CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN – BIODIVERSITY

CEMP: BIODIVERSITY

Discharge of Planning Condition 10

Development: CHANGE OF USE FROM HOT FOOD TAKEAWAY WITH DRIVE-THROUGH (SUI GENERIS) TO COFFEE SHOP WITH DRIVE-THROUGH (CLASS E) AND ASSOCIATED ALTERATIONS

Site: Harvey's Drive-Thru Waterloo Rd Waterloo Huddersfield HD5 0AH

Planning Application Reference: 2025/62/91796/W

Local Planning Authority: Kirklees Council

Planning Condition: Condition 10 – Construction Environmental Management Plan (CEMP: Biodiversity)

Prepared by: Cubic Expression UK Ltd

Date: 18/08/2026

Revision: Rev 01

DOCUMENT CONTROL

Revision	Date	Description	Prepared by	Checked by
Rev 01	[15/08/2026]	CEMP: Biodiversity submitted for discharge of Condition 10	R Edwards	S O'Neil

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1. INTRODUCTION

1.1 Purpose of this Plan

This Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) has been prepared to provide appropriate safeguards for biodiversity during the construction and fit-out of the approved development at Harvey's Drive-Thru Waterloo Rd Waterloo Huddersfield HD5 0AH

The Plan has been prepared specifically to discharge Planning Condition 10, which requires a CEMP: Biodiversity to be submitted to and approved in writing by Kirklees Council prior to works commencing.

The purpose of the CEMP: Biodiversity is to ensure that construction activities are undertaken in a manner that avoids, or where avoidance is not possible, minimises potential impacts upon biodiversity and ecological features.

The Plan will be implemented throughout the construction period and will be made available to all relevant contractors and site personnel.

The CEMP has been proportionately prepared having regard to the nature and scale of the proposed works. The majority of the works are internal fit-out works within the existing building. There are no proposals for substantive new building works within or adjacent to the northern tree/woodland area shown in green (indicated on the attached plan).

The only material external works comprise the reinstatement of a dropped kerb highlighted in red at the south part of the site (indicated on the attached plan).

1.2 Site and Existing Conditions

The development site is an existing property already developed and the site is substantially/fully surfaced with tarmac and other existing hard standings.

The northern part of the site borders some existing trees and woodland (these are not part of the development site). These areas are outside the principal construction area and will not be subject to construction activities associated with the proposed development.

In summary there is no requirement for:

- tree removal;
- woodland clearance;
- vegetation clearance within the northern part of the site;
- development of buildings within the northern tree/woodland area;
- excavation across areas of existing natural ground, other than the limited works necessary for the dropped-kerb reinstatement;
- disturbance of the northern trees or woodland.

The nature of the development therefore means that the potential for direct impacts upon habitats is limited.

Nevertheless, appropriate precautionary measures will be implemented to ensure that construction activities do not result in avoidable harm to protected species, nesting birds, trees, woodland or other biodiversity features.

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2. PLANNING CONDITION

Planning Condition 10 states:

“No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.”

The condition requires the CEMP: Biodiversity to include:

a) A summary of potentially damaging activities;

b) Identification of biodiversity protection zones;

c) Practical measures, including physical measures and sensitive working practices, to avoid or reduce impacts during construction;

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; and

h) The use of protective fences, exclusion barriers and warning signs.

This CEMP addresses each of these requirements.

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3. SUMMARY OF POTENTIALLY DAMAGING ACTIVITIES

3.1 General

Given the nature of the development, potential construction-related impacts upon biodiversity are expected to be low.

The principal activities with the potential to affect biodiversity are identified below.

Activity	Potential ecological impact	Risk	Control measures
Internal fit-out works	Noise, vibration, dust and disturbance	Low	Works confined to existing building; normal good working practices
Delivery and movement of construction vehicles	Disturbance or accidental encroachment	Low	Vehicles restricted to existing hardstanding and designated access routes
External dropped-kerb works	Localised excavation and disturbance	Low	Works restricted to south-western hardstanding; pre-start ecological check
Temporary storage of materials	Accidental encroachment into ecological areas	Low	Materials stored within existing hardstanding
Construction lighting	Disturbance to nocturnal species, including bats	Low	Lighting directed towards working areas and switched off when not required
Dust and pollution	Potential indirect impact on vegetation/ecological features	Low	Dust suppression and pollution prevention measures
Accidental damage to trees/woodland	Physical damage to roots, branches or woodland habitat	Low	Northern tree/woodland area designated as a Biodiversity Protection Zone
Discovery of protected species	Direct harm or disturbance	Low but potentially significant	Stop-work procedure and ecological advice
Nesting birds	Disturbance or destruction of active nests	Low	No vegetation clearance proposed; pre-start inspection where relevant
Invasive non-native species	Spread during works	Low	Site inspection and stop-work procedure if identified

The risks identified above will be reviewed by the Site Manager throughout the construction period.

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4. BIODIVERSITY PROTECTION ZONES

4.1 Northern Trees and Woodland

The existing trees and woodland located along the northern part of the site will be designated as a **Biodiversity Protection Zone (BPZ)**.

The BPZ will encompass the northern tree/woodland area and, where necessary, an appropriate stand-off area around the trees.

No construction activities associated with this development will take place within the BPZ.

In particular:

- no storage of construction materials will take place within the BPZ;
- no plant or machinery will be parked within the BPZ;
- no excavation will take place within the BPZ;
- no soil, rubble or construction waste will be deposited within the BPZ;
- no fires or burning of materials will take place within the BPZ;
- no tree pruning or tree removal will take place unless separately authorised;
- no lighting will be directed unnecessarily into the woodland;
- contractors will not use the woodland for access, storage or welfare purposes.

The BPZ will be identified to contractors during the site induction.

4.2 Physical Protection

Where there is a risk that construction activities could approach the BPZ, suitable temporary protective fencing or other clearly visible barriers will be installed.

The fencing will remain in place for the duration of relevant external works.

Protective fencing will not be moved, removed or breached without the prior approval of the Site Manager and, where necessary, the ECoW.

4.3 Existing Hardstanding

The majority of the construction activity will take place within the existing building or on existing tarmac/hardstanding.

The existing hardstanding will therefore be used wherever possible for:

- vehicle movements;
- material deliveries;
- temporary material storage;
- contractor parking;
- plant positioning; and
- waste storage.

This will minimise disturbance to areas of potential ecological value.

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5. PRACTICAL MITIGATION AND SENSITIVE WORKING PRACTICES

5.1 Site Induction

Prior to commencing work, all contractors and site personnel will receive an appropriate site induction.

The induction will include:

- identification of the northern tree/woodland Biodiversity Protection Zone;
- explanation of the ecological constraints on the site;
- prohibition on entering or storing materials within the BPZ;
- procedures for reporting protected species;
- procedures for reporting nesting birds;
- pollution prevention measures;
- requirements concerning construction lighting;
- requirements for maintaining protective fencing;
- the procedure to be followed if an unexpected ecological feature is discovered.

The Site Manager will maintain a record of personnel who have received the induction.

5.2 Internal Fit-Out Works

The majority of the works are internal fit-out works.

These works will be undertaken within the existing building envelope and will therefore have limited potential to affect habitats.

Construction personnel will remain within the existing building and established hardstanding areas wherever practicable.

No unnecessary access to the northern tree/woodland area will be permitted.

5.3 Dropped-Kerb Reinstatement

The external works are limited to the south-western part of the site and comprise reinstatement of an existing dropped kerb.

The works will be restricted to the existing highway/access/hardstanding area.

Before commencement of these works:

1. The Site Manager will confirm the location of the works.
2. The working area will be clearly delineated.
3. Materials and plant will be confined to the designated working area.
4. The northern tree/woodland area will remain outside the working area.
5. Excavated materials will be managed so that they do not spread into vegetated areas.
6. Any unexpected ecological feature will be dealt with in accordance with the ecological stop-work procedure set out in this CEMP.

5.4 Birds

No tree or woodland clearance is proposed as part of the development.

No vegetation clearance will be undertaken unless it is demonstrated to be necessary.

Where any unforeseen vegetation clearance is required, the Site Manager will ensure that an appropriate inspection is undertaken prior to clearance.

If an active bird nest is identified:

- works in the immediate vicinity will cease;
- the nest will not be disturbed;
- an appropriate exclusion zone will be established;
- advice will be sought from the ECoW or a suitably qualified ecologist; and
- works will recommence only when it is confirmed that this can be undertaken without contravening relevant wildlife legislation.

5.5 Bats

The existing northern trees/woodland will not be affected by the proposed works.

No tree felling or pruning is proposed.

The majority of the works are internal fit-out works.

Nevertheless, if bats or evidence of bats is unexpectedly identified during works, the following procedure will apply:

1. Work in the immediate area will stop.
2. The area will be left undisturbed.

3. The Site Manager will contact the ECoW or suitably qualified ecologist.
4. The ecologist will assess the situation and advise on appropriate mitigation.
5. Works will recommence only following ecological advice and, where necessary, receipt of any required licence or other statutory approval.

5.6 Other Protected Species

If any protected or otherwise notable species is unexpectedly encountered during construction, works in the immediate area will cease.

The Site Manager will contact the ECoW or suitably qualified ecologist for advice.

No animal will be deliberately handled, captured, injured or killed by construction personnel.

5.7 Invasive Non-Native Species

The construction team will remain alert for the presence of invasive non-native plant species.

If an invasive species is identified, it will not be cut, disturbed, removed or transported until appropriate advice has been obtained.

Where necessary, the ECoW or suitably qualified ecologist will advise on appropriate measures to prevent the spread of the species.

Plant, vehicles and materials will not be moved through areas containing suspected invasive species unless appropriate precautions have been established.

5.8 Pollution Prevention

Construction activities will be managed to prevent pollution entering the environment.

The following measures will be implemented:

- fuels, oils and chemicals will be stored securely;
- spill kits will be available on site;
- any spill will be dealt with immediately;
- waste materials will be stored appropriately;
- construction waste will not be allowed to accumulate outside designated areas;
- concrete, cement and other potentially polluting materials will be managed carefully;
- no contaminated liquids will be discharged onto the ground;
- machinery will be maintained in good working order.

Any significant pollution incident will be reported immediately to the Site Manager and dealt with in accordance with the site's emergency procedures.

5.9 Dust

Dust-generating activities will be minimised.

Where required:

- cutting will be undertaken using suitable dust suppression;
- waste will be removed regularly;
- materials will not be unnecessarily stockpiled;
- vehicle movements will be restricted to established hardstanding;
- dusty activities will be controlled in dry or windy conditions.

5.10 Lighting

Temporary construction lighting will be kept to the minimum necessary for health and safety.

Lighting will:

- be directed towards the immediate working area;
- avoid unnecessary illumination of the northern woodland;
- avoid upward and sideways light spill where practicable;
- be switched off when not required.

Any requirement for lighting close to the northern woodland will be reviewed by the Site Manager and, where necessary, the ECoW.

This is particularly important because artificial lighting can affect nocturnal species, including bats.

5.11 Noise and Vibration

The majority of construction activities will take place within the existing building.

Construction noise and vibration will be minimised through good working practices and appropriate maintenance of plant.

Plant will not be left running unnecessarily.

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6. LOCATION AND TIMING OF SENSITIVE WORKS

6.1 General

The majority of works are internal and can be undertaken throughout the construction period subject to normal site controls.

The only material external works are the dropped-kerb reinstatement works in the south part of the site.

6.2 Northern Woodland

No construction works are proposed within the northern tree/woodland area.

The area will remain protected throughout the construction period.

6.3 External Works

The dropped-kerb works will be undertaken during normal working hours and will be restricted to the identified south-western area.

Prior to the commencement of these works, the Site Manager will inspect the immediate work area for any obvious ecological constraints.

If an unexpected ecological feature is identified, the works will stop pending ecological advice.

6.4 Vegetation Clearance

No planned tree or woodland clearance is required.

If unforeseen vegetation clearance becomes necessary, the Site Manager will seek advice from the ECoW or suitably qualified ecologist before the work takes place.

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7. ECOLOGICAL SUPERVISION AND ECoW REQUIREMENTS

7.1 General

Given the limited ecological risk associated with the development, **continuous attendance by an ECoW is not considered necessary**.

However, an ECoW or suitably qualified ecologist will be available to provide advice and will attend site where required by the circumstances described in this CEMP.

This proportionate approach reflects the fact that:

- the site is already developed;
- the site is predominantly tarmacked;
- the majority of works are internal;
- no tree or woodland clearance is proposed;
- the northern trees/woodland are outside the construction area; and
- external works are limited to the south-western dropped-kerb reinstatement.

7.2 ECoW Attendance

An ECoW/suitably qualified ecologist will attend the site where:

- an unexpected protected species is identified;
- evidence of bats is discovered;
- an active bird nest is identified in an area potentially affected by works;
- unexpected vegetation clearance is required;
- invasive non-native species are identified;
- construction activities are proposed within or immediately adjacent to the Biodiversity Protection Zone;
- the Site Manager considers that ecological advice is required; or
- the Local Planning Authority requires additional ecological supervision.

A pre-commencement ecological inspection may be undertaken where considered appropriate by the appointed ecologist, particularly prior to the external dropped-kerb works.

7.3 Ecological Contact

ECoW / Ecologist: Habitat Works Ltd

Telephone: 01484 482629

Email: info@habitatworks.co.uk

The ECoW will be contacted by the Site Manager where ecological issues arise.

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8. RESPONSIBLE PERSONS AND LINES OF COMMUNICATION

8.1 Applicant / Developer

Name: Cubic Expression (UK) Ltd

The Applicant/Developer is responsible for ensuring that the development is undertaken in accordance with the approved CEMP: Biodiversity.

8.2 Principal Contractor / Site Manager

Name: 2JT Construction

Telephone: 07990 981596

The Site Manager will have day-to-day responsibility for implementation of this CEMP.

The Site Manager will:

- ensure contractors receive an ecological induction;
- ensure the Biodiversity Protection Zone is maintained;
- ensure protective fencing/signage is installed where required;
- monitor compliance with the CEMP;
- maintain records;
- contact the ECoW where necessary;
- ensure ecological incidents are reported;
- implement the stop-work procedure where necessary.

8.3 ECoW / Suitably Qualified Ecologist

Name: Habitat Works Ltd

Telephone: 01484 482629

The ECoW will provide specialist ecological advice and undertake inspections or supervision where required.

8.4 Communication Structure

The communication structure will be:

Applicant / Developer
↓
Principal Contractor / Site Manager
↓
Site Operatives / Subcontractors

The **ECoW / Ecologist** will provide specialist ecological advice to the Site Manager and construction team as required.

Where a significant ecological incident occurs, the Applicant/Developer will be notified.

Where required, the Local Planning Authority and/or relevant statutory body will be contacted.

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9. ROLE AND RESPONSIBILITIES OF THE ECoW

The ECoW, or suitably competent ecological professional, will provide ecological advice proportionate to the risk associated with the development.

The ECoW's responsibilities will include, where applicable:

1. Providing ecological advice to the Site Manager.
2. Advising on the implementation of this CEMP.
3. Undertaking ecological inspections where required.
4. Advising on protected species encountered during construction.
5. Advising on appropriate exclusion zones.
6. Advising on nesting birds.
7. Advising on bats or evidence of bat activity.
8. Advising on invasive non-native plant species.
9. Advising on any proposed works that could affect the Biodiversity Protection Zone.
10. Recording significant ecological incidents and recommendations.
11. Advising when works can safely recommence following an ecological incident.
12. Providing toolbox talks or ecological briefings where required.

The ECoW does not replace the Site Manager's responsibility for health and safety or general construction management.

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10. PROTECTIVE FENCING, EXCLUSION BARRIERS AND WARNING SIGNS

10.1 Protective Fencing

The northern tree/woodland area will be treated as a Biodiversity Protection Zone.

Where required to prevent accidental encroachment, suitable temporary fencing will be erected before construction activities commence.

Fencing will be:

- clearly visible;
- robust enough to prevent casual access;
- maintained throughout the relevant construction period;
- positioned to prevent plant and material storage within the protected area.

10.2 Warning Signs

Signs will be installed where appropriate.

Suitable wording may include:

BIODIVERSITY PROTECTION ZONE
No access, storage, excavation or construction activity beyond this point.
Do not move or remove protective fencing without authorisation.

The signs will be maintained throughout the construction period.

10.3 Inspection of Fencing

The Site Manager will inspect protective fencing regularly.

Any damaged fencing will be repaired or replaced as soon as practicable.

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11. ECOLOGICAL STOP-WORK PROCEDURE

If a protected species, nesting bird, bat roost, badger sett, invasive plant or other unexpected ecological feature is identified, the following procedure will be implemented:

Step 1 – Stop

Stop work immediately in the area where the ecological feature has been identified.

Step 2 – Protect

Prevent further disturbance by establishing a temporary exclusion zone where appropriate.

Step 3 – Inform

Notify the Site Manager.

Step 4 – Obtain Advice

Contact the ECoW or suitably qualified ecologist.

Step 5 – Assess

The ecologist will assess the ecological feature and determine appropriate mitigation.

Step 6 – Agree

Where necessary, the ecologist will determine whether further survey, mitigation, licensing or consultation is required.

Step 7 – Resume

Works will only recommence once the Site Manager has received appropriate ecological advice and is satisfied that works can proceed lawfully and in accordance with the CEMP.

12. SITE INDUCTION AND TOOLBOX TALKS

All site personnel whose work could potentially affect biodiversity will receive an ecological briefing.

The briefing will cover:

- the location of the northern woodland;
- the Biodiversity Protection Zone;
- protected species awareness;
- nesting bird awareness;
- bat awareness;
- invasive species awareness;
- pollution prevention;
- lighting controls;
- the ecological stop-work procedure;
- reporting procedures.

Additional toolbox talks will be provided where required by the ECoW or Site Manager.

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13. WASTE AND MATERIAL STORAGE

All materials and waste will be stored within existing hardstanding areas.

No materials will be stored within the northern woodland or Biodiversity Protection Zone.

Construction waste will be removed from site at appropriate intervals.

No burning of waste will take place on site.

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14. EMERGENCY ECOLOGICAL INCIDENTS

The following events will be treated as ecological incidents:

- damage to a protected tree or woodland area;
- discovery of a bat roost;
- discovery of an active bird nest;

- discovery of a badger sett or other protected species feature;
- significant pollution or chemical spill;
- discovery of invasive non-native species;
- unauthorised encroachment into the Biodiversity Protection Zone.

All ecological incidents will be reported to the Site Manager.

The Site Manager will contact the ECoW where appropriate and implement any required mitigation.

Significant incidents will be recorded.

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15. MONITORING AND COMPLIANCE

The Site Manager will monitor compliance with this CEMP throughout the construction period.

Monitoring will include:

- checking that the northern woodland remains undisturbed;
- checking protective fencing;
- checking warning signs;
- ensuring materials remain within designated areas;
- checking that lighting is appropriately controlled;
- ensuring ecological incidents are reported;
- ensuring contractors understand ecological requirements.

Any non-compliance will be corrected as soon as practicable.

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16. RECORD KEEPING

The following records will be maintained where applicable:

- site induction records;
- ecological inspection records;
- ECoW visit reports;
- ecological incident records;
- photographs of protection fencing;
- records of ecological toolbox talks;
- records of any changes to ecological mitigation measures.

Records will be made available to the Local Planning Authority if reasonably required.

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17. REVIEW AND AMENDMENT OF THE CEMP

The CEMP will remain applicable throughout the construction period.

If circumstances change and additional ecological risks are identified, the Site Manager will seek advice from the ECoW.

Any material change to the approved CEMP will be discussed with the Local Planning Authority where required.

The approved CEMP will be adhered to and implemented throughout the construction period unless otherwise agreed in writing with the Local Planning Authority.

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18. CONCLUSION

The proposed development is considered to present a **low risk to biodiversity during construction**, principally because the works are predominantly internal fit-out works within an existing building and the site is substantially/fully surfaced with tarmac and existing hardstanding.

The external works are limited to the reinstatement of a dropped kerb in the south-western part of the site.

The existing trees and woodland are located in the northern part of the site and will be retained and protected. No building works are proposed within or immediately adjacent to this area.

The measures contained within this CEMP will ensure that:

- the northern trees and woodland are protected;
- construction activities remain within the existing developed area;
- unnecessary disturbance to biodiversity is avoided;
- protected species are safeguarded through precautionary working practices;
- any unexpected ecological feature is dealt with appropriately;
- ecological advice is obtained where required;
- contractors understand their ecological responsibilities; and
- appropriate protective fencing, barriers and warning signs are used.

The CEMP will therefore be implemented throughout the construction period in accordance with the requirements of Planning Condition 10.

APPENDIX 1 – SITE ECOLOGICAL PROTECTION PLAN

A site plan should be appended to this CEMP identifying:

1. The site boundary.
2. The existing building.
3. The northern trees/woodland.
4. The Biodiversity Protection Zone.
5. The south-western dropped-kerb works.
6. Construction access.
7. Material storage areas.
8. Any temporary protective fencing.
9. Ecological warning signs.

Drawing reference: 2026/18/8/26- 01

Drawing title: Ecological Protection / CEMP Plan

APPROVAL

This Construction Environmental Management Plan: Biodiversity has been prepared to support the discharge of Planning Condition 10.

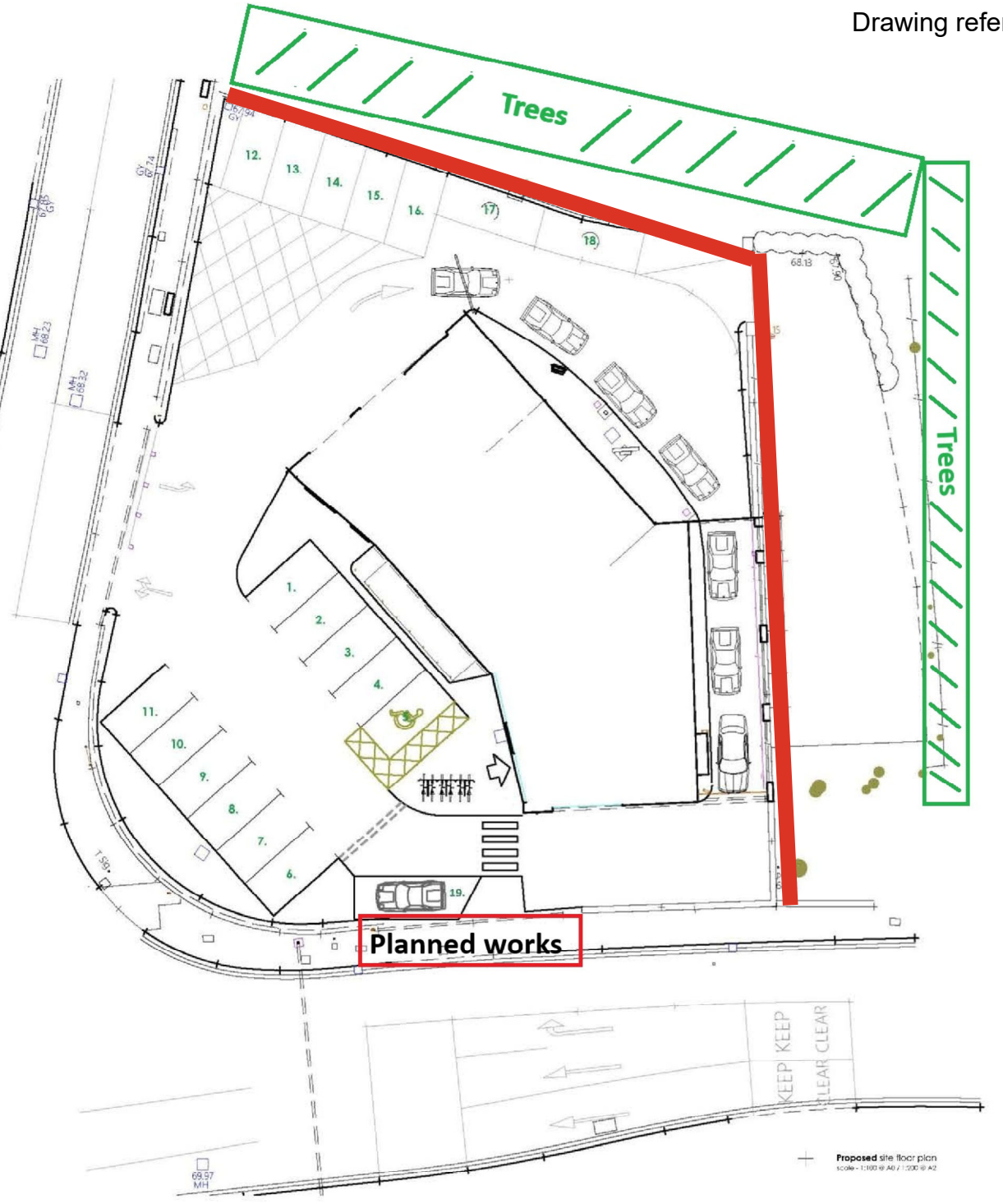
Once approved in writing by Kirklees Council, the measures contained within this document shall be implemented throughout the construction period in accordance with the requirements of the planning condition.

Prepared by: Robert Edwards

Date: 18/08/2026

For and on behalf of: Cubic Expression (UK) Ltd

Drawing reference: 2026/18/8/26- 01



Boundry Line