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ecology



Client	Mr Middleton
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## Quality Assurance

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## Document History

Version	Date	Revision
1	24/10/2023	Issued to the client.

### Disclaimer

This document has been prepared solely for use by the client. Smart Ecology accept no responsibility or liability for any use of this document by third parties or for purposes for which it was not originally commissioned.

The summary of wildlife legislation provided is for general guidance only and does not in any way provide legal opinion or a definitive statement of the law. For detailed information, the legislation itself should be reviewed and a legal professional consulted.

The evidence in this document is based upon the field survey(s) detailed. Due to the changing nature of ecology the list of species present cannot be considered comprehensive and Smart Ecology cannot guarantee that other protected/notable species and habitats are not present.

The evidence which we have prepared and provided is true, and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

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<b>1</b>	<b>Introduction</b> .....	<b>1</b>
1.1	Background .....	1
1.2	Aims & Objectives .....	1
1.3	Contents of the CEMP- B .....	2
<b>2</b>	<b>Responsible Persons</b> .....	<b>3</b>
<b>3</b>	<b>Risk Assessment</b> .....	<b>5</b>
<b>4</b>	<b>Biodiversity Protection Zones</b> .....	<b>7</b>
<b>5</b>	<b>Practical Measures</b> .....	<b>8</b>
<b>6</b>	<b>Timing of Sensitive Works</b> .....	<b>14</b>
<b>7</b>	<b>References</b> .....	<b>15</b>
<b>8</b>	<b>Figures</b> .....	<b>16</b>



1.1.1 Plannign permission has been granted for the erection of two new residential dwellings on a site at Cannaway Barns, Silvermoor Lane, Banwell, North Somerset, BS29 6LQ (Reference: 23/ P/ 1038/ FUL). The proposed development would require the demolition of buildings A, D and F.

1.1.2 Condition 5 of the granted planning permission states:

*The development, herby permitted, shall not commence vegetation clearance, ground works or demolition until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, the CEMP shall include the following:*

*Identification of risks with potentially damaging construction activities.*

*Identification of biodiversity protection zones and buffer zones.*

*Practical measures to avoid or reduce impacts during construction to identified protected species or habitats associated with the site (may be provided as a set of method statements).*

*The location and timing of sensitive works to avoid harm to biodiversity features.*

*The times during construction when specialist ecologists need to be present on site to oversee works.*

*Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority.*

*Use of protective fences, exclusion barriers and warning signs.*


*The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*

*The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.*

1.1.3 Informed by the prior survey work, this document provides a Construction Environmental Management Plan (Biodiversity) (CEMP-B) with respect to the ecological features identified on site, to permit the discharge of Condition 5 of the granted planning permission. This is a working document and as further details become available the document will be updated to incorporate these, as necessary.

1.1.4 This CEMP-B has been prepared by Rachel Barber, director at Smart Ecology and a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM), with reference to BS42020 Biodiversity – a code of practice for planners and developers (BSI, 2013).

1.2.1 The aims of this CEMP-B are to ensure that ecologically valuable habitats and protected and notable species are protected during the development of the site.



To provide details of practical measures which will be implemented during site clearance and construction to ensure that impacts on protected and notable species and habitats are avoided, or reduced where avoidance is not possible.

To provide details of practical measures which will be implemented to ensure that site clearance and construction works do not result in an offence being committed with respect to protected species.



1.3.1 This CEMP- B includes:

A risk assessment of construction activities and the likely impacts of each activity on ecological features.

Identification of biodiversity protection zones which will require protection through construction.

Details of responsible persons and the role and responsibilities of the Ecological Clerk of Works (ECoW).

Practical measures to avoid or mitigate impacts during site clearance and construction.

Details of timings for sensitive works to avoid harm to species.



2.1.1 The developers (Aaron and Matthew Middleton) will be responsible for the implementation of this CEMP- B and will liaise with the Ecological Clerk of Works (ECoW) and site manager to ensure that an ECoW is present on site when required.

2.1.2 The site managers (Aaron and Matthew Middleton) will be responsible for ensuring that the Practical Measures provided in this CEMP- B are followed and adhered to.

2.1.3 A suitably qualified and experienced ecologist will act as the ECoW (to be confirmed). The developer will be responsible for employing a suitable ECoW. The role of the ECoW will be in accordance with the requirements set out in BS4202:2013 Biodiversity – Code of Practice for Planning and Development (BSI, 2013), as follows:

*‘An ecological clerk of works should be able to demonstrate a level of experience and competence commensurate with the complexity of the role needed on site to deal with the wide range of ecological issues likely to be encountered and to adapt to new and unforeseen challenges raised by development activities’.*

2.1.4 The ecologist named on the European Protected Species (EPS) bat mitigation licence (the ‘named ecologist’) or their accredited agent will be required to oversee demolition works to building D, once a bat mitigation licence has been obtained from Natural England. This may be the same ecologist as the ECoW.

2.1.5 See Table 2- 1 for details of responsible persons.

Table 2- 1: Responsible person's contact details

Responsible Person	Who	Primary Contact	Email	Telephone
Developer (s)	Aaron Middleton Matthew Middleton	Aaron Middleton Matthew Middleton	middletonmotorcare@hotmail.com mpmsnow82@hotmail.com	07900 936712 07766025448
Site Manager (s)	Aaron Middleton Matthew Middleton	Aaron Middleton Matthew Middleton	middletonmotorcare@hotmail.com mpmsnow82@hotmail.com	07900 936712 07766025448
ECoW	TBC	TBC	TBC	TBC

Responsible Person	Who	Primary Contact	Email	Telephone
Named Ecologist / Accredited Agent	Smart Ecology Ltd	Rachel Barber	rachel@smartecology.co.uk	01453 807188



3.1.1 Table 3-1 provides a risk assessment of construction activities and the likely impacts of each activity on ecological features. The practical measure to be followed to avoid or reduce the impact is also provided.

Table 3-1: Ecological Risk Assessment

Construction Activities	Detail	Ecological Feature	Potential Impact	Practical Measure (PM) (see Section 5)
Site Clearance	Clearance of long-sward grassland and tall ruderal vegetation	Birds	Killing/ injury Destruction of active nests	PM 2
		Amphibians	Killing/ injury	PM3
		Reptiles	Killing/ injury	PM3
	Demolition of buildings D and F	Birds	Killing/ injury Destruction of active nests	PM 2
	Demolition of building D	Bats	Killing/ injury Destruction of a bat roost	PM4
Construction	Storage areas and stockpiles for soils, materials, spoils and waste	Amphibians	Killing/injury if amphibians take refuge within stockpiles	PM 5
		Reptiles	Killing/injury if reptiles take refuge within stockpiles	PM5
	Groundworks including foundations and excavations	Hedgerows	Damage to roots of hedgerows	PM 1
		Amphibians	Killing/ injury	PM5
		Reptiles	Killing/ injury	PM5
		Badgers and other mammals	Killing/ injury	PM5
Use of machinery	Hedgerows	Damage to hedgerows	PM 1	





Construction Activities	Detail	Ecological Feature	Potential Impact	Practical Measure (PM) (see Section 5)
	Disposal of wastes	Amphibians	Killing/injury if amphibians take refuge within waste piles	PM5
		Reptiles	Killing/injury if amphibians take refuge within waste piles	PM5



- 4.1.1 Where necessary biodiversity protection zones (BPZ) will be set up to protect retained habitats. The following habitats will be safeguarded by BPZ:

Retained hedgerows. Areas requiring fencing will be advised by the ECoW on-site dependent on proximity to the construction footprint or if there is potential for impacts due to the route of construction traffic. See Figure 1, Section 8 which highlights the areas of these habitats to be considered for protection.





- 5.1.1 This section provides a series of individual practical measures which will be followed to address the impacts identified in Section 3. Each practical measure can be printed off for use on-site. Adherence to these practical measures will ensure that ecological features are protected.



PM 1: Installation of Protective Fencing			
Start Date	Pre-construction	Finish Date	Completion of construction
Personnel	Site Manager ECoW		
Description of work	Install protective fencing in accordance with BS5837:2012 around hedgerows which are to be retained where works may impact upon them without protection. Also install protective fencing around any proposed habitats (e.g. wildflower meadow planting, orchard tree planting) if these are to be created pre-construction or during construction		
Purpose	To protect hedgerows during works.		
Method	<ol style="list-style-type: none"> <li>1. The personnel will identify which hedgerows on site are close to the works area and will require protection.</li> <li>2. Appropriate fencing in accordance with BS5837:2012 and as advised by the fencing contractor will then be installed to protect each identified area.</li> <li>3. The fences will be marked with a weatherproof sign stating 'Protection Zone - Keep Out'.</li> <li>4. Once complete the fencing will be inspected by the ECoW to ensure that it is complete and appropriate.</li> <li>5. Fencing will remain in place until completion of the works.</li> <li>6. The ECoW will check the fencing every three months to ensure that it remains in place throughout works.</li> </ol>		
Completion	ECoW confirmation that the fencing is complete and appropriate.		
Reporting Requirements	ECoW to provide a letter to the client as evidence of completion of works.		
Monitoring/ Aftercare	ECoW will check the fencing every three months to ensure that it remains in place until the completion of works.		



PM 2: Clearance of long sward grassland and demolition of buildings D and F to protect birds			
Start Date	Pre- construction	Finish Date	Completion of clearance
Personnel	Site Manager ECoW		
Description of work	Clear long sward grassland and demolish buildings D and F outside of the bird nesting season (which is generally March until the end of August) or the ECoW must check for active nests immediately prior to clearance.		
Purpose	To avoid harm to nesting birds, their eggs and young, which would be an offence under t Wildlife and Countryside Act (1981).		
Method	<ol style="list-style-type: none"> <li>1. Clearance of long sward grassland and demolition of buildings D and F will be undertaken outside of the bird nesting season (which is generally March until the end of August).</li> <li>2. If clearance/ demolition is required during the bird nesting season, then the ECoW will inspect the features immediately prior to clearance to confirm that bird nests are absent.</li> <li>3. In the event that an active bird nest is present then an exclusion zone will be demarcated around the nest by barrier tape. The size of the exclusion zone will be advised by the ECoW.</li> <li>4. ctive nests will be monitored by the ECoW to determine when the chicks have fledged and the exclusion zone can be removed.</li> </ol>		
Completion	If clearance/demolition is required during the bird nesting season: ECoW approval that the checks are complete and active nests are not present, after which vegetation can be cleared and buildings D and F demolished.		
Reporting Requirements	ECoW to provide a letter to the client as evidence of the completion of works.		
Monitoring/ Aftercare	If clearance/demolition is required during the bird nesting season and active nests are found then these will be monitored by the ECoW until the chicks have fledged and the exclusion zone can be removed.		



PM 3: Precautionary clearance of habitats for reptiles and amphibians			
Start Date	Pre- construction	Finish Date	Completion of clearance
Personnel	Site Manager		
Description of work	Precautionary clearance of habitats which could support reptiles and amphibians (long-sward grassland and tall ruderal vegetation).		
Purpose	To avoid intentional or reckless killing or injury of common reptile and amphibian species which would be an offence under the Wildlife and Countryside Act (1981).		
Method	<p>1. Clearance of long-sward grassland and tall ruderal vegetation will be undertaken using the following phased approach. Vegetation will be strimmed or brush cut and all cuttings will be raked and removed from the clearance area on the same day.</p> <p style="padding-left: 40px;">Day 1 – cut vegetation to a height of 150 mm.</p> <p style="padding-left: 40px;">Day 2 – cut vegetation to a height of 75 mm.</p> <p style="padding-left: 40px;">Day 3 – cut vegetation to a height of 30 mm.</p>		
Completion	Site manager to provide ECoW with photos to evidence that clearance has followed the required methodology.		
Reporting Requirements	ECoW to provide a letter to the client as evidence of the completion of works.		
Monitoring/ Aftercare	None		



PM4: Demolition of building D to protect bats			
Start Date	Pre- construction	Finish Date	Completion of clearance
Personnel	Site Manager Named ecologist Accredited agent		
Description of work	Pre- works inspection of building D for bats prior to demolition		
Purpose	To avoid deliberately killing or injuring bats which would be an offence under the Conservation of Habits and Species Regulations 2017 (as amended).		
Method	<p><b>Note: these measures will be included in the EPS mitigation licence for bats. This work can not proceed without the EPS mitigation licence in place.</b></p> <ol style="list-style-type: none"> <li>1. The named ecologist or accredited agent will give a Toolbox Talk to contractors before works commence to make contractors aware of the presence of the bat roost, the legal protection afforded to bats, the careful working practices required, and what to do if a bat is found.</li> <li>2. The interior of building D will be inspected by the named ecologist or accredited agent immediately prior to demolition commencing to confirm that bats are absent.</li> <li>3. In the event that a lesser horseshoe bat is present all works to building D will stop and the named ecologist or accredited agent will provide advice on the next steps. In the case a EPS licence modification would be required as the licence is for a night/ feeding roost and bats should not be present during the daytime.</li> <li>4. Immediately after the inspection the named ecologist or accredited agent will supervise the soft- strip of all areas of Unit D with suitability for roosting bats.</li> </ol>		
Completion	Named ecologist approval that the checks are complete, and demolition can take place.		
Reporting Requirements	Named ecologist to provide a letter to the client as evidence of completion of works.		
Monitoring/ Aftercare	None		



PM 5: Precautionary site measures during construction			
Start Date	Commencement of construction	Finish Date	Completion of construction
Personnel	Site Manager		
Description of work	Precautionary measures to be followed during construction to avoid injury/killing of mammals, amphibians and reptiles.		
Purpose	<p>To avoid intentional or reckless killing or injury of common reptile and amphibian species which would be an offence under the Wildlife and Countryside Act (1981).</p> <p>To avoid intentionally inflicting unnecessary suffering on a wild animal which would be an offence under the Wild Mammals (Protection) Act (1996).</p>		
Method	<ol style="list-style-type: none"> <li>Excavations will be covered overnight to prevent animals falling in and becoming trapped. If excavations cannot be covered then a ramp at least 40 cm wide will be installed, with an angle no steeper than 40 degrees, to enable animals to escape.</li> <li>Excavations will be checked every morning by the ECoW or personnel nominated by the ECoW to ensure that there are no trapped animals, and any animals present left escape by their own volition (badger) or moved outside the works area using a suitable container or gloved hand.</li> <li>Open pipework will be capped overnight to prevent animals becoming trapped.</li> <li>Building material will be stored on pallets or hardstanding to deter animals from sheltering underneath.</li> <li>All waste will be stored in skips or containers and not in piles on the ground.</li> <li>The ECoW will check the site every three months during works to ensure that the measures are being followed.</li> </ol>		
Completion	ECoW approval that measures are being followed during the construction phase.		
Reporting Requirements	ECoW to provide a letter to the client as evidence of compliance.		
Monitoring/ Aftercare	ECoW will check the site every three months to ensure that the measures are being followed until the completion of works.		





6.1.1 A calendar is provided in Figure 6-1 which summarises the timings of any practical measures which have time constraints.

Survey	J	F	M	A	M	J	J	A	S	O	N	D
Clearance of long sward grassland and demolition of Buildings D and F to avoid harm to nesting birds, their eggs and young (PM 2)			Must be checked for active bird nests prior to removal between March and August.									

Figure 6-1: Works calendar for measures with time constraints (blue shading shows suitable timings)

**BSI (2013).** *BS4202:2013 Biodiversity – A code of practice for planning and development.* British Standards Institute (BSI), London.

**BSI (2012).** *BS5387:2012 Trees in relation to design, demolition and construction - Recommendations.* British Standards Institute (BSI), London.

**Smart Ecology (2023a).** *Preliminary Ecological Appraisal Report – Cannaway Barns, Silvermoor Lane, Banwell, North Somerset, BS29 6LQ - v2.* Smart Ecology Ltd., Woodside, Gloucestershire.

**Smart Ecology (2023b).** *Bat Survey Report – Cannaway Barns, Silvermoor Lane, Banwell, North Somerset, BS29 6LQ.* Smart Ecology Ltd., Woodside, Gloucestershire.




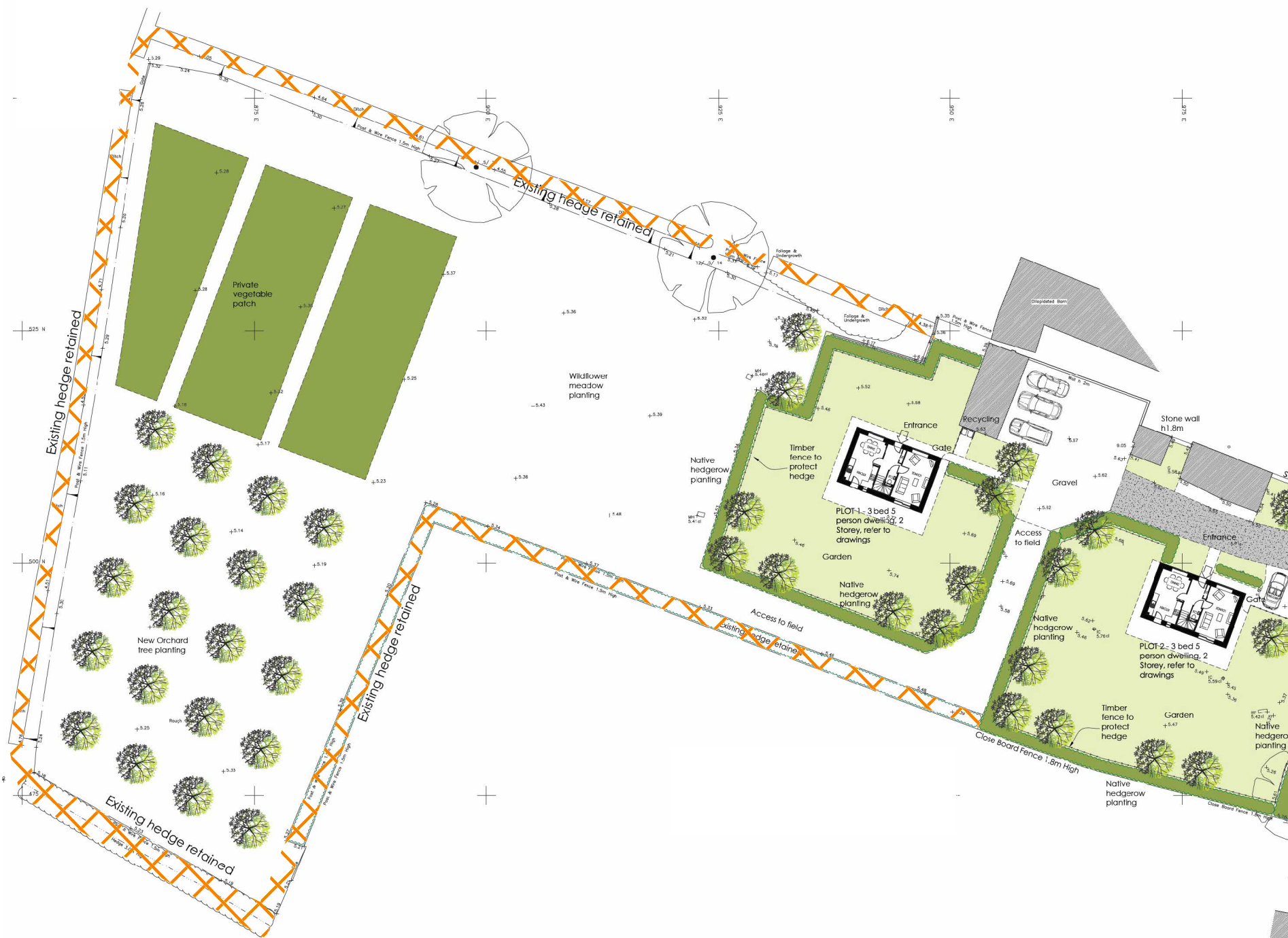




Figure 1 - Biodiversity Protecon Zones

Site at Cannaway Barns  
Silvermoor Lane  
Banwell  
North Somerset  
BS29 6LQ

 Habitats to be considered for Biodiversity Protec/on Zones (BPZs)



Site plan provided by Urban Design Practice

Date:	18/10/2022
Drawn by:	Rachel Barber
Checked by:	Robert Dunn

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