native to the UK. They primarily inhabit freshwater environments, including rivers, streams, lakes, and wetlands.
- Otters are protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017. It is illegal to intentionally or recklessly kill, injure, or disturb otters or to damage or destroy their breeding sites and resting places - even if otters are not present.

WHAT TO LOOK OUT FOR:

- Signs of otter activity include:
 - Tracks - Often visible in soft sand and mud beside watercourses.
 - Spraints (droppings) - Otters use their droppings as territory markers and they can often be seen on top of rocks or logs.
 - Holts (dens) - Otter dens are called holts and are often found under natural features such as tree roots and overhanging banks by watercourses.

FAILURE TO COMPLY WITH LEGISLATION CAN LEAD TO:

Avoid prosecution, Wildlife and Countryside Act (1981) valid UK legislation.

- A significant fine.
- Potential imprisonment.

DO:

- If you think you have found an otter or an otter holt on site, STOP immediately and inform your line manager.
- Commence works only when advised to do so by an Ecologist.

DO NOT:

- Proceed with any works that might harm otters or disturb their holts.
- Intentionally disturb, injure, kill, or remove any water voles from the area.



Adult Otter.



Otter holt in overhung riverbank.



Otter print in mud.



Otter spraint on rocky outcrop of river.

Reptiles - Toolbox Talk

REPTILES IN THE UK

- There are 6 species of reptile native to the UK - 3 snake species, and 3 lizard species.
- SNAKES - Grass snake, Adder, Smooth Snake
- LIZARDS - Common Lizard, Sand Lizard, Slow Worm
- Slow worms looks like a snake as they have no visible legs but they are in fact a lizard.
- Grass snakes, common lizards, adders, and slow worms are widespread throughout England and Wales and can be found in a range of locations dependant on their habitat requirements.
- Smooth snake and sand lizard are restricted to localised populations largely on the south and west coasts due to the limited availability of suitable habitats.
- All six reptile species receive protection under the Wildlife and Countryside Act 1981 (as amended) while smooth snake and sand lizard receive extra protection under the Conservation of Habitats and Species Regulations 2010.
- Reptiles in the UK hibernate through the winter months and are most likely to be active when the weather is warmer (March—October).
- Most reptiles give birth to live young except grass snakes and sand lizards which lay eggs.

WHAT TO LOOK OUT FOR:

- Reptiles in the UK favour habitats including rough grassland, hedgerows, dense scrub, woodland edges and heathland. Grass snakes favour grassland and scrub surrounding waterbodies.
- As they are ectothermic (cold blooded) reptiles can often be seen basking in the sun in open areas during the day. This may include open sand, hardstanding, rocky areas, and woodland edges.
- Reptiles may hibernate in log piles, rubble piles, compost heaps, or any sheltered and insulated areas. If reptile presence is possible then care should be taken not to damage such features especially in winter.

FAILURE TO COMPLY WITH LEGISLATION CAN LEAD TO:

- Fines of up to £5000
- Up to 6 months in Prison

DO:

- Get a full ecological assessment of a site before commencing works.
- If you think you have found reptile on site, STOP immediately and inform the site supervisor.
- Seek ecological advice before any further works are undertaken.

DO NOT:

- Proceed with any works that might harm or disturb reptiles.
- Undertake works in any suitable habitat without first seeking ecological assessment and advice.



Grass snake



Adder



Slow Worm



Common Lizard



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Appendix B: Mitigation Calendar

GUIDANCE ON THE TIMINGS OF MITIGATION WORKS:

* THE TIMINGS PROVIDED ARE FOR GUIDANCE ONLY. THE RECOMMENDED TIMINGS MAY VARY DEPENDING ON CIRCUMSTANCES AND SHOULD NOT BE RELIED UPON WITHOUT SEEKING PROFESSIONAL ADVICE.

** ALL WORKS EFFECTING PROTECTED SPECIES REQUIRE A LICENCE AND CAN ONLY BE UNDERTAKEN BY A LICENSED PROFESSIONAL.

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
HABITAT	VEGETATION & HABITATS	TRANSLOCATION & PLANTING								TRANSLOCATION & PLANTING		
	INVASIVE NON-NATIVES				CONTROL AND ERADICATION OF INNS FOLLOWING MANAGEMENT PLANS							
SPECIES	BADGERS		NO DISTURBANCE. ARTIFICIAL SETT BUILDING ONLY				DISTURBANCE TO EXISTING SETTS. STOPPING UP / DESTRUCTION					
	BATS - MATERNITY ROOST	WORKS ALLOWED								WORKS ALLOWED		
	BATS - HIBERNATION ROOST					WORKS ALLOWED						
	BIRDS (BREEDING)	WORKS ALLOWED		NO DISTURBANCE OR VEGETATION CLEARANCE WITHIN 5M OF NESTING BIRDS.						WORKS ALLOWED		
	DORMOUSE	VEGETATION CLEARANCE				STUMP AND ROOT CLEARANCE AND TRANSLOCATION				VEGETATION CLEARANCE		
	GREAT CRESTED NEWT		TRAPPING & TRANSLOCATION IN PONDS AND ON LAND				TRAPPING & TRANSLOCATION ONLY ALLOWED ON LAND					
	GREAT CRESTED NEWT (POND MANAGEMENT)	WORKS ALLOWED									WORKS ALLOWED	
	OTTER				RESTRICTED IF OTTERS BREEDING							
	REPTILES	ABOVE GROUND VEGETATION CLEARANCE	TRAPPING & TRANSLOCATION				TRAPPING & TRANSLOCATION				ABOVE GROUND VEGETATION CLEARANCE	
	WATER VOLE		TRAPPING & TRANSLOCATION						TRAPPING & TRANSLOCATION			
	WHITE CLAWED CRAYFISH							TRAPPING & EXCLUSION FROM CONSTRUCTION SITES				

MITIGATION IS POSSIBLE
 MITIGATION NOT POSSIBLE



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