CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (ECOLOGY)

WHADDON SOLAR, TROWBRIDGE, WILTSHIRE

prepared by

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commissioned by

PEGASUS GROUP

on behalf of

BSR ENERGY

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The information, data and advice which has been prepared and provided is true, and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management's (CIEEM) Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions. This report and its contents remain the property of Clarkson and Woods Ltd. until payment has been made in full.

1 INTRODUCTION

1.1.1 Clarkson and Woods Ltd. were commissioned by Pegasus Group on behalf of BSR Energy to prepare a Construction Environmental Management Plan (Ecology) (CEMP (Ecology) hereafter) to inform discharge of Planning Condition 9 relating to planning decision Reference: PL/2021/03061, which states:

CONDITION 9:

No development hereby permitted shall commence until details of all ground works/excavation, site clearance, vegetation clearance, boundary treatment works, and a Construction Environmental Management Plan (CEMP) have been submitted to and approved in writing by the local planning authority. The CEMP shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

The CEMP shall explain how the construction works will be managed to avoid impacts and how compliance will be achieved on site. A marked-up plan must be included showing all protection measures and highlighting sensitive zones.

The CEMP must identify a suitably qualified Ecological Clerk of Works (ECoW) who will oversee the construction works in relation to ecology with particular emphasis on:

- *Update of surveys as required prior to start of works where relevant, e.g. otter, reptiles, breeding birds*
- *Erection of the perimeter fence*
- *Location of the site compound to avoid all sensitive retained habitat areas*
- *Root Protection Zones for trees*
- *Protection zones around trees and hedgerows and a plan showing that all trees and hedgerows will be fenced off and protected before construction starts*
- *Regular, documented inspections of all buffer zones to check protective fencing and that these areas are kept clear of all construction vehicles, machinery and materials*

The CEMP shall make provision for the protection of all wildlife identified as present or likely to be present within a zone of influence and will implement the precautionary principle at all times.

The development shall be carried out in strict accordance with the approved CEMP.

REASON:

To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

1.2 Scope

1.2.1 This CEMP (Ecology) sets out a series of method statements to be followed during construction of the solar farm to ensure that habitats and species are adequately protected and wildlife legislation is not breached.

1.2.2 This CEMP (Ecology) covers ecological aspects only and should be read in conjunction with other relevant CEMP documents.

1.2.3 The Plan provided in Appendix A illustrates where mitigation measures will be implemented and where Biodiversity Protection Zones are located.

1.2.4 This CEMP (Ecology) follows the guidelines set out within the Biodiversity – Code of Practice for Planning and Development, British Standard 42020:2013.

2 RESPONSIBLE PERSONNEL & LINES OF COMMUNICATION

2.1.1 BSR Energy are to be responsible for the implementation of this CEMP (Ecology) during the construction phase of the site and shall ensure that the party responsible for construction of the site is enacting the measures detailed in this CEMP.

2.1.2 BSR Energy shall liaise with the Ecological Clerk of Works (ECoW) to commission and arrange an ecologist's input or site attendance, where required.

2.1.3 Should management responsibilities of the site change, new personnel will be made aware of and action this CEMP (Ecology).

2.2 Contact Details

Asset Owner	BSR Energy	Katie Whitty	35 and 35a The Maltings Lower Charlton Trading Estate, Shepton Mallet, Somerset,BA4 5QE United Kingdom	Katie.Whitty@bsrenergy.com 01458 224900
O & M	TBC	TBC	TBC	TBC
Landscape Maintenance Contractor	TBC	TBC	TBC	TBC
ECoW	Clarkson & Woods	Adèle Remazeilles	Overbrook Business Centre Poolbridge Road, Blackford Somerset BS28 4PA	adele@clarksonwoods.co.uk 01934 712500

3 WORK SCHEDULE

3.1.1 An accurate work schedule will be prepared once the EPC contractor has been appointed.

3.1.2 Works will be limited to working hours between 7:00am and 6:30pm Monday to Friday and 8am to 12:30pm on Saturday. No works will take place on Sundays or Bank Holidays.

4 BIODIVERSITY WORKING METHOD STATEMENTS

4.1.1 Adherence to the method statements detailed below will ensure that construction activities remain legally compliant and follow best practice measures relating to biodiversity.

4.1.2 The method statements below have been set out in discrete sections to allow them to be extracted and passed on to relevant contractors or filed/placed on a notice board on site, if required.

4.1.3 A plan showing where mitigation measures are required is shown in Appendix A.

METHOD STATEMENT No.1:
Biodiversity Protection Zone (BPZ) Fencing

Project Name	Whaddon Solar
Personnel Required	Construction Company / ECoW
Description of Work	BPZs to be maintained through provision of fencing according to BS 5837: 2012
Purpose	To ensure impacts on habitats and species are avoided as far as possible during construction works

The BPZs will prevent construction activities from resulting in physical damage to areas of sensitive habitat and species outside of the construction area. BPZs will be delineated by appropriate fencing for each habitat type/ feature to be protected, as detailed in the table below.

The BPZs encompass the minimum area required for the root protection areas (RPAs) as specified within the Tree, Retention, Removal and Protection Plan, BHA_789_01, as submitted and approved and shown in Appendix B.

Fencing will be in accordance with British Standard 5837: 2012 Trees in relation to design, demolition and construction – Recommendations and will be marked with weather-proof signage (minimum A4 size) stating "Biodiversity Protection Zone – Keep Out".

The fencing will be installed in accordance with Appendix A, prior to the commencement of ground works. Temporary fencing will remain in place until the development is completed and all site machinery and materials removed from site. No site personnel or machinery shall enter the BPZs and no equipment will be stored therein for the duration of construction.

A temporary off-site drop-off compound for delivery of materials, will be constructed on land to the east of the Site within a field that is currently cropland bordered with a strip of Modified Grassland, which were of limited ecological value. Another field site to the south of the Kennet and Avon Canal will be used as a drop-off compound to avoid the use of the canal bridge by heavy vehicles. Following completion of development, the compound areas will be decommissioned and restored back to arable agricultural use.

The maintenance of the BPZs and condition of fencing will be inspected by an ECoW on installation to ensure it complies with the correct specification and is installed in the correct locations. Thereafter the fencing will be subject to regular checks by the ECoW as per Method Statement 6. However, it will be the responsibility of the site manager to ensure the fence is appropriately maintained throughout the construction phase.

Reporting Requirements	Ecological Inspection Proforma (EIP) to be provided to BSR Energy as evidence of completion of work. EIP to be retained as evidence of installation of fencing as per the CEMP. As per Planning Condition 10, a compliance report, containing details of compliance works and photographic evidence, will be submitted to the LPA within three months of completion of construction.

Feature	BPZ Minimum Specification	Fencing Type
Hedgerows – core bat habitat	17.5m minimum from hedgerow centre line	Security fencing or Temporary Heras/ similar
Hedgerows – non core bat habitat	7.5m minimum from hedgerow centre line	Security fencing or Temporary Heras/ similar
River Avon	30m from banks	Security fencing
Ditches	7.5m minimum from top of bank	Temporary Heras/ similar
Badger sett	10m from sett entrance	Temporary Heras/ similar

Ground-nesting bird nest	50m around nest	Temporary Heras/ similar
Other bird nest	4m around nest	Temporary Heras/ similar

METHOD STATEMENT No.2: Protection of Nesting Birds	
Project Name	Whaddon Solar
Personnel Required	Construction Company / ECoW
Description of Work	Open habitats within the construction zone will be maintained as unsuitable for nesting birds prior to construction commencing. Thereafter, any open or hedgerow habitat which remains suitable for nesting birds will first be inspected by an ecologist, if these habitats are to be impacted during the nesting season.
Purpose	To avoid harm to nesting birds, their eggs and young.

Maintenance of Unsuitability of Open Habitats for Nesting

After the last harvest of crops prior to construction commencing, open habitats will be cut to ground level after 31st August and before 1st March to discourage nesting within the following nesting season. Habitats will be regularly rolled and flattened (at least weekly) thereafter to maintain them as unsuitable for nesting.

Nesting Bird Inspections

During the construction phase, any removal of vegetation that is suitable for nesting, including hedgerow and open areas, which have not been maintained as unsuitable through the measures detailed above, should ideally be conducted outside the bird nesting season (which is usually March to August but variable dependent on climate).

However, in the event works are required during this period, an inspection to confirm the absence of nesting birds must first be carried out by a suitably experienced ecologist (or the ECoW) to ensure that offences relating to nesting birds are not committed.

Open Field

If suitable habitats remain during the nesting season (vegetation >100mm), an experienced ecologist will conduct a walkover survey within three days prior to construction commencing to check for nests within the open field. If no nests are found, the habitats should be cut short to maintain them as unsuitable for nesting within three days of the survey. This include the land where the temporary construction compounds are located.

Woody Vegetation

A check of any hedgerow or scrub for nesting birds must be carried out no more than 48 hours prior to their removal.

General

If an active nest is found, a suitable exclusion zone (to be determined by the ecologist but minimum 50m for nests in open habitats and 4m for other nests) will be instigated around the nest to protect it until completion of nesting. The exclusion zone will be demarcated by barrier tape or appropriate temporary fencing (e.g. High Visibility Netlon or Heras) along with notices informing site staff that the excluded area must not be disturbed. A brief proforma report will be issued to the site manager/foreman immediately following the inspection which will detail the findings, any constraints, and confirmation of actions required.

The ecologist will monitor the nest periodically and determine when the chicks have fledged so the exclusion zone can be removed. In the unlikely instance that an active bird nest is subsequently identified during site clearance in the absence of an ecologist, activity must cease immediately and advice sought from the ECoW.

Reporting Requirements	ECoW to provide summary report of findings and confirmation that buffers can be achieved. As per Planning Condition 10, a compliance report, containing details of compliance works and photographic evidence, will be submitted to the LPA within three months of completion of construction.

METHOD STATEMENT No.3: Protection of Other Species

Project Name	Whaddon Solar
Personnel Required	Construction Company / ECoW
Description of Work	Protection of species known or likely to be present on the site
Purpose	To ensure that wildlife legislation is not contravened.

Badgers

Badger setts are known to be present within the site and the site fencing is located at least 10m from these setts to ensure that they are protected during construction works.

An update badger survey will be carried out within four weeks of construction commencing. This will cover the entire site plus a 10m buffer around the site boundary. All existing setts will be checked and a search made for new setts which may have been excavated.

Where setts are located close to the construction site, a 10 to 20m buffer (depending on the sett status) will be demarcated by the ECoW with posts and flagging and these buffers discussed with the site manager. The installation of security fencing will need to ensure that the 10-20m buffer is maintained. No significant changes in the positioning of the security fencing are anticipated, however, where security fencing requires installation within 10-20m of a newly identified sett, a method of working will be supplied by the ecologist which may involve supervision of installation of fencing, use of hand tools only or possibly a slight change to the positioning of the fence.

Reptiles

As shown in Appendix A, the area of marshy grassland including a pond (where a grass snake has been recorded) in the north of the site, will be fenced off prior to construction commencing through the installation of security fencing. This will ensure habitat suitable for reptiles is protected.

Bats

All hedgerows and trees will be fenced off using either security or stock proof fencing prior to construction commencing (see Appendix A). This will ensure that trees and hedgerows which may be used by bats and birds are maintained and protected as part of the Biodiversity Protection Zone (see MS1).

As per Planning Condition 12, no lighting is to be installed during the construction phase of the development, unless a detailed lighting plan including exact details of any proposed lighting and their locations have been submitted to and approved inviting by the local planning authority.

Otter and Water Vole

The construction area will be fenced prior to construction commencing with fencing (both security and stock-proof) located at least 7.5m from ditches and 30m from River Avon. This will ensure that both otter and water vole, if present, are not impacted. In addition, pollution prevention measures outlined in MS5 will ensure these habitats are not impacted by pollution or runoff.

Other Notable Species

Gaps will be allowed under the security fencing of at least 30cm high and 30cm wide to ensure species such as hedgehog and brown hare can access. These gaps will be provided at all field corners. The gaps may be present due to natural undulations in the ground but where these are not present, reinforced gaps in the fencing will need to be provided. The hedgerows and field margins, where amphibians may be present, will be protected through the installation of the security fencing prior to construction commencing.

Reporting Requirements	ECoW to provide summary report of findings and confirmation that buffers can be achieved.

	As per Planning Condition 10, a compliance report, containing details of compliance works and photographic evidence, will be submitted to the LPA within three months of completion of construction.

METHOD STATEMENT No.4: Toolbox Talk	
Project Name	Whaddon Solar
Personnel Required	Construction Company/ECoW
Description of Work	Toolbox talk to be delivered regarding ecological constraints.
Purpose	To ensure species and retained habitats are protected during construction and site personnel are aware of their responsibilities in this regard.

Prior to the commencement of works on site a toolbox talk will be provided by the ECoW to the site manager and contractors. The toolbox talk will include details of this CEMP (Ecology) and all relevant method statements, highlighting ecological features within the site. It will detail protection measures required during construction, methods to avoid harm, the role of the ECoW and site personnel during clearance works, and what to do if an animal is found during works.

A check of the BPZ fencing will also be conducted to ensure that it is adequately installed.

In the event a change in personnel on the site occurs during construction and a new site manager is appointed, the toolbox talk will need to be provided to them by the appointed ECoW. The site manager will be responsible for relaying information within the toolbox talk to all site staff during their initial site inductions.

Reporting Requirements	ECoW to log the toolbox talk and confirm in writing that it has taken place. Site manager to keep a log to ensure all contractors have received the toolbox talk. As per Planning Condition 10, a compliance report, containing details of compliance works and photographic evidence, will be submitted to the LPA within three months of completion of construction.

METHOD STATEMENT No.5:
Pollution Prevention

Project Name	Whaddon Solar
Personnel Required	Construction Company
Description of Work	Pollution Prevention Measures
Purpose	To ensure impacts on habitats and species are avoided as far as possible during construction works

To avoid pollution incidents which may impact the retained and bordering habitats (including an area of marshy grassland, which may be an important habitat for plants, birds and invertebrates), measures for to prevent pollution incidents including the safe storage of chemicals and materials shall be implemented.

Any potential contaminants (fuel, oils and chemicals) used during construction will be stored in designated compounds on an impermeable surface, at least 15m from any waterbody. These will be securely locked away when not in use.

Appropriate pollution control measures will be employed in accordance with those outlined in the NetRegs document Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water (February 2018). Although not endorsed by the Environment Agency in England (as the EA do not currently provide good practice guidelines following the withdraw of Pollution Prevention Guidelines (PPG) 5), measures in this document (accessed at: http://www.netregs.org.uk/media/1418/gpp-5-works-and-maintenance-in-or-near-water.pdf) should nevertheless be followed in order to prevent pollution of the nearby waterbodies and ensure any pollution events are dealt with swiftly.

A spill kit must be kept on site with sand, earth or commercial products for the containment of fuel and other material spillages. All staff will receive appropriate training in the use of these kits and are to be made aware of where the kit is stored.

In the event of a spillage of oils or chemicals resulting in contamination of waterbodies or damage to habitats, the following procedure will be adopted:

- The appropriate spill kit is to be deployed immediately and the site manager is to be informed.
- The incident is to be recorded within the site log book.
- In the event of contaminants being discharged directly to water courses, or in the event of significant spillage (in excess of 10 litres), the Environment Agency is to be contacted on the incident hotline 0800 80 70 60.

The River Avon to the north of the site and ditches adjacent to the fields will be protected through appropriate buffers (at least 30m between river and construction area and 7.5m for ditches) through the installation of security fencing prior to construction commencing. A meadow mix as prescribed in the landscape specification will be sown within the field margins of all arable fields prior to construction which will also help with pollution and sediment control. Note that different mixes are prescribed in different areas to meet ecological mitigation requirements.

The construction compounds / DNO cabin will be located at least 20m from a watercourse. No construction materials will be stored within 20m of a watercourse. Construction of these structures will be confined to dry periods where possible, with no construction taking place during extremely heavy precipitation events. Where there is a risk of silt runoff, prevention measures will be implemented in the form of sediment fencing.

Reporting Requirements	Site Manager to keep relevant documents on site and log any pollution incidents. As per Planning Condition 10, a compliance report, containing details of compliance works and photographic evidence, will be submitted to the LPA within three months of completion of construction.

METHOD STATEMENT No.6: Monitoring	
Project Name	Whaddon Solar
Personnel Required	Construction Company/ECoW
Description of Work	Periodic monitoring by the ECoW of site condition and correct implementation of Method Statements 1-5
Purpose	To ensure this CEMP (Ecology) is being adhered to and identify an issues as early as possible.

The site manager will conduct a weekly check of fences and Biodiversity Protection Zones to ensure that they are functioning as intended and that fences are intact and no material or machinery is present within the Biodiversity Protection Zones.

At the outset of construction and every one month thereafter during the construction phase, the ECoW will inspect the site to ensure the compliance with the CEMP. This will include checking the following:

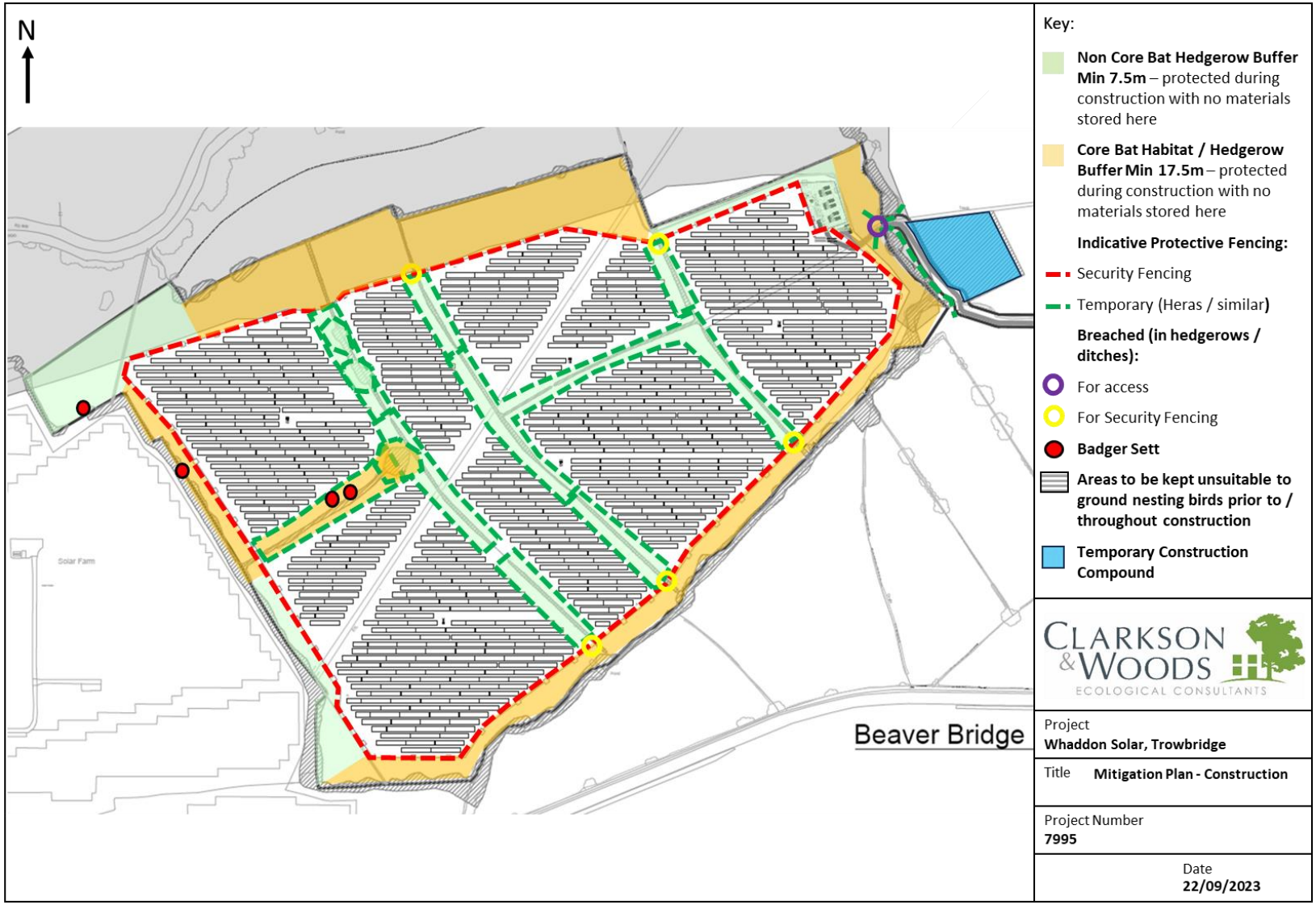
- Correct installation of fencing;
- Safeguarding of BPZs;
- Hedgerow and ditch condition;
- Implementation of precautionary site maintenance measures;

Following inspections the ECoW will discuss monitoring outcomes with the site manager and provide a written proforma of findings to BSR Energy identifying any remedial actions and timescales for actions to be implemented.

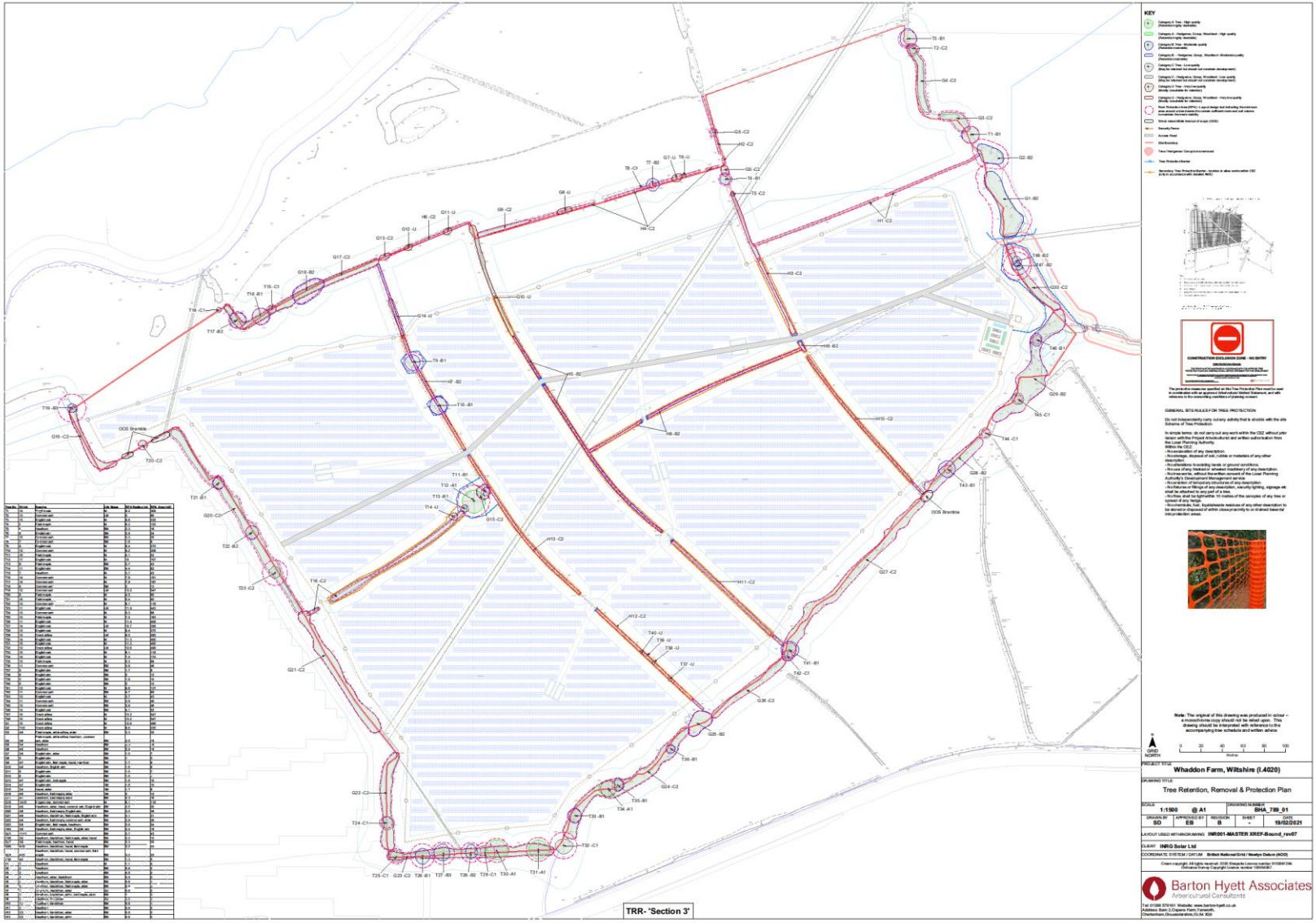
In accordance with Planning Condition 11, within three months of the end of construction period, a report to be submitted to the LPA will be prepared detailing the ecological works that have taken place in accordance with the CEMP, as confirmation that all measures detailed in the CEMP have been adhered to.

Reporting Requirements	Log of monitoring works undertaken. As per Planning Condition 10, a compliance report, containing details of compliance works and photographic evidence, will be submitted to the LPA within three months of completion of construction.

APPENDIX A: MITIGATION PLAN



APPENDIX B: TREE, RETENTION, REMOVAL AND PROTECTION PLAN, BHA_789_01



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