



**Land Southwest of Sutton Lane, Market Bosworth,
Leicestershire**

Construction Environmental Management Plan: Biodiversity

Document Control

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1. Background Information

Background

1.1. Elton Ecology Ltd was commissioned by Mr Adam Tarver to produce a Construction Environmental Management Plan: Biodiversity (CEMP) in respect of a Land Southwest of Sutton Lane, Market Bosworth, Leicestershire; hereafter referred to as the 'Site'.

1.2. A full planning application for the erection of detached dwelling and garage with associated works (including barn renovation) and landscaping was submitted to Hinckley and Bosworth Borough Council in November 2023 (planning reference 23/01102/FUL). The planning application was granted in February 2024 subject to a number of conditions.

1.3. The provision of this CEMP: Biodiversity was secured via Planning Condition 11 which states:

'Prior to the commencement of development, a biodiversity Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.'

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and Government guidance contained within the National Planning Policy Framework.'

1.4. To inform the planning application, a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain (BNG) Assessment were prepared by Elton Ecology Ltd in January 2024. Ecological comments were received for the planning application and a consultation response note was also produced by Elton Ecology Ltd in January 2024. An Arboricultural Impact Assessment and Method Statement (RJ Tree Services Ltd, 12 September 2023) and Tree Survey and Constraints Plan 01/RevB (RJ Tree Services Ltd, 12 September 2023) were also prepared to inform the design of the scheme and planning application. These reports have been referred to within this CEMP where required. The PEA provides details of the ecological features within the zone of influence including the findings of a data search, and habitat and protected/notable species surveys.

Site Description

1.5. The Site is located to the southwest of Sutton Lane, Market Bosworth, Leicestershire, CV13 0LB (Figure 1: Site Location Plan) (central OS grid reference: SK 40695 01524). The Site comprises two grassland field compartments bound by hedgerows, fences, woodland and a line of mature trees. A watercourse, Sutton Brook, is present at the southeast and southwest site boundary, with further watercourses at the west site boundary and associated with the hedgerow through the centre of the site. Sutton Lane lies adjacent to the northeast site boundary and served the access to the site. A barn is present in the north of the site.

Development Proposals

1.6. The development proposals include the creation of a new 'T-shaped' dwelling barn in the southwest of the field compartment, set back from Sutton Lane, including courtyards and vehicular parking curtilage. The dwelling will be served by an access lane from Sutton Lane off the north site boundary.

1.7. Extensive habitat creation is proposed in the landscape design to include garden space, native species hedgerow planting, woodland planting, meadow enhancement, and parkland trees.

Aims and Objectives

- 1.8. This CEMP has been prepared to expand upon the ecological protection measures outlined within the PEA and response note including:
 - Ensure, as far as practicable, adequate protection, mitigation, and compensation for protected and notable species and habitats;
 - Ensure, as far as practicable, mitigation and compensation works are carried out and completed as approved and in line with current best practice guidelines; and
 - Ensure, as far as practicable, adequate professional ecological expertise is available to assist those implementing the development to comply with statutory requirements and planning conditions.
- 1.9. The CEMP implementation period would commence at the beginning of the construction phase and would continue through to completion of all construction works. This CEMP has been prepared with reference to the British Standard *Biodiversity — Code of practice for planning and development: BS 42020:2013*.
- 1.10. This CEMP sets out the strategy to ensure the protection of habitats and species on site during construction and is set out as follows:
 - Section 2 describes the site context and a summary of ecological features present within the site;
 - Section 3 sets out the potentially damaging construction activities with reference to the ecological resources identified in Section 2;
 - Section 4 details the mitigation strategies required considering the potentially damaging activities identified in Section 3; and
 - Section 5 details the roles, responsibilities, and monitoring to ensure adequate and appropriate implementation of the CEMP, including responsible persons, lines of communication, and appointment of an Ecological Clerk of Works (ECoW).
- 1.11. A Landscape and Ecological Management Plan (LEMP) will also be produced for the site to discharge planning condition 10 and will be completed in accordance with this CEMP.

2. Ecological Features

- 2.1. This section of the CEMP provides a description of the habitats within the site and summarises the existing ecological features within the site, which were recorded during the ecological survey work undertaken and are detailed in the PEA and response note (Elton Ecology, 2024).

Surrounding Landscape

- 2.2. The surrounding landscape is primarily rural (Figure 2: Surrounding Landscape Plan).
- 2.3. Immediately surrounding the site lies Sutton Brook at the southeast and southwest site boundaries, with associated wet woodland and tree lines characterised by predominantly crack willow. To the north site boundary is Sutton Lane with scattered veteran oak trees, beyond which lies the broadleaved woodland, parkland and lakes associated with Bow Pool Market Bosworth Country Park.
- 2.4. Habitat features and connectivity in the surrounding landscape includes a network of pasture grassland and arable field compartments bound by hedgerows and tree lines with occasional brooks/watercourses, ponds, lakes, and woodland blocks. The town of Market Bosworth is located approximately 1.1km north of the site boundary.

Statutory Designated Sites

- 2.5. No internationally or nationally designated sites were located within the relevant study areas.

Non-statutory Designated Sites

- 2.6. One Candidate Local Wildlife Site (LWS), Bosworth Road Verges and Hedgerows, is located adjacent to the eastern corner of the site. A further four candidate LWS, eleven potential/historic LWS and eleven potential LWS are located within 2km of the site. All of these sites are over 0.2km from the site boundary. The development proposals will be contained within the western field and the development footprint will be over 450m away from the LWS.

Current Habitat Description

- 2.7. The majority of the site comprises other neutral grassland fields with areas of tall/tussocky sward, mown paths and tall ruderal species. An area of wet woodland is located in the south west of the site. The grassland fields are bounded by native hedgerows which, along with wet woodland, are Priority Habitats under the Natural Environment and Rural Communities (NERC) Act 2006. A number of wet ditches are associated with the hedgerows in the western field. A line of trees is present along the eastern and southern site boundaries of the eastern field.
- 2.8. Scattered broadleaved and coniferous trees are located across the site, including veteran oaks *Quercus* sp.. A number of agricultural buildings are located in the north west of the site, surrounded by concrete hardstanding (developed land; sealed surface).
- 2.9. The location of each habitat type is shown on Figure 3a and 3b: UKHab Habitat Plan with further details provided within the PEA which should be read in conjunction with this report.
- 2.10. The proposals include the loss of grassland and a small section of hedgerow for access. The majority of other habitats are being retained, including Priority wet woodland and hedgerows, except the discrete area of loss, Habitats. There are opportunities to enhance retained habitats post development, including hedgerow planting and grassland enhancements.

Protected and Notable Species and Requirements for Appropriate Construction Methods

Amphibians

- 2.11. As detailed within the PEA, a number of records for great crested newt *Triturus cristatus* and common toad *Bufo bufo* were identified within the data search. The watercourses onsite are flowing and would act as a barrier to migration of great crested newt within the wider landscape. Two ponds are located within 500m of the site. The closest is located 35m northeast of the site and comprise a fishing lake which is considered to be unsuitable for great crested newt. The second pond within 500m of the site was dry at the time of survey and also considered unsuitable for amphibians, including great crested newt.
- 2.12. The site offers suitable foraging and sheltering terrestrial habitat for amphibians including within grassland and along the hedgerow and woodland bases.
- 2.13. The proposals will result in the loss of terrestrial habitats within the grassland and sections of the hedgerow. An assessment of the risks of an offence occurring in relation to great crested newt is highly unlikely providing the works are undertaken sensitively and in accordance with this CEMP. Post-development habitat enhancement will provide better quality habitats for great crested newt and other amphibians.

Badger Meles meles

- 2.14. No active badger setts were identified onsite. However, badger have been recorded within the wider landscape and the grassland, hedgerows and woodland provide suitable habitat for foraging, commuting and sett creation.
- 2.15. As badger can readily dig new setts, if new setts are identified in the near future, the legislation affecting badger could be inadvertently triggered. If this occurs, in order for works to proceed legally, a badger licence from Natural England will be required in relation to the construction works.

Bats

- 2.16. The site is considered to provide foraging and commuting habitat for bats, due to the presence of linear features connected to the wider landscape, including wet woodland, hedgerows, tree lines and brook habitats, and the grassland habitat onsite.
- 2.17. A number of trees, including several veteran oaks, offer potential bat roosting features. Buildings B1a – c were identified as having low potential to support roosting bats and a nocturnal survey of these building was undertaken in September 2022. No bats were recorded emerging or re-entering and bats are considered likely absent. All trees and buildings are indicated on the UKHab Habitat Plans.
- 2.18. All trees are being retained as part of the proposals. Due to the nature of the proposals, it has been designed to retain and enhance the linear features, namely the hedgerows and treelines and new lighting will be minimal thereby retaining dark corridors for bats. Hedgerows will be enhanced through native tree and infill planting and appropriate management through the implementation of the LEMP. This will allow bats to continue to roost, commute and forage through and around the site post-development.

Birds

- 2.19. All the habitats onsite and immediately adjacent are considered to provide potential nesting and foraging habitat for birds including ground nesting species such a skylark *Alauda arvensis*.
- 2.20. The retention, protection and enhancing of the hedgerows, trees, woodland and grassland will ensure that birds can continue to use the site for nesting and foraging.

Reptiles

- 2.21. Habitat for foraging and sheltering common species of reptiles is present across the site, including the grassland, hedgerow bases and woodland.
- 2.22. The retention, protection and enhancing of the hedgerows and the enhancements of the grassland will create additional foraging and sheltering opportunities for any reptile population, if present.

Fish, Water Vole Arvicola amphibius, White-clawed Crayfish Austropotamobius pallipes and Otter Lutra lutra

- 2.23. The Sutton Brook and other watercourses and the associated riparian habitats offer suitable habitat for water vole and otter. The brook and other watercourses also provide suitable habitat for fish and sub-optimal opportunities for white-clawed crayfish.
- 2.24. The retention and protection of the brook and other watercourses, including providing a suitable buffer will ensure that if present, fish, water vole, white-clawed crayfish and otter can continue to use the brook.

Other Fauna

- 2.25. Records of brown hare *Lepus europaeus* and Western European hedgehog *Erinaceus europaeus* were returned from within 2km of the site. No other protected or notable species have been recorded within the site and none are expected to be present, although a variety of common invertebrate species are likely to use the site, as could a range of common small mammals. With the new planting proposed onsite, hedgehog and brown hare can continue to use the site for foraging and shelter.

Relevant Legislation

- 2.26. Construction activities should not be undertaken which compromise the survival or success of the fauna described above or which results in the spread of non-native invasive species.
- 2.27. Badgers and their setts are afforded protection under the Protection of Badgers Act 1992. As badger can readily dig and re-use disused setts, a pre-commencement badger survey will be undertaken and should an active sett be recorded on the site and construction works will impact habitat within 30m of the sett, a badger licence from Natural England will be applied for prior to any works being undertaken within 30m of the active sett. As part of the licence application, a method statement and work schedule would be produced which would detail appropriate mitigation that will be implemented both during and post-construction, the personnel responsible for the licence and the timings of all works.
- 2.28. All bats and their roosts, great crested newt, water vole, white-clawed crayfish and otter are afforded protection under the Wildlife and Countryside Act (WCA) 1981 (as amended) and all except water vole and white-clawed crayfish are protected under The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (the 'Habitats Regulations').
- 2.29. All British birds are legally protected under the WCA 1981 (as amended) from disturbance while actively nesting (generally acknowledged to occur between March and August inclusive). As such any removal of arable, grassland, hedgerows and trees will be timed to avoid the bird nesting season or preceded by checks for nesting birds by a suitably trained ecologist immediately prior to any removal. Should any nesting birds be recorded within the site during works, no work will take place in that location until the young have left the nest.
- 2.30. All reptiles, hedgehog and brown hare are afforded protection under the WCA 1981 (as amended) although it is important to note that this legislation protects the species and not their habitat. As such, should any impacts occur to suitable reptile, hedgehog or brown hare habitat, appropriate mitigation measures will be implemented to ensure that no species are harmed during works.

3. Risk Assessment of Potentially Damaging Construction Activities

- 3.1. The assessment of potentially damaging construction activities relating to the proposed development and the ecological resources identified in Section 2, is set out in Table 1.
- 3.2. Requirements for mitigation and establishing ecological protection zones are also identified in the PEA and response note produced to inform the planning application (Elton Ecology, 2024). Where no specific mitigation was required to avoid adverse effects on ecological features, such ecological features are not included within this CEMP.

Table 1: Existing Ecological Features Risk Assessment

Ecological Features	Potentially Damaging Activities (in the absence of CEMP mitigation measures as set out in Section 4)
Protected Sites	
Bosworth Road Verges and Hedgerows Candidate LWS	Direct accidental damage and degradation during the construction period through machinery, storage of materials and ground works.
Other LWS	No direct or indirect impacts anticipated.
Habitats	
Other Neutral Grassland	Direct damage, degradation and destruction of onsite grassland during the construction period through machinery, storage and ground works.
Wet Woodland (Priority Habitat)	Direct damage to wet woodland habitats during construction through pollution (dust and run-off) and accidental damage from storage of chemicals, machinery and/or root compaction.
Hedgerows (Priority Habitat) and Lines of Trees	Direct damage to hedgerows and lines of trees during construction through pollution (dust and run-off) and accidental damage from storage of chemicals, machinery and/or root compaction.
Sutton Brook and Wet Ditches	Direct damage to Sutton Brook and wet ditches during construction through pollution (dust and run-off) and accidental damage from storage of chemicals or machinery.
Trees	Damage and degradation of trees during construction through accidental damage from machinery, pollution (dust and run-off) and/or root compaction.
Buildings and Hardstanding	No direct or indirect impacts anticipated.
Protected and Notable Species	
Great crested newt and other amphibians	Killing/injury of individual great crested newt during construction which could cause an offence under the Habitat Regulations if unmanaged. Loss of terrestrial habitat and fragmentation of potential offsite populations. Damage, degradation or destruction of offsite waterbodies through run-off pollution.
Badger	Potential for newly created setts to be affected and for entrapment of badger within open excavations, pits and pipes,

	which could cause an offence under the Protection of Badgers Act 1992.
Bats (all species)	Accidental damage and/or disturbance to features with bat roosting potential, including veteran trees or buildings, which could cause an offence under the Habitat Regulations if unmanaged. Loss of foraging habitat for bats. Fragmentation of commuting habitat for all species of bats. Increase in luminance to foraging or commuting habitat.
Birds	Removal of habitat and destruction of nests, eggs and young during the breeding bird season, which could trigger the WCA 1981 (as amended).
Reptiles	Killing/injury of individual reptiles during construction which could cause an offence under the WCA 1981 (as amended) and NERC Act if unmanaged.
Fish and White-clawed Crayfish	Killing/injury of individual white-clawed crayfish during construction which could cause an offence under the Habitat Regulations and WCA 1981 (as amended) if unmanaged. Loss of sheltering and foraging habitat. Fragmentation of habitat. Reduction in water quality of aquatic habitat, resulting in killing and injury of fish and white-clawed crayfish.
Water Vole and Otter	Killing/injury or disturbance of individual otter during construction which could cause an offence under the Habitat Regulations and WCA 1981 (as amended) if unmanaged. Killing/injury of individual water vole during construction which could cause an offence under the WCA 1981 (as amended), if unmanaged. Loss of sheltering and foraging habitat for otter and water vole. Fragmentation of habitat.
Hedgehog and Brown Hare	Killing/injury of individual hedgehog and brown hare during construction which could cause an offence under the NERC Act and Protection of Mammals Act if unmanaged.

4. Mitigation Measures

- 4.1. Practical measures, both physical measures (including biodiversity protection zones) and sensitive working practices to avoid or reduce impacts identified in Section 3 on ecologically sensitive receptors are set out below.
- 4.2. Table 2 overleaf identifies the practical measures to be employed, the location and timing of sensitive works, requirement for on-site specialist ecologist presence, use of protective fences, responsible persons and lines of communication, and ongoing monitoring requirements to mitigate for the effects identified. These measures are in line with the mitigation strategy outlined in the PEA (Elton Ecology, 2024), response note (Elton Ecology, 2024), Arboricultural Impact Assessment and Method Statement (RJ Tree Services Ltd, 12 September 2023) and Tree Survey and Constraints Plan 01/RevB (RJ Tree Services Ltd, 12 September 2023).

Toolbox Talk and Ecological Clerk of Works (ECoW)

- 4.3. Prior to works commencing on the site, a toolbox talk will be provided by an Ecological Clerk of Works (ECoW) to all contractors working on the site. The ECoW will comprise a suitably qualified and experienced ecologist, with relevant European Protected Species (EPS) licences, where applicable. The toolbox talk will inform the contractors of all ecological constraints and considerations relevant to the construction works. The toolbox talk will include identification of biodiversity protection zones, protected/notable species that could be encountered, their legal protection and necessary mitigation measures, including actions to be taken if any of these species are encountered on site, during works. Once received, all contractors will sign the register in Appendix 1: Toolbox Talk Register of Attendance.
- 4.4. The ECoW will be present as and when required to supervise sensitive works and provide ecological advice, as outlined in Table 2 below. The full role and responsibilities for the ECoW are set out in section 5 of this CEMP.

Table 2: Mitigation Measures to be implemented

Ecological Features	Mitigation Measures to be Implemented	Timings of Works	Location	Requirements for Ecologist Presence (Yes/No and details)
Bosworth Road Verges and Hedgerows Candidate LWS	Ensure no damage to retained habitats immediately adjacent to the Candidate LWS through the erection of appropriate fencing with signs to protect these retained habitats and maintain appropriate buffers between the working area and the retained habitats. All retained vegetation will be protected and maintained in accordance with BS 5827:2012: Trees in relation to design, demolition and construction and the Arboricultural Impact Assessment and Method Statement (RJ Tree Services Ltd, 12 September 2023) and Tree Survey and Constraints Plan 01/RevB (RJ Tree Services Ltd, 12 September 2023). All works to comply with the Environmental Good Practice On Site Guide, fourth edition (CIRIA, 2015) and Environment Agency's (EA's) Pollution Prevention Guidance (PPG) notes, the Groundwater Protection Policy (GP3) (Environment Agency). No light spill during construction period by ensuring all construction lighting is directed away from retained features, including hedgerows, trees and watercourses. Ensure vehicle refuelling areas, material storage and site compounds are located a minimum of 10m away from sensitive habitats including hedgerows, trees, woodland and watercourses. No fires or burning of waste onsite during construction. Ensure appropriate measures are in place to collect any potential run-off, such as double stacked straw bales or bunds and an emergency pollution/spill kit is available onsite.	For duration of construction period	Boundary features adjacent to the LWS, retained habitats	No – site manager to check fencing regularly.
Other Non-statutory Designated Sites	All measures implemented above for Bosworth Road Verges and Hedgerows Candidate LWS. Avoid indirect impacts to other statutory sites through pollution; air, water and chemical, precautionary methods of workings to be adopted include safe storage of any chemicals and reducing airbourne pollution.	For duration of construction period	Boundary features, retained habitats	No – site manager to check fencing daily.

Habitats				
Other Neutral Grassland	See above measures implemented for the Protected Sites. Minimise impacts to the grassland as much as possible through the use of vehicle ground protection mats where possible. All areas of retained grassland to be fenced off from the construction site by heras fencing or similar, and signage to be installed indicating biodiversity protection zones. No vehicle movements or storage of materials within fenced off and signed areas.	For duration of construction period	Retained grassland	No - site manager to check perimeter fencing daily.
Wet Woodland	See above measures implemented for the Protected Sites. All works to comply with the Environmental Good Practice On Site Guide, fourth edition (CIRIA, 2015). Installation of an appropriate buffer zone and root protection areas as detailed within the Arboricultural Impact Assessment and Method Statement (RJ Tree Services Ltd, 2023), Tree Survey and Constraints Plan 01/RevB (RJ Tree Services Ltd, 2023) and Proposed Block Plan (Studio Bark, 2023). It is generally accepted that an appropriate buffer zone for woodland is 15 meters. This buffer zone has been incorporated into the scheme, which as shown on the Masterplan (Studio 31 Ltd, 2023). The buffer zone will be fenced and protected for the duration of the construction in accordance with best practice guidance detailed in BS 5837:2012 'Trees in relation to design, demolition and construction' and the Arboricultural Reports. This will include appropriate root protection zones. Signage should be placed on the fencing indicating these areas are Biodiversity Protection Zones and should remain in place for the duration of the construction phase. No machinery or materials will be stored within fenced areas, and construction vehicles and machinery should not be operated within these areas. To protect the wet woodland from indirect damage or degradation from dust pollution, dampening down of road surfaces and wheel washes will be undertaken when necessary.	For duration of construction period	Wet woodland with a minimum 15m buffer	No - site manager to check perimeter fencing daily.

	A contingency plan should be produced by the contractor undertaking works onsite. The plan will ensure that any potential pollution incidents, such as fuel spills or site runoff, are dealt with in a timely and efficient manner, to reduce any potential impacts to adjacent habitats.			
Hedgerows, lines of trees and scattered trees	See above measures implemented for the Protected Sites and wet woodland. All works to comply with the Environmental Good Practice On Site Guide, fourth edition (CIRIA, 2015). Discrete areas of hedgerow are being removed. Where works are to be completed during the nesting bird season, the measures set out below in relation to nesting birds would apply. All retained hedgerows and trees will be protected from damage through appropriate fencing for the duration of the construction period. Fenced and protected for the duration of the construction in accordance with best practice guidance detailed in BS 5837:2012 'Trees in relation to design, demolition and construction' and the Arboricultural Report. This will include appropriate root protection zones and signage indicating these area are Biodiversity Protection Zones. No machinery or materials will be stored within fenced areas, and construction vehicles and machinery should not be operated within these areas. To protect the retained hedgerows and trees from indirect damage or degradation from dust pollution, dampening down of road surfaces and wheel washes will be undertaken when necessary. A contingency plan should be produced by the contractor undertaking works onsite. The plan will ensure that any potential pollution incidents, such as fuel spills or site runoff, are dealt with in a timely and efficient manner, to reduce any potential impacts to adjacent habitats.	For duration of construction period	All hedgerows, lines of trees and ditches with associated riparian habitat and scattered trees	No - site manager to check perimeter fencing daily.
Sutton Brook and wet ditches	See above measures implemented for the Protected Sites and hedgerows.	For duration of construction period	Sutton Brook and all wet ditches	No - site manager to check perimeter fencing daily.

	All works to comply with the Environmental Good Practice On Site Guide, fourth edition (CIRIA, 2015). With reference to root protection areas presented in the arboriculture report, retained trees and the wet woodland will be fenced and protected for the duration of the construction in accordance with best practice guidance using Heras fencing or similar with signage indicating these areas are Biodiversity Protection Zones. Fencing will also be installed to prevent access between the construction site and Sutton brook. No machinery or materials will be stored within fenced areas, and construction vehicles and machinery should not be operated within these areas. To protect the retained Sutton Brook and wet ditches from indirect damage or degradation from dust pollution, dampening down of road surfaces and wheel washes will be undertaken when necessary. A contingency plan should be produced by the contractor undertaking works onsite. The plan will ensure that any potential pollution incidents, such as fuel spills or site runoff, are dealt with in a timely and efficient manner, to reduce any potential impacts to adjacent habitats.			
Fauna (Potential for)				
Great crested newt and other amphibians	Work to be implemented under Reasonable Avoidance Measures (RAMs) to minimise impacts to great crested newt during the works (see below). Works implemented under the RAMs will also minimise impacts to other amphibians, including common toad.	Precautionary methods of working undertaken in the active season for great crested newt (generally March to October)	All habitats within 500m of ponds or onsite ditches	Yes - Licenced great crested newt ECoW
Badger	No evidence of badger has been identified on site; however, the species is known to be present in the area and therefore a pre-commencement badger survey is required within the site and all surrounding land within 30m of the red line boundary, where access and views permit. In the unlikely event any setts are discovered and impacts are unavoidable, a mitigation strategy for the retention and protection of	No more than 3 months prior to construction commencement.	Site boundary	Yes – ECoW to complete pre-commencement check for badger

	the sett will be prepared and adhered to. This may result in a licence being required from Natural England (NE).			
	Cover all excavations or provide a means of escape (e.g. a roughened plank of wood placed as a ramp to the surface to any trenches or deep pits) within the site that are to be left open overnight. Trenches/pits to be inspected each morning by the site manager and the ECoW contacted immediately if a badger or other protected/priority species is found. Any temporarily exposed open pipes (>120mm outside diameter) will be blanked off at the end of each working day.	During construction phases	Construction site	No.
Bats (all species)	Construction equipment such as generators, compressors, and pumps liable to create noise and/or vibration whilst in operation will, as far as reasonably practicable, be located away from trees and structures potentially used by bats. No trees with bat roosting suitability are currently scheduled to be removed. If additional trees are scheduled to be removed, then the ECoW should be consulted and further assessment will be required. No light spill onto retained habitats including hedgerows, wet woodland, trees and watercourses during construction period. Construction is to occur during daylight hours where possible. Should any construction lighting be required during hours of darkness, luminaires should be directed away from retained habitats, in order to retain the functionality of these features as potential roosts and foraging/commuting corridor.	Duration of site clearance and construction.	Site boundary	Yes – ECoW if further trees required to be removed No – Site manager to ensure construction lighting is minimised.
Birds	Clearance of any vegetation required will, where possible, be timed to occur outside the nesting bird season. Nesting bird season is widely considered to be from the 1st March and 31st August inclusive, although birds may nest outside of this period. Where this is not possible, vegetation clearance should be preceded by check for nesting birds by an ECoW. If any active nests are present, these would need to be left, with an appropriately sized buffer area (to be determined by the ECoW) wherein no works could occur until the chicks have successfully fledged the nest, as confirmed by an ecologist. Due diligence by contractors is required outside of the core bird nesting season. The ECoW should be contacted immediately if concerns arise that active nests could be affected by the works.	September – February – outside of 'core' nesting bird season. Or subject to a nesting bird check by an ECoW if outside this period.	In all construction areas, including grassland	None required if works undertaken during appropriate time period outside of nesting bird season. Otherwise ECoW to undertake checks and instate a buffer around any active nests where required.

	Where no active nests are identified in a survey area the vegetation removal and operations can be carried out under instruction of the ECoW and must be completed within 48 hours of the initial check. Where this is not possible an additional check will be required. Any brash generated from vegetation removal that is not used to create habitat piles will either be removed or chipped so as not to create suitable bird nesting sites that may later need to be removed or destroyed.			
Reptiles	Measures implemented for great crested newt (see below) will also ensure reptiles are carefully removed from suitable habitat into retained habitats. All works to either be carried out by an ecologist or under ECoW. A toolbox talk will be provided to all contractors by the ECoW prior to any works on site.	To avoid hibernation period works should be undertaken between April and October (inclusive).	Grassland and hedgerow bases to be removed	Yes - ECoW and contractors
Fish, white-clawed crayfish, water vole and otter	See above measures implemented for the Protected Sites and Sutton Brook. All works within watercourse corridor, including the riparian zone to either be carried out by an ecologist or under ECoW. A toolbox talk will be provided to all contractors by the ECoW prior to any works on site.	Duration site clearance and construction.	Sutton Brook, watercourses and associated riparian zones	Yes - ECoW and contractors
Hedgehog and brown hare	Measures implemented for great crested newt and badger (see above) will also ensure hedgehog and brown hare are carefully removed from suitable habitat into retained habitats. All works to either be carried out by an ecologist or under ECoW. A toolbox talk will be provided to all contractors by the ECoW prior to any works on site.	To avoid hibernation period works should be undertaken between April and October (inclusive).	Grassland and hedgerow bases to be removed	Yes - ECoW and contractors

Reasonable Avoidance Measures (RAMs)

- 4.5. Any works to suitable terrestrial habitats for great crested newt within 500m of the offsite ponds will be subject to RAMs to minimise impacts to great crested newt, if present. Up until the point of development, the grassland should remain as a short sward. These RAMs also apply as reptile mitigation.
- 4.6. These RAMs is extracted from Natural England's best practice principles and reasonable avoidance measures. These RAMs may be adopted to minimise impact on great crested newt during works and follows best practice principles which apply to common toad mitigation as well. The majority of the RAMs below will also be applicable to works within 500m of offsite ponds and onsite ditches.
- 4.7. The RAMs will include:
- Before any vegetation clearance takes place, all contractors will be fully briefed by a toolbox talk from the ECoW (suitably experienced newt ecologist), regarding the potential presence of great crested newt (and other protected species) and the mitigation measures that must be adhered to during clearance works;
 - In advance of works, suitable grassland and discrete areas of hedgerow bases to be lost should be managed to reduce suitability for newts, including a two-stage directional vegetation removal, with the first cut to c.150 mm, and the second, 48 hours later, to ground level under ECoW supervision;
 - Timings of clearance of suitable grassland and hedgerow bases should occur between March/April – October inclusive, when overnight temperatures are consistently above 5°C. No clearance work of suitable habitat should occur during winter, when great crested newt are likely to be hibernating/in torpor (late October and mid-March inclusive);
 - Outside of hibernation period (late October and mid-March inclusive), a hand search of any suitable refugia (logs, other materials that could be used as cover) and around the base of hedgerows is required immediately prior to work commencing. This will include checks of root bases where access allows and the supervision by the ECoW of the removal of these root balls. Avoid dragging vegetation or tracking vehicles and machinery over unchecked areas;
 - All cleared vegetation will be removed from the construction area boundary. Brash and log piles are to be created within retained areas as habitat piles;
 - Avoid burning or removal of any potential hibernacula, if present, (e.g. wood piles, debris etc.) without a thorough hand search for amphibians, reptiles and hedgehog;
 - Machinery and materials will be stored on areas of hardstanding or raised off the ground on pallets where possible; and
 - Excavations should be backfilled, covered overnight or ramps installed to allow any animals to escape. Excavations and working areas are to be managed so as to not create temporary waterbodies which may attract newts onto site;
- 4.8. In the event that a great crested newt is discovered, all works must stop, and the advice of a suitably experienced and licenced newt ecologist sought. In the unlikely event that a great crested newt is discovered during construction works, if not already present, a suitably experienced and licenced newt ecologist should be contacted. Contractors on site are not to handle a suspected great crested newt (unless at imminent risk of harm).
- 4.9. If a hedgehog or common toad is found, it will be moved to retained habitat to the east of the site. If discovered during hibernation, the hedgehog must be left undisturbed. In the event the

hedgehog is awoken from hibernation the advice of a local wildlife centre should be sought and the hedgehog removed to receive appropriate care.

General Mitigation

Invasive Non-native Species

- 4.10. No invasive non-native species have been recorded within the site. Should any be recorded during construction these will be removed using standard best practice methods by a specialist contractor.
- 4.11. Should any invasive non-native species be recorded during construction, suitable biosecurity to prevent the spread of these species would be implemented using standard procedures as recommended by a specialist contractor.

Dust

- 4.12. Potential adverse impacts through dust deposition will be mitigated by best practice measures adhering to current guidance and legislation (CIRIA, 2015).

Contingency/Emergency Measures

- 4.13. A number of contingency and emergency measures will be implemented to prevent incidents occurring during the construction period including:
- As detailed, a pollution/spillage plan will be agreed and in place prior to the start of works as part of ISO 14001 accredited procedures. This will include training for site management, toolbox talks for operatives and provision of a spill kit;
 - Should any unforeseen delays occur, the project manager will analyse the reason for delay and put in place an appropriate action plan which may involve, for example, resequencing or additional resourcing; and
 - Should any unexpected or previously unidentified protected or priority species be encountered during site works, including great crested newt, reptiles, badger, bats, breeding birds, water vole, otter and hedgehog, works should cease, and the Ecological clerk of Works (ECoW) contacted immediately to provide advice on how best to proceed.

5. Roles, Responsibilities and Monitoring

Responsible Persons

- 5.1. The responsibility for ensuring construction works proceed in accordance with the CEMP will lie with the appointed contractor for the works. Overall control will be held by the contractor's site manager or a suitable delegate within the contractor's company.

Lines of Communication

- 5.2. The site manager or foreman of the appointed contractor, the client and the appointed ECoW will communicate directly over implementation of the mitigation measures and any issues that arise during the works.
- 5.3. In the unlikely event that any protected or priority species are encountered unexpectedly during site works, including bats, badger, nesting birds, amphibians, reptile, water vole, otter and hedgehog, whilst an ECoW is not present, works should cease, and the ECoW should be contacted immediately to provide advice on how best to proceed.

Ecological Clerk of Works

- 5.4. An ECoW will be appointed by the client to liaise with the contractor. The ECoW's responsibilities will be to:
- Provide ongoing guidance for the site team in dealing with ecological matters and interpreting the CEMP. Commencing with a toolbox-talk to inform all site contractors of the ecological constraints and protection measures detailed in this CEMP;
 - Provide onsite supervision of works that require it, as detailed in Table 2 of this report; and
 - Develop any additional method statements and/or site protocols as required.
- 5.5. A copy of this CEMP will be kept on site and will be always available for reference by the ECoW and the contractor's site manager.
- 5.6. Should anyone involved in the construction period on site have any urgent queries regarding this CEMP, please contact Elton Ecology Ltd directly on 01332 856371.

Monitoring

- 5.7. No specific monitoring schedule is proposed, although the ECoW will be present during ecologically sensitive site works and will be able to deal with urgent queries and undertake periodic site visits, where required when site manager is unable to assist. The site manager should however monitor implementation of the CEMP daily and ensure works are compliant with it.

Records

- 5.8. Any issues identified within the site regarding environmental procedures will be reported to the site manager and ECoW. Early identification of issues will enable the project team to identify the need for remedial action where necessary.

6. Reference

Bat Conservation Trust (BCT) & Institution of Lighting Professionals (ILP) (2023). Bats and artificial lighting in the UK. Bats and the Built Environment series. Guidance Note 08/23.

British Standards Institute (2013). BS 42020:2013 Biodiversity. Code of practice for planning and development. British Standards Institute, London.

CIRIA (2015) Environmental good practice on site guide (fourth edition) (C741)

Elton Ecology (2024) Preliminary Ecological Appraisal. Land Southwest of Sutton Lane, Market Bosworth. Reference: P2387_02

Elton Ecology (2024) Biodiversity Net Gain Report. Land Southwest of Sutton Lane, Market Bosworth. Reference: P2387_02

Elton Ecology (2024) Response to Matters Raised. Reference: P2387 Land South West Of Sutton Lane, Market Bosworth

Environment Agency (2013) Groundwater Protection: Principles and Practice (GP3)

Environment Agency (EA's) Pollution Prevention Guidance (PPG) notes

Legislation.gov.uk for: Wildlife and Countryside Act 1981 (as amended) & Conservation of Habitats and Species Regulations 2019. Accessed February 2023.

The Conservation of Habitats and Species Regulations 2017 (as amended). Found at <https://www.legislation.gov.uk/uksi/2017/1012/introduction>

RJ Tree Services Ltd (2023) Arboricultural Impact Assessment and Method Statement

RJ Tree Services Ltd (2023) Tree Survey and Constraints Plan 01/RevB

7. Figures

Figure 1: Site Location Plan (Overleaf)

Figure 2: Surrounding Landscape Plan (Overleaf)

Figure 3a: UKHab Habitat Plan (West) (Overleaf)

Figure 3b: UKHab Habitat Plan (East) (Overleaf)



Legend

 Site boundary

Project:
**Land Southwest of Sutton Lane, Market
Bosworth**

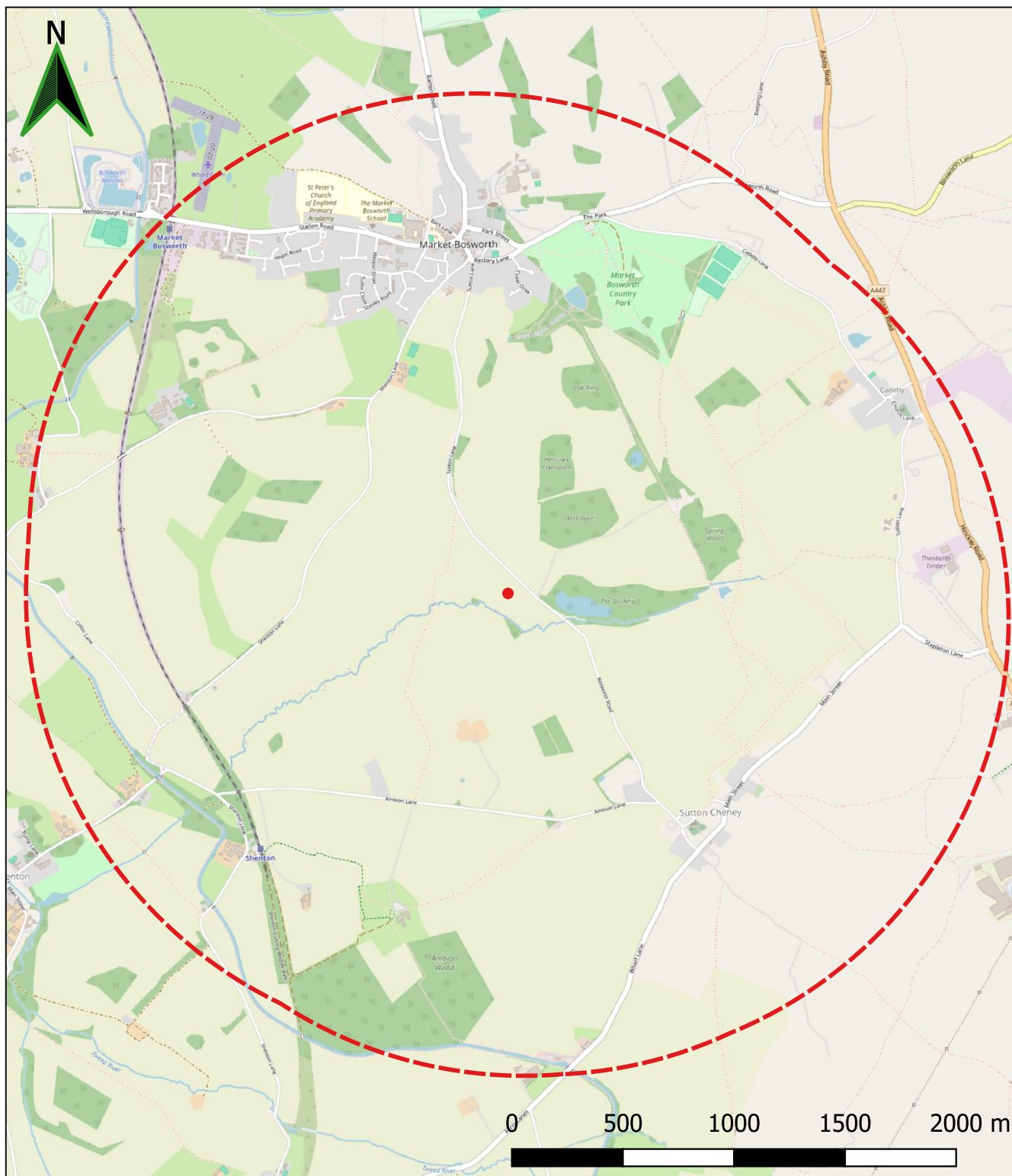
Drawing:
Figure 1: Site Location Plan

Date: 11-01-2024 Version: FINAL
Author: PH Job No: P2387



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Legend

- Site Location
- 2km Buffer

Project:

Land Southwest of Sutton Lane, Market Bosworth

Drawing:

Figure 2: Surrounding Landscape Plan

Date: 11-01-2024

Version: FINAL

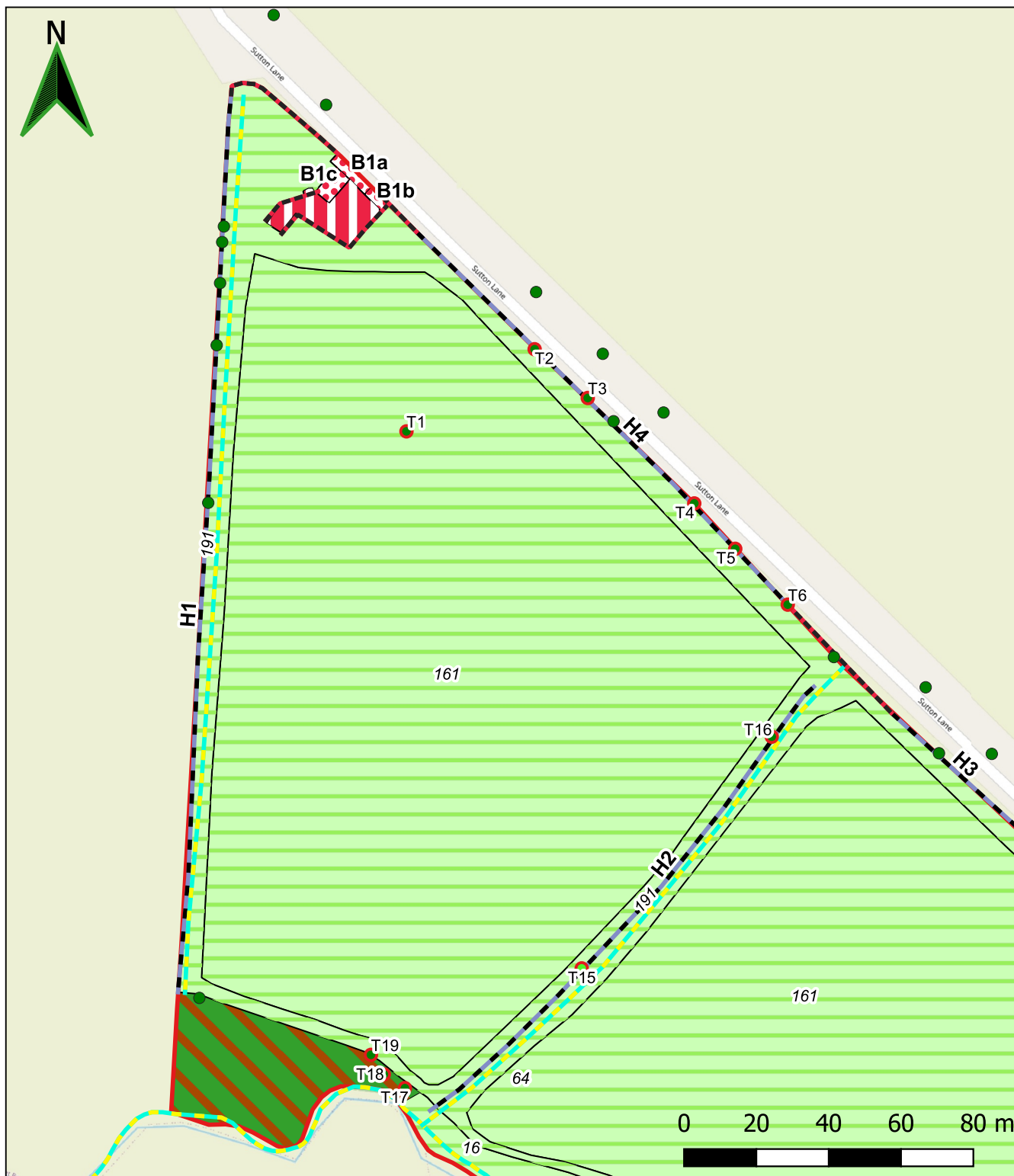
Author: PH

Job No: P2387



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Legend

- Site boundary
- g3c - other neutral grassland
- w1d - wet woodland
- u1b - developed land. sealed surface
- u1b5 - buildings with reference number
- u1e - built linear features (fences)
- h2a - priority hedgerow with reference number
- r - rivers and lakes
- Broadleaved scattered tree
- Broadleaved scattered tree with PRF
- Coniferous scattered tree with PRF

Secondary codes:

- 16 - tall herb
- 64 - mown
- 161 - tall or tussocky sward
- 191 - ditch

Project:

Land Southwest of Sutton Lane, Market Bosworth

Drawing:

Figure 3a: UKhab Habitat Plan (West)

Date: 11-01-2024

Version: FINAL

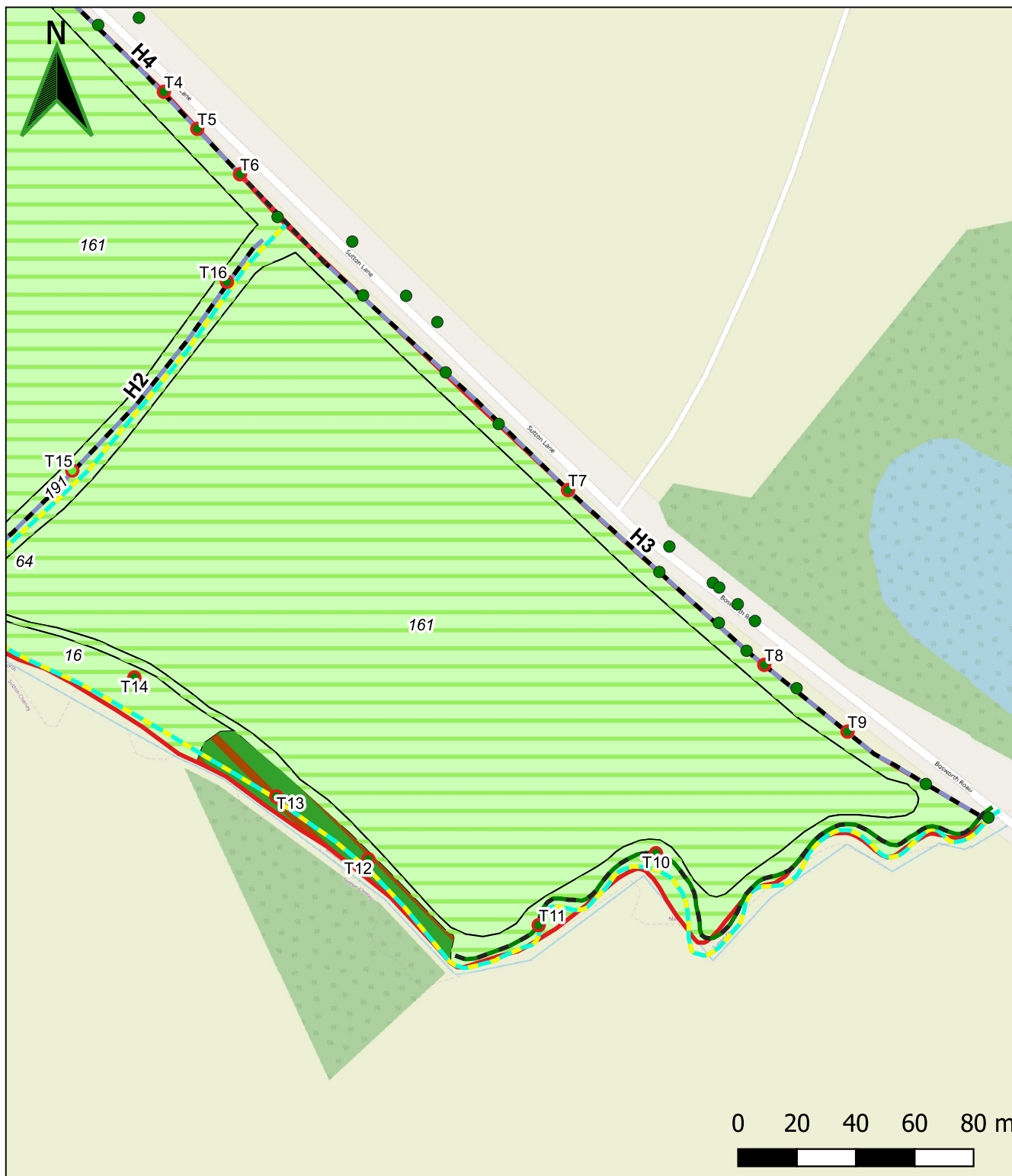
Author: PH

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Legend

- Site boundary
- g3c - other neutral grassland
- w1d - wet woodland
- u1e - built linear features (fences)
- w1g6 - line of trees
- h2a - priority hedgerow with reference number
- r - rivers and streams
- Broadleaved scattered tree
- Broadleaved scattered tree with PRF
- Coniferous scattered tree with PRF

Secondary codes:

- 16 - tall herb
- 64 - mown
- 161 - tall or tussocky sward
- 191 - ditch

Project:

Land Southwest of Sutton Lane, Market Bosworth

Drawing:

Figure 3b: UKHab Habitat Plan (East)

Date: 11-01-2024

Version: FINAL

Author: PH

Job No: P2387



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Appendix 1: Toolbox Talk Register of Attendance

If you have received and understand the toolbox talk and commit to comply with the measures outlined in this document, please sign below.

[illegible]