# Fenn Lane, Fenny Drayton

# Construction Environmental Management Plan

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**Site Details**

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| Report | Construction and Environmental Management Plan |
| Site Name | Fenn Lane, Fenny Drayton CV13 6BP |
| Central OS Grid Reference | SP 36409 96860 |
| Client | MAC Developments & Construction Ltd |

**Document Control**

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Disclosure:

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# 1 INTRODUCTION

Croft Ecology was commissioned by MAC Developments and Construction Ltd to provide a Construction Environmental Management Plan (CEMP) for Fenn Lanes, Fenny Drayton, CV13 6BP hereby referred to as the 'Site', in relation to the creation of a storage container site and caravan self-storage; removal of one set of entrance gates and replacement of other entrance gates; provision of soft landscaping and sustainable drainage infrastructure.

The Site is designated by the red line boundary shown in Figure 1 below and located at central grid reference: SP 36409 96860. The proposed layout is shown in Figure 2.




*Figure 1 Site boundary (Basemap source: Mapbox)*




*Figure 2 Proposed Site Layout (Hayward Architects, 25 64 04H)*

## 1.1 Purpose and scope

The purpose of this document is to provide practical measures and sensitive working practices to minimise potential ecological impacts associated with construction activities and to ensure that retained habitats and protected and notable species are appropriately protected throughout the construction period.

The scope of this CEMP is based on the planning condition 9 of planning permission 25/01229/FUL, issued by Hinckley and Bosworth Borough Council.

*"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:*

*a) Risk assessment of potentially damaging construction activities*

*b) Identification of "biodiversity protection zones"*

*c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)*

*d) The location and timing of sensitive works to avoid harm to biodiversity features*

*e) The times during construction when specialist ecologists need to be present on site to oversee works*

*f) Responsible persons and lines of communication*

*g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person*

*h) Use of protective fences, exclusion barriers and warning signs*

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

*Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended)."*

## 1.2 Baseline information

### *1.2.1 Existing baseline summary*

A Preliminary Ecological Appraisal was undertaken by Croft Ecology on 20 August 2025. The Site comprised predominantly artificial, unvegetated, unsealed hardstanding formed from compacted stone and gravel, with small areas of colonising ruderal vegetation. A small area of sealed concrete surfacing was present at the entrance.

The Site was surrounded by woodland to the north, west and south, comprising priority deciduous woodland habitat. A priority habitat pond was also located approximately 140m east of the Site. These habitats provide higher-value ecological resources within the surrounding landscape and require protection from indirect impacts arising during construction.

The Site itself provided low suitability for GCN, badgers, reptiles, bats, nesting birds and hedgehogs, although these species may occasionally pass through the Site from surrounding habitats. The surrounding woodland and associated habitats provide substantially greater opportunities for these species.

The PEA concluded that no further protected species surveys were required. However, precautionary working methods were recommended during construction to minimise the risk of harm to individual animals and to prevent indirect impacts to the adjacent woodland and off-site pond.

### *1.2.2 Law and policy background*

Trees and hedgerows are afforded consideration through local and national planning policy. Some hedgerows qualify as 'Habitats of Principal Importance', within the Natural Environment and Rural Communities (NERC) Act 2006, and in combination with the Countryside and Rights of Way (CRoW) Act 2000 and the Environment Act 2021, this places a duty on local planning authorities to consider what they can do to conserve and enhance biodiversity.

Birds and their nests are afforded protection under the Wildlife and Countryside Act 1981 (as amended) making it illegal (with certain exceptions) to kill or injure birds, and damage or destroy their nests and eggs (when in-use, including when being built). Some species are afforded additional protection against disturbance whilst nesting, but no such species are expected to nest on-Site.

All British bat species (Rhinolophidae and Vespertilionidae) are legally protected in the UK under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are fully protected under Schedule 2 of The Conservation of Habitats and Species Regulations 2017 (as

amended). The latter piece of legislation resulted in them being known as “European protected species”. This means that it is illegal to deliberately take, injure, or kill the animal; to intentionally or recklessly disturb the animal whilst they are in a 'place used for shelter or protection' or damage or destroy a breeding or resting place (even when the animal is not present). It is also illegal to intentionally or recklessly obstruct access to a place of shelter or protection; or to possess, control, sell, or transport live or dead individuals or their body parts.

Great crested newt *Triturus cristatus* is fully protected under Schedule 2 of The Conservation of Habitats and Species Regulations 2017 (as amended). This results in them being known as “European protected species”. They are also protected by the Wildlife and Countryside Act 1981 (as amended). These pieces of legislation combine to give substantial protection to great crested newts and their breeding ponds and terrestrial habitat, making it an offence to deliberately take, injure, or kill the animal; to intentionally or recklessly disturb the animal whilst they are in a 'place used for shelter or protection' or damage or destroy a breeding or resting place. It is also illegal to intentionally or recklessly obstruct access to a place of shelter or protection; or to possess, control, sell, or transport live or dead individuals or their body parts.

In Britain there are four relatively widespread native species of reptile: the adder *Vipera berus*; grass snake *Natrix helvetica*; common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis*. These species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) against intentional killing and injuring; or selling, offering or exposing for sale. Sand lizard *Lacerta agilis* and smooth snake *Coronella austriaca* are afforded additional protection but are not found in this area of the UK and are typically limited to the south of England in sandy heathland habitats.

The Protection of Badgers Act 1992 safeguards badgers and their setts. It is illegal to deliberately harm badgers by capturing, killing, or injuring them, or by damaging, destroying, or blocking access to their setts. Disturbing badgers in their setts, treating them cruelly, intentionally sending a dog into a sett, and baiting or digging for badgers are also prohibited.

Under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) it is illegal to kill or capture wild hedgehogs using certain methods. They are also a ‘priority species’, being listed as a Species of Principal Importance in England within the Natural Environment and Rural Communities (NERC) Act 2006.

Wild mammals are protected from intentional suffering by the Wild Mammals (Protection) Act 1996.

### 1.2.3 Risk Assessment of Potentially damaging construction activities

Potentially damaging construction activities have been identified based on the nature and location of the proposed works and the ecological feature identified. These activities include site clearance, groundworks, storage of materials, movement of plant and machinery, pollution events and lighting. This document considers the pathways by which these activities could result in ecological harm and sets out appropriate avoidance and mitigation measures to reduce the risk to an acceptable level. With these measures in place, significant adverse ecological effects are not anticipated.

Site clearance (removal of ground vegetation): The clearance of the small areas of ruderal vegetation presents a risk of killing or injuring amphibians, reptiles, hedgehogs and other small mammals that may use these features as temporary refuges.

Site clearance and construction activities could also result in indirect damage to the adjacent priority deciduous woodland through uncontrolled access, storage of materials or movement of plant and machinery.

Storage of material and chemicals: Inappropriate storage of materials and chemicals could result in damage to the adjacent woodland and other habitats through chemical or fuel leaks and compaction, and could provide temporary refuges for fauna.

Site lighting: Construction or security lighting could impact bats commuting and foraging along the surrounding woodland edges and may cause disturbance if light spill extends into these habitats or towards the nearby building supporting a bat roost.

Ground works and construction: Groundworks and the movement of plant and machinery could result in damage to adjacent woodland and tree root protection areas. Excavations and exposed pipework left uncovered overnight may also result in the entrapment of badgers, hedgehogs, amphibians and other small mammals.

Pollution and dust generation: Fuel, oil or chemical spills and dust generated during construction have the potential to adversely affect adjacent priority woodland and the nearby pond if appropriate pollution prevention and dust suppression measures are not implemented.

# 2 METHOD OF WORKING

## 2.1 Role and Responsibilities

The Principal Contractor will be responsible for ensuring that the measures contained within this CEMP are implemented throughout the construction period and that all relevant Site personnel are made aware of the ecological constraints and working methods.

The Site Manager will have day-to-day responsibility for ensuring that the ecological mitigation measures are implemented and maintained and will act as the primary point of contact for ecological matters on Site.

A copy of the approved CEMP shall be retained within the Site office and made available to all relevant contractors and Site personnel. An ecological toolbox talk shall be provided to the Site team prior to the commencement of works.

A suitably experienced Project Ecologist shall be available to provide advice throughout the construction period. An Ecological Clerk of Works (ECoW), or similarly competent person, shall attend the Site where required to oversee sensitive ecological works, including:

- pre-commencement checks for works within 10m of the woodland edge during the bird nesting season

- where protected species or other ecological features are encountered.

Any ecological issues shall be reported by Site personnel to the Site Manager, who shall contact the Project Ecologist/ECoW where further advice or attendance is required. The Project Ecologist/ECoW shall have the authority to recommend that works are temporarily halted where necessary to prevent harm to protected species or retained ecological features.

## 2.2 Hours of Construction

Site preparation and construction shall be limited to the following hours:

- Monday–Friday: 07:30–18:00
- Saturday: 08:00–13:00
- No working on Sundays, Public Holidays or Bank Holidays.

Construction activities should therefore be undertaken during daylight hours wherever practicable. This will minimise potential disturbance to nocturnal species, particularly bats using the surrounding woodland and hedgerows for commuting and foraging. Where exceptional

works outside of the specified hours are required, any necessary lighting should be subject to the sensitive lighting measures set out within this CEMP.

## 2.3 Location of Contractor's Compounds, Cabins, Material Storage, and Parking

The contractor's compound will be located on existing hardstanding or cleared ground that is well maintained to prevent vegetation encroachment.

Any storage on-Site will be located on areas of cleared ground or hard standing, wherever possible, and materials will be stored off the ground on wooden pallets or similar to discourage amphibians, reptiles and small mammals from sheltering underneath them. Materials brought onto Site will be stored at least 20m from the off-Site pond and on a sealed surface or raised pallets.

Hazardous materials will be stored in accordance with COSHH regulations. Ideally any liquids/chemicals, including fuel, should be stored off-site. If this is not possible, they should be properly sealed and safely stored in a bunded storage facility. Refuelling should take place on an impermeable surface. No chemicals or liquids will be left open or uncovered overnight. Spill kits will be available for immediate use if required.

## 2.4 Scheme for Dust and Mud Suppression

A robust dust and mud management plan will be implemented throughout the construction period to minimise any pollution risk. Dust suppression will be achieved through regular dampening of any material stockpiles, particularly during dry or windy conditions. Vehicles shall leave the Site free from excessive mud and debris. Particular care shall be taken to prevent dust and sediment affecting the adjacent woodland. The fencing and netting will be maintained for the duration of works and replaced or repaired where damaged. Where required, wheel cleaning facilities shall be used to prevent mud being deposited onto the public highway.

Surface water runoff from construction areas shall be managed to prevent sediment, cement, fuel, oils or other contaminants entering adjacent habitats or the wider drainage system.

The proposed swale features shall assist in managing runoff during the operational scheme, but appropriate temporary pollution prevention measures shall be maintained throughout construction.

## 2.5 Protective Fencing

Prior to any works commencing on the Site, protective fencing shall be installed to define the biodiversity protection zone along the boundaries adjoining the woodland. The biodiversity protection zone shall extend at least 10m from the woodland edge (See shaded blue on Figure 1).

The fencing will be installed in accordance with BS5837:2012 (BSI, 2012) but will be extended to include a buffer, where possible, alongside the trees to be retained. The fencing must be implemented with professional arboricultural advice to avoid impacts to the root protection areas of the retained trees, and to avoid direct impacts from plant machinery. The Root Protection Zones (RPZ) should be established and marked off prior to works, with no work or storage of materials to be undertaken within the designated RPZ without the prior agreement of the scheme ecologist and arboriculturist. It is expected that some landscaping work will be required within the protection zones, but again, these should be discussed with the scheme arboriculturist prior to commencement.

## 2.6 Precautionary Working Methods for Clearance of Ground Cover

The Site provides low potential for great crested newt, bats, badger and other mammals, although individual animals may occasionally pass through the Site. Reasonable avoidance measures shall therefore be implemented during vegetation clearance and ground preparation.

Any required vegetation clearance and proposed works within 10m of the woodland edges should ideally be undertaken outside the typical bird nesting season of March-September. If this is not possible, such works during March-September must be preceded by a nesting bird check within 24 hours by the Project Ecologist. If there is evidence of nesting birds, work cannot proceed until nest-building and chick-rearing is complete or until an ecologist is able to advise on a suitable buffer distance.

Prior to clearance, the working area shall be inspected for amphibians, reptiles, hedgehogs and other small mammals. Vegetation shall initially be strimmed to approximately 150 mm above ground level. Following the initial cut, the working area shall be inspected by a competent person before vegetation is reduced further or ground disturbance commences. Vegetation clearance shall be undertaken in a directional manner towards retained habitats to encourage animals to disperse naturally from the working area.

Should a great crested newt or other protected species be encountered, works within the immediate area shall cease and the Project Ecologist shall be contacted for advice before works recommence.

## 2.7 Sensitive Working Near Woodland and Retained Trees

The deciduous woodland immediately north, west and south of the Site shall be protected from direct and indirect impacts throughout construction. The 10m biodiversity protection zone identified in Section 2.5 shall be maintained for the duration of the works.

Plant and machinery shall not enter the biodiversity protection zone, and materials, spoil and waste shall not be stored within it. Particular care shall be taken to prevent dust, sediment and accidental pollution affecting the woodland edge.

Retained trees adjacent to the Site shall be protected from accidental damage and compaction within their Root Protection Areas in accordance with BS5837:2012.

## 2.8 Sensitive lighting scheme

A sensitive lighting strategy is required to avoid lighting impacts to the adjacent woodland and the retained building north of the Site, which has a previously recorded bat roost. Lighting should also avoid the newly erected bat boxes, as part of the Biodiversity Enhancement Strategy.

During construction, working hours must be limited to daylight hours to avoid impacts on the retained habitats. If works outside of daylight hours are required, measures must be implemented to reduce light spill onto the trees from any lighting required.

Any temporary or permanent lighting shall be designed and positioned to avoid direct illumination and light spill towards the woodland edges and retained building. Lighting should be kept to the minimum level required, use warm white LEDs, and be fitted with appropriate shields, hoods or cowls where necessary.

## 2.9 Reasonable Avoidance Measures During Ground Works and Construction

The Site provides low suitability for badgers, hedgehogs and other small mammals, individual animals may occasionally pass through the Site during construction**.** Contractors shall therefore remain vigilant throughout the construction period.

The Site shall be kept clean and tidy at all times to discourage wildlife from entering the working area. Materials shall be stored on pallets wherever practicable, and waste shall be removed regularly to avoid creating refuges for wildlife.

Any excavations left open overnight shall incorporate a suitable means of escape, such as a securely fixed scaffold board positioned at a shallow angle. Any open pipes with a diameter of 300 mm or greater shall be temporarily sealed overnight to prevent wildlife from becoming trapped.

Excavations shall be inspected by Site personnel at the start of each working day before works recommence to ensure that no animals have become trapped. Should any protected or notable species be encountered, works within the immediate area shall cease and the Project Ecologist shall be informed.

No storage of materials, spoil, fuels or chemicals shall occur within the Root Protection Areas of retained trees or adjacent retained habitats. Fuel and chemicals shall be stored within bunded containers, and spill kits shall be maintained on Site at all times. Any pollution incident shall be contained immediately and reported to the Site Manager.

## 2.10 Reporting of Incidents/Unexpected Encounters

All Site personnel will inform the Site Manager as soon as possible if any protected or notable species are encountered on-Site, or if there is any damage to retained habitats. The Site Manager will inform the Project Ecologist immediately where any protected species or ecological feature is at risk of harm or where further ecological advice is required.

Works within the immediate area shall cease where necessary until appropriate ecological advice has been obtained.

## REFERENCES

Bat Conservation Trust and Institution of Lighting Professionals (2023). *Bats and Artificial Lighting at Night. Warwickshire: Bat Conservation Trust.*

British Standard (2013). *BS 42020:2013: Biodiversity. Code of practice for planning and development.*

Croft Ecology (2026). *Fenn Lanes, Fenny Drayton: Preliminary Ecological Appraisal.*