



Skimmingdish Lane, Bicester
15/01012/OUT Condition 17
CEMP Biodiversity

Report reference: R-2554-03.1
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Report Title:	Skimmingdish lane, Bicester 15/01012/OUT Condition 17 CEMP Biodiversity
Report Reference:	R-2554-03
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Introduction

1. Brooks Ecological was commissioned by Albion Land to produce a CEMP (Biodiversity) to discharge Condition 17 of 15/01012/OUT.

Prior to the commencement of the development hereby approved or any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CEMP.

Definitions

Ecological Clerk of Works (ECoW)

2. ECoW: a qualified professional ecologist who will direct activities on the ground.

Biodiversity Protection Zones

3. Areas where works need to be supervised or sanctioned by the ECoW. These are defined in Figure 3 below.
 - BPZ1 Badger and Reptile mitigation measures required
 - BPZ2 Preclearance resurvey for badger setts and supervised clearance for grass snakes

Construction Activities

4. These include enabling works, site set up, demolition and remediation, vegetation and soil stripping, excavation of any type, the movement and storage of any materials and the construction of built development.

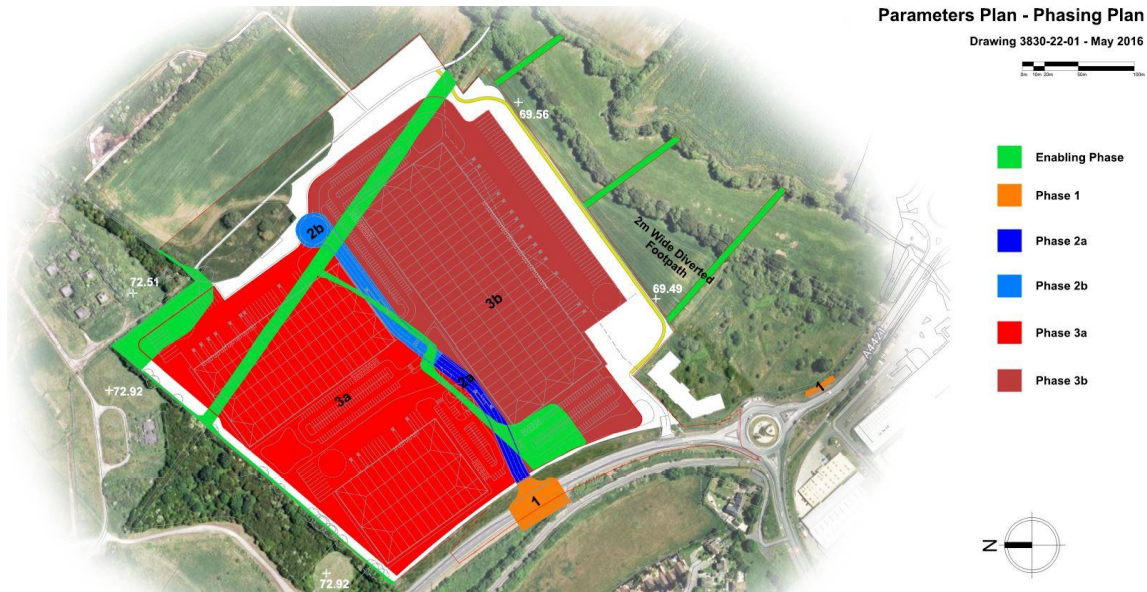
Figure 1 BPZ locations



Phasing

5. The development will be phased according to figure 2. The majority of the features of this CEMP Biodiversity relate the enabling phase highlighted in green. This relates to vegetation clearance.

Figure 1 Phasing plan



Potentially Damaging Activities

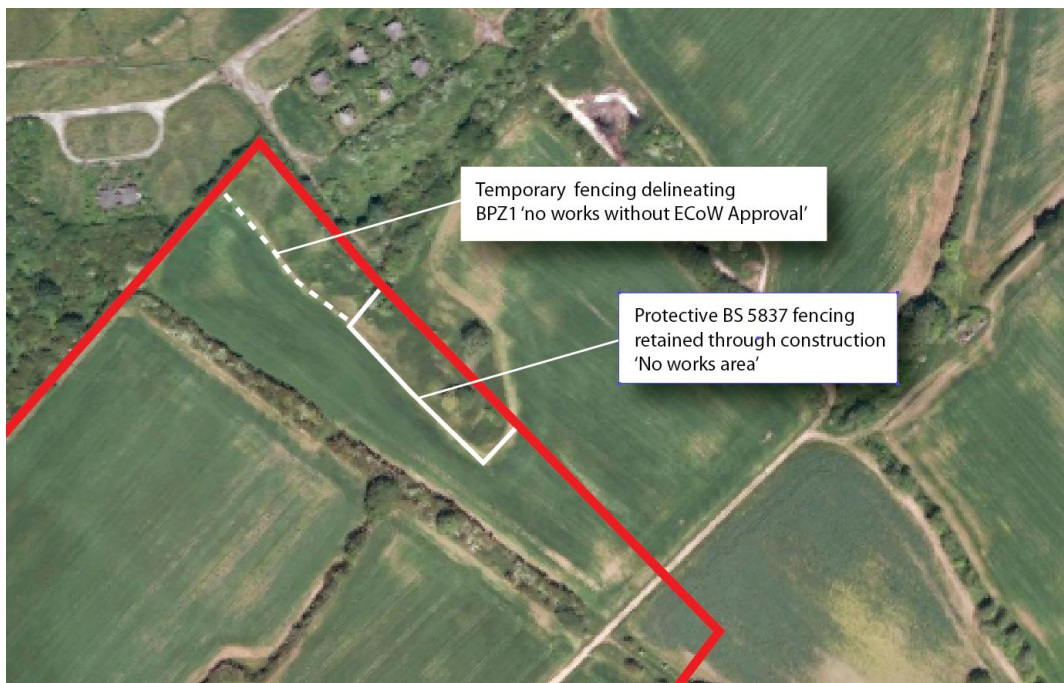
6. The following activities present a risk of offences under Wildlife and Countryside Act (1981) and the Protection of Badgers Act (1992).
 - Clearance and construction activities within the Biodiversity Protection Zones before enacting the badger or reptile mitigation strategy.
 - Clearance of the site during the bird nesting season
 - Earth moving through the phased development of the site during the bird nesting season
 - Release of surface water from the construction site. This risks pollution of Langford Brook.

Avoiding or reducing impacts during construction

Biodiversity Protection Zone 1

7. This area supports an active badger sett and common lizard.
8. Prior to site clearance the extent of works required in the BPZ will be pegged out by a surveyor to establish how much reptile habitat can be retained and establish the relationship of the development footprint with known badger setts.
9. The section of the BPZ to be retained and unaffected by development will be fenced behind BS5837 (2012) fencing and will be marked with clear signage: 'Biodiversity Protection Zone: no access or works'. This will be carried out before any construction activities commence. The fence will remain *in situ* through the construction period and be removed after threatening construction activities have ceased, prior to occupation.
10. The section of BPZ to be developed will be marked initially with temporary fencing to delineate it as a no works without ECoW approval area.

Figure 2 BPZ1 detail



Pre-clearance badger survey

11. Prior to clearance an updating badger survey will be carried out as per clause 3 of the badger mitigation strategy in report R-2554-01 (Condition 20). Any Setts found will be subject to the procedures set out in Box 1 page 9 of the Badger Mitigation Strategy R-2554-01.

Lizards

12. Prior to October the section of BPZ1 marked with temporary fencing will be subject to ECoW supervised directional strimming starting from the south to usher lizards into retained suitable habitat to the north. The strimming team will follow the direct orders of the ECoW who will carry out fingertip searches of features which could act as refuges. Once the area has been cleared to the ECoW's satisfaction the soil will be scraped back to prevent the regrowth of suitable habitat and deter reptiles from re-entering. The ECoW will make a judgement as to the need for reptile deterring fencing to guard further against the risk of them reentering the construction zone.

Badger fencing

13. Once the construction zone is identified and reptiles have been excluded badger deterring fencing as per figure 7 page 10 of the Badger Mitigation Strategy R-2554-01 will be installed and approved by the ECoW.

BPZ 2

14. This area supports grass snake and disused badger setts.

Pre-clearance badger survey

15. Prior to clearance an updating badger survey will be carried out as per clause 3 of the badger mitigation strategy in report R-2554-01 (Condition 20).
16. Any Setts found will be subject to the procedures set out in Box 1 page 9 of the Badger Mitigation Strategy R-2554-01.

Grass snakes

17. Vegetation will be removed under the direction of the ECoW in September after the bird nesting season but before snake hibernation. Clearance will start from the South and moving north as per figure 3. This will encourage snakes to safely flee into retained habitat in the North west and north east. The ECoW will be

present to ensure snakes are not harmed and if any are found during clearance they will be captured and released in a safe location in BPZ1.

- Using felled timber from the site clearance the ECoW will direct the creation of reptile refuges in the retained section of the BPZ1 as per the recommendation in report R-2554-02 for Condition 21.

Figure 3 Directional clearance for grass snake



Nesting bird Strategy

19. Under the terms of Condition 19 any clearance of trees or hedges required to be carried out during the nesting season will be carried out only following a nesting bird survey and only following the advice of the ECoW. Any nests found or suspected will be protected until it can be demonstrated that the nest is no longer used.
20. During the phased construction it is possible that areas currently not favored as nesting habitat will become more attractive to ground nesting birds such as Skylark. At least 1 month prior to the commencement of each nesting season during the site's phased construction, the ECoW will assess the risk of nesting occurring in the parcel programmed for works during the coming season. Where it is evident that nesting could occur the ECoW will advise the developer/contractor of methods to be put in place to reduce the risk of nesting. This could include cultivation or the use of bird scarers etc.

Construction Lighting

21. The site compound is the most likely source of lighting during construction, with lighting being likely to be used in the morning and late afternoon in the winter periods only. To prevent lighting and disturbance from the compound affecting wildlife it will not be allowed to cast more than 5 lux into the retained portion of BPZ1.

Contamination of Langford Brook

22. The risk of contamination of Langford Brook is low due to the paucity of connecting ditches and the presence of wide areas of buffering habitat between the development site and the Brook. However the risk will be minimized by implementing the main contractor's CEMP. This will be focused around the identification of dedicated bunded fueling and storage areas, testing of exposed and imported materials for contamination and use of silt containment structures or devices.

Responsible persons and lines of communication

23. Prior to any works commencing the Developer or Main Contractor will appoint an ECoW. The appointed ECoW will then meet with the Construction Manager to ensure that the CEMP (Biodiversity) is understood and works are programmed accordingly. The ECoW will meet the appointed Site Manager prior to their commencement of duties. If either Manager changes during the project the ECoW will be informed and will check again that the CEMP (Biodiversity) is understood by new personnel.
24. Posters will be displayed in welfare facilities warning of the presence of Protected Species and BPZ's. The nominated ECoW's contact details will be on the posters.
25. BPZ fencing will be clearly recognizable by signage.

Timetable

Activity	J	F	M	A	M	J	J	A	S	O	N	D
2016												
Appoint ECoW												
Peg out development area in BPZ1												
Pre-clearance Badger survey												
Badger sett license application if needed												
Sett closure if needed												
Install Fence to BPZ1												
Vegetation clearance BPZ1 and BPZ 2												
Badger deterring fencing installed												
2017												
Pre-season nesting bird habitat assessment												
Measures to mitigate risk												
Badger Sett closure if needed												
2018												
Pre-season nesting bird habitat assessment												
Measures to mitigate risk												