


The logo for Brooks Ecological is positioned in the top left corner. It consists of a yellow rectangular box containing the word "Brooks" in a dark blue, sans-serif font. Below this box is a grey rectangular box containing the word "Ecological" in a white, sans-serif font, and the tagline "Grounded advice" in a smaller, white, sans-serif font below it.

Brooks

Ecological

Grounded advice

The background of the slide is a photograph of a rural landscape. In the foreground, there is a grassy field with some scattered rocks. A line of young, thin trees runs across the middle ground. In the background, there is a dense forest of mature trees under a clear blue sky.

**Construction Environment Management Plan  
(CEMP: Biodiversity)**

**Land South of Halifax Road, Penistone**

Barratt and David Wilson Homes Yorkshire West

ER-4578-05

December 2020



Report Reference:	Construction Environment Management Plan Land South of Halifax Road, Penistone
Report Reference:	R-4578-05
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Date	18.12.2020

The information which we have prepared and provided is true and has been prepared and provided in accordance with the CIEEM's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions. This report does not constitute legal advice.



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# Introduction

This document is produced for Barratt and David Wilson Homes Yorkshire West (BDWH) to show how the proposed housing development can be built out without impacting on important ecological features.

This document is produced with reference to British Standard 42020 Clause 10.2 Construction Environment Management Plan (CEMP).

The purpose of a CEMP (Biodiversity) is to identify risks to biodiversity during the construction phase, evaluate the level of risk and supply methods for the management of these.

In producing this plan, the following information sources are referred to:

- Brooks Ecological, Preliminary Ecological Appraisal. Land South of Halifax Road, Penistone. ER-4578-01. June 2020.
- Brooks Ecological, Hedgerow Regulations Assessment. Land South of Halifax Road, Penistone. ER-4578-02. June 2020.
- Brooks Ecological, Bat Activity Survey. Land South of Halifax Road, Penistone. ER-4578-03. June 2020.
- Brooks Ecological, eDNA Survey. Land off South of Halifax Road, Penistone. SI-4578-01. May 2020.
- FPCR Environment and Design Ltd. Wintering Bird Report. Well House Lane, Penistone. August 2018.
- FPCR Environment and Design Ltd. Wintering Bird Report Addendum. Land South of Halifax, Penistone. December 2019.
- STEN Architecture, Planning Layout. Penistone. Drwg No. 2001.01. Nov. 2020.

## Responsible Persons & Lines of Communication

An Ecological Clerk of Works (ECoW) will be appointed by BDWH prior to any activity commencing on site.

BDWH will formalise lines of communication with the ECoW establishing who within their operation is responsible for actions on site prior to any work commencing. These links will be maintained until such a time as a Site Manager is appointed and assumes this responsibility.

BDWH is responsible for maintenance of protection and exclusion fencing, however the ECoW will check fencing on each visit and immediately bring issues to the attention of the Project Manager or Site Manager

BDWH is responsible for compliance with regulations, legal consents, planning conditions, environmental procedures and contractual agreements and the issuing of periodic reports on success and compliance. These periodic reports will feedback into the CEMP for the subsequent phase(s) and Bellway Homes will ensure the results of this review are effectively communicated to on-site staff.

## The Role of an Ecological Clerk of Works

The ECoW will be a suitably trained and experienced professional ecologist who is a member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

The ECoW will carry out all ecological surveys and watching briefs.

The ECoW will deliver a tool box talk to site workers prior to any clearance commencing.

The ECoW will make periodic monitoring visits to check the integrity of any fencing and monitor site activities (pollution control). On each visit to the site, the ECoW will monitor the activities and assess for compliance with this CEMP (Biodiversity).

A Site Inspection Certificate will be issued to Bellway Homes following this with any recommendations highlighted. Bellway Homes will take all measures necessary to comply with the recommendations. ECoW visits will be carried out according to Site conditions The Site Manager will call the ECoW to site as soon as any of the following emergency events occur:

### Encountering protected species

Should any protected species (or nesting birds) be encountered during any phase the ECoW will be consulted. Any advice provided to ensure that wildlife offences are not committed will be followed. This could include curtailing works in part or of all the site until appropriate species mitigation, licensing or agreed avoidance measures be secured.

### Damage to retained habitats

The Site manager will follow the advice of the ECoW to ensure that the careful like for like restoration of habitats damaged is enacted in the first available season. This may include replanting, re-seeding and appropriate establishment management.

Typical view of the Site's interior—species-poor modified



Veteran tree



Typical view of boundary hedges



# Risk Assessment of Potentially Damaging Development Activities

## Constraints (On-Site)

A Preliminary Ecological Appraisal Report, undertaken in May 2020 by Brooks Ecological, assessed the Site as containing few ecological constraints.

The walkover survey, undertaken during the optimal period, found the majority of the Site to contain low value agricultural grassland, with small sections of field hedgerows and a single mature tree.

Hedgerows did not meet the criteria for Important status under the Hedgerow Regulation 2010, but most would qualify as Habitat of Principle Importance under the NERC Act 2006.

The mature tree would qualify as a transitional veteran, and is of district level importance. It also contains features with bat roost suitability.

Standard precaution was recommended within regards to nesting birds during initial Site preparation and protection of retained boundary habitats - as per best practice.

The likely absence of badgers was confirmed at the time of the walkover, however standard precaution is recommended to guard against this species moving into the Site in the intervening period.

## Constraints (Off-Site)

Woodland habitat and linear vegetation is present just off site to the northeast and west.

**Table 1** Ecological constraints (relevant to Phase 2)

Habitat/ Feature	Protected/ Notable species
Hedgerows (on-Site)	Bat
Mature tree (on-Site)	Nesting birds (on-Site)
Offsite vegetation	Badgers

## Impacts

Impacts on biodiversity features and associated fauna fall into the following broad categories:

- Vegetation clearance;
- Soil stripping;
- Re-spreading soil and stored materials; and
- Noise generation and disturbance.

## Construction Stages

### i) Site clearance and soil stripping

Trees and woody vegetation are usually removed by a forestry or arboricultural contractor using either a large driven mulching machine which chops arisings and incorporates with the soil, or locally by hand machinery with material being chipped and spread, piled or removed.

Large excavators scrape back soil to create clear development platforms. Topsoil is taken by dumper to soil stores on Site, where it can be left for many months before being reused on Site.

This phase presents the greatest risk to nesting birds and the health of retained hedgerows and trees.

### ii) Installing drainage

Creating drainage will require localised vegetation clearance away from the development platforms. Machinery will excavate trenches for pipes and the trenches will be backfilled and seeded.

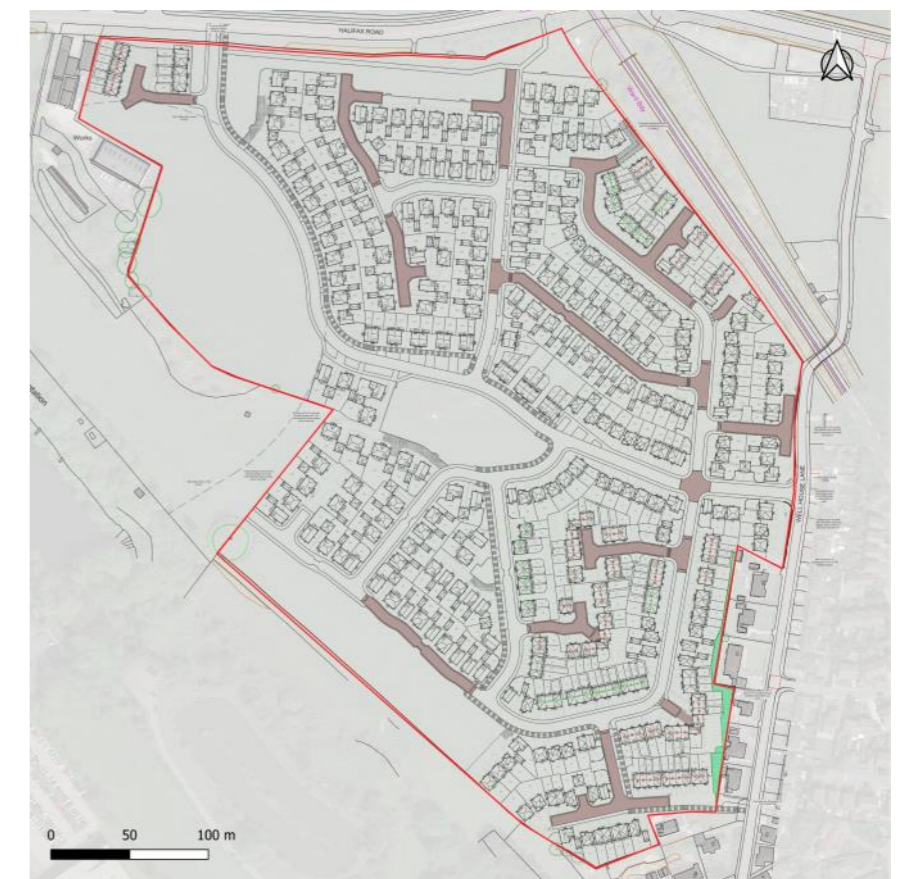
### iii) Installing roads and sewers

This is normally completed by a contractor digging into the cleared development platforms as the first construction activity.

### iv) Building out cleared plots

Creation of show home, then phased construction of plots according to market demand.

Typical activities which require Ecological Clerk of Works (ECoW) overseeing are likely to be; clearing any remaining bird nesting habitat or clearance of soil stores (which could have been used by fauna such as badger /fox).



# Potentially Damaging Development Activities

## Moderate Risk: Unnecessary damage to retained vegetation (On & Off Site)

Without adequate protection in place, development risks adversely affecting retained boundary trees and hedgerows and retained grassland.



### Control 1: BS5837 fencing

1. Fencing according to the Site's tree protection plan will be followed. The figure opposite is illustrative only.
2. Fencing (purple line) will be installed prior to site clearance, following the plan in the Arboricultural Impact Assessment. This will be adapted to take in retained grassland to the northwest.
3. Fencing position will be checked by the ECoW prior to site soil stripping



# Potentially Damaging Development Activities

## Low Risk: Damage or destruction of bat roost

A single mature tree within the southwest corner has been assessed as containing features with bat roost suitability. This tree will be retained on Site, but will need to be suitability protected during Site preparation and construction.

Accidental damage of this tree could lead to the damage or destruction of a bat roost (should a roost be present), and the disturbance, injury or killing of bats.



### Control 2 : Barrier Fencing

Fencing installed as per Control 1 will also act to protect this tree and all potential roost features.

No tree works will be carried out on this tree, before first consulting a bat licenced Ecologist. Should remedial pruning works be required, further survey or investigation will first need to be undertaken to ascertain the status of roosting. Should roosting be identified, a Mitigation Licence from Natural England will be required prior to works commencing.



# Potentially Damaging Development Activities

## Low Risk: Interfering with a badger sett contrary to the Protection of Badgers Act (1992)

Although no evidence of badger setts was found by Brooks Ecological in their surveys to support the planning application, it was recognised that the Site is in a location that could support this species. Pre-clearance survey was therefore recommended.

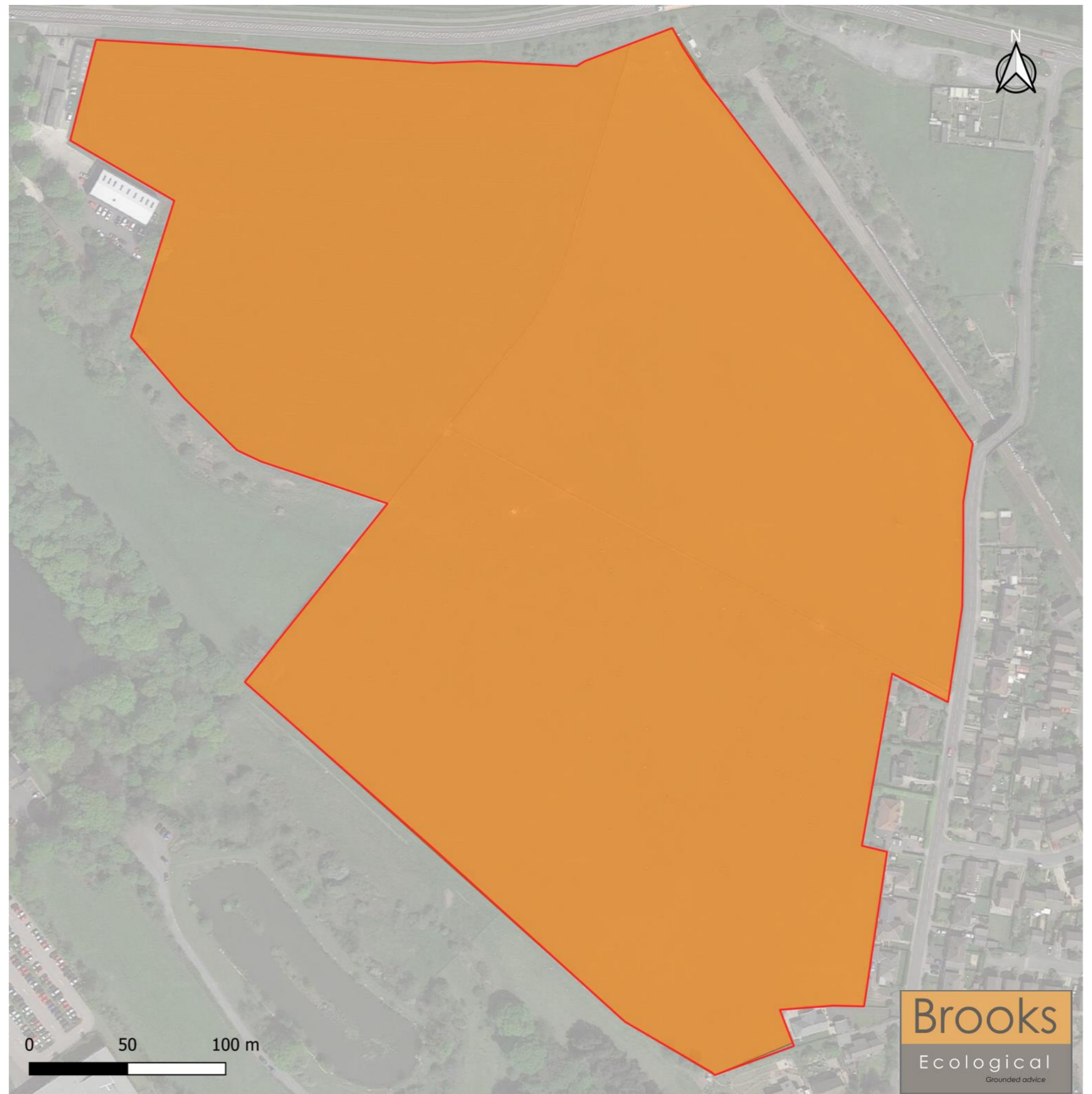


### Control 3 : Survey and supervision

**Survey:** Prior to site clearance works commencing, the entire Site and surrounding suitable habitat within 30m will be re-surveyed for badger.

If a badger sett is found it will be marked out on the ground by the ECoW using temporary barrier fencing and pins and notices will be erected advising of a No Works Area.

The client will follow all advice supplied by the ECoW in terms of the need for, and approaches to, licensing or supervision of works in proximity to any identified sett.



# Potentially Damaging Development Activities

## High Risk: Destroying bird nests

Vegetation clearance works present a high risk of affecting nesting birds contrary to the Wildlife and Countryside Act (1981), if carried out between March and August, inclusive. The whole site has potential for nesting birds to be present.

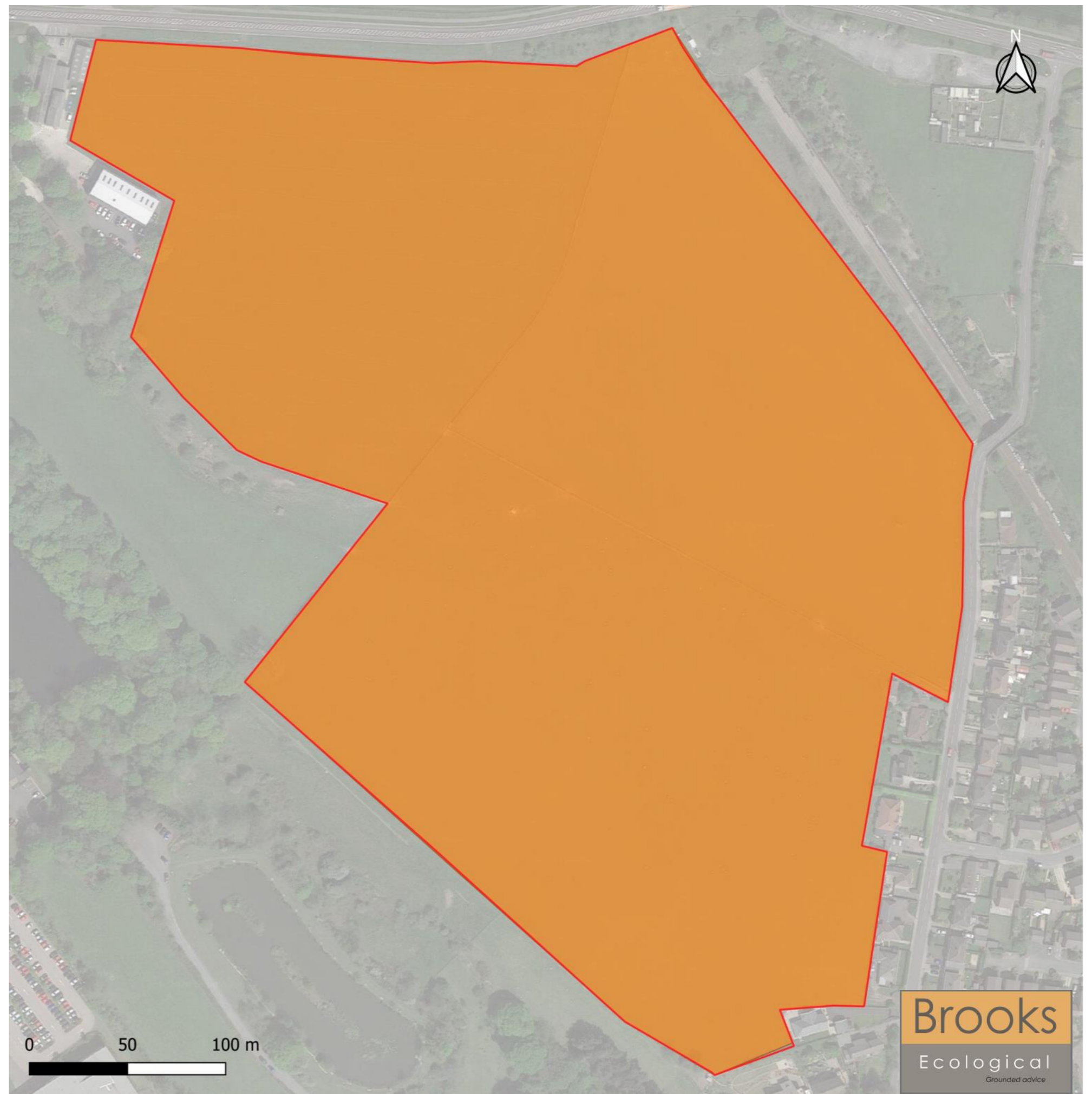


## Control 4 : Timing and Survey

**Timing :** The site will be cleared outside of the bird nesting season (i.e. September-February, inclusive).

**Survey:** Where this is not possible or sections have been missed and need to be cleared in the period March to August, the ECoW will carry out nesting surveys of the vegetation to be affected. The area shaded orange is subject to this control.

If nests are found, these will be demarcated on the ground and works will avoid them until birds have fledged or abandoned the nest. An ecologist inspection report will be produced before works continue.





# Work Schedule

The work schedule below outlines when the tasks required should be carried out, and whether input is required from the ECoW.

Task	ECoW to direct	ECoW to carry out	At Setting out stage	Prior to any work in identified areas	Other timing considerations
Control 1 Tree Protection Fencing			Yes	Yes	
Control 2 Barrier Fencing			Yes	Yes	
Control 3 Nesting Birds		Yes		Yes	Only required where vegetation clearance works commence between March and August
Control 4 Badger Survey and Controls	Yes	Yes		Yes	
ECoW Monitoring and Reporting.		Yes		Yes	
ECoW available for unforeseen issues and supervision		Yes	Yes	Yes	Provide suitable notice to arrange Site visits