

**Conditions 9 & 10 of Planning Application Number
19/04370/PLF:
Lake View Holiday Park,
Model Farm, Atwick Road,
Bewholme, YO25 8DT**

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1 INTRODUCTION

Ecology and Forestry Ltd has been commissioned by Edwardson Associates Ltd to prepare a site specific Wildlife Enhancement Plan (WEP) relating to land at Lake View Holiday Park, Model Farm, Atwick Road, Bewholme, YO25 8DT

An Ecological Appraisal of site was undertaken 10 October 2019 and subsequent report submitted to East Riding of Yorkshire Council under planning application number 19/04370/PLF. The following planning conditions were imposed on the decision notice dated 20 January 2021:

9. No development shall take place unless in strict accordance with all of the recommendations for mitigation set out in section 5 of the Preliminary Ecological Appraisal (Ecology & Forestry Ltd, October 2019) as submitted with the application in all respects. Any variation thereto shall be agreed in writing by the local planning authority before such change is made. This condition is imposed in accordance with policy ENV4 of the East Riding Local Plan and to ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017.

10. Within one month of the date of this decision a Wildlife Enhancement Plan (WEP) shall be submitted to and approved in writing by the Local Planning Authority. The WEP shall be compiled by a suitably qualified ecologist and include:

- A timetable for implementation;*
- A detailed plan showing the locations and specification of the enhancement measures;*
- The enhancement measures outlined in the Preliminary Ecological Appraisal (Ecology & Forestry Ltd, October 2019);*
- A 20% bird box to caravan ratio;*
- A 20% bat box/tube/adapted tile to caravan ratio;*
- Enhancement of habitat connectivity on site by strengthening of hedgerows or by the creation of areas of semi natural habitat;*
- Hedgehog friendly features including hedgehog houses which should be positioned round the site within hedge bases;*
- Insect boxes and log piles to increase the habitat for local biodiversity;*
- The landscaping strategy shall incorporate wildlife friendly landscaping throughout the site*

and utilise British species of local provenance wherever possible.

The development shall be carried out in accordance with the approved details and the enhancement measures thereafter retained unless otherwise agreed in writing by the Local Authority.

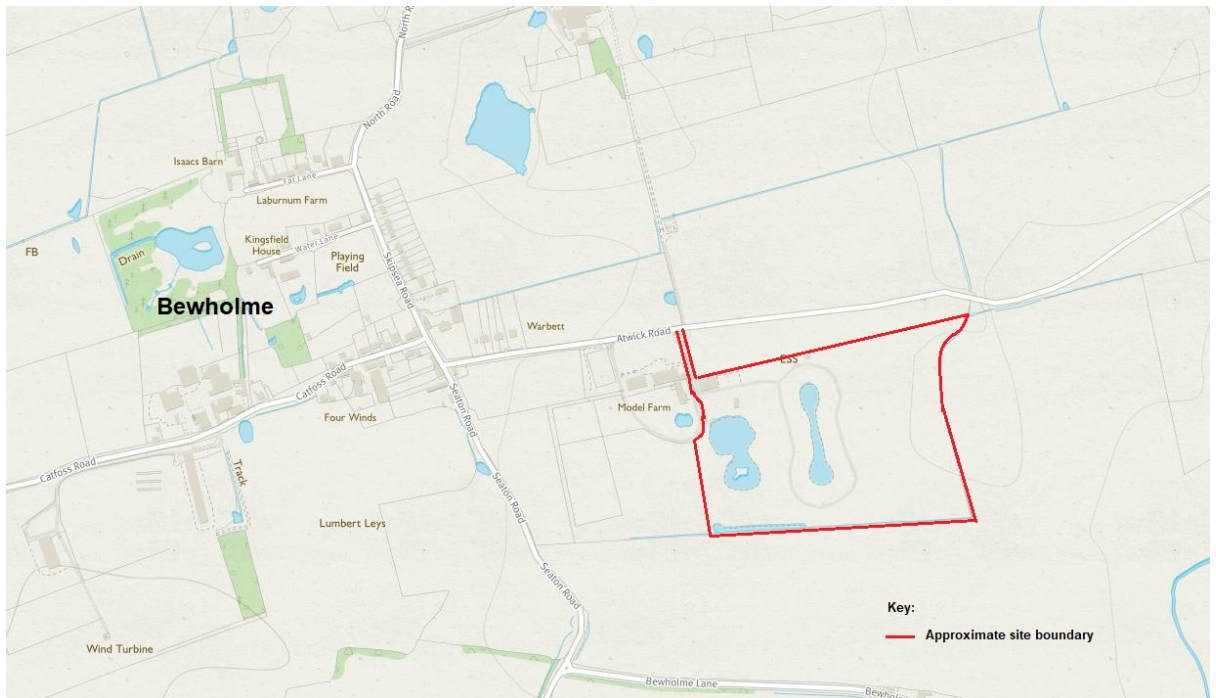
In accordance with the recommendations of the ecological survey forming part of the application, to comply with the National Planning Policy Framework (NPPF) and the Natural Environment and Rural Communities Act (NERC) 2006.

2 SITE LOCATION

The site, located at NGR: TA 17115 49885, is situated approximately 350 metres east of the village of Bewholme. The entrance is off Atwick Road, Bewholme.

Site location is shown below in Figure 1:

Figure 1: Site location



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2.1 Surrounding habitats

The site is situated in open countryside dominated by conventionally farmed improved pasture; inter-dispersed with small woodland parcels. Field boundaries are primarily defined by hawthorn dominated hedgerows and linear drainage ditches. The site is a recently and part constructed, dedicated holiday park, comprised of landscaped grounds containing dedicated chalet pitches, amenity areas, ponds, ancillary buildings and substantial hard surfaced

infrastructure, intersected by recently established amenity plantings.

2.2 Associated buildings

There are no associated buildings. No buildings are to be impacted upon by current proposals.

2.3 Proposed work

The work entails the *'Change of use of land for the siting of 51 static caravans with associated infrastructure and construction of 2 ponds and a bund (part-retrospective)'*.

3 PROTECTED SPECIES

3.1 Ecological Appraisal

A full assessment of the protected species with potential to be impacted by the scheme is provided in the original Ecological Appraisal (Ecology & Forestry Ltd, October 2019) which informed the planning process. Recommendations given in section 5 of the ecological appraisal are included below:

3.2 Bats

3.2.1 Legal protection

In England, Scotland and Wales, all bats are strictly protected under the Wildlife and Countryside Act 1981 (and as amended); in England and Wales this legislation has been amended and strengthened by the Countryside and Rights of Way (CROW) Act 2000.

Bats are also protected by European legislation; the EC Habitats Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2010 – often referred to as 'The Habitat Regs'. Taken together, all this legislation makes it an offence to:

- Deliberately capture (or take), injure or kill a bat
- Intentionally or recklessly disturb a group of bats where the disturbance is likely to significantly affect the ability of the animals to survive, breed, or nurture their young or likely to significantly affect the local distribution or abundance of the species whether in a roost or not
- Damage or destroy the breeding or resting place of a bat
- Possess a bat (alive or dead) or any part of a bat
- Intentionally or recklessly obstruct access to a bat roost
- Sell (or offer for sale) or exchange bats (alive or dead) or parts of bats

A roost is defined as being 'any structure or place that is used for shelter or protection', and since bats regularly move roost site throughout the year, a roost retains such designation

whether or not bats are present at the time.

Biodiversity and Government Policy

In addition to the legislation described above, which is in place to safeguard species such as bats (and their roosts) and barn owls, there is also legislation and policy which imposes duties to take account of statutorily protected species such as bats and also to undertake action to prevent loss of biodiversity and species/habitats which have been identified as priorities for the UK. In England and Wales, the Natural Environment and Rural Communities (NERC) Act 2006, imposes a duty on all public bodies (including Local Authorities and statutory bodies) to conserving biodiversity – including the restoration and/or enhancement of a population or habitat. In addition, government planning policy guidance throughout the UK, provided in OPDM Circular 06/2005, states that Protected Species are a 'material consideration' when assessing development proposals and requires that local planning authorities must take account of protected species issues prior to determining planning applications. Section 15 of the NPPF further supports this by stating that the planning system should contribute to and enhance the natural and local environment by: 'minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'.

The Noctule, Soprano Pipistrelle, Barbastelle and Brown Long-eared bat are priority species in the UK BAP and have national action plans. Ten species of bat have been regularly recorded in Yorkshire:

Whiskered bat	<i>Myotis mystacinus</i>
Brandt's bat	<i>Myotis brandtii</i>
Natterer's bat	<i>Myotis nattereri</i>
Daubenton's bat	<i>Myotis daubentoni</i>
Alcathoe bat	<i>Myotis alcathoe</i>
Noctule	<i>Nyctalus noctula</i>
Common Pipistrelle (45kHz)	<i>Pipistrellus pipistrellus</i>
Soprano Pipistrelle (55kHz)	<i>Pipistrellus pygmaeus</i>
Nathusius pipistrelle	<i>Pipistrellus nathusii</i>
Brown Long-eared bat	<i>Plecotus auritus</i>

(East Riding of Yorkshire Biodiversity Action Plan Strategy 2010)

3.2.2 Mitigation measure – Bat boxes

11 x Schwegler 1FD bat boxes (or similar) erected at a height of 3m or greater, in 3 groups of

3 and 1 pair, will be erected on telegraph poles or suitable trees which are under the ownership/control of the applicant, approximately located at:

- Western end of southern boundary hedgerow (NGR: TA 16974 49740 approximately)
- South eastern corner of site, at or near the junction of the southern and eastern hedgerows. (NGR: TA 17331 49776 approximately)
- North eastern corner of site, at or near the junction of the northern and eastern hedgerows (NGR: TA 17315 50059 approximately)
- Western side of the established western pond, adjacent to marginal cover. (NGR: TA 16987 49848 approximately)

The exact installation locations are to be determined at the time of erection. Erection should only take place on trees visually inspected and deemed in good health and likely to provide longevity and not on any tree to be subject to any planned tree works. Boxes in a given group should face differing aspects to provide a variety of roosting options in response to differing climatic conditions.

Schwegler bat roosting boxes are made from 'Woodcrete', a long lasting material and a specification suitable for use on trees.

Examples of the recommended bat roost units can be found in appendix 1. A site plan detailing locations of mitigation measures and biodiversity enhancement is given in Appendix 3 as Figure 2.

The provision of such mitigation will provide bat populations with potential long term roosting opportunities and access to potential roost sites experiencing differing climatic conditions to help meet species specific requirements and provide a potentially longer annual opportunity for occupation. The location will provide direct access to existing and developing tree and hedgerow cover for any emerging bats and will avoid any direct impact from any existing or proposed lighting and potential disturbance from regular activities such as traffic movement.

3.2.3 Timing

Erection should take place during the construction phase.

3.2.4 Mitigation measure – Lighting (During Construction)

The ecological effect of artificial lighting in the countryside is a topic of increasing concern. Recent estimates have shown a 24% increase in light pollution in the UK between 1993 and 2000. Lighting schemes can damage bat foraging habitat directly through loss of land and fragmentation, or indirectly by severing commuting routes from roosts.

In accordance with the Bat Conservation Trust’s publication *Bats and lighting in the UK* (BCT, 2008) any proposed security lighting on site should comply with the following:

1. No woodland edge, (site perimeters) are to receive direct illumination or be subject to light spillage. Roads or trackways should contain stretches left unlit. These unlit stretches should be 10 metres in length either side of commuting route.
2. Lighting units chosen, (suitable examples are shown below in Figure 3), must be fitted with a ‘dimming’ mechanism and be set at the lowest light level practicable. This should be below 3 lux at ground level where possible. The selected units are considered appropriate due to the ‘down lighting’ nature of the products and the low level of the chosen lighting bollards.
3. Accessories such as hoods, cowls, louvres and shields to direct the light to the intended area only can be utilised on surface mounted chalet lights. Planting can also be used as a barrier or manmade features that are required within the build can be positioned so as to form a barrier.
4. The times during which the lighting is on should be limited to provide some dark periods. Sensors should be used where possible.

Figure 3: Appropriate lighting examples



Image 1: MIA Worldlight ‘Ship Bollard’



Image 2: Apollo 'Roman' LED surface mounted

3.2.5 Mitigation measure – Timber treatments (During construction)

Certain timber treatments can be toxic to bats and other species. In the potential advent of bats occupying any proposed timber structures or timber elements within structures in the future, guidance given in Natural England Technical Information Note TIN092 will be followed. A link to which and further advice can be obtained online at: <https://www.gov.uk/guidance/bat-roosts-use-of-chemical-pest-control-products-and-timber-treatments-in-or-near-them>

3.3 Badger

3.3.1 Legal protection

Badgers are legally protected under The Protection of Badgers Act 1992.

Under this piece of legislation it is an offence:

- To wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so;
- To recklessly or deliberately interfere with a sett by damaging or destroying it;
- To recklessly or deliberately obstruct access to, or any entrance of, a badger sett;
- To disturb a badger when it is occupying its sett.

A badger sett is defined in the legislation as 'any structure or place which displays signs of current use by a badger'. If a sett is clearly unused and has been so for a period of 12 months or more then it can be considered disused and it falls outside the Protection of Badgers Act 1992.

Any sett disturbance/destruction must only be carried out under licence from Natural England, the Statutory Nature Conservation Organisation.

3.3.2 Precautionary Method of Working (PMW)

It is considered that badgers are likely to be present within the wider vicinity of the survey site,

with the potential to be attracted to forage over the grassland adjacent and potentially on site for earthworms, their primary food source. Therefore good working practices should be adhered to during any future development work, with any trenches covered overnight and any pipes over 200mm in diameter capped off at night. Daily checks by construction operatives should be undertaken prior to recommencing works.

3.4 Birds

3.4.1 Legal protection

All common wild birds are protected under The Wildlife and Countryside Act 1981 (and as amended). Under this legislation it is an offence to:

- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while it is in use or being built
- Take or destroy the egg of any wild bird

Certain rare breeding birds are listed on Schedule 1 of The Wildlife and Countryside Act 1981 (and as amended). Under this legislation they are afforded the same protection as common wild birds and are also protected against disturbance whilst building a nest or on or near a nest containing eggs/unfledged young.

3.4.2 Status

A total of seventeen species of bird have been included in the East Yorkshire Biodiversity Action Plan:

'The East Riding supports the main regional wintering population of dark bellied brent goose and, along with sites in North Lincolnshire, the only regular breeding populations of bittern found in reed beds and wetland, which are also important for reed bunting. Curlew, black tailed godwit and sometimes golden plover and knot occur in internationally important numbers on the Humber Estuary outside the breeding season whilst the Lower Derwent Valley is a major lowland breeding stronghold for these waders. Inshore coastal waters may be of significant importance for passage populations of roseate tern. A number of declining farmland birds are likely to have regionally-important populations in the county including grey partridge, tree sparrow, yellowhammer, skylark, yellow wagtail, linnet and corn bunting. Woodland birds of importance in the county include marsh tit and turtle dove'.

Further:

Birds that were once very common in the East Riding countryside have suffered significant declines. Tree sparrows have declined rapidly since the late 1970s, with the current UK population only three percent of the historic level. In the East Riding they still have

strongholds at Flamborough Headland and around the River Hull catchment, but have declined across the area. Similarly corn bunting, or ‘corn dumplings’ as they are affectionately known in Yorkshire, have declined dramatically in modern times. Like tree sparrow they are now absent from many areas of farmland where they were once abundant throughout the UK.

(East Riding of Yorkshire Biodiversity Action Plan Strategy 2010)

3.4.3 Mitigation measure – Common birds

A number of bird species were recorded on or adjacent to site and suitable habitat for nesting and foraging birds is associated with the site. Therefore it is required that:

- 4 x Schwegler 1F with 26mm entrance hole
- 4 x Schwegler 1F with 32mm entrance hole traditional
- 3 x Schwegler 2H Robin nest boxes

are to be erected at a height of 3m or greater on site in an attempt to provide suitable nesting sites for as broad a range of the recorded species as possible.

- 8 x boxes are to be erected around the established western pond, in a random fashion, individually on suitable tree amongst marginal cover. (Pond centre NGR: TA 17000 49852 approximately)
- 3 x boxes are to be erected individually on trees located on the northern boundary hedgerow. (Centred at NGR: TA 17158 50024 approximately).

A site plan detailing locations of mitigation measures and biodiversity enhancement is given in Appendix 2 as Figure 2.

The exact installation locations are to be determined at the time of erection (post construction). Erection should only take place on trees visually inspected and deemed in good health and likely to provide longevity and not on any tree to be subject to any planned tree works.

Examples of the required nest units and further advice relating to appropriate siting can be found in appendix 3.

3.4.4 Mitigation measure – Common snipe

Common snipe are widespread as a breeding species in the UK, with particularly high densities on northern uplands but lower numbers in southern lowlands (especially south west England). In winter, birds from northern Europe join resident birds. The UK population of snipe has undergone moderate declines overall in the past twenty-five years, with particularly steep declines in lowland wet grassland, making it an Amber List species (RSPB 2019).

Consideration in the future management of water bodies on site should be given in relation to common snipe:

1. Wet flushes, boggy areas and damp, rough grassland should be retained or re-created by avoiding or minimising new drainage and by blocking grips and drains where this is feasible. Even small wet flushes can be very valuable.
2. Maintain or create suitable nesting habitat along the margins of watercourses with reduced bankside mowing/management, from late summer avoiding the nesting season.

Further, an area no less than 0.17 hectares, located in the south western corner of site adjacent to the southern site boundary hedgerow, which contains an elongated water body should be designated as a 'Wildlife Area'. This area should be managed giving consideration to common snipe as recommended above in points 1 & 2. Further, public access, (in particular dog walking), should be discouraged, especially during nesting season which typically runs March – September inclusive.

3.4.5 Precautionary Method of Working (PMW)

- To minimise any potential impact or disturbance to protected breeding birds, any site clearance, land cultivation or removal/mowing of vegetation should be undertaken outside the bird breeding season, i.e. from late-August and be completed by late February.
- Development may be permitted during the bird breeding season, providing a search for nests is carried out before commencement by an appointed ecologist/ Ecological Clerk of Works (ECoW), and any active nests will be protected until the young fledge.

3.4.6 Mitigation measure – Lighting (Post Construction)

Lighting requirements given in section 3.2.5 are to be found applicable to birds.

3.5 Herpetofauna

3.5.1 Legal protection – Great Crested Newts

In England, Scotland and Wales, great crested newts are fully protected under the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way (CROW) Act 2000. They are also protected under European legislation, being included on Schedule 2 of The Conservation of Habitats and Species Regulations 2010. Taken together, this legislation makes it illegal, inter alia to:

- Intentionally or recklessly kill, injure or capture a great crested newt
- Damage or destroy habitat which a great crested newt uses for shelter or protection
- Deliberately disturb a great crested newt when it is occupying a place it uses for

shelter and protection.

These provisions apply to all life-stages of protected animals, and in the case of amphibians, to both their terrestrial and aquatic habitats.

3.5.2 Mitigation measure – Advance of works

The following works are to be implemented prior to any demolition, clearance and construction activities:

- An area of land within the ownership/control of the applicant will be identified for retention and dedicated herpetofauna enhancement. (See Appendix 2, Figure 2).
- Prior to site clearance/commencement of works, any potential reptile, amphibian and mammal refuge sites (including any rubble, sheeting, mud and leaf/vegetation piles) will be undertaken and **two** new habitat/hibernaculum piles will be created.
- The shape of the habitat piles is not important but should cover an area of approximately 4m². This can be created at any time of year and will provide a refuge in which any animals found during clearance works can be placed.

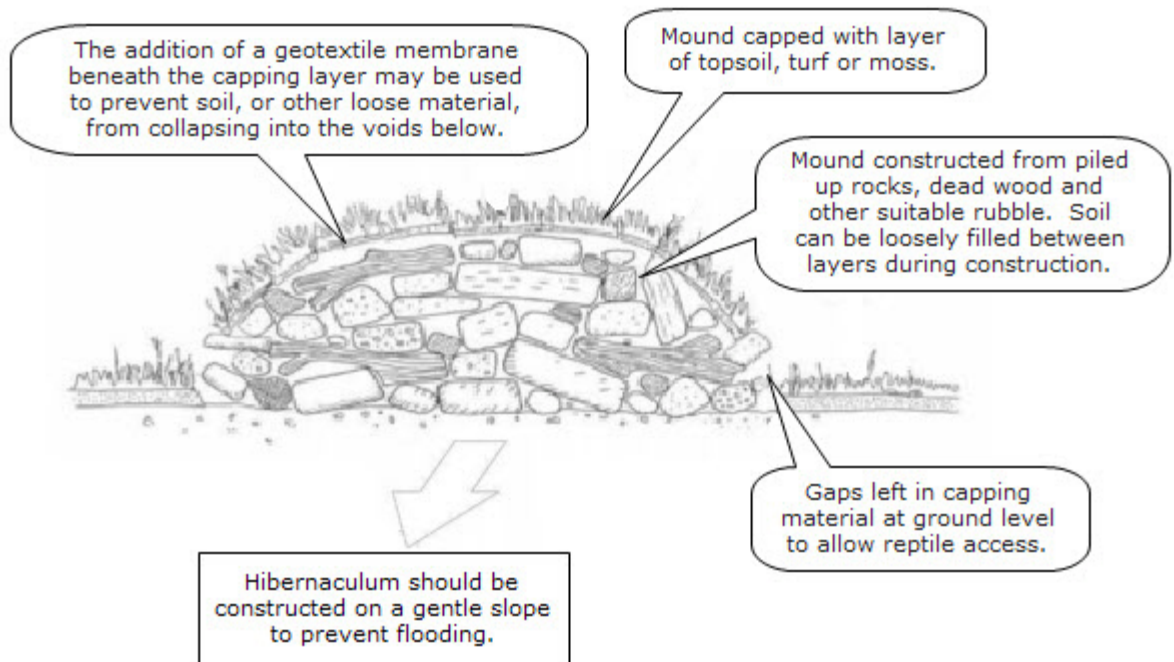
3.5.3 Habitat/Hibernaculum Pile Construction

The following guidelines are taken from the Great Crested Newt Conservation Handbook (Langton, T.E.S *et al.*, 2001) but were considered to be equally successful at providing potential refuge habitat for widespread reptiles:

1. habitat piles/hibernaculum should be located on the marginal habitats away from any proposed demolition, clearance and construction works;
2. for the habitat/hibernaculum pile, dig a hole approximately 50cm deep
3. covering an area of approximately 2m², preferably with one longer side facing south
4. for the habitat/hibernaculum bank, dig a trench approximately 50cm deep, 2m wide and approximately 10m in length so that it covers an area of approximately 20m²;
5. create a layer of stone, rubble and wood on the floor of the dug hole;
6. continue to add to the pile using soil from site excavation to spread over and between stones, rubble and wood; stone, rock, clean brick rubble (without cement residues) and old or misfired bricks can be used with split logs or fallen wood;
7. cover the edges of the bricks with paving slabs or large pieces of concrete to create gaps that allow reptiles into the mound. Cover these in a thin layer of soil and brash, taking care not to block off any gaps.

An example of suitable hibernaculum is given below in Figure 3:

Figure 3:



3.5.4 Precautionary Method of Working (PMW)

Great crested newt Risk Assessment Method Statement – Land at Land at Lake View Holiday Park, Model Farm, Atwick Road, Bewholme, YO25 8DT.

This aim of this Risk Assessment Method Statement (RAMS) is to ensure there would be no threat of adverse disturbance, or risk of injury or killing, to any terrestrially-based great crested newts which may be present during the initial phases of the work at the above site. This Method Statement will be commensurate with the 2001 'Great Crested Newt Mitigation Guidelines' issued by Natural England.

1. Prior to commencing development at the site, a suitably experienced and licensed ecologist/Ecological Clerk of Works should be appointed to ensure that the amphibian RAMS are successfully implemented.
2. Prior to any development related works commencing at the site, a tool box talk should be given to all developers and contractors working within the site to ensure they are able to recognise GCN, are aware of the possibility that GCN could be present within the site, the legal and moral implications involved if GCN are found within the site and the need to implement RAMs. Details of the RAMs should be kept on-site for reference during development.
3. Following the site induction/tool box talk, a search of potential places of refuge within

the development site should be carried out by the appointed ecologist or their accredited agent, to check for sheltering amphibians and any items of potential refuge should be removed from the development site immediately following the search to prevent amphibians from seeking shelter either beneath or within them. All site operatives will stay vigilant for the presence of great crested newts during the works. A copy of the Method Statement and an on-site aid to identification (**See appendix 4**) will be provided to the contractors undertaking the work.

4. Prior to any site clearance and/or ground disturbance works commencing at the site, the extent of works should be agreed by the appointed ecologist/Ecological Clerk of Works and the developer/contractors.
5. Prior to development the site footprint is to be brought into a close mowing regime, in order to deter great crested newts utilising the grassland during the terrestrial lifecycle phase (**July – February**). The potential impact on herpetofauna can be minimised by carrying out clearance works between mid-march and mid-June when the majority of amphibians will be in breeding ponds and both amphibians and reptiles are more active and able to escape. Any rank grassland, scrub and tall ruderal vegetation within and surrounding the working areas will be cut in stages to a short height <100mm on a warm day with little wind (above 13°C) and kept mown at a short height to discourage any foraging herpetofauna and improve detection during clearance and construction activities.
6. Newt barrier fencing (to the specification given below as figure 4 (**See appendix 5**) or similar design approved by the appointed ecologist / Ecological Clerk of Works), should be installed around any temporary compounds for storage of demolition and building materials and machinery. This is to prevent herpetofauna using materials and aggregate piles for refuges, basking and hibernaculum particularly during the winter months;
7. The appointed ecologist and the developer/contractors should ensure that no adjacent areas of potential GCN habitat are inadvertently damaged as a consequence of the development works. This will be achieved by fencing off all boundary features or areas identified as vulnerable with Heras or post and wire fences.
8. The appointed ecologist will make weekly site visits following commencement of works. **Additional site visits will be made at the discretion of the appointed ecologist/ Ecological Clerk of Works.**
9. The development site should (where practicable to do so) be kept clear of any debris, rubble or other arisings and stored materials kept off the ground pallets to prevent GCN from potentially using them as refuges.
10. Any rubble or other debris resulting from ground clearance should be removed from the development site; it should be taken off-site at the earliest opportunity for appropriate disposal.

11. Any excavations should not be left open where possible. Where they are to be left for any reason, the excavation should be searched / checked for sheltering amphibians before works re-commence. Ideally open excavations should incorporate 'ramps' at either end to allow amphibians and small mammals falling into them to escape.
12. Wherever practicable, excavations should be in-filled and made good to ground level at the earliest opportunity, so as to remove any hazard to amphibians. If spoil/materials are left on the ground overnight, they may require searching for sheltering amphibians before they are moved.
13. The winter hibernation period for amphibians is between November to mid-February, any work which is likely to result in the disturbance of a potential amphibian shelter/hibernation site should ideally not be scheduled or undertaken between November and mid-February or during any periods of cold or frosty weather outside of this period; when amphibians are likely to be hibernating/dormant.
14. If any other amphibians are found during construction i.e. common frog, common toad, and/or smooth newt, they should be moved into suitable cover preferably close to the pond located on the extended site – beyond the northern boundary.
15. These **RAMs do not allow for the capture of GCN or their removal from the site. If GCN are found within the development site at any point work should stop immediately and the appointed ecologist and/or Natural England be immediately contacted for advice on how to proceed.** This is likely to include the need for further surveys and a licenced mitigation/compensation plan to be put in to place.
16. The ecological consultant will submit a written report to the Local Planning Authority confirming that all the works have been carried out in accordance with the agreed Method Statement. Any records of rare or notable species of animals found will be submitted to both the county recorder and the county environmental records centre.

3.5.5 Legal protection – Reptiles

Common Lizards, Slow Worms, Grass Snakes and Adders are protected under the Wildlife and Countryside Act 1981 (as amended) they are listed as a schedule 5 species therefore part of Section 9(1) and section 9(5) apply; the Countryside and Rights of Way Act 2000 (CROW) also strengthens their protection.

It is offence to:

- Intentionally, or recklessly, kill or injure any of the above species, and/or;
- Sell, or attempt to sell, any part of the species, alive or dead.

If a proposed development is likely to have an impact on these reptiles the statutory nature conservation organisation must be consulted.

The rare Sand lizard and Smooth Snake receive 'full protection' under the Wildlife and Countryside Act (1981) Section 9 and the Conservation (Natural Habitats &c.) (Amendment) Regulations 2007; the Sand Lizard and Smooth Snake are listed on Schedule 2 thus regulation 39 applies. Read together it is an offence:

- Deliberately kill, injure or capture any wild animal of European protected species;
- Deliberately disturb wild animals of any European protected species in such a way to be likely to significantly affect:
 - The ability of any significant groups of animals of that species to survive, breed, rear or nurture their young; or
 - The local distribution of that species.
- Recklessly disturb sheltering European protected species or obstruct access to their resting place;
- Damage or destroys breed sites or resting places of such animals;
- Deliberately takes or destroys the eggs of such an animal;
- Possess or transport or any part of a European protected species, unless acquired legally;
- Sell, barter or exchange any part of a European protected species.

The maximum fine per offence is £5000 and if more than one animal is involved, the fine is £5000 per animal (Wildlife and Countryside Act 1981 Section 21) The Countryside and Rights of Way Act 2000 (CROW) amendment contains a provision for a custodial sentence of up to 6 months instead of, or in addition to, a fine. Along with a lengthy development delay until appropriate mitigation has been agreed and completed.

Natural Environment and Rural Communities Act 2006 (NERC) lists all reptile species as a species of principle importance under Section 41. Section 40 requires every public body in the exercising of its functions 'have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity' (all biodiversity and not just section 41 species and habitats); therefore making reptiles a material consideration in the planning process and requiring a detailed ecological reptile survey before planning permission can be granted. In addition, local authority planning departments should also meet the requirements of the Planning Policy Statement 9 (PPS9); which requires planners not only to protect biodiversity, but where possible to enhance it.

3.5.6 Precautionary Method of Working (PMW)

Reptile Risk Assessment Method Statement – Land at Land at Lake View Holiday Park, Model Farm, Atwick Road, Bewholme, YO25 8DT.

The following precautionary method of working is recommended **as a precautionary measure** and to be implemented prior to any demolition, clearance and construction activities:

- The potential impact on herpetofauna can be minimised by carrying out clearance works between mid-march and mid-June when the majority of amphibians will be in breeding ponds and both amphibians and reptiles are more active and able to escape.
- A check of any potential refuges or hibernaculum (for example wood piles, sheet materials, building materials, manure heaps etc.) within the working areas will be undertaken by an appointed ecologist or an Ecological Clerk of Works (ECoW) immediately prior to works commencing and prior to cutting any potential herpetofauna habitat such as rank grassland, scrub etc.
- Any rank grassland, scrub and tall ruderal vegetation within and surrounding the working areas will be cut in stages to a short height <100mm on a warm day with little wind (above 13°C) and kept mown at a short height to discourage any foraging herpetofauna and improve detection during clearance and construction activities.
- A non-destructive search of the construction zone to be undertaken by the appointed ecologist immediately prior to clearance works. Any piles of vegetation due to be removed from the site should also be checked carefully for Hedgehogs during the destructive search of habitat piles.
- Newt barrier fencing should be installed around any temporary compounds for storage of demolition and building materials and machinery. This is to prevent herpetofauna using materials and aggregate piles for refuges, basking and hibernaculum particularly during the winter months;
- During site clearance and prior to works commencing, a watching brief will be conducted ensuring that an ecologist is on call during clearance and construction works in the event that great crested newts or reptiles are encountered within the areas of works.

3.6 Hedgehogs

3.6.1 Legal protection

Hedgehogs are listed on schedule 6 of the Wildlife and Countryside Act (1981) and Wild Mammals Protection Act (1996). Taken together, this legislation makes it illegal, inter alia to:

- to kill or capture wild hedgehogs, with certain methods listed

They are also a species of 'principal importance' under the NERC Act, which is meant to

confer a 'duty of responsibility' to public bodies.

3.6.2 Mitigation measure – Post works

- **Four** individual 'Hedgehog Houses', (which can be purchased from a variety of specialist online suppliers), should be situated within the southern, eastern and northern boundaries (See Figure 2, Appendix 2).
- No solid site fencing is currently proposed. Any future installation of fencing on site comprised of solid timber panels would not allow any hedgehog to freely pass through. Such fencing should contain regular gaps or 'Hedgehog Highways' along the base measuring 130mm x 130mm and spaced at 25 metre or shorter distances.

3.7 Insects

3.7.1 Legal protection

Certain butterfly, moth, beetle, dragon fly, crickets, spiders and hemipteran bugs are listed on schedule 6 of the Wildlife and Countryside Act (1981). This legislation makes it illegal, inter alia to:

- Possess or control (live or dead animal, part or derivative)
- Damage to or destruction of any structure or place used by a scheduled animal for shelter or protection
- Cause disturbance of any animal occupying such a structure or place
- Obstruct access to any such structure or place
- Sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative)
- Advertise for buying or selling live or dead animal, part or derivative

Additional insects are protected by Section 9, Parts 5(a) and 5(b) and, as such, are characterised as being protected for "Sale only".

There are certain exemptions to the act which are relevant when:

- Any damage or disturbance is accidental.
- Preventing serious damage to crops or livestock.
- Acting in the interests of animal health, public health or public safety.
- Damaging or obstructing a place of shelter when it is inside a house.
- Carrying out scientific investigations, rescue operations or wildlife photography involving protected animals under licence from the appropriate authority.

- Possessing protected species (e.g. in insect collections) which were taken from the wild without contravening the law (e.g. under licence or before legal protection was enacted).

3.7.2 Mitigation measure – Post works

An 'Insect House' provides a home for many interesting invertebrates such as solitary bees, wasps, spiders and other small creatures.

- Four Schwegler Insect Houses are to be erected at a height of >2m, individually on trees or bat box poles surrounding the proposed development to the north, east and south. These will be positioned with a southern aspect.
- Two log piles, comprised of stacked lengths of mixed species tree trunk/branch sections still supporting bark will be constructed on site. 1 x immediately adjacent to the established western pond and 1 x north eastern corner of site. The logs will be approximately 1.5 metres long x 100 mm diameter stacked to an approximate width of 1.2 metres and height of 1 metre. (Freshly cut willow and poplar logs should be avoided as these can easily re-sprout if left lying on the ground).

Approximate locations are given in Figure 2. Appendix 2.

4 WATER COURSE PROTECTION

4.1 Site status

A number of water bodies were noted as being present on and within 500 metres of site. Consideration will be given to water bodies during construction.

4.2 Protection measures

The Environment Agency guidance on good environmental practice will be followed during works. This includes (but is not limited to):

- PPG1 – General Guide to the Prevention of Pollution
- PPG5 – Works and Maintenance In or Near Water
- PPG6 – Working at Construction and Demolition Sites: Preventing Pollution Guidance

This guidance should be implemented to ensure that the works have no adverse impacts on the water quality in the site ponds and boundary ditch.

5 HABITAT ENHANCEMENT AND CREATION

5.1.1 Habitats and plant species

Protocol for the protection of existing vegetation, and planting schedules for trees, shrubs, hedging and the seeding of grass areas are provided in the submitted plan – Drawing 101.

5.1.2 Precautionary method of working (PMW)

Site preparation works, to include spraying, mowing and/or cultivation should be undertaken outside the bird breeding season, i.e. from late-August and be completed by late February. Vigilance by site operatives in relation to and regard for wildlife will be required as prescribed in any toolbox talk.

6 IMPLEMENTATION

6.1 Responsibilities of project manager

1. Distribution of the WEP (and any subsequent revisions) to the principle site contractor.
2. Engagement of an Ecological Clerk of Works (ECoW) who will ensure that the following are undertaken:
 - a) Site walkover survey prior to the commencement of works to identify any changes in the presence or status of protected species or invasive plant species since the last ecological surveys.
 - b) Provision of an ecological toolbox talk to the main contractor prior to the commencement of works which will identify the biodiversity issues on the site and the measures to be implemented (including statutory duties) as detailed in the WEP.

6.2 Responsibilities of principle contractor

1. Incorporate the requirements of this WEP (and any subsequent revisions) into site inductions for all site staff.
2. Further distribute to and make available at all times on site a copy of this WEP (and any subsequent revisions).
3. Provide access to the site for ECoW as required.
4. Stop work in the affected area and inform the ECoW promptly if signs of protected species or invasive species are found on site.
5. Comply with the advice given by the ECoW if protected or invasive species are found on site.

Further advice for those engaged with the construction industry can be sourced from the Construction Industry Research and Information Association (CIRIA) in the publication entitled 'Working with wildlife; guidance for the construction industry (C691)', which is free to download for members or can be purchased and is available at:

<https://www.ciria.org/ItemDetail?iProductCode=C691&Category=BOOK&WebsiteKey=3f18c87a-d62b-4eca-8ef4-9b09309c1c91>

7 SUMMARY TIMETABLE

1. A site walkover is to be undertaken by the appointed ecologist/Ecological Clerk of Works immediately prior to construction commencing.
2. Ecological site preparation and the erection of wildlife safeguarding fencing is to be undertaken under the instruction/supervision of the appointed ecologist/Ecological Clerk of Works before any additional site construction commences.
3. Mitigation and precautionary methods of working will be delivered for all potentially affected species as detailed in the WEP and summarised in table 1 below:

Table 1:

Species	Mitigation	Timing	Precautionary Method of Working Required
Bats	11 x bat boxes	During or immediately post construction	n/a
Bats	Lighting scheme installation	During construction	n/a
Bats	Timber treatment	During construction	n/a
Badger	n/a	During construction	Yes
Common birds	11 x bird boxes	Immediately post construction	n/a
Common snipe	Dedicated wildlife enhancement area	Pre construction	n/a
Herpetofauna / great crested newts	Dedicated enhancement area	Pre construction	n/a
Herpetofauna / great crested newts	Temporary amphibian fencing (as required)	Pre construction / during construction	Yes
Herpetofauna / great crested newts	Site search	Pre construction / ongoing	Yes
Herpetofauna / great crested newts	Watch and brief (as required)	During construction	Yes
Hedgehogs	4 x hedgehog houses	During or immediately post construction	n/a
Hedgehogs	'Hedgehog Highways' (as required)	During construction	n/a
Insects	4 x Insect boxes	During or immediately post construction	n/a
Insects	2 x log piles	During or immediately post construction	n/a
Biodiversity enhancement	Wildlife friendly landscaping utilising native plant species of local provenance where possible	During / immediately post construction	n/a

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**APPENDIX 1
Bat Boxes**



2F Schwegler Bat Box
Cost £29.95 (approx.)



1FF Schwegler Bat Box With Built-in Wooden
Rear Panel – Cost £61.96 (approx.)



1FD Schwegler Bat Box
Cost £55.95 (approx.)



1FF Schwegler Bat Box With Built-in Wooden
Rear Panel – Cost £187.96 (approx.)

All boxes are available from various natural history supply companies, including <http://www.nhbs.com/>

Schwegler bat roosting boxes are made from ‘Woodcrete’, a long lasting material and of a specification suitable for use on trees.

APPENDIX 2

Figure 2: Mitigation locations



© Google Earth 2021

APPENDIX 3
Examples of bird nest boxes



Schwegler 2H Open Front Robin Box

To maximise chances of occupation, site the box between 2 to 4 metres above the ground on a wall or tree trunk (at an angle of 90° to the wall/trunk). If possible, place it in a creeping plant (such as ivy or rose) with an open outlook.



Schwegler 1B Bird Nest Box (26 or 32mm entrance hole)

These boxes can be installed on a tree or wall and should be placed two to four metres above ground. There should be a clear flight path to the entrance hole and the boxes should be placed so that the entrance is not exposed to strong sunlight or winds.

**APPENDIX 4
Newt Identification Card**

<p>Great Crested Newt</p> 	<p>COLOUR: Black and dark brown body. Underside is bright yellow or orange with black spots that are unique to each individual.</p> <p>SIZE: 15cm. The largest newt.</p> <p>OTHER MARKINGS: Body has a warty appearance. Males have a distinctive crest and tail flash in spring. Females have an orange stripe on their tail.</p>
<p>Smooth Newt</p> 	<p>COLOUR: Light brown with darker spots. Spotted bellies - with spots continuing under the throat.</p> <p>SIZE: 10cm. Smaller than the great crested.</p> <p>OTHER MARKINGS: Males develop a crest, but it is more rounded than the great crested. Some 'speckling' on face and shoulders but not as much as the palmate.</p>
<p>Palmate Newt</p> 	<p>COLOUR: Olive brown. Spotted bellies, but spots do not continue under throat.</p> <p>SIZE: 10cm. Smaller than the great crested.</p> <p>OTHER MARKINGS: Females have pale nodules on feet. Males have webbed back feet and a filament at end of tail. More speckling along the face and shoulders compared to smooth newts.</p>

Photo credits: 1 & 2 - Dave Kibbey, 3 - Matt Wilson, 4 & 5 - Jules Howard, 6 - Mark Rowe

APPENDIX 5

Figure 4:

