

Adderbury Community Centre Construction Environmental Management Plan

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1 INTRODUCTION

1.1 General

This Construction Environmental Management Plan (CEMP) with Biodiversity Net Gain Calculations has been produced to comply with planning conditions related to a proposed development of community land off Milton Road, Adderbury (OS Grid Reference SP 4629 3510).

The proposals involve the creation of sports pitches, an all-weather playing area, a community centre building and associated parking and access within an existing 3.4 hectare arable field, bordered by trees and hedgerows to the south and west, hedgerow to the south and intermittent hedge and shrub plants to the east, on the outskirts of the village of Adderbury (*Figure 1*). The land surrounding the proposed development area contains a plant nursery, further arable farmland, housing and associated gardens. The wider landscape contains further residential properties of Adderbury to the south and east, a Church, playing fields, the Sor Brook, a disused railway line and further farmland. The CEMP element of this document has been prepared in connection with the planning reference number; 21/00104/F, while the Net Gain Calculations have been prepared in connection with the planning reference number 18/00220/F. The combined approved development plans are shown in *Figure 2*.

A Phase 1 Habitat Survey was originally carried out on the 1st of October 2019 by Turnstone Ecology Ltd. A subsequent site visit was completed on the 19th of January 2021 to update the ecological assessment and further inform appropriate ecological mitigation and protection.

Figure 1. Approved development boundary

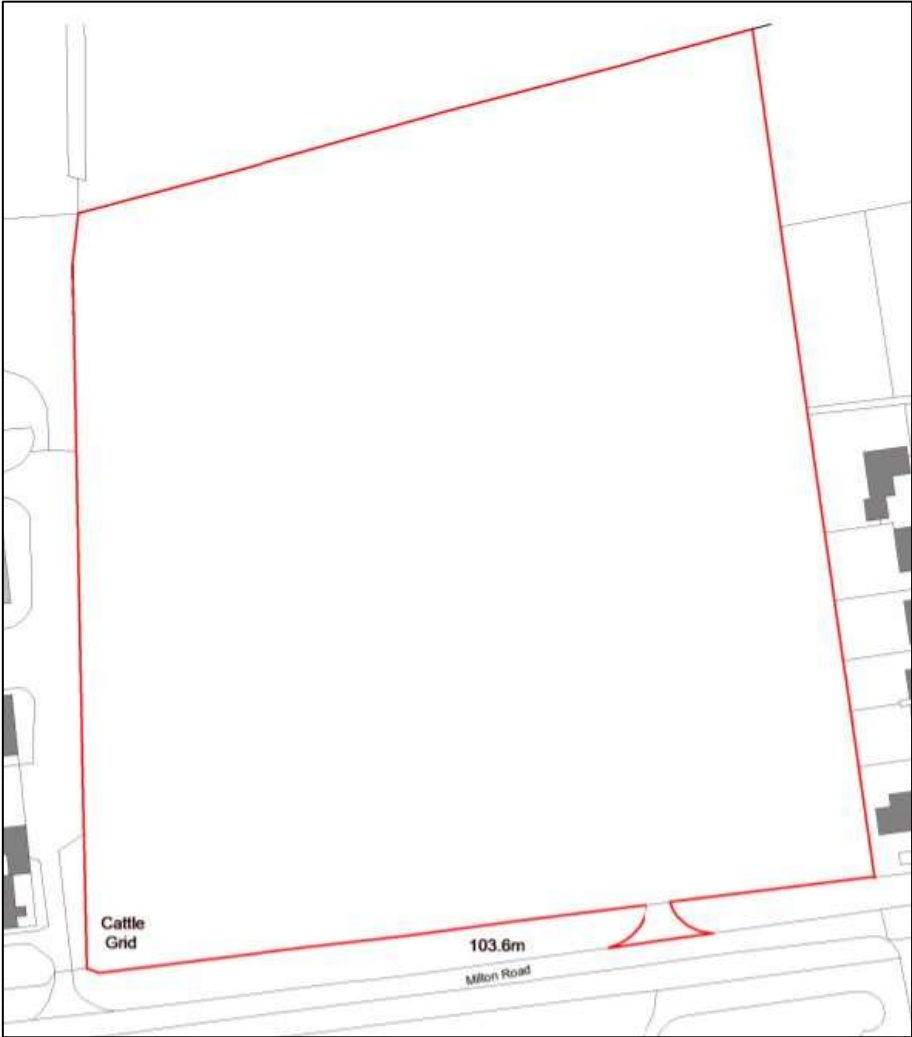


Figure 2. Approved development plan



1.2 Purpose of Report

This CEMP specifically relates to Condition 8 within the Decision Notice pursuant to 21/00104/F for the creation of sports pitches, an all-weather playing area, community centre building and associated parking and access with an area of arable field off Milton Road, Adderbury; details of which are given below.

8. No development shall take place (including demolition, ground works, vegetation clearance) unless and until a Construction Environmental Management Plan (CEMP: Biodiversity) has been

submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:

- a) *Risk assessment of potentially damaging construction activities;*
- b) *Identification of 'Biodiversity Protection Zones';*
- c) *Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);*
- d) *The location and timing of sensitive works to avoid harm to biodiversity features;*
- e) *The times during construction when specialist ecologists need to be present on site to oversee works;*
- f) *Responsible persons and lines of communication;*
- g) *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;*
- h) *Use of protective fences, exclusion barriers and warning signs*

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Information is also included within this document to inform the following planning conditions:

7. No development shall commence above slab level unless and until a method statement for enhancing biodiversity on site, to include integrated provision for bats and swifts and 10 nesting boxes for other birds, has been submitted to and approved in writing by the Local Planning Authority. The approved biodiversity enhancement measures shall be carried out prior to the first use of the development shall be retained thereafter in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Governmental guidance contained within the National Planning Policy Framework.

Biodiversity Net Gain Calculations have been provided to satisfy point d) of Condition 7 within the Decision Notice pursuant to 18/00220/F for the change of use from agricultural land to sport/recreation and community use. The remaining points of Condition 7 in consent 18/00220/F have been satisfied in the document *LAS 205 – Landscape Management Plan. Adderbury Sports and Community Centre. January 2021.*

7. Prior to the laying out of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

d) a biodiversity calculation to demonstrate a net gain

Demonstration of improvements in ecological connectivity to the local green space (the nearby cemetery) has been provided to satisfy this element of Condition 6 within the Decision Notice pursuant to 18/00220/F for the change of use from agricultural land to sport/recreation and community use. The remaining applicable points of Condition 6 in consent 18/00220/F will be satisfied in the revised plan which will be submitted separately.

2 WILDLIFE AND HABITAT PROTECTIVE ZONES

2.1 General

In order to protect wildlife and habitats on the proposed development site 'Wildlife/Habitat Protection Zones' are detailed below. This includes areas where construction activities are restricted, where protective measures will be installed or implemented and where ecological enhancements will be installed or implemented.

2.2 Habitats

Retained hedgerows and trees will be protected from any significant disturbance during construction by fenced root protection buffers (*Figure 3*). Heras type fencing will be positioned between 0.8–1 m away from the spread of the retained hedgerows and trees. Any roots discovered larger than 25 mm outside of the buffer zone will be alerted to the building inspector for comment and then design changes will be made to the footings as required.

An approximately 18 m x 10 m section of trees will be removed to create access. Enhancements will be made to the hedgerow network around the site by the creation of an eastern hedgerow and additional planting to fill gaps in the existing northern hedgerow. These improvements will improve connectivity around the site and to the wider countryside, providing continuous hedgerows on all sides of the site which link to areas of good habitat within the local green space to the north and north east.

Figure 3. Wildlife/Habitat Protection Scheme showing indicative 1 m root protection zone for retained hedgerow and trees (black dashed line) and areas where additional hedgerow and tree planting will be undertaken (marked with labels). (A larger version is available in LAS 205 Landscape Management Plan)



2.3 Badger

- No evidence of Badger was recorded on the original or follow up surveys however safe working measures relating to Badgers are to be put into place prior to construction works commencing on site so if, in the unlikely event they do occur on site, they can be protected from harm. These measures will include: A pre-construction survey by a suitably experienced ecologist to check for any newly excavated setts.

- In order to ensure foraging Badgers do not become trapped within any excavations these should either not be left uncovered overnight or ways of escape for Badgers provided (wooden planks or graded earth banks).

2.4 Bats

No trees suitable for roosting bats were identified during the initial survey however a pre-construction check by a suitably qualified ecologist will be carried out to ensure that no tree damage has occurred in the interim that may have created new roosting opportunities that may be used by bats.

During the construction phase, lighting will be directed away from retained boundary hedgerows and trees to ensure that suitable roosting, foraging and commuting habitats remain unlit. Post-construction, floodlighting around the MUGA area to the south of the light will be restricted to occasional use over the winter period only, with none of lights being illuminated beyond 21:00 as per the planning consent.

Roosting opportunities will be provided by incorporating bat tubes into the proposed community centre building. The types and locations of bat tubes are detailed below and shown on *Figure 4a* and *4b*. All bat tubes will be maintained for the lifetime of the development.

- Schwegler 1FE bat tubes (or equivalent), suitable for use by crevice dwelling species to be installed at least 3m above ground level on each aspect of the new community centre building. These tubes do not require any maintenance as the droppings fall out of the entrance and are designed to be set into an external wall or incorporated into the masonry and then rendered flush with the surface so that only the entrance is visible.

2.5 Nesting Birds

Works affecting suitable nesting habitat on site (i.e. hedgerow, trees and tall herb) will be undertaken outside the breeding bird season (March to August inclusive). If this is not possible then a pre-construction bird survey will need to be completed by a suitably qualified ecologist and depending on the presence and location of nesting birds, breeding effort may have to be allowed to finish before works commence.

Enhancement for nesting birds should include the replanting of hedgerow gaps to the north of the site, creation of a new hedgerow along the site's eastern boundary, installation of at least ten wooden bird boxes on retained trees and the installation of four built in Swift boxes into the proposed Community Centre building. The nesting features are detailed below and shown on *Figures 4a, 4b* and *5*. All bird boxes will be retained and maintained for the lifetime of the development.

- Ten wooden bird boxes, five with 25mm and five with 28mm entrance holes, will be erected on retained trees around the site. These will be installed prior to the completion of the development and first use by the public.

- Four Schwegler 1A Swift box/Ibstock Eco-habitat Swift box (or equivalent) will be installed on the new Community Centre building, one on each aspect.

Figure 4a. Location of bat tubes and swift boxes on the north elevation of the proposed community centre building (blue stars=bat tubes, red stars=swift boxes, blue arrow=bat tube on adjacent corner, red arrow=swift box on adjacent corner)



Figure 4b. Location of bat tubes and swift boxes on the south elevation of the proposed community centre building (blue stars=bat tubes, red stars=swift boxes, blue arrow=bat tube on adjacent corner, red arrow=swift box on adjacent corner)



Figure 5. Location of wooden bird boxes (indicated by yellow stars)



2.6 Great Crested Newts and Reptiles

Safe working methods will be adhered to ensure no harm comes to Great Crested Newts or common species of reptile as a result of the proposed works in the unlikely event they are discovered on site.

- The grassland on site will be maintained as short sward grassland and the location of the proposed community centre will be kept as bare ground up until the start of construction;
- Areas of hedgerow, trees and tall herb vegetation that need to be cleared as part of access works will be firstly cut by use of hand tools to a height of approximately 0.3 m and under a watching brief of a suitably experienced Ecologist;
- The vegetation should ideally be cut to ground level between September and February to avoid the nesting bird season with groundworks associated with the vegetation clearance completed when Great Crested Newts and/or reptiles are likely to be active (March to October and when overnight temperatures are over 5°C), alternatively if this is not possible vegetation may be

removed during the nesting bird season following a pre-construction breeding bird survey to the methods detailed above;

- Any excavations will be backfilled (and suitably compacted) before nightfall or if this is not possible a ramp (or similar structure) will be provided to allow animals an opportunity to escape. Each morning any excavations that are open will be checked and the Ecologist notified if any animals have become trapped;
- All cleared vegetation and soil or construction materials will be stored at least 10 m away from the boundary hedgerows and tall ruderal, either on bare ground or temporary compound surface. Construction materials will be kept raised off the ground, e.g. on pallets; and
- Any machinery and/or vehicles left on site overnight will remain on bare surfaces or compound areas and at least 5 m from field boundaries and tall ruderal.
- If a Great Crested Newt or reptile is found during any stage of the construction process **all works will be paused** and the Ecologist contacted to discuss an acceptable course of action.

2.7 European Hedgehog

Safe working methods and mitigation measures to be adhered to avoid killing or injuring European Hedgehog. These measures will include:

- The removal of the section of trees and scrub should ideally be carried out between March to April or October to November when Hedgehogs are active but outside of the time when they may have dependent young.
- In order to enhance the site for European Hedgehog a Hedgehog house, such as Vivara Pro Woodstone Hedgehog House, will be positioned along the north-western boundary hedgerow. The Hedgehog box will be retained and maintained for the lifetime of the development.

2.8 Guidance

The species identification sheets will be discussed at the tool-box talk/site meeting and a site map will be distributed highlighting areas of the site with potential to support vulnerable species.

If an animal is found during the construction works after the site has been cleared by the Ecologist the safe working methods detailed below should be followed.

- Stop work and if possible, identify the animal found using the identification sheets.
- Ensure that the animal is not in immediate danger (clearly mark the area in which the animal has been found, inform other site personnel of the discovery, tell the site manager).
- Phone the Ecologist for advice (contacts are included in this section) and follow their instructions.

- Common amphibians are likely to need to be carefully moved by hand to a suitable safe off-site area previously identified during the tool-box talk. Reptile handling should be avoided if possible, with animals encouraged to leave the affected area unaided.

3 BIODIVERSITY NET GAIN

The proposed development will result in a loss of 3.05 ha of poor-quality arable land along with 0.009 ha of woodland/tree belt. The poor-quality arable land will be replaced in the most part with amenity grassland over the same area and the loss of the small area of woodland required for access will be offset in the planting of new hedgerow to the east of site along with the gapping up of the hedgerow to the north. At present there are 0.414 km of hedgerows around the site, this length will be increased by 0.161 km to result in a total hedgerow length post development of 0.575 km.

Using the Defra Biodiversity Net Gain Metric (version 2.0) to calculate the number of biodiversity units present on site pre- and post-development it is anticipated that the proposed works will increase habitat units from 9.43 to 14.69 and hedgerow units from 2.17 to 3.5. This equates to a net gain of 55.82% habitat biodiversity units and 61.14% in hedgerow biodiversity units.

4 CONSTRUCTION LIGHTING

During the construction phase lighting will be directed away from boundary hedgerows, retained mature trees and field drain to the north of site to ensure that suitable roosting, foraging and commuting habitats remain unlit.

No lighting of over 2000 lumens (150 W) to be used on site in accordance with the Bat Conservation Trust Bats and Lighting in the UK guidance (2018).

5 CONSTRUCTION TIMETABLE

The timetable below shows the planned phasing of construction activities to avoid harm to biodiversity features (e.g. avoiding the bird nesting season).

Table 1. Timetable of construction activities

Construction Activity	January	February	March	April	May	June	July	August	September	October	November	December
Establishing of habitat and wildlife protection zones	To be completed prior to any groundworks											
Grass to be retained at a short sward	To be maintained for two months prior to groundworks											
Installation of bat and bird boxes on retained trees	To be completed by end of the development											
Tree clearance for access purposes	*	*	Only after a survey and instruction by an Ecologist. Optimal period for removal September or October but clearance to ground level is possible in winter without breaking ground.						✓	✓	✓	*

*clearance to ground level

6 ECOLOGICAL CLERK OF WORKS

Prior to the start of works the Ecological Clerk of Works (ECoW) will complete a tool-box talk to project managers and lead contractors to highlight the presence of ecological receptors and summarise the protective zones and measures, mitigation, safe working methods and Reasonable Avoidance Measures (RAMs) contained within this report.

The ECoW will also need to be present during the construction phase when works have the potential to affect ecological receptors present or potentially present on and around the proposed development site, as detailed in *Section 2*.

7 PERSONNEL RESPONSIBILITIES

The site owner and developer, will be legally responsible for the implementation of this management plan and will do so with the assistance of Turnstone Ecology Ltd, or an alternative suitably experienced ecologist. All ecological mitigation, enhancements and future monitoring and management have been agreed and will be funded and completed in full by the site owner.

Legal Responsibility	Persons Responsible	Contact Details (email address and phone number)	Signature
Compliance with legal consents relating to nature conservation	To be assigned on appointment		
Compliance with planning conditions relating to nature conservation	To be assigned on appointment		
Installation of physical protection measures during construction	To be assigned on appointment		
Implementation of sensitive working practices during construction	To be assigned on appointment		
Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction	To be assigned on appointment		
Provision of training and information about the importance of 'Wildlife Protection Zones' to all	To be assigned on appointment		

construction personnel on site			
Compliance with Pollution Control Measures	To be assigned on appointment		

8 POLLUTION PREVENTION MEASURES

Appropriate methods will be employed to ensure the hydrology and ecology of the field drain and drainage pool present to the north of site will not be negatively affected by the proposals. Pollution control measures will include:

- Spill kits will be stored within the site compound during and post construction and all spills will be cleaned up accordingly and if necessary reported.
- All chemical substances and hazardous materials will be stored in accordance EA guidelines with all diesel fuel and other lubricants will be stored in appropriate containers and within double bunded storage areas.
- Any washing of concreting vehicles will be done well away from any watercourses and/or drainage systems.
- Any re-fuelling and re-lubrication will only be completed in an approved area in which a spill kit is available.

9 ECOLOGICAL TRENDS AND CONSTRAINTS

The area affected by the proposals is dominated by ecologically poor arable farmland, which is currently maintained as a short sward. Specific mitigation measures to negate the loss of the arable land are not considered necessary but appropriate mitigation measures are needed to protect adjacent habitats of higher ecological value and there are opportunities to enhance the site as a whole for the long-term benefits of wildlife. Without the proposed habitat enhancement and management, the ecological value of the area of the proposed development site and site as a whole is unlikely to improve.

There are no predicted constraints with achieving the proposed ecological enhancements and management.

APPENDIX 1 – LEGISLATION

This section briefly describes the legal protection afforded to the protected species referred to in this report. It is for information only and is not intended to be comprehensive or to replace specialised legal advice. It is not intended to replace the text of the legislation but summarises the salient points.

Badger

Badger is protected in Britain under the *Protection of Badgers Act 1992* and *Schedule 6 of the Wildlife and Countryside Act 1981* (as amended).

The legislation affords protection to Badgers and Badger setts, and makes it a criminal offence to:

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

Bats

All species of British bat are protected by *The Wildlife and Countryside Act 1981* (as amended) extended by the *Countryside and Rights of Way Act 2000*. This legislation makes it an offence to:

- intentionally kill, injure or take a bat;
- possess or control a bat;
- intentionally or recklessly damage, destroy or obstruct access to a bat roost; and
- intentionally or recklessly disturb a bat whilst it occupies a bat roost.

Bats are also Protected Species listed on *Schedule 2 of the Conservation of Habitats and Species Regulations 2017*). This legislation makes it an offence to:

- deliberately capture, injure or kill a bat;
- deliberately disturb bats in such a way as to be likely to (a) impair their ability to: (i) to survive, to breed or reproduce, or to rear or nurture their young, or (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or b), to affect significantly the local distribution or abundance of the species to which they belong; and
- damage or destroy a breeding site or resting place of a bat; and
- possess, control, transport, sell, exchange a bat, or offer a bat for sale or exchange.

All bat roosting sites receive legal protection even when bats are not present.

Where it is necessary to carry out an action that could result in an offence under the regulations protecting bats it is possible to apply for a Mitigation Licence from Natural England (NE) or Natural

Resources Wales (NRW). Three tests must be satisfied before this licence (to permit otherwise prohibited acts) can be issued:

- Regulation 53(2)(e) states that licences may be granted to “preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.”
- Regulation 53(9)(a) states that a licence may not be granted unless “there is no satisfactory alternative”.
- Regulation 53(9) (b) states that a licence cannot be issued unless the action proposed “will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”.

Birds

All species of bird are protected under *Section 1* of the *Wildlife and Countryside Act 1981* (as amended). The protection was extended by the CRow Act.

The legislation makes it an offence to intentionally:

- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- take or destroy an egg of any wild bird.

Certain species of bird are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4)* and *1(5)* of the Act. The protection was extended by the CRow Act. The legislation confers special penalties where the above-mentioned offences are committed for any such bird and also make it an offence to intentionally or recklessly:

- disturb any such bird, whilst building its nest or it is in or near a nest containing dependant young; or
- disturb the dependant young of such a bird.

Great Crested Newt

Great Crested Newt is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receive full protection under *Section 9*. These species are also listed as Protected Species on *Schedule 2* of the *Conservation of Habitats and Species Regulations 2017 (SI 2010/490)* which gives them full protection under *Regulation 42*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the CRow Act).

Under the above legislation it is an offence to:

- kill, injure or take an individual of such a species;
- possess any part of such species either alive or dead;

- intentionally or recklessly damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
- intentionally or recklessly disturb such a species whilst using any place of shelter or protection; or
- sell or attempt to sell any such species.

The Great Crested Newt is included as a Priority Species in the UK Biodiversity Action Plan (UKBAP) and also as a species of principal importance for the conservation of biological diversity in England under *Section 74* of the CRow Act.

Reptiles

The common reptile species, such as Common Lizard, Grass Snake, Slow-worm and Adder, are listed under *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), in respect of *Section 9(5)* and part of *Section 9(1)*. This protection was extended by the CRow Act.

Under the above legislation it is an offence to:

- intentionally or deliberately kill or injure any individual of such a species; or
- sell or attempt to sell any part of the species alive or dead.

APPENDIX 2 – SPECIES IDENTIFICATION SHEETS

General

Species identification sheets for reptiles and amphibians are included as separate annexes as there is the potential for some of these species to occur within construction and/or management areas. These sheets have been produced by the Reptile and Amphibian Groups UK and are freely available on the internet (<http://www.arguk.org/advice-and-guidance/view-category>).

Guidance

The species identification sheets will be discussed at the tool box talk/site meeting. It is considered that is very unlikely that any of these species will occur within the approved development footprint but if an animal is found during any construction works not supervised by an Ecologist the safe working methods detailed below should be followed.

- Stop work and if possible, identify the animal found using the identification sheets.
- Ensure that the animal is not in immediate danger (clearly mark the area in which the animal has been found, inform other site personnel of the discovery, tell the site manager).
- Phone the Ecologist for advice (contacts are included in this section) and follow their instructions.
- Amphibians are likely to need to be carefully moved by hand to a suitable safe off-site area previously identified during the tool box talk. Reptile handling should be avoided if possible, with animals encouraged to leave the affected area unaided.
- **If it is thought that a Great Crested Newt has been found on site all works must stop and the ecologist contacted. No attempt must be made by site personnel to move a Great Crested Newt.**

APPENDIX 3 - CONTACTS

In the event of an issue with any protected species on site during any stage of the works please contact the lead Ecologist. If the ecologist is not available, please work your way down the following list:

1. Simon Parker (Ecologist in charge) – 07766 088846
2. Tristan Evans – 07766 388837
3. Gareth Blockley – 07919 090295
4. Tom Lewis – 07502 891885

