



Construction Environmental Management Plan for Biodiversity

for

Proposed Infrastructure at Haverhill, Suffolk

on behalf of

Persimmon Homes (Suffolk)

July 2022

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		Title: Construction Environmental Management Plan for Biodiversity for Proposed Infrastructure at Haverhill, Suffolk			

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Non-technical Summary

Site:	Land at Haverhill – Infrastructure Phase
Ordnance Survey National Grid Reference:	TL 66858 46951
Report Commissioned by:	Persimmon Homes
Date of report:	July 2022 Revision A – August 2022

Considerations	Description
Production of a Construction Ecological Management Plan	<p>Precautionary mitigation will be required to safeguard key biodiversity features during construction.</p> <p>Measures include maintaining the vegetation unsuitable for nesting birds/reptiles before construction, timing of vegetation clearance to avoid the nesting bird season and during reptile active season and production of a sensitive lighting scheme for bats.</p> <p>Retained habitats (boundary hedgerows etc.) will be protectively fenced during the construction period.</p> <p>An Ecological Clerk of Works or suitably qualified ecologist should oversee ecological mitigation measures.</p>

1. INTRODUCTION

Background

- 1.1 James Blake Associates Ltd. (JBA) was commissioned by Persimmon Homes (Suffolk) to provide a Construction Environmental Management Plan (CEMP) for biodiversity for the proposed development site at land at Haverhill, in relation to the infrastructure (Ordnance Survey National Grid Reference: TL 66858 46951, taken from the centre of the site).
- 1.2 This report addresses the likely condition for the infrastructure application relating to a hybrid application of land north of Haverhill (West Suffolk Council). The condition is as follows:

Construction Environmental Management Plan for biodiversity- pre-commencement.

Prior to the commencement of development, a Construction Environmental Management Plan for biodiversity (CEMP biodiversity) shall be submitted to the local planning authority and agreed in writing.

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 for 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 the site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) *Use of protective fences, exclusion barriers and warning signs.*
- i) *Containment, control and removal of any invasive non-native species present on site.*

The approved CEMP shall be adhered to and implemented throughout the construction. Strictly in accordance with the approved details.

Reason: The CEMP is required prior to construction as it includes safeguards which must be put in place before construction takes place. For the reason for this CEMP is to conserve protected and priority species in allow the LPA 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 (Priority habitats & species). Also, to safeguard existing habitats and species in accordance with policies DM2, DM11 and DM12 of the Joint Development Management Policies Document 2015 and Chapters 8 and 15 of the National Planning Policy Framework.

1.3 The infrastructure phase (the site) is part of a larger development site; Phases 2-6 and the Relief Road. Various ecological surveys have been carried out on these phases and the infrastructure footprint and the larger site as a whole by James Blake Associates (JBA) including;

- Preliminary Ecological Appraisal (JBA January 2019);
- Great Crested Newt eDNA Survey (JBA June 2019);
- Reptile Survey (JBA June 2019);
- Botanical Survey (including Sulphur Clover Survey) (JBA August 2019);
- Hedgerow Survey (JBA August 2019);
- Hazel Dormouse Survey Report (JBA December 2019);
- Breeding Bird Survey (JBA October 2019);
- Badger Survey (JBA October 2019);
- Bat Activity (JBA December 2019);
- Wintering Bird Survey (JBA February 2020); and
- Pre-commencement Badger Survey (JBA 2021).

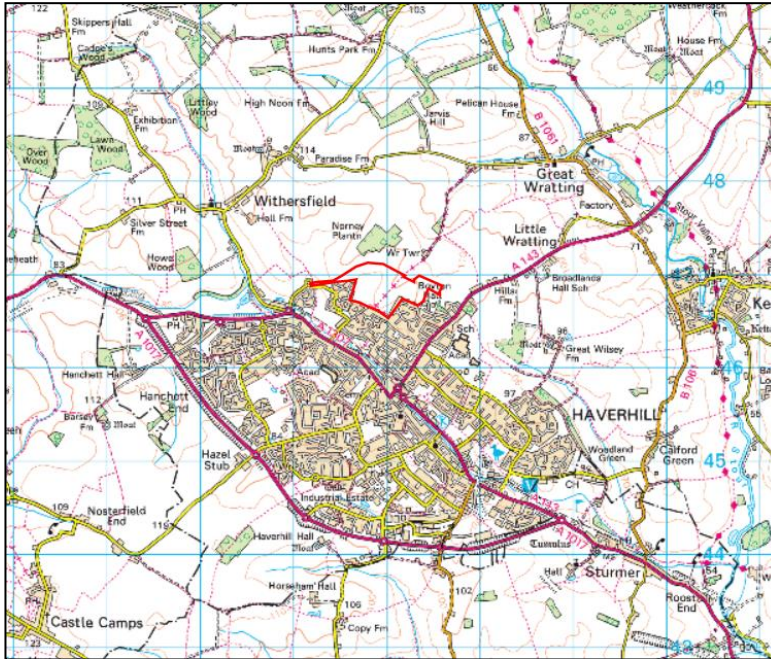
1.4 This report covers the application site (red-line boundary) and the requirement to provide further details regarding ecological mitigation and precautionary measures during construction.

Site Description

1.5 The site is located to the west of Haverhill Road (A143), north of Ann Suckling Road, north of Haverhill town, Suffolk. Ordnance Survey National Grid reference: TL 66858 46951 (take from the centre of the site). The wider landscape includes mainly arable fields with scattered woodland. Norney Plantation County Wildlife Site (CWS), an area of ancient replanted woodland is located north west and the River Stour lays further east of the site (see Figure 1 below).

1.6 The site itself is primarily tall ruderal vegetation associated with previously cultivated arable land. Various hedgerows are present which separates the individual fields with occasional ditches. The site and other areas associated with the wider application is regularly used by the public for recreational purposes such as dog walking.

Figure 1: Site location plan



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Aims and objectives

- 1.7 The aim of this report is to provide a CEMP (biodiversity) for the site to be used in support of the development to enable the discharge of the Condition on the grant of planning permission.

Wildlife Legislation and Planning Policy

- 1.8 The relevant wildlife legislations and planning policies are listed below:
 - Wildlife and Countryside Act, 1981 (as amended) (WCA). [Amended by the Countryside and Rights of Way Act (2000)].
 - The Natural Environment and Rural Communities Act, 2006 (NERC).
 - The Wild Mammals (Protection) Act, 1996.
 - The Hedgerows Regulation, 2007.

2. CONSTRUCTION ECOLOGICAL MANAGEMENT PLAN

Purpose of a CEMP

2.1 The purpose of a CEMP is to:

- Provide effective, site-specific procedures and mitigation measures to monitor and control environmental impacts throughout the construction phase of the project; and
- to outline measures to prevent impacts on protected species and so avoid committing offences under the relevant legislation.

A CEMP ensures that environmental impacts identified during previously performed environmental studies will be properly managed and that controls will be put in place to reduce the impacts of the development on the natural and human environment during construction. This CEMP focuses on the protection of biodiversity and ecological features on site, as required to discharge the planning condition. Therefore, some aspects usually covered within a typical CEMP, such as noise, traffic movements and air quality have not been included.

2.2 The aim of the proposed mitigation measures outlined within this document is to safeguard any protected species that may be using the site during construction.

2.3 A suitably qualified ecologist will be appointed to supervise the implementation of this CEMP: Biodiversity, in an Ecological Clerk of Works (ECoW) role. The ECoW is responsible for the following:

- Ensuring all works on site comply with relevant legislation in relation to protected species and that the CEMP: Biodiversity is adhered to throughout the construction phase of development;
- Providing advice to developers, site personnel and contractors on how best to minimise impacts on wildlife throughout the construction phase of development;
- Being the main point of contact should any issues relating to ecology arise during construction;
- Making the relevant people aware of any ecological issues that occur during the construction phase;

- Ensuring Toolbox Talks on protected species and sensitive habitats to contractors carrying out work within the site are undertaken;
- Ensuring supervision (where necessary) of any construction activities that have the potential to impact on protected species and/or sensitive habitats; and
- Ensuring fence lines are monitored throughout the construction phase of development.

2.4 The ECoW will be provided with updated programme of works to determine watching brief requirements and associated ecological issues.

Species present on site requiring precautionary measures and/or mitigation

2.5 Trees, hedgerows and scrub on the site provide potential nesting and foraging opportunities for birds. During the breeding bird surveys in 2019 (JBA October 2019); fifty-two bird species were recorded on or close to the larger site (Phases 2-6). These included ten Species of Principal Importance (SPI) in England. In terms of the Birds of Conservation Concern (BoCC) categorisation, eight BoCC Red Listed species and ten Amber Listed species were recorded using the site. One Schedule 1 species, Barn Owl, was recorded during the course of another ecological survey. Skylark (*Alauda arvensis*) were recorded in relation to Phases 3A, 3B, 4A and 5A which are closely related to the infrastructure application.

2.6 During the wintering bird surveys (JBA, February 2020); forty-five bird species were recorded either on the larger site (Phases 2-6) or overflying. These included nine SPI in England. In terms of the BoCC categorisation, BoCC eight Red and eight Amber listed species were recorded using the site. The bird species noted using the site are generally common and widespread. No significant population of interest was recorded.

2.7 During the bat surveys in 2019 (JBA, December 2019); no roosts were identified on site. Foraging activity was dominated by common pipistrelle (*Pipistrellus pipistrellus*) and soprano pipistrelle (*Pipistrellus pygmaeus*), mainly on the northern and eastern boundary. Barbastelle (*Barbastella barbastellus*) and brown long-eared (*Plecotus auratus*) was also recorded in relation to one of the central hedgerows. A sensitive lighting strategy is required to ensure that retained boundary features remain unlit by the development or lighting is at least reduced.

- 2.8 No reptiles were recorded during the surveys visits in 2019 (JBA, 2019). However, a single record of slow worm (*Anguis fragilis*) was recorded during works on site in 2009 (JBA, 2018). A precautionary method strategy has therefore been produced and it was considered that by following this precautionary method strategy, the development can proceed with minimal risk of harm to the potential population of slow worms using the site.
- 2.9 No evidence of badgers (*Meles meles*) were identified on site during the pre-commencement survey in July 2021 (JBA, 2021) or during previous surveys. However, precautionary measures should be implemented during construction.
- 2.10 No hazel dormouse (*Muscardinus avellanarius*) were recorded on site during the 2019 surveys undertaken by JBA; however, the Local Planning Authority (LPA) has requested precautionary measures for dormouse are considered during construction due to records of the species in the wider landscape.

Impacts to be addressed before and during construction

- 2.11 Potential ecological impacts to be addressed are the destruction of nests in use or being built by breeding birds and dormouse and the loss of bat roosts if trees with potential bat roost features are to be felled or impacted in any way, disturbance to animals using rubble piles and animals becoming trapped overnight in construction trenches.
- 2.12 Precautionary measures have been identified to address these impacts. Vegetation clearance will be undertaken following the corresponding method statement (JBA, 2022) and will be maintained at ground level (or removed completely) to deter reptiles and nesting birds from using the works area before construction starts; any spoil/rubble mounds which may be present on site and roots will be dismantled under an Ecological Watching Brief; hedges which are to be retained by the development will be protected and gapped up where appropriate and trenches will be covered overnight, or an escape ramp will be provided to prevent animals becoming trapped. These measures are discussed in more detail below.

Mitigation measures before and during construction

- 2.13 An outline timetable for the implementation of ecological mitigation works has been drawn up (see Appendix A).

- 2.14 Boundary hedges and vegetation which are to be retained will be fenced before construction starts according to BS5827:2012 *Trees in relation to design, demolition and construction*, and the fencing will remain in place throughout the construction period. There should be no incursion into the land protected within the fencing and no tipping of refuse or disposal of spoil or other waste materials etc. This should safeguard the habitat for the majority of breeding birds on site. Following construction, gapping up of retained hedgerows should take place in the winter months as directed by an Ecological Clerk of Works (ECoW) or suitably experienced ecologist or arboriculturalist.
- 2.15 The vegetation within the construction area is currently tall ruderal. All vegetation clearance works will be undertaken when common reptiles are likely to be fully active (i.e. during March/April to October) to avoid any chance of disturbing reptiles during the sensitive hibernation period. Clearance of taller vegetation would be undertaken using a strimmer or brush cutter in two parts; the first to 20-30cm high and left for at least 24 hours, the second cut will be close to the ground. The cuttings will be raked and removed the same day it is cut. Clearance will take place from the centre of the vegetation towards retained habitats, preferably at the site boundary; this is to allow any animals to disperse and move to adjacent habitats without getting trapped between works. Further details are provided within the method statement (JBA, 2022).
- 2.16 This vegetation will then be kept closely mown (vegetation at or near ground-level) or removed completely and kept as bare ground to deter ground-nesting birds, such as skylark, from nesting in the spring. This will also deter any reptiles from using the area.
- 2.17 It is recommended that vegetation clearance work starts between September and October, which is after the bird nesting season but still when reptiles are likely active. However, if vegetation clearance is undertaken within the bird breeding season (March to August/beginning of September depending on weather), a nesting bird check must be carried out by an ECoW or suitably qualified ecologist no more than 48 hours prior to vegetation/building clearance. If birds are found to be building nests or active nests are found, then vegetation clearance will have to be delayed within a buffer zone around the nest (size to be determined by the ECoW/ecologist around the nest site(s)) until all chicks have fledged. This check should also include a check for aerial dormouse nests, particularly in the months of April to October.

- 2.18 If evidence of dormouse nests are located then works must stop immediately and a European Protected Species (EPS) licence from Natural England obtained before works can commence. In order to obtain an EPS licence and satisfy requirements for planning approval, it has to be clearly demonstrated that any disturbance or damage will be adequately mitigated for. This normally requires that there should be no net loss in local dormouse conservation status (including factors such as population size, viability and connectivity). If it is unavoidable that development will affect these factors, the mitigation should aim to maintain a population of equivalent status on or near the original site, and should address links to adjacent (indirectly affected) populations where present.
- 2.19 Roots and any other spoil/rubble mounds will be removed/dismantled under an ecological watching brief between mid-March and late September when reptiles and other small mammals, such as hedgehogs, that may be using the mounds will be active and able to move away or be safely relocated to suitable safe habitat nearby.
- 2.20 During construction, any trenches should be backfilled or covered overnight to prevent animals becoming trapped. Where this is not possible a ramp should be placed into the trench to allow animals to escape, and trenches should be checked for the presence of animals prior to the start of works each morning.
- 2.21 Ecologically sensitive areas included those where existing trees and hedgerows are to be retained, as well as proposed hedgerows (particularly at the boundaries of the site). Areas of larger green space would also be considered a sensitive area. A sensitive lighting plan will be drawn up showing proposed external lighting, including location, luminescence and light spread with lighting being directed away from the boundary trees and hedgerows and attenuation basins which may be used by foraging and commuting bats.
- 2.22 The following are recommended in relation to lighting during and after construction;
- Construction activities on site will be conducted within daylight hours to avoid disturbance on nocturnal wildlife. However, if night working is required, lighting will be restricted to the specific work areas rather than the site as a whole;
 - If security lighting is required, then this will be kept to the minimal level (as necessary for safety and security);

- Security lights to be set on short timers and to be sensitive to large moving objects only;
- Lighting, including any proposed street lighting and security lighting, is to be directed away from boundary vegetation as much as possible;
- Lux level of lamps to be as low as possible (while maintaining safe operations) with covers made of glass rather than plastic as this minimises the amount of UV light; and
- Lighting scheme shall adhere to the principles outlined in Bats and Lighting in the UK produced by The Bat Conservation Trust in partnership within the Institute of Lighting Engineers (2009).

Persons responsible for implementing the works

- 2.23 Initial construction works and installing the various forms of enhancement to be implemented by Persimmon Homes' Site Management Team and suitable appointed contractors, such as landscape contractors, fencers, brick layers etc.
- 2.24 An ECoW or suitably qualified ecologist should be retained by the developer to give advice and take action should an emergency affecting any protected species arise during construction, for example, a breach of the protective fencing or spillage of contaminated liquid near to the retained habitats.
- 2.25 Persimmon Homes will be informed of any actions required and will be responsible for ensuring the works are implemented, as necessary.

3. Conclusions

- 3.1 A Construction Environmental Management Plan (CEMP) for biodiversity has been drawn up to safeguard nesting birds, reptile, dormouse and other species which may be impacted by the proposed development.
- 3.2 Precautionary measures have been recommended to avoid or minimise the risk of impacts.
- 3.3 Mitigation measures, such as leaving a buffer zone around nests, may be required if birds are found to be nesting on site immediately prior to construction.
- 3.4 The CEMP for biodiversity was required by the grant of planning permission; this report should enable the condition to be discharged.

References

English Nature (2004) *Guidelines for Developers*. English Nature, Peterborough

James Blake Associates (January 2019) *Preliminary Ecological Appraisal of Haverhill Phases (2-6)*, on behalf of Persimmon Homes Suffolk.

James Blake Associates (June 2019) *Great Crested Newt eDNA Survey of Haverhill Phases (2-6) and Relief road*, on behalf of Persimmon Homes Suffolk.

James Blake Associates (June 2019) *Reptile Survey of Haverhill Phases (2-6) and Relief road* on behalf of Persimmon Homes Suffolk.

James Blake Associates (August 2019) *Botanical Survey (including Sulphur Clover Survey) of Haverhill Phases (2-6) and Relief road*, on behalf of Persimmon Homes Suffolk.

James Blake Associates (August 2019) *Hedgerow Survey of Haverhill Phases (2-6) and Relief road*, on behalf of Persimmon Homes Suffolk.

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James Blake Associates (December 2019) *Hazel Dormouse Survey of Haverhill Phases (2-6) and Relief road*, on behalf of Persimmon Homes Suffolk.

James Blake Associates (February 2020) *Wintering Bird Survey of Haverhill Phases (2-6) and Relief road*, on behalf of Persimmon Homes Suffolk.

National Planning Policy Framework (2021)

JBA (2021) *JBA 18/351-43 Detailed Landscape Proposals for Plots and POS For Phase 2B*.

James Blake Associates (2022) *Precautionary Method Statement for Clearance Regarding Proposed Infrastructure at Haverhill, Suffolk*. On behalf of Persimmon Homes Suffolk.

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MAGIC:

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Wildlife trust:

<https://www.wildlifetrusts.org/actions/how-build-hibernaculum-amphibians-and-reptiles#:~:text=Hibernacula%20are%20underground%20chambers%20that,ponds%2C%20bogs%20and%20compost%20heaps>

Appendix A. Suggested outline timetable for implementation of ecological works

Timings		Feature/species of interest	Action	Person responsible
When to Undertake	Year			
Prior to any works commencing on site	2022-2023	Badger	Pre-commencement badger survey.	Ecologist
Prior to any works commencing on site	2022-2023	All ecological features	Toolbox talk to include all the ecological measures relevant to construction.	Ecological Clerk of Works (ECoW)
Prior to construction starting on site	2022-2023	Retained habitats, trees etc.	Erect protective fencing around features to be retained.	Site manager with advice from ECoW
Prior to construction starting on site	2022-2023	Tall ruderal and other vegetation to be lost to development	Ecological supervision during site vegetation clearance following Method Statement. Clearance of vegetation outside bird nesting season or with a clear nesting bird check. Nesting season is deemed to be from March to August/September.	ECoW and contractor
During construction	From 2022	Small mammals etc.	Trenches to be covered overnight or escape ramp left to enable animals to find their way out.	Site manager
Autumn/winter	From 2022	Retained tree and hedgerow habitat and new hedgerow creation	Coppicing, thinning, shrub planting etc. as required	Site manager with advice from ECoW and arboriculturalist