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Land off Primrose Lane, Hightown, Liversedge

Jones Homes (Yorkshire) Ltd.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

Report Reference Number: FE721/CEMP01

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1.0 INTRODUCTION

1.1 The following report has been prepared by Futures Ecology Ltd. on behalf of Jones Homes (Yorkshire) Ltd. To discharge condition 13 of planning permission 2023/62/91116/E from Kriklees Council for a residential development at land off Primrose Lane, Hightown, Liversedge, West Yorkshire, WF15 6QY (Grid reference: SE 19695 24112), this will hereafter be referred to as the 'Site'.

SITE LOCATION AND CONTEXT

1.2 The Site is approximately 3.1ha and situated on the edge of Liversedge c. 1.5km west of Heckmondwike in West Yorkshire. The Site comprises poor semi-improved grassland, tall ruderal vegetation, bramble *Rubus fruticosus* agg. scrub, broadleaved woodland, trees and a native hedgerow on the western boundary.

DEVELOPMENT PROPOSALS

1.3 The development proposals comprise the erection of 77 dwellings and associated access.

PLANNING

1.4 Planning permission reference: 2023/62/91116/E from Kirklees Council has been granted for the Site. Condition 13 states:

"Development (including demolition, ground works, vegetation clearance) shall not commence until 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:

- *Risk assessment of potentially damaging construction activities, to be informed by an up-to-date ecological assessment;*
- *Identification of "biodiversity protection zones";*
- *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);*
- *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; and*
- *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.

***Reason**: To ensure avoidance of impacts to protected and priority species in order to prevent significant ecological harm in accordance with Policy LP30 of the Kirklees Local Plan.*

This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging operations associated to the construction phase."

BACKGROUND

1.5 Ecological reporting in relation to this Site has been submitted as part of the full planning application and includes:

- Applied Ecological Services (AES-LTD), Ecological Appraisal with Impact Assessment (EcIA), January 2024
- Applied Ecological Services (AES-LTD), Bat Survey Report, April 2023;
- Applied Ecological Services (AES-LTD), Breeding Bird Surveys 2022, April 2023; and
- Applied Ecological Services (AES-LTD), Biodiversity Metric 3.0, January 2024 (metric version 3).

1.6 These documents have been utilised to inform this CEMP of the Important Ecological Features (IEF's) in conjunction with an updated walkover.

2.0 METHODS

PERSONNEL

2.1 B. Forbes MSc BSc (Hons) conducted the updated walkover. B. Forbes has 2 years' experience of conducting field surveys for protected species across a wide range of sites.

SITE WALKOVER

2.2 An updated walkover of the Site was undertaken on the 1st July 2026. This included an updated assessment of the on-Site habitats to establish any changes during the interim period as well as identifying and potential constraints for example from protected species or from the presence of invasive species listed on Schedule 9, Section 14 of the Wildlife and Countryside Act 1981 (*as amended)*.

3.0 IMPORTANT ECOLOGICAL FEATURES & RISK ASSESSMENT

3.1 Table 1 below considers the important ecological features within the Site that are sensitive to construction activities and identifies the potential risks to them as a result of construction works.

Table 1 - Assessment of Risk to Important Ecological Features (IEFs)

Important Ecological Feature	Legislation / Policy	Risk Assessment	Mitigation / Protective measures
Habitats of Principal Importance (HPI) / Kirklees Wildlife Habitat Network (KWHN)	Natural Environment and Rural Communities Act 2006[1], Kirklees Local Plan[2]	Woodland within the north of the Site is designated as Deciduous Woodland HPI and is within the Kirklees Wildlife Habitat Network. The native hedgerow on the western boundary of Site also represents a HPI. Risk of damage via accidental physical damage, dust deposition or pollution event. Temporary impact potentially leading to damage/ degradation of habitats. Direct lighting of these habitats could also lead to crepuscular / nocturnal species avoiding these habitats during the construction phase.	**Protective Fencing / Buffer Zones** Impacts to retained habitats (woodland and native hedgerow, H1) within the Site will be minimised through the erection of protective fencing (herras or other suitable fencing), exclusion zones and creation of biodiversity protection zones. Signs will also be erected in these areas, to make any workers on-site aware and prevent unauthorised access (Appendix B). Following the update walkover on July 1st 2026, two trees were identified to have potential features suitable for roosting bats within the retained woodland (see Figure 1). All trees with bat roosting potential will be protected by fencing around the woodland. The biodiversity protection zones (Figure 1) must also follow the Root Protection Areas (RPA) for trees / hedgerows as per the Arboricultural Impact Assessment (JCA Limited, 2024)[3] . These areas must extend outside the canopy of the retained trees and remain in position until construction is complete. These will be advised by the arborist and be in accordance with current best practice and guidelines (BS5837:2012 Trees in Relation to Construction). The fencing will be located so that it prevents any inadvertent damage to these habitats throughout the

[1] Natural Environment and Rural Communities Act 2006
[2] Kirklees Local Plan Strategy and Policies
[3] *Arboricultural Impact Assessment at: Land at Primrose Lane, Liversedge, West Yorkshire. JCA Ref: 21600-E/AJB*

Important Ecological Feature	Legislation / Policy	Risk Assessment	Mitigation / Protective measures
			construction, particularly in locations where vegetation is to be removed or during works close to retained habitats. No temporary storage of materials, construction of haul routes, or site machinery would be sited within retained habitats, the biodiversity protection zones or outside of the Site boundary and unnecessary or informal access to these areas by construction site personnel will be prevented. **Dust Deposition** Disruption to habitats / populations within receiving range of dust could arise from construction traffic movement, handling of materials or other construction processes. Dust will be minimised by the following means: • During dry spells the Site is to be damped as necessary using a water bowser and surfaces kept in good order; • Regular inspection of local highways and Site boundaries to check for dust/dirt deposits shall be carried out. A road sweeper shall be employed to ensure site road and local highways are kept free of deposits; the frequency of visits shall be varied depending on the condition noted during the inspections. All road sweeper collections will be disposed of in accordance with current waste management legislation; • Vehicles carrying loose aggregate and workings should be sheeted at all times; • Construction traffic shall be routed to avoid sensitive roads (i.e., residential areas, etc.); • Speed limit around site of 10 mph;

Important Ecological Feature	Legislation / Policy	Risk Assessment	Mitigation / Protective measures
			• Stockpiles of soils and materials will be located as far as possible from sensitive properties, taking account of prevailing wind directions and seasonal variations in the prevailing wind; and • Stockpiles have been designed to minimise surface area (subject to health and safety and visual constraints regarding slope gradients and visual intrusion) to reduce area of surfaces exposed to wind pick-up. **Lighting** There must be no lighting directed onto retained habitats.
Bat Roosts: Trees	Conservation of Habitats and Species Regulations 2017[7] & The Wildlife and Countryside Act 1981 (as amended) [8]	Within the Bat Survey Report (AES-LTD, 2023), no trees were identified to have potential roosting features, In the updated walkover two trees (FE-T1 and FE-T2) with potential roosting features were identified within the woodland on-site (see Appendix A). Within the Bat Survey Report (AES-LTD, 2023), a possible summer day roost or mating roost for a small number of bats was identified in a property off-site to the south-east. There is a risk of noise & light disturbance during construction which could result in a breach of legislation.	Trees with bat roosting potential; must be protected by a minimum of 10m. No works must occur in this area. The trees lie within the current protection zone and fencing (see Figure 1). Should works be required to these trees or within 10m further assessment of these trees will be required by a licensed bat ecologist. To prevent harm to this species best practice working methods will be undertaken on Site throughout construction. Including the completion of a toolbox talk to all contractors. No lighting to illuminate the PRF's or works at night.
Bat foraging / commuting habitat	Conservation of Habitats and Species Regulations 2017[9] & The	Disturbance to commuting / foraging routes from noise and lighting during	Retained habitats to be protected using fencing (see earlier habitat retention).

[7] The Conservation of Habitats and Species Regulations 2017
[8] Wildlife and Countryside Act 1981
[9] The Conservation of Habitats and Species Regulations 2017

Important Ecological Feature	Legislation / Policy	Risk Assessment	Mitigation / Protective measures
	Wildlife and Countryside Act 1981 (as amended) [10]	construction upon the woodland and woodland edge habitat in the west / north of the Site and hedgerow H11 on the western boundary.	During construction, no lighting must illuminate the retained habitats on site particular the hedgerow, trees and woodland on-site. Any light used on Site will be directed into the site to avoid any light spill to retained habitats on and offsite. All external lighting outside of operational hours is to be used for safety and security reasons only. Night working during construction between April – September must be avoided. Additional measures to minimise light spill during construction must be utilised, these are based on best practice guidance[11] and include a combination of the following steps: • Avoiding unnecessary lighting; • The use of low-intensity lighting (sodium lamps or similar), where possible; • The use of low level and / or hooded lamps to minimise light spill; and • Minimising light spill with the use of directed lighting. Individual lamps should be hooded and directed where needed to avoid unnecessary light spillage.
Nesting birds	The Wildlife and Countryside Act 1981 (as amended) [12]	Bird nesting habitat is present within trees, hedgerows, scrub and woodland, the grassland also provides suitability for ground nesting species. A number of breeding birds were recorded in the 2022 bird surveys. Minor	To prevent harm to this species best practice working methods will be undertaken on Site throughout construction. Including the completion of a toolbox talk to all contractors. Suitable nesting habitats should be cleared outside the bird nesting season where possible (bird nesting period - March – September). Where this is not possible, the vegetation

[10] Wildlife and Countryside Act 1981
[11] Bat Conservation Trust and the Institute of Lighting Professionals 2023, 'Bats and Artificial Lighting At Night' GN08 Bats and Artificial Lighting
[12] Wildlife and Countryside Act 1981

Important Ecological Feature	Legislation / Policy	Risk Assessment	Mitigation / Protective measures
		disturbance was considered potentially to occur to the following species: greenfinch *Chloris chloris*, dunnock *Prunella modularis (*a Species of Principal Importance, SPI), house sparrow *Passer domesticus (*a SPI) and linnet *carduellis cannabina (a SPI)* (confirmed breeders) as well as bullfinch *Pyrrhula pyrrhula* (probable breeder and SPI) Works could result in a breach of legislation, disturbance, damage and killing / injury to nesting birds.	will require a nesting bird check immediately prior to removal (March – September) by an experienced ecologist for the presence of active nests. The check and advice provided will likely be valid for a maximum of 48 hours during which period the nesting habitat must be removed. If nesting birds are identified at any time, then a minimum of a 5m buffer/exclusion zone (to be advised by the ECoW as it depends on the species) will be applied around the nest site. It will be necessary to undertake follow-up site visits to check the status of the nests, (usually within two to three weeks of the initial visit). Dependant on findings and circumstances of work required it may be necessary to undertake multiple follow-up visits. This exclusion zone will be maintained until the nests have fledged. If nesting birds are found, then detailed advice would be provided to the Site Manager by the ecologist. Care must be taken to ensure any cleared land remains unsuitable for nesting birds, the use of bird scarers are recommended.
Badger	Protection of Badgers Act 1992[13] Wild Mammals Protection Act (1996) [14]	No signs of badger were noted within or adjacent to the Site boundaries during the updated walkover. However, setts could be built at any time. Construction activities within 30m of a sett could result in the killing or injury of individuals, or destruction of a sett, which is a breach of legislation.	An updated walkover survey immediately prior to the commencement of works will be undertaken by an ecologist to ascertain the presence / likely absence of setts within the Site and also check for any other possible setts occurring within 30m of the Site boundary (where accessible). No signs of badger were recorded during the updated walkover on 1st July 2026.

[13] Protection of Badgers Act 1992
[14] Wild Mammals (Protection) Act 1996

Important Ecological Feature	Legislation / Policy	Risk Assessment	Mitigation / Protective measures
			To prevent harm to this species best practice working methods will be undertaken on Site throughout construction; • The completion of a toolbox talk to all contractors. • Any pipes over 150mm in diameter to be capped off at night. • Materials such as netting and cutting tools must not be left in the works area. • Ensure that any trenches / pits / excavations are covered overnight. Alternatively, ramps (e.g., planks) can be provided in excavations. • Any trenches / pits / excavations will be inspected each morning. • No stockpiles of soil/ brash / vegetation will be left overnight and if they are left then they will be dismantled by hand prior to removal or preferably stored of the ground in skips or on pallets. • Chemicals are to be stored in secure compounds. Should any suspected badger setts be identified during the construction period, works will stop immediately and the advise of an ecologist sought.
Hedgehog	Species of Principal Importance (SPI) under the NERC Act (2006)[15] Wildlife and Countryside Act 1981 (as amended), Schedule 6 [16]	Suitable habitat for hedgehog is present on Site. Risk of disturbing, killing or injuring during site clearance, and through construction activities such as individuals	To prevent harm to this species best practice working methods will be undertaken on Site throughout construction. This includes: • Completion of a toolbox talk to all contractors; • The removal of hedgerows / tree roots / scrub will first be visually checked for the presence of

[15] Habitats and species of principal importance in England - GOV.UK
[16] Wildlife and Countryside Act 1981

Important Ecological Feature	Legislation / Policy	Risk Assessment	Mitigation / Protective measures
	Wild Mammals Protection Act (1996) [17]	becoming trapped within site excavations.	hedgehog by the ECoW. Vegetation must then be cut to c.150mm above ground level followed by a further visual check before cutting to ground level. Grubbing out of roots should be undertaken 24 hours later (if possible) to allow hedgehogs or other fauna to disperse from the working area (if present). Root removal should be undertake outside of the hibernation period and or when temperatures are above 5°C at night. • Any brash, log piles, rubble piles should be removed by hand, preferably outside of November to February inclusive (or during suitable weather conditions during this period) under ecological supervision. • Any excavations will be covered overnight to prevent any animals becoming trapped. Alternatively, ramps (e.g., planks) can be provided in excavations to allow hedgehogs to escape. • Any pipes over 150mm in diameter will be capped off at night to prevent animals such as hedgehogs entering. • Any trenches / pits will be inspected each morning to ensure no animals have become trapped overnight. In the unlikely event an animal is encountered it should be carefully relocated to an area of suitable retained habitat. • Materials such as netting and cutting tools will not be left in the works area where they might entangle or injure animals, such as hedgehogs. • No stockpiles of vegetation will be left overnight and if they are left then they will be dismantled by

[17] Wild Mammals (Protection) Act 1996

Important Ecological Feature	Legislation / Policy	Risk Assessment	Mitigation / Protective measures
			hand prior to removal or preferably stored of the ground in skips or on pallets. Chemicals should be stored in secure compounds. If hedgehogs are encountered during site clearance works, they should be carefully collected by gloved hand and relocated away from the area of works within shelter.

4.0 BIODIVERSITY PROTECTION ZONES

4.1 Biodiversity Protection Zones are illustrated in Figure 1. Fencing will be installed to protect these areas along with appropriate warning signs, see Appendix B for an example.

5.0 ROLES AND RESPONSIBILITIES

5.1 All works at all stages will be overseen and are the responsibility of Jones Homes (Yorkshire) Ltd. who will appoint a Site Manager. The Site Manager will be responsible for compliance with regulations, planning conditions, environmental procedures, contractual agreements, and obtaining legal consents. All lines of communication must be through the Site Manager.

5.2 The Site Manager:

- Adhere to prescriptions contained within the CEMP;
- Ensure there are copies of all licences required on-site at all times ad that all personnel have read and understood the requirements under these.
- Arrange site-wide monitoring as required during the development;
- Oversee and maintain records of the agreed programme of habitat and species protection as described in this document;
- Monitor the site activities to ensure that all relevant environmental and ecological legal consents, licences and exemptions are in place in advance of relevant works commencing, and that the requirements are adhered to;
- Ensure contractors are given appropriate environmental awareness training through Toolbox Talks and / or general site induction materials;
- Ensure that toolbox information sheets are made available where necessary during all stages of construction;
- Monitor the environmental performance of contractors and provide direction as necessary;
- Contribute to communication on environmental matters with stakeholders and statutory bodies;
- Monitor implementation of any corrective action required;
- Maintain a record of this document, and any other relevant ecological reports and all environmental monitoring during the construction process, which should be made available for inspection by any relevant statutory bodies as required;
- Ensure that a suitably qualified ecologist undertakes any further on-site surveys or monitoring as required;
- Report any environmental incidents to the appointed suitably qualified ecologist and to the relevant statutory authorities;
- Ensure that any required corrective ecological actions are taken in line with the relevant procedures.

- Ensure environmental and waste requirements are included on requisitions and in subcontracts and orders;
- Ensure oil, including diesel is stored in properly bunded tanks / including use of drip trays for plant and equipment / refuelling;
- In conjunction with having overarching responsibility for the ecological measures as detailed within this report the Site Manager will also ensure that all appropriate site protection measures are implemented to ensure no inadvertent effect upon ecological features. This includes the continued maintenance of any protective fencing during all on-site works.

5.3 The Ecological Clerk or Works (ECoW) will be on-site as required to supervise any works that could potentially negatively affect a protected species. The work to be undertaken by the ECoW is outlined in the Timetable section below.

Table 2: Appointed Persons

Site Manager	(To be confirmed prior to site setup) ……
Ecological Clerk of Works (ECoW)	(To be confirmed prior to site setup) …… Futures Ecology Ltd. 0113 3372185

6.0 TIMETABLE OF ECOLOGICAL CONSTRAINT

Table 3: Timetable of Ecological Constraint

Table 1 IEF	Timing	Protection Measure / Activity	Site Personnel
Badger	Prior to commencement	Pre commencement walkover. None found on 1st July 2026.	ECoW
Bats, nesting birds, badgers, hedgehog	Anytime, prior to the commencement of any works on site and throughout as new personnel attend the Site.	Toolbox Talks to all contractors, see Appendix C	Site Manager / Contractors / ECoW
All IEF's (habitats, bats, birds, badger, hedgehog)	Prior to commencement of works	Installation of all protective fencing and signage as per Figure 1 – Biodiversity Protection Zones. This must be maintained and checked weekly by the Site Manager. This includes: - RPA for all trees /woodland and, hedgerows. - 10m buffer for all trees with bat roosting potential identified within this report.. In addition, no lighting to illuminate retained habitats and night working during construction between April – September must be avoided.	Site Manager / Contractor
Nesting birds – hedgerow, trees, scrub, woodland, grassland removal.	Preferably October – February (outside the bird nesting period)	Nesting bird checks to be undertaken as required for vegetation clearance.	ECoW
Bats and other nocturnal wildlife	Throughout works	Night working during construction between April – September must be avoided. No lighting of retained habitats, in particular trees with bat roosting potential, hedgerows, trees, and offsite habitats. See Table 1 for full details.	Site Manager

Table 1 IEF	Timing	Protection Measure / Activity	Site Personnel
Badger / hedgehog (and other wildlife)	Throughout works	To prevent harm to species throughout works best practice working measures must be adhered to through the construction period. These are detailed within Table 1 and include but is not limited to: - Any pipes over 150mm in diameter to be capped off at night. - Materials such as netting and cutting tools must not be left in the works area. - Ensure that any trenches / pits / excavations are covered overnight. Alternatively, ramps (e.g., planks) can be provided in excavations. - Any trenches / pits / excavations will be inspected each morning. - No stockpiles of soil/ brash / vegetation will be left overnight and if they are left then they will be dismantled by hand prior to removal or preferably stored of the ground in skips or on pallets. Chemicals are to be stored in secure compounds.	Site Manager

APPENDIX A: GROUND LEVEL TREE ASSESSMENT

Tree Reference, Figure 1	Species	Potential Roost Feature (PRF)	Bat Roosting Potential
FE-T1	Sycamore ***Acer pseudoplatanus***	 Knothole c. 2-3m high , western aspect	Further Assessment Required (FAR)
FE-T2	Ash *Fraxinus excelsior*	 Peeled /loose bark 6m high, southern aspect	FAR

APPENDIX B: PROTECTIVE FENCING WARNING SIGNAGE

Biodiversity Protection Zone

for

Trees and Other Important Ecological Features such as Badgers, Bats, Nesting Birds etc.

Keep Out!

Any incursion into this area must be approved by the relevant personnel (such as the Arborist and Ecologist) and may require Ecological Supervision.

APPENDIX C: SPECIES TOOLBOX TALKS

Below are the toolbox talks for each species relevant to the Site:

- Bats
- Nesting birds
- Hedgehogs
- Badger

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ECOLOGY TOOLBOX TALK – BATS

General background

- Bats are mammals giving birth to live young.
- There are 18 species of bats in the UK.
- Bats are nocturnal and eat insects. They can consume 1000's of insects in one night.
- Bats are not blind but detect their prey and navigate using a highly advanced sonar.
- They hibernate during the winter.
- Female bats from a large area, form nursery colonies in the spring, where they give birth to a single pup.
- An average nursery colony contains around 50 bats, but some colonies have been found with over 1000 bats.
- Bats can access a building or a tree via gaps as small as 20mm by 15mm.

Identification

You may find bats in any number of places, they tend to prefer dark, quiet spots with good shelter, such as holes and cracks in trees, roofs and walls of buildings, under bridges, old tunnels and in caves.
Signs of bat presence include discarded moth wings, staining around crevices and small mouse like droppings which crumble easily.

Brown long-eared bat

Common Pipistrelle Bat

Noctule Bat

Bats and the law

In the last 50 years bat populations have reduced dramatically from the loss of roost and foraging habitats. All bats and roosts are now protected under UK and European law.

Breaking the law can lead to fines of up to £2,000 per bat and/or 6 months in prison.

You must not:

- Deliberately kill, injure or keep bats.
- Damage or destroy bat roosts (even if the bats are not present).
- Intentionally or recklessly obstruct access to a bat roost.
- Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats.

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Site Controls

There is always a risk that bats, as they move between different roost sites and occupy new roosts, could be encountered during site works.

Within this site they could be present within features upon trees. In the updated walkover two trees (FE-T1 and FE-T2) with potential roosting features were identified within the woodland on-site (see Appendix A).

Within the Bat Survey Report (AES-LTD, 2023), a possible summer day roost or mating roost for a small number of bats was identified in a property off-site to the south-east. There is a risk of noise & light disturbance during construction which could result in a breach of legislation.

Trees with bat roosting potential; must be protected by a minimum of 10m. No works must occur in this area. The trees lie within the current protection zone and fencing (see Figure 1). Should works be required to these trees or within 10m further assessment of these trees will be required by a licensed bat ecologist.

To prevent harm to this species best practice working methods will be undertaken on Site throughout construction. Including:

- The completion of a toolbox talk to all contractors.
- No lighting to illuminate the PRF's or works at night.
- Retained habitats to be protected using fencing.
- Any light used on Site will be directed into the site to avoid any light spill to retained habitats on and offsite.
- All external lighting outside of operational hours is to be used for safety and security reasons only.
- Night working during construction between April – September must be avoided.

If any bats are encountered during works, the following controls must be applied to avoid breaking the law:

1. If bats or evidence of bats are discovered/suspected works must stop immediately with any bat left in-situ and we immediately contacted (contact details below).
2. If the bat is injured place the animal in a small, sealable dark box with a towel inside ensuring there are small air holes but no other ways for the bat to get out. Always wear gloves if you must handle a bat though try to avoid this.
3. If any injured bats are found during the works we would care for them and where possible be released in the same location once recovered.
4. All works must stop to that tree until appropriate advice has been given.

These controls have been put in place to protect all site operatives from breaking the law. You are not expected to be able to identify bats or their presence so remember, if in doubt shout and contact the relevant person.

Remember that because bats return to the same places every year, a bat roost is protected even if the bats are not there.

Call Futures Ecology on **07730774476 or 07458 304186** for further advice if you find any evidence of roosting bats.

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ECOLOGY TOOLBOX TALK – NESTING BIRDS

Nesting birds

Legislation/Policy

Wild birds are protected by law under the Wildlife and Countryside Act (WCA)1981 (*as amended*). Under the WCA it is an offence to:

- **Kill or injure any wild bird**;
- Capture or keep (alive or dead) any wild bird;
- **Destroy or take the egg of any wild bird;**
- Sell or advertise for sale any wild bird or its eggs; or
- **Destroy, damage, interfere with, take or obstruct the use of the nest of any wild bird while it is in use or being built.**

There is also additional protection for rare breeding birds listed under Schedule 1 of the WCA. This makes it an offence to:

- Disturb any specially protected bird while it is building its nest;
- Disturb any specially protected bird while it is in or near a nest containing eggs or young; or
- Disturb the young of any of these birds before they are wholly independent.

Works

- A check for breeding birds must be undertaken by the Ecological Clerk of Works (ECoW) if any works have potential to disturb nesting birds. The check and advice provided will likely be valid for a maximum of 48 hours during which period the nesting habitat must be removed.
- Where possible works should be timed to avoid the breeding bird season (March – August).

- **Should a bird nest be identified the following procedure should be followed:**
  - Buffer the active nest from any works (at least 5m, to be agreed by the ECoW, as It depends on the species). This must be retained until the young have fledged. It will be necessary to undertake follow-up site visits to check the status of the nests, (usually within two to three weeks of the initial visit).
  - If the nest is identified accidently stop activity being undertaken immediately (ensuring any nest is not removed/destroyed).
  - Immediately inform the site supervisor and ECoW.
  - ECoW to confirm presence of nest and consult regarding appropriate actions.
  - Dependant on findings and circumstances of work required it may be necessary to undertake multiple follow-up visits. This exclusion zone will be maintained until the nests have fledged. If nesting birds are found, then detailed advice would be provided to the Site Manager by the ecologist.

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ECOLOGY TOOLBOX TALK –HEDGEHOGS

Hedgehogs *Erinaceus europaeus*

Legislation/Policy

Hedgehogs are protected by British law under:

- The Wildlife and Countryside Act 1981, Schedule 6 which makes it illegal to kill or take hedgehogs using certain methods (such as snares); and
- The Wild Mammals Protection Act (1996) which prohibits cruelty and mistreatment.

Hedgehogs are also Species of principle Importance (SPI) under the Natural Environment and Rural Communities (NERC) Act 2006 and as such are a material consideration for Local Planning Authorities during the planning process.

Ecology & Status

Hedgehogs are native and widespread across the UK. They require a mixture of habitats for foraging, nesting and mating, and a connected landscape.

- Nov – Feb this species will hibernate.
- March – April – replenish food resources.
- May – September – courtship & breeding with births June -September and the young leaving the nest July – October.

Hedgehogs are currently rapidly declining, with at least a third lost from Britain since 2000 (State of Britain's Hedgehogs Report, 2018)[1].

Works

- This species could be killed / injured during site clearance of habitats suitable for shelter such as rubble, brash /log piles, scrub. This habitat must be dismantled by hand under the supervision of the Ecological Clerk of Works (ECoW). The materials must be either relocated to retained habitat areas, removed from site or stored on pallets to prevent hedgehogs from utilising these areas.

- This species could also become trapped within site excavations / trenches during works. Any excavations must be covered overnight, or a ramp / sloped end will be installed to enable any trapped animals to escape.

- A pre-commencement inspection of the site will be undertaken by the ECoW. This will be followed by a staged approach to vegetation clearance, whereby the vegetation will be strimmed to c.15cm. The vegetation can then be cleared to ground level and

[1] https://www.britishhedgehogs.org.uk/wp-content/uploads/2019/05/developers-1.pdf

must be maintained at this level for the duration of construction to deter hedgehogs from utilising these areas.

- All storage must be off ground for example the use of elevated stillages / pallets. No tipping of rubbish and a clean site policy to be used.
- Any netting brought onto site shall be stored off ground and in locked containers to avoid entanglement of animals.

- If any hedgehogs are found in the working area these should be moved by hand (using gloves) to a vegetated area along the site boundaries or in retained habitats.

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ECOLOGY TOOLBOX TALK – BADGER

Badger *Meles meles*

Legislation/Policy

Badgers and their setts are legally protected from intentional cruelty from the results of lawful human activities. They are protected under the following acts:

- The protection of Badgers Act 1992
- The Wildlife and Countryside Act 1981, schedule 6 species making it illegal to intentionally kill or injure them.

Identification

- Most badgers have the characteristic black and white striped face although very occasionally they can be creamy white (albino) or red/ginger (erythristic) in colour
- Fully grown adults can be up to 1m in length and weigh up to 14kg
- The sett entrance is usually D-shaped and around 8300mm wide and 200mm high, wider than either a fox or rabbit hole
- Freshly excavated material at the entrance, or piles of leaves, dry grass straw or bracken (bedding materials) all indicate that the sett may be active
- Badgers have a distinctive footprint – 5 claws and a broad pad

Badger Sett

Taken from: https://badgerwatcher.com/2010/02/21/how-to-recognise-a-badger-sett/

Badger Prints

Taken from: http://e3ecology.co.uk/services/badger/

Works

An updated walkover survey immediately prior to commencement of works will be undertaken by an ecologist to ascertain the presence / likely absence of setts within the Site and check for any other possible setts occurring within 30m of the Site boundary (where possible). To prevent harm to this species best practice working methods will be undertaken on-site throughout construction including:

- Any pipes over 150mm in diameter to be capped off at night.
- Materials such as netting and cutting tools must not be left in the works area.
- Ensure that any trenches / pits / excavations are covered overnight. Alternatively, ramps (e.g., planks) can be provided in excavations.
- Any trenches / pits / excavations will be inspected each morning.
- No stockpiles of soil/ brash / vegetation will be left overnight and if they are left then they will be dismantled by hand prior to removal or preferably stored of the ground in skips or on pallets.

- Chemicals are to be stored in secure compounds.
- The contractor must ensure that any open excavations left overnight should have a shallow ramp placed in them, to allow badgers to escape should they fall in.

Should a sett, badger or badger signs (hairs, latrines, prints) be identified unexpectedly during the works, the following emergency procedure should be followed:

  - Stop the activity being undertaken immediately (within 30m of the sett, badger, or sign)
  - Immediately inform the site supervisor and ECoW
  - ECoW to confirm presence of species and/or sett and consult appropriate mitigation measures to implement and to decide whether a disturbance licence is required.
  - The activity should not resume until written approval, detailing any appropriate mitigation has been given by the ECoW

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Key

- Site Boundary
- Biodiversity Protection Zones

Phase 1 Habitats

- SI — Poor semi-improved grassland
- Other tall herb and fern - ruderal
- Scrub - dense/continuous (bramble scrub)
- Broadleaved woodland - semi-natural
- Intact hedge - species-poor
- Broadleaved tree (NONE)
- Broadleaved tree (FAR)

Client:	Jones Homes (Yorkshire) Ltd.	Plan Reference:	FE721_CEMP01_01	Author:	BF
Project:	Land off Primrose Lane, Hightown, Liversedge	Project Reference:	FE721	Date:	23/7/2026
Title:	Figure 1 - Biodiversoty Protection Zone Plan	Report Reference:	FE721_CEMP01	Scale:	1:1,250

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