



Construction Environmental Management Plan: Biodiversity

Introduction

Site name

Dowker Street

Purpose of report

Ostara Ecological Services Ltd was commissioned to produce a Construction Environmental Management Plan (CEMP): Biodiversity for land off Dowker Street, Milnsbridge To satisfy Planning Condition 5.1 for the development of c.38 residential buildings. This document provides details of risk from potentially damaging construction activities on ecological features, mitigation measures to reduce impacts, the location and timings of sensitive works and responsible persons.

Planning Condition

5.1 Development shall not commence until (including demolition, ground works, vegetation clearance) a Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP: Biodiversity shall include the following:

- a. Risk assessment of potentially damaging construction activities, to be informed by an up-to-date ecological assessment.
- 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, unless otherwise agreed in writing by the Local Planning Authority.

Ecological Baseline

An Ecological Appraisal was undertaken in Ostara Ecological Services LTD undertook a baseline survey in April 2023 and updated on 25th October 2025 by Ostara Ecological Services Ltd. The site is considered suitable for a limited range of protected and priority species. A summary of those considered relevant to this CEMP: Biodiversity is provided below:

- ★ Nesting Birds



Introduction

Aim(s)

- ★ Foraging and commuting bats
- ★ Reptiles
- ★ Hedgehogs

The CEMP (Biodiversity) shall include the following:

- ★ Risk assessment of potentially damaging construction activities i.e. to retained habitats, as well as to protected and Priority species i.e. birds.
- ★ Identification of “biodiversity protection zones”.
- ★ Practical measures (both physical measures and sensitive working practices i.e. nesting bird checks and protection of the River.
- ★ 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 and lines of communication.
- ★ The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- ★ Use of protective fences, exclusion barriers and warning signs.

Development proposal

Development of c.38 residential buildings with associated infrastructure and soft landscaping.

Location

Land at Dowker Street, Quarmby, Milnsbridge, Kirklees, West Yorkshire, England, HD3. Ordnance Survey Grid Reference SE 11615 16068.

Legislation

Birds

All birds, their nests and eggs are protected by law, under the Wildlife and Countryside Act (WCA) 1981 (as amended) constituting that it is an offence to:

- ★ Intentionally kill, injure or take any wild bird;
- ★ Intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built;
- ★ Intentionally take or destroy the egg of any wild bird;
- ★ Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.



Legislation

Reptiles

Prosecution under the WCA 1981 (as amended) in respect of a single bird, nest or egg can lead to a fine of up to £5,000 and/or six months imprisonment.

All native UK reptile species (such as the Slow-worm, Common Lizard, Grass Snake, and Adder) are protected under the Wildlife and Countryside Act 1981 (as amended). For these widespread species, it is an offence to:

- ★ Intentionally kill or injure any individual;
- ★ Sell, offer for sale, or transport for sale any individual (dead or alive) or any part of one.

Hedgehogs

Hedgehogs are listed under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended). This provides them with specific protections beyond general animal welfare. It is an offence to:

- ★ Kill or capture them using certain prohibited methods (such as snares, traps, or nets);
- ★ Intentionally kill, take, or injure them (under the Wild Mammals Protection Act 1996, which prohibits cruel acts like crushing or burning).

While their nests are not protected by the same "in-use" laws as birds, hedgehogs are a Priority Species under the UK Biodiversity Action Plan, meaning local authorities have a duty to consider them during the planning and development process.



Risk Assessment of Potentially Damaging Construction Activities

Intro

In order to categorise the site according to ecological risks and to identify areas where certain construction activities are prohibited or restricted, a traffic light system will be implemented. The site has been divided into Red, Orange and Green Biodiversity Protection Zones, with Red Zones being those areas with highest risk severity. Failure to adhere to the constraints associated with a particular zone is likely to result in a breach of the legislation.

- ★ **Red Zone:** Works within the Red Zone are not permitted until appropriate mitigation has been delivered.
- ★ **Orange Zone:** Works within the Orange Zone will need to be undertaken following approval by the Ecological Clerk of Works only (and maybe time limited)
- ★ **Green Zone:** Work within the green zone can be undertaken without ecological supervision but following prescribed construction control measures.

Potential Impacts	Pre-Construction Phase	Construction Phase	Post Construction	Action / Mitigation	Monitoring	Person Responsible
Bats (foraging / commuting)	Installation of protective fencing along site boundary.	Protection of all potential foraging and commuting corridors as above. Ensure lighting directed away from boundary habitats.	Ensure a Sensitive lighting strategy is included within the site's electrical/lighting plan	Avoid working at night time.	Site lighting during the construction phase will be kept to a minimum at night. No night works, any site lighting directed away from boundary habitats.	Weekly checks of protective fencing by the ECoW / biodiversity champion Reports and records kept by Biodiversity Champion.
Birds	Nesting bird checks in any	Monitoring of active nests		Suitable bird nesting habitat clearance should be undertaken outside of the bird nesting season	Toolbox talk on bird to be delivered by	Main Contractor /



Risk Assessment of Potentially Damaging Construction Activities

	vegetation to be cleared (within 48hrs of planned clearance) (March – August inclusive) by ECoW.	before removal (if applicable). Survey of vegetation before removal.		(indicatively March to August inclusive). Where clearance of habitat is not possible outside of the breeding bird season, all areas to be affected will be checked for evidence of nesting birds by ECoW. The check will be undertaken a maximum of 24-48 hours prior to the vegetation removal taking place. If any active bird nests are discovered these will be cordoned off with a buffer of at least 5m (this may increase depending on the species, proposed works and location) where no potentially disturbing works will take place. The buffer will remain in place until the young have fledged and the nest vacated. Upon fledging, a second nesting bird check would then be undertaken to ensure the vegetation does not contain any further active nests prior to felling or removal works taking place. Measures will be taken to conserve and protect retained trees, shrub and hedgerow habitat which provide a nesting resource for birds. This will include the installation of protective fencing in line with BS5837:2012.	Biodiversity Champion / ECoW to construction workers. Regular monitoring checks by ECoW of any active nests identified. Reports and records kept by Biodiversity Champion.	ECoW
Reptiles	Identification of any potential hibernacula (e.g., log piles, rubble, or dense scrub).	Directional vegetation clearance to allow animals to move into boundary habitats.	Maintenance of site boundaries to ensure connectivity to neighboring gardens/green space.	Hand-search any rubble/log piles before removal.	Daily walkover of the working area by the Biodiversity Champion before heavy machinery starts.	Biodiversity Champion / ECoW
Hedgehogs	Check for existing nesting sites in dense	Protection from entrapment in excavations.	Provision of "Hedgehog Highways" (13cm	Any trenches left open overnight must have a wooden ramp or sloped end to allow escape. Materials stored on pallets to prevent nesting.	Weekly inspection of all open excavations and checking of "Hedgehog	Biodiversity Champion / Site Manager



Risk Assessment of Potentially Damaging Construction Activities

	vegetation or debris.	Prevention of injury from site clearance.	x 13cm gaps) in any new boundary fencing.		Highway" gaps during fence installation.	
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Summary of risk on protected receptors with mitigation

Receptor	Risk without mitigation	Risk severity without mitigation	Zone	Mitigation	Risk severity with mitigation	Timing of mitigation
Birds	Disturb/damage/destroy active nests and eggs/chicks	Moderate	Orange	Habitat clearance to be undertaken under the supervision of an ECoW during the nesting season.	Negligible	March to August inclusive
Bats	Disruption commuting/foraging of routes by lighting		Orange	Sensitive lighting strategy targeted at retained trees, and adjacent river habitat likely to be used by bats for foraging/commuting. Retention of boundary habitats.	Negligible	All year round
Reptiles	Accidental killing or injury during site clearance and soil stripping.		Orange	hand-search of any log/rubble piles prior to removal.	Negligible	March to October (active season)
Hedgehogs	Injury during clearance; entrapment in open trenches; loss of habitat connectivity.		Orange	Check dense scrub by hand before clearance. Ramp installation in all open trenches. Inclusion of 13cm x 13cm "Hedgehog Highways" in new fencing.	Negligible	Year-round (Hibernation: Nov–March)



Orange Zones

- ★ Any vegetation to be removed should be done so in order to avoid the breeding bird season (March-August inclusive) if this cannot be achieved, works will be immediately preceded (up to 24-48 hours prior) by a check by an ECoW for nesting birds. Any active nests will be given a suitable buffer, with vegetation retained within the buffer until the chicks have fledged;
- ★ Night time lighting will be avoided where possible; and
- ★ Precautionary measures during construction to protect notable species on site.

In general for Orange Zones:

- ★ All trenches and excavations will be covered at night and as a precaution they should have a scaffold plank left in them as a ramp to allow mammals to escape should they fall in;
- ★ All chemicals will be stored on site in sealed compounds;
- ★ All equipment and fuels will be stored as far as reasonably possible from water bodies and habitat corridors; and
- ★ All protection and exclusion fencing will be maintained throughout the construction period.

Responsibilities

The overall responsibility for implementing this CEMP: Biodiversity will be by the principal contractor or third party that is suitably qualified to undertake the works.

A suitably qualified ecologist (SQE) will perform an ECoW role during the entire construction period in order to ensure the delivery of the CEMP: Biodiversity, where required. The ECoW will also perform an essential role in dealing with 'on the ground' and unforeseen issues and provide changes to this document and/or working practises (agreed consent from LPA may also be required). The ECoW will ensure contractors have the required onsite expertise and information to provide ecological briefing and/ or information so all construction staff are fully aware of their responsibilities on site.

The ECoW will also provide a report to chart the proposed and actual delivery of the CEMP; this report will ensure transparency and accountability.

The ECoW will provide ecological briefings and/ or information so all construction and maintenance staff are fully aware of their responsibilities on site. In summary the ECoW will:

- ★ Oversee activities within the Red and Orange Zones.

ECoW



Responsibilities

- ★ Supervise ecological method statement and document (for e.g., CEMP: Biodiversity) compliance and report any non-conformities to the Construction Manager for rectification.
- ★ Provide specialist advice and/ or briefings (such as toolbox talks) to ensure all construction workers are aware of ecological constraints and responsibilities.
- ★ Provide specialist advice as necessary.
- ★ Resolve unforeseen 'on the ground' issues in liaison with the lead project manager and/ or make iterations to this document (agreed consent from LPA may also be required).
- ★ Undertake monthly site visits recording activities and observations submitted to the Construction Manager.
- ★ Produce quarterly reports to chart proposed and actual delivery of CEMP objectives (submitted to LPA where necessary) through the construction phase.

Biodiversity Champion

It is recommended that a Biodiversity Champion is selected for the construction phase of the development. The Biodiversity Champion should be someone with significant influence during construction, such as the area manager. The Biodiversity Champion is responsible for ensuring all actions outlined in this report. Any queries with regards to the mitigation prescriptions should be addressed to the project ecologist and communication should be retained between the Biodiversity Champion and the project ecologist.

Project Team

The construction project team will comprise the Construction Site Manager and ECoW:

Proposed Team Member	Project	Specialism and Role	Experience Required
Construction Manager	Site	Oversees implementation of CEMP. Overall H&S responsibility	Construction site project management.
ECoW		Manages day to day delivery of CEMP within construction phases. Undertaking provision of advice to contractors and carrying out specialist ecological surveys i.e nesting bird checks.	Experience of project management, organisation of surveyors. Relevant protected species and habitats survey skills. Natural England licensing experience.



Construction Standards

General Standards

All maintenance and management operations and materials should comply with relevant legislation for which details will be outlined within the Site Wide CEMP.

All works should be completed at an appropriate time of year and in accordance with relevant UK wildlife legislation.

Site Inductions / Toolbox Talks

All personnel on site will receive a site induction prior to commencing any work activities. The site induction will highlight key issues, operations, times of year and areas in relation to ecology. The induction will include:

- ★ Awareness of the Ecological Orange Zones maps;
- ★ Protected species method statements;
- ★ Reporting hierarchy.

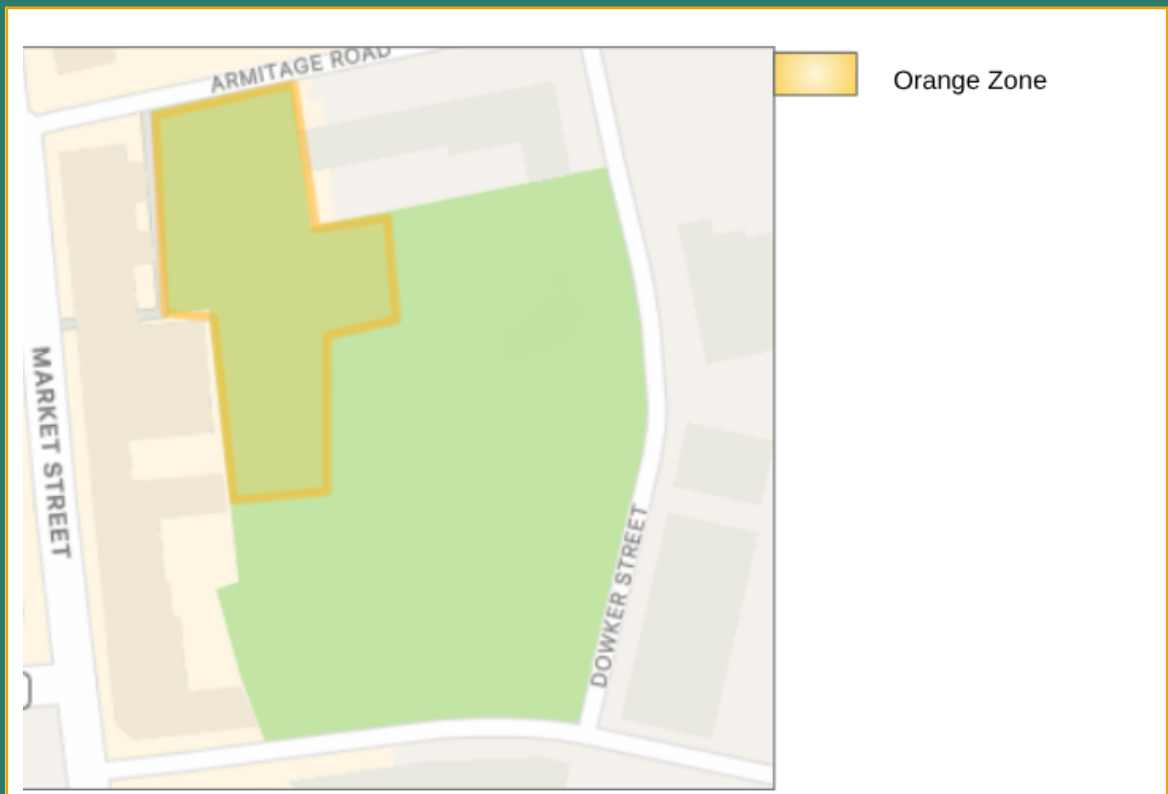
Where sensitive habitats or species are located within or close to construction areas, then relevant toolbox talks may be required to advise staff of any sensitive species present.

Progress Report(s)

Where required the Construction Site Manager (in consultation with the ECoW) will produce a monthly report based on the record sheets, highlighting any issues raised during the programme, where required. Works in future phases may not require monthly record sheets to be provided.



Biodiversity Protection Zones



References

- ★ British Standards Institute (2013) Biodiversity – Code of Practice for Planning and Development. BS 42020:2013.
- ★ CIEEM (2017) Guidelines for Preliminary Ecological Appraisal, 2nd Edition. Chartered Institute of Ecological and Environmental Management, Winchester.
- ★ CIRIA (2015) Environmental good practice on site guide, 4th Edition. Construction Industry Research and Information Association, London.