



Filcher



Report Type: Construction Environmental Management Plan

Client Name: Filcher

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Winterfield Lane
Weston Coyney
Staffordshire
ST3 5BG

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The report should be read in its entirety. Questions arising from the survey report should be directed to the author of the report who will be pleased to clarify any technical issues raised.

Whilst the surveyors make every reasonable effort, Greenscape Environmental Ltd cannot guarantee that all protected species have been identified and survey results are definitive. Many species are cryptic and transitional in habit.

Reports are considered valid for two years for planning purposes, after which time further survey information may be required.

Greenscape Environmental Ltd can provide advice and support for recommendations and planning conditions.

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1 Executive Summary

1.1 Background

Greenscape Environmental Ltd was commissioned by Mr Filcher to produce a Construction Environmental Management Plan for The Old Builder's Yard off Winterfield Lane.

This document has been compiled by Ben Jones BSc (hons) MSc who has 8 years' experience conducting ecological appraisals. It has been reviewed in line with Greenscape's Quality Management System.

For full details of surveyors and licences please see Appendix A.

1.2 Purpose of the Document

Greenscape Environmental Ltd was commissioned to address condition 9 of the outline planning permission SMD/2020/0266, determined in November 2020.

Condition 9 states:

9. As the first act of development, before any construction work commences all of the buildings that are marked for demolition on the SITE LAYOUT PLAN numbered 2018-2384-08 'A', shall all be demolished and removed from site. That demolition and then the subsequent construction[sic] shall only be carried out in accordance with a Construction Environmental Management Plan (CEMP) to cover site clearance, demolition and construction mitigations identified in survey reports relevant to the protection method statements covering bird, bat, mammal and amphibians. The CEMP shall be first submitted to and approved in writing by the local planning authority.

Reason: To restore and protect the openness of the Green Belt and to protect the habitats of protected species.

1.3 Summary of Proposed Works

The works will include:

- Demolition of existing buildings and removal of metal storage containers
- Vegetation clearance of the development footprint and work areas
- Earth works and movement in preparation of footings of the new dwellings
- Modifications to the existing access onto Winterfield Lane
- Landscaping
- Development of new dwellings with associated infrastructure

For the purposes of this document, the working area is defined as any area where there will be a requirement for temporary or permanent works to facilitate the construction of the development. This includes areas for access, temporary construction, and temporary storage areas.



2 Aims and Objectives

2.1 Aims

The aims of the CEMP are to:

- Protect habitats of ecological quality at the site.
- Conserve the species of ecological value at the site.
- Reduce the negative impact on protected species.
- Reduce the risk of contamination of invasive flora and fauna.
- Reduce the risk of pollution during construction.
- Protect the openness of the Green Belt

2.2 Objectives

The objectives of the CEMP are to:

- Minimise damage to adjacent habitats and protect habitats on site that are part of the final development.
- Ensure that no breach of British wildlife legislation occurs on site for the duration of the proposed development.
- Protect in particular, bats, birds amphibians and badgers from the proposed development and construction works.
- Reduce the risk of contamination with non-native species of flora and fauna.

2.3 Ecological Issues and Legislation

The priority ecological issues, i.e. those that have legislative requirements or planning considerations and are relevant to the site and proposed works are as follows:

The Conservation of Habitats and Species Regulations (2017) – as listed in:

- Schedule 2. European protected species of animals
- Schedule 5. European protected species of plants

The Wildlife and Countryside Act (1981) – as listed in:

- Schedule 1. Birds protected by special penalties at all times
- Schedule 5. Protected animals
- Schedule 8. Protected plants

Countryside and Rights of Way Act (2000)

Hedgerow Regulations (1997)

The Protection of Badgers Act (1992)

Natural Environment and Rurally Communities (NERC) Act (2006)



3 Control of Works

To ensure that the works are undertaken in accordance with the CEMP, a series of controlled measures will be utilised. The measures include:

1. Appointment of an ecological management team
2. Identification of ecologically sensitive areas and tasks using a traffic light risk zone

The application of the 'traffic light' system allows classification of the level of risk and ecological sensitivity of the ecological systems. There are three levels of risk; red, amber and green, with red being the highest risk areas or tasks. Works within all levels of risk will be controlled to some degree.

3.1 Ecological Management Team

The ecological management team will consist of the following posts:

- Ecological Consultant (Greenscape Environmental or approved ECoW)
- Site Manager (Mr F Filcher)

The ecological management team will ensure that all site personnel are appropriately briefed on the ecological issues within the site. This will be undertaken through inclusion of ecological briefings within the toolbox talks given to all staff as part of the site induction process. The roles are detailed as follows:

Ecological Consultant

- Develop method statements and site protocols.
- Provide guidance for the site team including legal and statutory requirements affecting works.
- Ensure site manager is aware of any changes.
- Monitor and report on the protective measures, known habitats and protected areas.

Site Manager

- Ensure the CEMP is developed and held on site and that it is implemented throughout all phases of the project.
- Ensure the site team and subcontractors comply with site protocols.
- Ensure the site and all stored materials and chemicals are safe and secure.
- Ensure the site is kept in a tidy and orderly fashion.
- Ensure all emergency protocols are up to date.
- Ensure all those that work on site have a site induction including briefing on environmental issues pertinent to the project and relevant toolbox talks.
- Ensure activities are carried out in accordance with the requirements of any associated method statements.



3.2 Legislation

Based on current understanding of site no licences to undertake works are required from Natural England. Should any protected species be identified during works, the need for licences will be reconsidered.

No negative impact on bat roosts is anticipated based on the precautionary bat activity survey conducted on trees in August 2023 by Greenscape Environmental (Report P2 23-08 193.1) and inherent lack of roost value in the buildings.

3.3 Ecological Control of Works

The client will employ Greenscape Environmental as an Ecological Consultant (EC) to provide ecological support where necessary.

The ecologist will be kept on retainer to offer expert advice should the understood status of protected species on and around the site change throughout development. The ecologist will remain available to produce further supporting documentation if required which can then be disseminated to contractors working on site.

Status	Task / Area	Control
Red	Any works likely to affect nesting birds such as removal of trees for access Vegetation clearance outside of bird nesting season	EC to provide method statements prior to work Site manager to ensure work happens at an appropriate time of year
Amber	Site setup Implementation of ecological mitigation features Landscaping / habitat creation	EC to approve method statements prior to work commencing Site manager to ensure works follow the appropriate documentation including this CEMP and the Ecological Design Strategy (document reference: EDS 23-08 193.1)
Green	Construction and earthworks outside of designated ecologically sensitive areas or after ecological mitigation works	Works to be carried out to ecological best practice



4 Implementation of the CEMP

This section provides specific details relating to the CEMP, e.g. method of vegetation clearance as well as any timing considerations.

These plans may need to be revised should the extent or nature of activities occurring within the works footprint change as work progresses. The following sections provide specific requirements and constraints relating to the key ecological issues occurring within the site.

The detailed construction program will be made available for review in the site office. The information will be shared with new contractors working on site.

The trees to be removed have been subject to a bat activity survey and found to be free from bat roosts. The trees do have inherent potential value for nesting birds however and so will be removed outside of bird nesting season, which is 1st March to 31st August inclusive).

4.1 Length of Construction Period.

It is understood the start of the construction period is towards the end of 2023 or early 2024. The anticipated finish of external construction is currently unknown.

4.2 Hours of Work

07:30 – 18:00 Monday to Friday in Summer (finishing at least an hour before dusk)

08:00 – 16:00 Saturday and Sunday, when required

4.3 Construction Lighting

No work will be conducted after sunset at any time of year, so a Construction Lighting Plan is not required.

The site will not be illuminated at night.

Construction lighting will be limited to internal lights once the walls and roofs of the buildings have been constructed.



4.4 Habitat Pollution Prevention

The habitats and wider landscape will be protected at all times throughout the development. The following potential pollution pathways have been identified:

- Spillage and silt contamination
- Aerosolised dust during excavation and construction
- Fuel and oil spillages
- Waste management
- Biosecurity measures

4.4.1 Spillage and Silt Prevention

Pollution prevention measures will be implemented around the site to protect nearby habitats- gardens, large trees and hedgerows. Exposed ground and materials stockpiled on site such as solid hardcore and sand can pollute water and air with silt and dust.

- Materials kept on site will be stockpiled on pallets where possible
- Soil stored on site will be covered over and not compacted so badgers are not encouraged to dig.

4.4.2 Dust suppression

Some equipment and works that might generate and spread dust include, but are not limited to; motorised saws, concrete mixers, vehicle movement along tracks and disturbance of dry material piles. Responsibility of the implementation of dust suppression methods will lie with the site foreman and will be periodically checked with unannounced visits by the ECoW.

- Suitable dust suppression must be used on all works, such as water suppression when cutting stone and brick with saws
- Any dirt or hardcore tracks through the development will be dampened down during hot weather to reduce dry material that could become airborne with disturbance
- Stockpiled materials such as soil and sand will be stored either in bulk bags or in skips, and kept covered to prevent wind-blown dust contamination of the surrounding environment
- Once opened, cement bags will be stored in a sealed bag or storage unit, and empty bags will be disposed of off-site in skips.
- Dry waste material will not be burnt on site.
- No fires will occur on site whatsoever.

4.4.3 Fuel and Oil Spillage

It will be ensured by the site foreman that sufficient spills kits are present on site, and that all workers are aware of their location and how to use them.

- Any diesel/oil/chemical spillages on site must be cleared as a matter of urgency. Where spills become absorbed into the ground it may be necessary to excavate the contaminated soil and remove from site.
- Chemicals will be stored in the site compound in a suitably protected environment.



4.4.4 Waste Management

All waste will be dealt with in accordance with Section 34 of the Environmental Protection Act 1990 and its subsequent amendments and regulations.

The construction team have a legal duty of care to make sure any waste produced is correctly handled and segregated at source.

- Ensure all waste is correctly assessed and segregated.
- Prevent the illegal deposit or handling of a controlled waste by any other person
- Prevent waste material escape
- Transfer controlled waste to an authorised person with correct waste permits in place
- Ensure that non-hazardous waste is transferred under a waste transfer note which must be retained for two years or as legislation requires
- Hazardous waste is moved under a waste consignment note that provides a clear description of the waste material. The consignment note must be retained for three years
- The waste is the responsibility of the construction company until it has been fully recovered or finally disposed of.

The site waste management plan outlined by the Site Foreman will be adhered to.

4.4.5 Excavated clay, soil, and stones

These will be loaded directly into vehicles for use with the project as appropriate and may be stored on site for final landscaping or inclusion in ecological enhancement measures.

Where short-term storage is unavailable, topsoil will be stored separately from other soil types.

4.4.6 Biosecurity Measures

No non-native invasive species of flora listed within Schedule 9 of the Wildlife and Countryside Act 1981 have been recorded on site.

A suitable risk assessment will be completed by site foreman prior to any works commencing.

Biosecurity measures to reduce the transfer of soil borne diseases will include

- Cleaning hand tools prior to them being removed and used on different construction sites.
- Cleaning larger equipment and vehicles prior to being off hired or removed from site.

This will include the tools used to remove shrubs and trees from site.



5 Species Protection Plan

The initial environmental appraisal was conducted in 2019 by Absolute Ecology, with site visits conducted in 2023 by Greenscape Environmental.

Protected species to be considered and in some cases enhancements provided include, bats, birds, mammals and amphibians.

5.1 Bats

The trees to be removed for access will be felled in sections over winter. They are small diameter and provide negligible hibernation potential. Removal over the winter period will ensure no bats are disturbed.

5.2 Birds

The tree removal will be conducted outside of the bird nesting season, which is 1st March to 31st August inclusive. If this is not possible, a suitably experienced ecologist will conduct a check at dawn on the morning of the proposed removal to ensure no nesting birds will be affected.

Should a nesting bird be found, a 4m buffer will be left around the nest, and no further disturbance conducted until the young have fledged.

5.3 Non-Bat Mammals

No sign of non-bat mammals was found on site, but much of the non-working areas of site were overgrown with bramble. No observation of non-bat mammals was mentioned in the preliminary survey from Absolute Ecology in 2019. A precautionary approach will be taken.

If species such as badger or hedgehog are present on site they will continue to use the same pathways, as they are creatures of habit. If these species are identified at any point during site clearance or development, work will stop and the ecological consultant contacted for advice.

5.4 Amphibians

There are no ponds shown on OS maps within 250m. The site does provide good shelter opportunities for amphibians in their terrestrial phase, however.

A precautionary method statement is provided that will ensure no negative impacts through safe working practices.

Site Setup

1. Soil and vegetation will be stripped prior to setting up the site compound to ensure the compound contains no vegetation which could potentially attract great crested newts
2. All cabins and equipment will be located on firm compacted ground, preferably a stone or concrete base.
3. Contractors are advised not to handle newts at any time.



4. Should at any time an amphibian be found, the ecological consultant will be contacted and appropriate discussion for the safe and legal care/mitigation proposed.

Construction Phase

5. Clearance of the site will be conducted between February and May when there is least opportunity for newts to be hibernating beneath artificial cover objects. Ground-level objects will be cleared by hand to minimise any potential damage to sheltering amphibians (or other small animal) sheltering beneath.
6. Trenches will be dug and filled in on the day created or will be covered over with close-fitting boards at the end of each working day, and then checked the following morning. This is particularly important when newts are most active, between March and November.
7. If necessary, a ramp will be placed in trenches to allow newts and small mammals to escape or left with a natural earthen slope.
8. Any heavy machinery will be stored on an area of hardstanding to avoid refugia being created.
9. Stored material will be raised on pallets to reduce the potential they might act as a temporary resting place. This reduces the potential for damage or destruction of individual amphibians.
10. All waste will be placed straight into skips to reduce the potential of creating refugia.
11. Great crested newts will not be handled or moved without express permission from Natural England as this would constitute an offence.



Appendix A – Surveyor Details

Table A.1. Details of surveyors' experience and licences held

Name	Membership of associations/ experience	Licenses
Ben Jones BSc(hons) MSc	Senior Consultant MCIEEM Ben has a degree in Marine and Freshwater biology and a Master's degree in "Managing the Environment". He has 8 years' experience conducting environmental appraisals and phase 2 surveys for bats and newts in England and Wales. As a member of the CIEEM he is bound by professional conduct.	Holder of survey licenses for bats and newts in England and Wales. <u>England:</u> Bats - 2017-29112-CLS-CLS GCN - 2016-25209-CLS-CLS <u>Wales:</u> Bats - S091847/1 GCN - S091242/1
Peta Marshall BSc(hons)MA	Principal Consultant MCIEEM PIEMA Peta has a degree in Applied Biology and has been working in commercial environmental assessment for over 17 years. She has 17+ years' experience surveying for protected species. As a member of the CIEEM she is bound by professional conduct.	Holder of survey licenses for bats and newts in England and Wales. Registered Consultant for Mitigation Class Licence for Bats <u>England:</u> Bats - 2015-12200-CLS-CLS BMCL - RC084 GCN - 2015-18939-CLS-CLS <u>Wales:</u> Bats - S090542/1 GCN - S090807/1