

# **Discharge of Condition 19**

## **Construction Ecological Management Plan**

**Application Number: P/2016/02552**

**CULMINGTON FARM**

For Walnut Renovation and Developments Ltd

30 March 2021

**Arbor Vitae Environment Ltd**

**Lower Betton Farm**

**Cross Houses**

**Shrewsbury**

**SY5 6JD**

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## 1. Introduction

Planning consent has been granted for the demolition of modern agricultural buildings and Dutch barns, the erection of 7 residential dwellings and the alterations to existing access. An associated consent on the same site (Ref 16/02556) relates to the conversion of a redundant agricultural building to form two residential dwellings.

The Planning Consent there includes three Conditions relating to ecology. Condition 19 states:

With exception of demolition / removal of existing buildings no development including

ground works shall take place within the site until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning

Authority. The plan shall include:

- i. An appropriately scaled plan showing 'Wildlife/Habitat Protection Zones' where construction activities are restricted, where protective measures will be installed or implemented and where ecological enhancements will be installed or implemented;
- ii. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- iii. Requirements and proposals for any site lighting required during the construction phase;
- iv. A timetable to show phasing of construction activities to avoid harm to biodiversity features (e.g. avoiding the bird nesting season);
- v. The times during construction when an ecological clerk of works needs to be present on site to oversee works;
- g) Pollution prevention measures.

vi. Identification of Persons responsible for:

- a) Compliance with legal consents relating to nature conservation;
- b) Compliance with planning conditions relating to nature conservation;
- c) Installation of physical protection measures during construction;
- d) Implementation of sensitive working practices during construction;
- e) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction; and
- f) Provision of training and information about the importance of 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented strictly in accordance with the approved plan, unless otherwise approved in writing by the Local Planning Authority.

This report sets out the CEMP below.

## **2. Site description and background**

Culmington Farm lies within the centre of the small village of Culmington and includes a range of traditional barns adjacent to the public road and extensive modern agricultural buildings, some of which have been recently removed. The River Corve flows along the eastern side of the farmstead. A modern access bridge crosses the river and leads from the farmstead to the agricultural fields to the east. The river is largely tree lines although some alders have been coppiced in recent years in the vicinity of the farm buildings. One large and notable native black poplar tree, a rare species, lies in a small paddock between the buildings and the river.

Proposals for the site include the conversion of two traditional buildings into residential properties, the demolition of a series of portal-frame buildings and Dutch barns and the construction of seven new houses on the site of the former buildings.

## **3. Existing ecological interest and potential impact**

An ecological appraisal of the site was carried out by Turnstone Ecology in 2016. This led to Phase 2 surveys of bats being carried out in 2017. The appraisal carried out detailed surveys of habitats and protected species.

It was concluded that three species of bats utilise the traditional buildings: common and soprano pipistrelles and brown long-eared bats.

It was concluded that otters use the adjacent River Corve as evidence by otter sprains (droppings) found beneath the access bridge adjacent to the site.

The proposed development will only affect habitats which are of low or negligible ecological interest including improved grassland and hard standing. Any potential impact on the River Corve or its banks will be mitigated by the prevention of any disturbance to the river banks through security fencing.

Potential impacts on protected species include disturbance of bats using the traditional buildings and disturbance of otters using the river. An increase in noise and light levels can affect otter behaviour and these will therefore be restricted.

Further detailed Phase 2 surveys of the traditional buildings will be carried out to assess bat and breeding bird activity. The results of these surveys will inform future mitigation and the possible need for a Mitigation Licence from Natural England.

Bats are protected under the Conservation (Natural Habitats) Regulations 1994 and the Wildlife and Countryside Act 1981. The destruction or disturbance of a bat roost contravenes the law and a development licence for this work will be required. This will include details of all mitigation works required on the site to maintain the conservation status of the species recorded during surveys.

There is no evidence of other protected species on the site. The issue of great crested newts is dealt with in a parallel Condition No. 9.

#### 4. Timing of proposed works

The following points should be adhered to:

- If work on site begins more than 90 days after the date of the otter assessment (26 March 2021), further surveys may be required to confirm accuracy of the survey data.
- No work should be carried out to the buildings until a bat activity survey has been carried out and, if necessary, a Mitigation Licence received from Natural England.
- No work should be carried out to the buildings between mid-March and August due to the presence of breeding birds.

#### 5. Legal and Other Requirements

##### 5.1 Consents and Licences

Legislation	Licence/ permission requirement
Planning Act 2008	Consent for the scheme Any requirements attached to the consent will need to be adhered to.
Conservation (Natural Habitats & c.) Regulations 1994	A Mitigation licence for the work on the traditional buildings may be required from NE
Planning conditions	Permission Please see Decision Notice on Planning Portal Website. Planning Ref: P/2016/02552

##### 5.2 Operational Control Procedures

The following issues are discussed below:

- Site establishment
- Protection of existing environmental features
- Training of contractors

### 5.2.1 Site Establishment

Facilities will be established to minimise risk to the environment and promote the efficient use of resources. Due to the proximity of the site to the River Corve, strict pollution and drainage control measures will be required. Precautions and procedures will include:

- Any necessary fuel and oil will be stored in accordance with the Control Pollution (oil storage) (England) Regulations 2001. Refuelling will only be undertaken in a designated area, designed to contain contaminated run-off, and by trained personnel. Emergency spill kits are to be readily available.
- Materials storage areas will be set up and managed in such a way as to avoid creating e.g. hibernation/sheltering sites for amphibians. This will be done by storing all materials on pallets.
- Spill kits will be kept on site and liquid and potentially harmful liquid spills immediately dealt with.
- No temporary lighting will be required.
- Construction and building activities which generate noise will only be permitted in daylight hours.

### 5.2.2 Protection of Existing Environmental Features

There are no features of particular ecological interest on the site other than the redundant traditional buildings and the river and its banks.

No additional access to barns, other than for normal agricultural purposes will be allowed until the results of the bat and breeding surveys are known.

The banks of the river, to a width of one metre above bank top, will be securely fenced and demarcated with HERAS fencing to prevent any disturbance.

### 5.2.3 Training of Contractors

All contractors involved with building works, particularly stripping of roofs, will be provided with a tool box talk by the Ecological Clerk of Works in order to highlight the legal protection of otters, bats and breeding birds, to inform them of their responsibilities and to make them aware of the need to cease work if any of these species are encountered.

## **6. Mitigation and enhancement**

### **6.1 Habitat Mitigation**

The river bank will be fence against the development site to protect against disturbance.

The black poplar tree which grows in a grass field near to the site (but unaffected by it) will be fence to the extent of its crown spread to ensue no accidental damage or other impacts.

### **6.2 Protected Species Mitigation - Otters**

Any trenches, footings or other excavations will be covered at night to avoids accidental entrapment of otters or other species such as badgers which may wander into the site, however unlikely.

Any use of external lighting will be avoided but will certainly not cause the river banks to be illuminated.

All noisy building activities will be restricted to daylight hours.

Flood mitigation works on the east of the river allow the opportunity to create a purpose built underground otter holt near to the river and with connections to it. Dense planting of scrub will help to conceal this.

### **6.3 Protected Species Mitigation - Bats**

No work of any sort will be carried out on traditional buildings until results of bats surveys are known. The results of surveys will inform the need for and type of mitigation required.

No increased external illumination of the traditional buildings will be allowed.

### **6.4 Protected Species Mitigation – Breeding birds**

No work of any sort will be carried out on traditional buildings until results of breeding bird surveys are known. The results of surveys will inform the need for and type of mitigation required.

No increased external illumination of the traditional buildings will be allowed.

## 7. Responsible Persons

<b>Responsibility</b>	<b>Person/s</b>	<b>Contact details</b>
Compliance with planning conditions relating to nature conservation	Land Owner	Walnut Squared Ltd
	Site Manager	Rob Hancocks, 07545126666, <a href="mailto:rjhancocks67@gmail.com">rjhancocks67@gmail.com</a> , Walnut Renovation & Development Ltd
	Shropshire County Council: Local Planning Authority	
Implementation of sensitive working practices during construction	Site Manager	Rob Hancocks, 07545126666, <a href="mailto:rjhancocks67@gmail.com">rjhancocks67@gmail.com</a> , Walnut Renovation & Development Ltd
	Arbor Vitae	<a href="mailto:info@arborvitae.uk.com">info@arborvitae.uk.com</a> 01743 761232
Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction	Site Manager	Rob Hancocks, 07545126666, <a href="mailto:rjhancocks67@gmail.com">rjhancocks67@gmail.com</a> , Walnut Renovation & Development Ltd
	Arbor Vitae	<a href="mailto:info@arborvitae.uk.com">info@arborvitae.uk.com</a> 01743 761232
Provision of training and information about the importance of 'Wildlife Conservation' to all construction personnel on site	Arbor Vitae	<a href="mailto:info@arborvitae.uk.com">info@arborvitae.uk.com</a> 01743 7651232



<b>APPENDIX 1. BIOSECURITY PROTOCOL MARCH 2021</b>			
<b>SITE NAME: CULMINGTON FARM</b>			
<b>Species</b>	<b>Potential contamination route</b>	<b>Likelihood of risk</b>	<b>Operational Procedures/Actions required to minimise risks</b>
Himalayan balsam	Introduction of species via construction machinery  Introduction of seeds via contaminated soil.	Low. Himalayan Balsam is not known to be present on site or in the locality  Low. There are no requirements to import soil.	Ensure owner and contractors know what Himalayan Balsam looks like. If any plants are identified these should be pulled up and left to dry before the seeds set (July/August).
Japanese knotweed	Introduction of species via construction machinery  Introduction of fragments via contaminated soil.	Low. Japanese knotweed is not known to be present on site or in the locality  Low. There are no requirements to import soil.	Ensure contractors know what Japanese knotweed looks like. If it is identified on site, refer to the Environment Agency's Japanese knotweed Code of Practice.
<i>Hymenoscyphus fraxineus</i> Ash dieback disease.	Machinery entering or leaving the site.	Low. Tree survey revealed no evidence of existing dieback on site. No requirements to import soil or trees to site.	Follow guidance given on government website: <a href="https://www.gov.uk/guidance/prevent-the-introduction-and-spread-of-tree-pests-and-diseases">https://www.gov.uk/guidance/prevent-the-introduction-and-spread-of-tree-pests-and-diseases</a>

FIGURE 1 WILDLIFE PROTECTION ZONE

