

Heath Road Solar Farm, Bagworth

Precautionary Method of Working Statement

edp7530_r009a

QA: TRo/JMo_CTi/FJe_171225

1 INTRODUCTION

- 1.1 This Method Statement has been prepared by The Environmental Dimension Partnership Ltd (EDP) on behalf of Renewable Connections Developments Limited (hereafter referred to as 'the Applicant'). This Method Statement sets out a range of great crested newt (*Triturus cristatus*) precautionary mitigation measures to be implemented prior to and during construction at Heath Road Solar Farm, Bagworth (hereafter referred to as 'the Site').

2 POTENTIAL IMPACTS ON GREAT CRESTED NEWTS

- 2.1 This Method Statement has been prepared, as a precaution, to highlight to all contractors the potential presence of great crested newts within the Site and the sensitive methodologies to follow during site works.
- 2.2 Great crested newts are a European Protected Species (EPS) on Schedule 2 of the *Conservation of Habitats and Species Regulations 2017* (as amended) (referred to as the '*Habitats Regulations*'). This affords strict protection to great crested newts and makes it an offence to:
- Deliberately capture, injure or kill a wild animal of an EPS;
 - Deliberately disturb wild animals of an EPS wherever they are occurring, in particular, any disturbance which is likely to impair their ability to survive, to breed or reproduce, to significantly affect the local distribution or abundance of the species to which they belong, or in the case of hibernating or migratory species, to hibernate or migrate; or
 - Damage or destroy a breeding site or resting place of a wild animal of an EPS.
- 2.3 Additional protection for great crested newts is also afforded under the *Wildlife and Countryside Act 1981* (as amended), making it an offence to intentionally or recklessly disturb great crested newts whilst they are occupying a structure or place which is used for shelter or protection, or to obstruct access to this structure or place.
- 2.4 No great crested newts were recorded within the on-site waterbody and no ponds with great crested newts, or any other waterbodies, will be directly impacted through the proposals.

- 2.5 All suitable terrestrial habitat for great crested newts is being retained in the long-term as part of the proposals, including the hedgerows. However, there will be temporary losses to the grassland margins, scrub and ruderal vegetation around the fields due to installation of cabling. Potential impacts on this suitable terrestrial habitat could arise during the stripping of vegetation within the Site.
- 2.6 The potential presence of great crested newts and the limited suitability of habitats is discussed further in the Ecological Appraisal (reference: edp7530_r002) of the planning application.
- 2.7 Within the area of terrestrial habitat to be impacted by the proposed development, there is only a low risk of great crested newt presence and therefore a precautionary approach to vegetation removal is deemed appropriate to mitigate the low risk to individuals (i.e. negate the risk of disturbance, capturing, killing or injuring individuals), as set out in the Method Statement below.

3 PRECAUTIONARY METHOD OF WORKS

Roles and Responsibilities

The Developer and Site Contractors

- 3.1 The Developer and all appointed site contractors will be responsible for:
- Compliance with legal consents relating to nature conservation;
 - Compliance with planning conditions relating to nature conservation;
 - Appointing a suitably experienced ecologist to act as an Ecological Clerk of Works (ECoW);
 - Compliance with instructions and guidance provided by the ECoW;
 - Implementation of sensitive working practices during construction; and
 - Implementing the details of this Method Statement. Although the Developer will retain responsibility, the works can be undertaken through the appointment of suitably qualified persons or companies.

Ecological Clerk of Works

- 3.2 The appointed ECoW will be responsible for the provision of information to all on-site construction personnel prior to commencement of works (as required), on all relevant ecological receptors and constraints associated with the Site, including all species-specific control measures to be adhered to during the construction phase.
- 3.3 The ECoW will also be responsible for:
- Prior to the commencement of pre-construction and construction phases 'toolbox talks' will be provided by the ECoW as described below;

- Advising the Principal Contractor and any relevant personnel on how to be compliant with nature conservation legislation and policy;
- Working with relevant contractors to ensure compliance with the methods in this report;
- Supervising vegetation clearance as required;
- Undertaking any necessary pre-commencement surveys;
- Conducting hand searching, capture and relocation of amphibians (other than great crested newts) from working areas (as required). If any great crested newts are found within the area to area of vegetation clearance, works will cease and a European Protected Species Mitigation Licence (EPSML) will need to be obtained before works can recommence; and
- Communication with and reporting to the local planning authority (LPA) (as required) to evidence that pre-construction/construction activities have been implemented in accordance with the Method Statement, and that any deviations from the Method Statement have been undertaken with the approval of the LPA.

Pre-construction

Pre-commencement Site Check

- 3.4 Prior to commencement of all pre-construction and construction works, the development footprint shall be checked by a suitably qualified ecologist to ensure there have been no significant material changes to the existing ecological interest of the Site.

Toolbox Talk

- 3.5 Prior to the commencement of pre-construction and construction phases, 'toolbox talks' will be provided by the ECoW to the Principal Contractor appointed by the Developer, and all relevant sub-contractors and site personnel, to ensure that the identification and protection of great crested newts is fully understood and appropriate, and that agreed mitigation is implemented.
- 3.6 All construction personnel will be fully briefed on the features of ecological importance to be retained within the Site and protected during construction works.
- 3.7 Any new contractors or site-based staff arriving on the Site will need to be fully inducted on ecological matters by way of a toolbox talk which is to be repeated as necessary throughout construction (by the Developer, Principal Contractor or ECoW, as appropriate) to ensure that all personnel on-site are fully aware of the ecological protection measures.

Sensitive Vegetation Clearance

- 3.8 The grassland margins, scrub and ruderal vegetation to be cleared to accommodate the cabling works have the potential to support protected and notable species, including ground-nesting birds, amphibians and common reptiles. As such, precautionary measures will be required during vegetation clearance to ensure the avoidance of harm/injury and

disturbance to such species. Specific measures to be adopted in respect of great crested newts are provided below.

3.9 The following precautionary measures will be undertaken, under the supervision of an ECoW, to prevent the harm of great crested newts during construction:

- Where necessary, any suitable vegetation to be removed will be subject to a phased vegetation clearance methodology entailing a two-staged clearance as follows:
 - The clearance of the grassland margins, ruderal vegetation and any above-ground scrub vegetation should ideally be undertaken during the winter period, avoiding the active amphibian/reptile season and breeding bird season (with this work ideally carried out between mid-October and February);
 - Thereafter, below-ground scrub vegetation clearance (e.g. stumps/root balls) can be completed during the active amphibian season (i.e. between the months of mid-March to mid-October), so as to avoid the main amphibian/reptile hibernation period;
 - Should such timings be impracticable, above-ground vegetation removal between the months of March to September inclusive (i.e. outside of the hibernation period but coinciding with the active season) will need to be completed under supervision of the ECoW. In such instances, an initial cut of woody vegetation down to a height of 150mm will be required and left for c.24–48 hours to encourage any amphibians, reptiles, or other species (such as small mammals) to disperse from the area. Thereafter, vegetation will be reduced to ground-level using hand-held machinery; and
 - In the event that any great crested newts are found during the vegetation clearance, work will stop, and advice sought from the ECoW.

Maintenance of Areas Cleared of Vegetation

- 3.10 Should there be a delay between pre-construction vegetation clearance and the beginning of the construction, such that vegetation begins to re-colonise, then such vegetation will be subject to regular cutting throughout the duration of the construction phase to ensure heights are maintained at c.20mm or less, or else maintained as bare ground to deter the return of wildlife to the construction area.
- 3.11 Any spoil, rubble, brash and/or debris collected as a result of the construction works will be removed from the Site or stockpiled within the centre of the Site and away from the vegetated boundaries.
- 3.12 Any excavations left open overnight will be visually checked every morning for great crested newts and other protected species. Should any great crested newts be found within any excavations, works will cease and advice sought from the ECoW.

4 CONCLUSIONS

- 4.1 Subject to the full implementation of the mitigation measures detailed above, combined with sensitive timing of the work, the proposed development can proceed while complying with relevant legislation and policy relating to great crested newts.