

Land off 143 Berengrave Lane, Rainham

Construction Environmental
Management Plan (CEMP)

A Report for Berengrave Lane LLP

April 2024



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Land off 143 Berengrave Lane, Rainham, Gillingham, Kent, ME8 7UJ

Construction Environmental Management Plan (CEMP)

Client:	Berengrave Lane LLP	
Project Ref:	Land off 143 Berengrave Lane	
Report Ref:	J20734_P5_Rev A	
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Revision Ref:	Status/ Comment:	Date of Issue:
Rev A	Issued to client	10 th April 2024
Disclosure:		
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1 PROJECT OVERVIEW

Client: Berengrave Lane LLP

Site Address: Land off 143 Berengrave Lane, Rainham, Gillingham, Kent, ME8 7UJ

Site Proposals: The construction of eight residential properties and associated private amenity space, landscaping and parking.

Associated Planning Reference Number: MC/23/2771

Source of Relevant Documents:

Document:	Source:
Site Location Plan:	Google Earth Pro
Associated Documents:	Preliminary Ecological Appraisal. 143 Berengrave Lane, Rainham (GES, 2019) Preliminary Ecological Appraisal. 143 Berengrave Lane, Rainham (GES, 2022) Update Badger Walkover Survey. Land off 143 Berengrave Lane, Rainham (GES, 2024)
Proposed Works:	Andrew Wells Architectural Planning & Design, Proposed Site Layout, PL/685/01 Rev.A (2022)

2 INTRODUCTION

2.1 Context

2.1.1 In March 2024, Greenspace Ecological Solutions (GES) were appointed by Berengrave Lane LLP to help discharge planning conditions 3 and 4 of the approved planning permission (MC/23/2771) at land off 143 Berengrave Lane, Rainham (hereafter referred to as 'the Site').

2.1.2 The conditions state:

3) The development shall not be commenced, nor any site clearance or site preparation works in connection with the development, until a Construction Environmental Management Plan (CEMP) has been submitted to the local planning authority and approved in writing. The development shall thereafter be carried out in full accordance with the CEMP, as thus approved. The CEMP shall include details of the following:

- *Hours of working*
- *Noise control measures*
- *Dust control measures*
- *Pollution incident control measures and procedures*
- *General precautionary ecological mitigation measures*
- *Site contact details and complaints procedure"*

4) "The development shall not be commenced, nor any site clearance or site preparation works in connection with the development, until a detailed mitigation strategy specifically for reptiles (in addition to the general ecological mitigation measures required under Condition 3 above) has been submitted to the local planning authority and approved in writing. The reptile strategy shall include full details of the measures and sequence of works to be undertaken to enable any reptiles present within the site to be relocated to other land outside the site boundary, in accordance with the method described in paragraphs 6.4.14 – 6.4.17 of the Preliminary Ecological Appraisal report by Greenspace Ecological Solutions, dated July 2022 (Revision B). Thereafter, the development shall be carried out in full accordance with the reptile mitigation strategy, as thus approved."

2.1.3 To address the requirements of the above conditions, the following Construction Environmental Management Plan (CEMP), including a reptile mitigation strategy, has been prepared.

2.2 Site Location

2.2.1 The Site is located on the northern outskirts of the town of Rainham, Kent, at National Grid Reference: TQ 81884 67167.

2.3 Site Description

2.3.1 The Site occupies approximately 0.33ha and comprises predominantly semi-improved grassland, with patches of scrub and tall ruderal vegetation, two buildings, and a hedgerow along the northeastern boundary.

2.3.2 The Site is bound by residential properties and associated gardens to the southeast, semi-improved grassland to the west and north, and a new housing development to the southwest.

2.3.3 The wider landscape is one of residential properties with associated gardens, grassland, agricultural fields, and patches of woodland. The town of Rainham lies approximately 1.2km to the south of the Site, and the River Medway lies approximately 900m north of the Site.

2.4 Project Description

2.4.1 The proposed development involves the construction of eight residential properties with associated private amenity space, landscaping and parking.

2.5 Policy and Legal Considerations

2.5.1 This CEMP has been produced in accordance with relevant UK legislation and planning policy, with the following documents of relevance:

- [The Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) transposes European Union Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law. These regulations provide for the designation and protection of 'European Sites', the protection of 'European Protected Species' and the adaptation of planning controls for the protection of such sites and species.
- [The Wildlife and Countryside Act 1981 \(as amended\)](#) provides detail on a range of protection and offences relating to wild birds, other animals, and plants. The level of protection depends on which Schedule of the Act the species is listed on. Licences are

available for specific purposes to permit actions that would otherwise constitute an offence in relation to species.

- [The Hedgerows Regulations Act 1997](#) serves to; enforce under the Environment Act 1995, restrict the removal of hedgerows, or parts of hedgerows which are over 20m in length. In this case, removal includes digging up and replanting elsewhere, as well as removing from the land completely or destroying in the course of other actions. This includes developments or activities which destroy the roots, causing the vegetation to die.
- [The Natural Environment and Rural Communities \(NERC\) Act 2006](#) imposes an obligation on all public bodies, including local authorities, to consider whether their activities can contribute to the protection of wildlife. The duty is created by section 40(1) of the Act, which states that: “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”
- [The Protection of Badgers Act 1992](#) exists to protect badgers *Meles meles* from cruelty. Under the act it a criminal offense to wilfully kill, injure, take, possess, or cruelly ill-treat a badger, or to attempt to do so, or to intentionally or recklessly interfere with a sett.
- [The Wild Mammal \(Protection\) Act 1996](#) protects wild mammal species from certain cruel acts, including kicking, beating, nailing, or otherwise impaling, stabbing, burning, stoning, crushing, drowning, dragging or asphyxiation of any wild mammal with intent to inflict unnecessary suffering. Crushing and asphyxiation are most likely to occur as a result of development proposals, if these works cause the collapse of mammal burrows.
- [The National Planning Policy Framework \(NPPF\) 2023](#) protects species of significant conservation importance in England as covered by wildlife legislation and Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Local planning authorities have an obligation to protect such species and are also required to seek opportunities to promote and enhance biodiversity in accordance with the above legislation, policies and plans.

3 VISION, AIMS AND OBJECTIVES

3.1.1 The vision of the Site is to build eight residential properties with associated private amenity space, landscaping and parking. The development aims to retain existing vegetation wherever possible, however to enable the scheme there will be a loss of semi-improved grassland, tall ruderal vegetation and scattered scrub.

3.1.2 The proposals are informed by ecological assessments and aim to realise the opportunities identified in these by enhancing landscape and ecological assets alongside the inclusion of several wildlife enhancements, including bird and bat boxes.

3.2 Objectives

3.2.1 The objectives of the CEMP are to ensure appropriate protection of biodiversity throughout the construction process. The proposals for the Site aim to protect biodiversity through:

- **Retention of hedgerows and scattered scrub.** The proposed development has been designed to retain the most valuable habitats where possible, including the existing hedgerow and scrub along the boundaries, which will in turn protect and benefit a number of species including bats, dormice, and nesting birds.
- **Retention of a 5m corridor along the northern boundary** to retain existing foraging and commuting habitat for badger.
- **Reptile mitigation strategy** to ensure the welfare of any reptiles within the Site.
- **Sensitive lighting strategy** will be implemented both during and post-development to maintain the suitability of the retained vegetated boundary features for bats and other nocturnal wildlife.

3.3 Roles and Responsibilities

CEMP

3.3.1 Greenspace Ecological Solutions (GES) is responsible for production of the CEMP.

3.3.2 Berengrave Lane LLP (or their appointed contractor) is ultimately responsible for the implementation of the CEMP, including any works relating to ecological mitigation, compensation and enhancement as required by the planning approval requirements.

3.3.3 A habitat management company may be appointed by the Developer to manage and maintain the habitats (outside of private curtilage) in the long-term. The appointed management company would manage the habitats in-line with the descriptions given within this report.

Project Manager

3.3.4 The Project Manager is responsible for:

- Ensuring that the CEMP is kept on-site and that it is implemented throughout all phases of the project.
- Ensuring the CEMP details are updated as and when relevant information is provided by the stakeholders associated with each section of the CEMP. For example, following the discharge of other planning conditions or following pre-construction surveys.
- Ensuring that environmental issues are addressed.
- Producing environmental project-specific controls for all significant risks identified and implementing control measures to minimise the risk of damage to the environment.
- Communicating the CEMP and other related documents to employees, contractors and client representatives.

Contractors and Visitors

3.3.5 Contractors and visitors to the Site will be responsible for:

- Ensuring that the control measures identified from environmental and ecological surveys are implemented, as relevant to their work/visit.
- Ensuring that the project management team are notified of any non-conformance of control measures or environmental incident where the environment or ecology has been put at risk.

Information for Contractors and Visitors

3.3.6 All contractors and visitors to the Site will be made aware of the environmental policy and the controls applicable to their presence and activities on Site including but not limited to:

- Method statements
- Risk assessments
- Site induction which includes environment briefings
- Toolbox talks

3.3.7 The Project Manager will be responsible for monitoring communications between all relevant parties to the project ensuring that all environmental matters to the project are discussed and managed. Observation of the communications will be documented in the weekly site meetings and sent by e-mail.

- 3.3.8 Relevant site layout and location plans detailing the location and construction of the Site compound, storage locations and car parking are to be displayed on an information board at the Site entrance. The location of these are shown in Appendix A.

Ecological Clerk of Works (ECoW)

- 3.3.9 Prior to the start of works, the project will appoint a suitably experienced and qualified Ecological Clerk of Works (ECoW). The role of the ECoW will extend to the provision of specialist ecological works, supervision at key stages of the development and an advisory service for on-site contractors as and when required.

Biodiversity Champion (BC)

- 3.3.10 Upon commencement of the development, a full-time member of the construction team will be appointed by the ECoW as the on-site Biodiversity Champion (BC). The BC will ensure that the prescribed management plan and all the precautions and method statements set out within it are adhered to in full.
- 3.3.11 The BC will be given the authority to influence site activities to ensure that detrimental impacts on the Site's biodiversity are minimised in line with the recommendations provided below.
- 3.3.12 Should professional ecological advice be required at any time throughout the development, the appointed ECoW will be contacted.

3.4 Hours of Work

- 3.4.1 Where practical, works will be limited to standard daytime hours 08:00 – 18:00 Monday to Friday, and 08:00 – 13:00 on Saturdays, with no works taking place on Sundays or Bank Holidays. Where works are required outside this period, suitable screening will be installed to avoid light spill onto any adjacent habitats that remain unaffected by the development.

3.5 Site Contact Details and Complaints Procedure

- 3.5.1 Signage at the site entrance will provide details of the Project Manager, Site Manager and/or point of contact at the site office during working hours, and an out of hours telephone number. Emergency contact numbers will also be clearly displayed. Any complaints received will be addressed quickly and politely, either in person or via the contact number / email provided for the main office. The Project Manager will be the first point of contact and will carry out the investigation and any further actions. If the nature of the complaint is regarded as a health and safety risk to the public or the site workforce, it will be dealt with immediately and the concerns passed onto the main office.

4 ENVIRONMENTAL MANAGEMENT MEASURES

4.1 Dust Management

4.1.1 The application of standard dust control measures included in the British Research Establishment guidance (Building Research Establishment, 2003) are normal working practice on all well-managed construction sites in the UK and will be applied as follows.

4.1.2 Staff will:

- Be trained in the control of dust and will ensure the Site is monitored for levels of surface dust.
- Damp down dust build up with hosepipes/bowsers.
- Record all dust and air quality complaints, identifying cause(s), take appropriate measures to reduce emissions in a timely manner, and log the measures taken.
- Record any exceptional incidents that cause dust and/or air emissions, either on- or off-site, and the action taken to resolve the situation in the logbook.
- Monitor the access road into and out of the Site for excessive dust build up. Should surface dust build up, the road will be swept.
- Display the name and contact details of person(s) accountable for air quality and dust issues on the Site boundary. This may be the environmental manager/engineer or the site manager.
- Avoid bonfire and burning of waste materials.

4.2 Pollution Prevention and Hazardous Material Storage

4.2.1 Chemicals and hazardous materials such as fuels and lubricants are to be stored on-site during the construction phase of the project.

4.2.2 These include but are not limited to:

- Fuels
- Oils
- Lubricants
- Paint and Coating
- Adhesives and resins
- Solvents
- Compressed gases
- Cements and binders

4.2.3 The following measures will be put in place to prevent pollution and to conform to the best practice policy proposed by the Environment Agency (EA) via the Guidance for Pollution Prevention (GPPs):

- The handling, use and storage of hazardous materials to be undertaken in-line with the EA's Guidance for Pollution Prevention (e.g. GPP2 Above ground oil storage).
- All equipment to be kept clean and in good working order and fitted with drip trays where appropriate. Drip trays to be present to collect leaks from diesel pumps or from standing plant.
- Oil interceptor(s) fitted to all temporary discharge points and for discharge from any temporary oil storage/ refuelling areas.
- Development of pollution control procedures in-line with the EA's GPPs and appropriate training for all construction staff.
- Provision of spill containment equipment such as absorbent material on-site.
- Secure the Site to prevent vandalism events which could lead to pollution.

4.3 Noise and Vibration

4.3.1 Noise and vibration will be controlled throughout the development through application of the below management principles:

- Before works on-site are commenced, all contractors should make available for inspection a method statement (in accordance with the principle described in BS 5228: 2009: Part 2: Code of practice for noise and vibration control on construction and open site) stating precisely the type of plant to be used and the proposed noise control methods.
- The contractors will be required to comply with other relevant provisions of the Control of Pollution Act 1974.
- The contractors will comply with the recommendations set out in BS 5228:1997 AMD 1 Code of practice for noise control on construction and demolition sites.
- Muffling will be in accordance with the recommendations set out in BS 5228:1997, Code of practice for noise control on construction and demolition sites:
 - Compressors will be fitted with properly lined and sealed acoustic covers, which will be kept closed whenever in use.
 - Pneumatic percussive tools will be fitted with mufflers or silencers of the type recommended by the manufacturers.

- Machines in intermittent use will be shut down in the intervening periods between work or throttled down to a minimum.
- Care will be taken when loading or unloading vehicles, dismantling scaffolding, or moving materials to reduce impact noise.

4.3.2 The contractor will follow best practicable means to reduce the noise effect on the local community including the following:

- Materials will be handled with care (e.g., material such as scaffolding and steelwork will be placed rather than dropped).
- Drop heights of materials from lorries and other plant will be kept to a minimum.
- All plant used on-site, paying particular attention to the integrity of silencers and acoustic enclosures will be maintained in good and efficient working order and operated such that noise emissions are minimised as far as reasonably practicable.
- As far as reasonably practicable, any plant, equipment or items fitted with noise control equipment found to be defective should not be operated until repaired.
- Vehicles and mechanical plant, where reasonably practicable, will be fitted with effective exhaust silencers and will be maintained in good working order and operated in a manner such that noise emissions are controlled and limited as far as reasonably practicable.
- Machines in intermittent use should be shut down or throttled down to a minimum during periods between works.

4.4 Retained Habitat & Tree Protection Measures

4.4.1 Retained hedgerows and scattered scrub within the Site will be protected using temporary root protection fencing, an example of which is depicted in Figure 1.

4.4.2 Protection measures will be installed in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction, the fence will comprise "Heras" panels (or similar). Protected fencing will be braced at appropriate intervals and secured to keep in place. The hedgerow and habitat protection barrier will be erected prior to occupation of the Site by the building contractor and will only be removed once the construction phase is complete.

5 PROTECTED SPECIES MITIGATION STRATEGIES

5.1 Badgers

5.1.1 An update walkover of the Site in March 2024 identified no badger setts on or within 30m of the Site, however, evidence of use by badgers is present in the form of a well-used mammal run, snuffle holes and push-throughs located along the northern boundary of the Site.

5.1.2 A 5m corridor along the northern boundary of the Site is required to maintain foraging and commuting habitat and connectivity for badger and to minimise the risk of badgers entering the Site. To maintain a corridor for badgers, hoarding and/or Heras fence panels with boards installed at the base will be installed to protect the northern boundary from construction activities, as shown in Figure 2.

5.1.3 In addition, the following sensitive working methodology will be implemented throughout the development to avoid indirect impacts to individual badgers:

- The construction site and the excavation area will be isolated from badger access via the use of hoarding and/or Heras fence panels with boards installed at the base to prevent badgers from easily entering the Site.
- To account for the possibility of badgers entering the proposed development site for the purpose of foraging and commuting, prior to the start of work, all contractors are to be briefed by the ECoW and/or the BC regarding the potential presence of badgers and the badger mitigation strategies outlined here.
- To prevent badgers becoming trapped in excavations, any trenches or deep pits that are to be left open overnight will be provided with a means of escape. This is to be achieved through the construction of a graded bank or the installation of a rough sawn timber board such as a scaffold board or similar, which will allow the badgers to exit of their own accord. Any trenches or pits left overnight will be inspected by the BC each morning to ensure no badgers have become trapped.
- Should a trapped badger be encountered, and the means of escape prove futile, then the ECoW will be contacted immediately to discuss an appropriate manner in which to proceed.
- Should the development require the installation of culverts and/or large diameter piping, the BC is to ensure the ends are closed off overnight.
- If mounds of topsoil or soft building materials are required within the Site, they will be subject to daily inspection for the presence of badgers or ring-fenced with a badger-

proof fencing material. Alternatively, material may be stored off the ground. The daily inspection and the potential requirement of ring fencing will be conducted by the BC.

- As badgers will readily adopt such mounds for a sett, the BC is to give careful consideration to the storage of topsoil or other soft building material on-site.
- Should badger occupation occur, mounds will be afforded the same level of protection as an established sett and a sett closure licence will need to be obtained from Natural England to remove the spoil.

5.2 Nesting Birds

5.2.1 Although no evidence of nesting birds was recorded during the survey, suitable habitat is present within the Site, some of which will be removed/disturbed to facilitate the proposed works. To ensure the welfare of nesting birds is maintained, prior to the start of on-site works the following methodology will be implemented in full:

- Where practical, no vegetation clearance or works which will disturb habitats used by nesting birds will take place during the breeding season of March – August inclusive.
- Should clearance of suitable bird nesting habitat be required within the active nesting season, a survey for the presence of nesting birds will be conducted by a suitably experienced ecologist prior to the start of clearance works.
- Should evidence of nesting birds be recorded, works within 5m of the nest, or works that have the potential to destroy the nest, will stop until the eggs have hatched and the chicks fledged, or the nest is deemed by the ECoW to no longer be in active use.

5.3 Reptiles

5.3.1 The habitats within the Site are sub-optimal for reptiles and the proposed works will result in the removal of these habitats. However, the adjacent grassland within the client's wider landownership to the west/northwest of Site is also suitable for reptiles and therefore the implementation of the following precautionary method of works habitat manipulation strategy will ensure the welfare of any reptiles within the Site:

- To ensure that any reptiles that may be present within the development area are able to move quickly out of harm's way, the cutting of vegetation will be undertaken during the active season for reptiles (mid-March to mid-October).
- To enable animals to relocate outside of the development area and into the adjacent grassland habitat at the west/northwest of the Site, the vegetation cut of sub-optimal

habitat will commence at the east boundary and move in a westerly direction, using hand tools only (trimmer and brush cutters are acceptable), as shown in Figure 2.

- The initial cut will be restricted to a height of 10-15cm from ground level.
- Following a period of a minimum of 24 hours, the second phase of habitat manipulation will be undertaken in the same direction as the first phase, with vegetation cut to approximately 5-10cm in height.
- Vegetation will be maintained at a height of less than 10cm to prevent further habitat becoming suitable.
- Upon completion of the habitat manipulation, the habitats deemed sensitive to the presence of reptiles will be subject to a destructive/fingertip search to ensure any animals that have remained can be safely removed. The destructive/fingertip search will be conducted in accordance with the HGBI advisory notes (1998) guidance and under the supervision of the appointed ECoW.

5.3.1 Log piles (denoted TN1 on Figure 2) will be cleared using a slow and methodical method of fingertip searching and supervised destructive search by a suitably qualified ecologist. The fingertip search will take place during the active season for reptiles (mid-March to mid-October).

5.3.2 Provided the above mitigation strategy is implemented in full then the welfare of reptiles will be maintained, and the development will be conducted in accordance with current legislation and planning policies which serve to protect reptiles.

5.4 Bats

5.4.1 The grassland, hedgerows and scrub provide suitable foraging and commuting habitat for bats. As lighting can be detrimental to bats and other wildlife, a sensitive lighting strategy will be implemented both during and post-development. To maintain suitability of the retained vegetated boundary features, during and post-construction lighting will ensure no or minimal light spill onto retained features such as hedgerows. The Site's lighting scheme will be in accordance with the current Bat Conservation Trust and the Institute of Lighting Professionals (BCT & ILP) 2023 guidance which is available at the following link: 08/23: Bats and Artificial Lighting at Night. Design recommendations include the following:

- Use of LED lighting, which does not emit UV and which has a warm white light spectrum (ideally <2700Kelvin) and uses wavelengths higher than 550nm.
- Internal lighting adjacent to windows being recessed to reduce glare and light spill.

- Directional lighting, such as specialist bollards, low-level downward direction lighting or column lighting to minimise light spill.
- Use of motion sensor lighting or timers to restrict lighting to required periods.
- Dimming or part-night lighting to reduce light levels when bats are most active.
- Use of the lowest lux possible.
- Any additional roosting features provided should remain unlit, as this can reduce their suitability for bats.

5.5 Other Species

5.5.1 The mitigation mentioned above for nesting birds, reptiles and badger will also serve to protect stag beetle, hazel dormice and hedgehog, should they be present. Should at any point during the development a protected or notable species be identified within the Site, then all works should **stop** and the appointed ecologist consulted on the appropriate manner in which to proceed.

6 REFERENCES

Bat Conservation Trust (BCT) & the Institution of Lighting Professionals (ILP), (2018). *Guidance Note 8; Bat and Artificial Lighting in the UK.*

<https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>

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Environmental Agency (2007). Pollution Prevention Guidelines. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/485199/pmho1107bnkg-e-e.pdf

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Greenspace Ecological Solutions (2019) Preliminary Ecological Appraisal: 143 Berengrave Lane, Rainham, Kent. (Ref: J20734).

National Planning Policy Framework (NPPF) 2019
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf

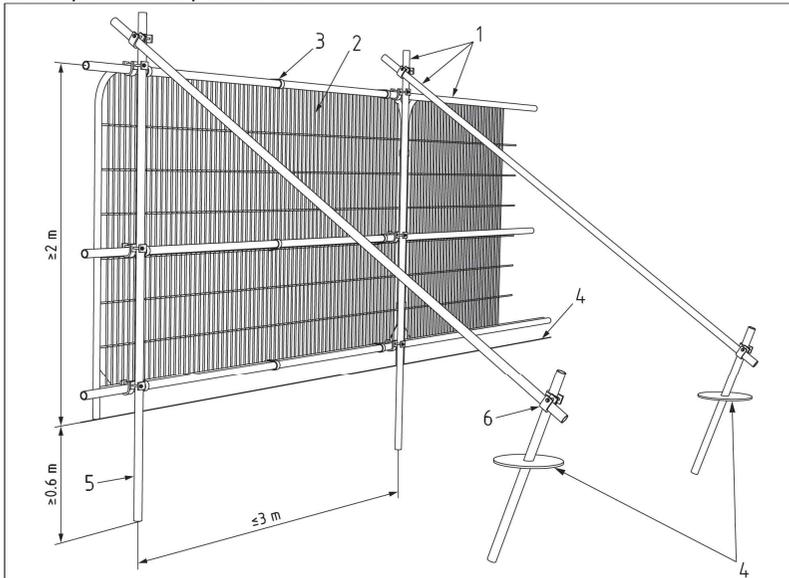
Natural Environment and Rural Communities (NERC) Act 2006.
<http://www.legislation.gov.uk/ukpga/2006/16/contents>

The Conservation of Habitats and Species Regulations (Habitats Regulations) 2018.
<http://www.legislation.gov.uk/uksi/2018/1307/contents/made>

Wildlife and Countryside Act (as amended) 1981. <http://jncc.defra.gov.uk/page-1377>

Figures

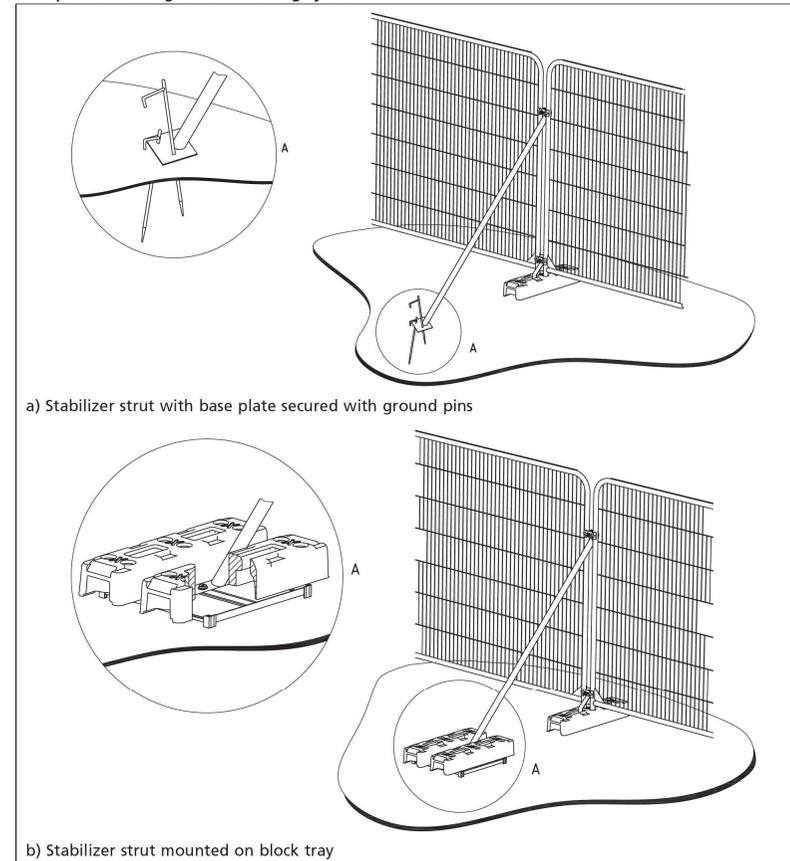
Default specification for protective barrier



Key

- 1 Standard scaffold poles
- 2 Heavy gauge 2 m tall galvanized tube and welded mesh infill panels
- 3 Panels secured to uprights and cross-members with wire ties
- 4 Ground level
- 5 Uprights driven into the ground until secure (minimum depth 0.6 m)
- 6 Standard scaffold clamps

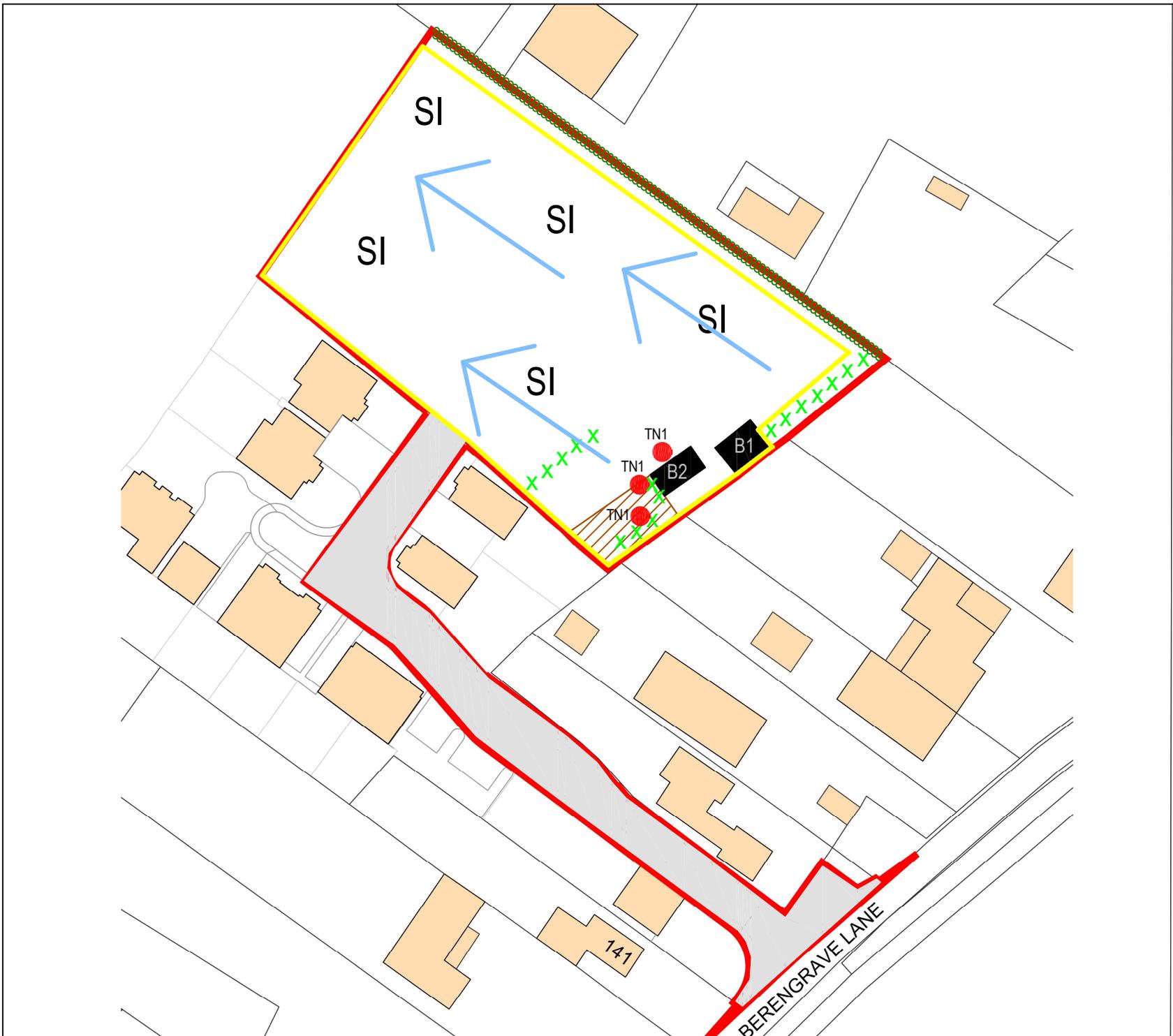
Examples of above-ground stabilizing systems



Job Reference : J20734_P5
 Project Title : Land off 143 Berengrave Lane

Figure 1: Tree Protection Measures

Date : 04-04-24 Checked : JP
 Drawn : ALB Approved : N/A
 Status : Final Scale : NTS



Legend

-  Site Boundary
-  Semi-improved grassland
-  Tall ruderal vegetation
-  Hardstanding
-  Scattered scrub
-  Hedgerow
-  Building
-  Target note
-  Direction of habitat manipulation
-  Protective fencing



Job Reference : J20734_P5
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Figure 2: Ecological Management Plan

Date : 04-04-24 Checked : JP
 Drawn : ALB Approved : N/A
 Status : Final Scale : NTS

Appendices

Site Set Up Plan

