



CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN (BIODIVERSITY)

Land at Old Brighton Road, Pease
Pottage, West Sussex, RH11 9NG

A REPORT FOR SHELLWIN REAL ESTATE

This report has been compiled to guide all construction activities to facilitate development at the site.

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Survey and assessment completed in
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2025

Table 0.1 - Document and Version Control

Author	Georgie Baulcomb BSc MSc ACIEEM		
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Copyright and guidance

This report has been written to provide an objective assessment of the ecological constraints and opportunities that were considered to be present at the site at the time the survey/s were conducted and, should be used solely for the purpose for which it was designed. The copyright must be considered to rest with Co-ecology Ltd whilst use of the report is for the commissioning party and their client only, unless with the express and written consent of Co-ecology Ltd.

The surveys and assessment have been drafted to be in accordance with; Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition), British Standard for Biodiversity BS42020:2013, Biodiversity - Code for planning and development and; the Code of Professional Conduct published by the Chartered Institute of Ecology and Environmental management.

N.B. It must be noted that investigations of this sort provide only a snapshot in time of the ecological conditions of a site, are limited in extent and cannot capture the full picture of the biodiversity interests at the given location.

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1 Introduction

Overview of the commission and the proposals

- 1.1. Co-ecology Limited was commissioned by Shellwin Real Estate to compile a Construction Environment Management Plan (CEMP): Biodiversity in relation to the proposed development of Land at Old Brighton Road, Pease Pottage, RH11 9NG.
- 1.2. This Construction Environmental Management Plan (CEMP) document has been written to ensure compliance with Condition 21 set by Mid Sussex Council Planning Department relating to development within the site (Planning Application Reference: **DM/22/3432**):
- 1.3. *"No development shall commence until a construction environmental management plan (CEMP: Biodiversity) shall be 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.*
 - 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). This should include reference to the Bat Mitigation Strategy and Hazel Dormice Non-Licensed Method Statement (Surrey Wildlife Trust, March 2023) (SIC) – The council are actually referring to the Biodiversity Method Statement (Co-ecology, 2023)).*
 - 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 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."

- 1.4. This CEMP is provided to guide construction activities.

Background

- 1.5. In order to inform the proposals, the following survey/assessment work was produced:
 - Preliminary Ecological Appraisal (PEA) and protected species assessment was undertaken by Tracey Younghusband MCIEEM on the 2nd September 2022 (Co-ecology, 2022).
 - Dormouse Assessment & Biodiversity Method Statement (survey and method statement completed May 2023).
 - Arboricultural Implications Assessment, David Archer Associates (2021).

Site Context

- 1.6. The application site is a small parcel of land, 840m², centred at approximate Ordnance Grid Reference TQ 25966 32826 on the southern edge of Pease Pottage village. The site consists of a small area of *u1b – developed land, sealed surface* where a telephone mast is sited, surrounded by an area of previously cleared *w1f7 – lowland mixed deciduous woodland* with a thin line of trees remaining along the east, south and west boundaries.
- 1.7. Old Brighton Road lies immediately adjacent to the western boundary of the site and the A23 lies adjacent to the eastern boundary. To the north there are residential properties, and woodland habitat extends from the south boundary and along the shoulder of the A23 road.
- 1.8. The surrounding habitats comprise of densely wooded areas, with contiguous areas of woodland to the north and south along the shoulder of the A23 leading to larger blocks in the north.
- 1.9. The wider landscape consists of the small urban sprawl of Pease Pottage surround by a well-connected network of woodland with the majority being classified as Ancient and Semi Natural Woodland (ASNW) and Priority habitat inventory (PHI) deciduous woodland and registered on the National Forest Inventory (NFI) monitoring programme. Along with the woodland complexes, the wider landscape also contains a patchwork of arable and grazed pasture farmland, lines of trees and well-connected hedgerows.

Proposed Works

- 1.10. The proposed works comprise the erection of two commercial buildings for light industrial, storage and distribution use. Plans include provision of 12 car parking spaces with covered and secure cycle parking, associated hardstanding, soft landscaping, planting and boundary treatments.
- 1.11. Proposed works will result in the permanent loss of 700m² of cleared *w1f7 – lowland deciduous woodland* to facilitate the proposed works and direct impacts to all habitats on site.
- 1.12. There will be direct impacts to a minimal line of trees which fringes the site along the eastern boundary.

Relevant Legislation and Planning Policy

- 1.13. The following key pieces of nature conservation legislation are relevant to this CEMP:
 - The Conservation of Habitats and Species Regulations 2017 (as amended) (commonly referred to as the Habitats Regulations);
 - Wildlife and Countryside Act 1981 (as amended);
 - Natural Environment and Rural Communities Act 2006;
 - Protection of Badgers Act 1992; and
 - Wild Mammals (Protection) Act 1996.
- 1.14. The National Planning Policy Framework (Department of Communities and Local Government, 2021) requires local authorities to avoid and minimise impacts on biodiversity and to provide net gains in biodiversity when making planning decisions.

1.15. The following local policies are extracted from the Mid Sussex District Council Adopted Local Plan 2014 - 2031 (adopted March 2018)¹.

1.16. An extract to this policy is provided below and a link to the policy in full as a footnote.

DP29: Noise, Air and Light Pollution

“The environment, including nationally designated environmental sites, nationally protected landscapes, areas of nature conservation or geological interest, wildlife habitats, and the quality of people’s life will be protected from unacceptable levels of noise, light and air pollution by only permitting development where:

Noise pollution:

- *It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area;*
- *If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures;*

Noise sensitive development, such as residential, will not be permitted in close proximity to existing or proposed development generating high levels of noise unless adequate sound insulation measures, as supported by a noise assessment are incorporated within the development.

In appropriate circumstances, the applicant will be required to provide:

- *an assessment of the impact of noise generated by a proposed development; or*
- *an assessment of the effect of noise by an existing noise source upon a proposed development;*

Light pollution:

- *The impact on local amenity, intrinsically dark landscapes and nature conservation areas of artificial lighting proposals (including floodlighting) is minimised, in terms of intensity and number of fittings;*
- *The applicant can demonstrate good design including fittings to restrict emissions from proposed lighting schemes;*

Air Pollution:

- *It does not cause unacceptable levels of air pollution;*
- *Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels;*
- *Development proposals (where appropriate) are consistent with Air Quality Management Plans.”*

¹ [Mid Sussex District Plan 2014-2031](#)

DP37: Trees Woodland and Hedgerows

“The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected. Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.”

DP38: Biodiversity

“The District Plan recognises the importance of the protection and conservation of areas of importance for nature conservation and the valuable contribution made by these sites and features in conserving biodiversity and geodiversity of our natural heritage, together with opportunities for education and employment. The District Plan also recognises the importance of the protection and conservation of areas outside of designated areas where these are of nature conservation value or geological interest especially where they contribute to wider ecological networks.”

2 Ecological/Biodiversity Features

Designated Sites

- 2.1. There are no Special Areas of Conservation (SAC) or Special Protection Areas (SPA) located within 10km of the site boundary.
- 2.2. A total of five Sites of Special Scientific Interest (SSSI) lie within 5km of the site boundary including Buchan Hill Ponds SSSI, Cow Wood and Harry's Wood SSSI, Worth Forest SSSI, House Copse SSSI and St Leonard's Forest SSSI.
- 2.3. The site lies within the Impact Risk Zones (IRZ) for Buchan Hill Ponds SSSI. There will be no detrimental impacts to the designated sites due to the small scale of the development that is already encompassed in an urban landscape.

Habitats and Flora

- 2.4. The site includes a single small area (approximately 800m²) of previously cleared *w1f7 – lowland deciduous woodland* with small block of *u1b – developed land, sealed surface* used for a telecommunications mast. One large mature ash *Fraxinus excelsior* is located within the north section of the site.

Baseline Surveys

- 2.5. The Preliminary Ecological Appraisal undertaken by Co-ecology (2022) identified habitats on site suitable to support protected species including breeding birds, and hazel dormice.
- 2.6. Despite the woodland habitat being previously cleared before the PEA could be undertaken, a very high number of plant species, including those which characterise of secondary woodland, were recorded. This enabled the surveyor to determine the habitat classification as secondary *w1f7 – lowland deciduous woodland*. The eastern boundary of the site (along the green shoulder of the A23) comprised of a line of semi-mature ash, alder *Alnus glutinosa*, field maple *Acer campestre*, blackthorn *Prunus spinosa* and hazel *Corylus avellana*. These will all be removed to facilitate construction.
- 2.7. The small area of *u1b developed land, sealed surface* was located within the centre of the site which supported a telecommunications mast.
- 2.8. A dedicated survey for hazel dormouse was carried out in April 2023 on site and within adjacent National Highway land searching for evidence of dormice through hazelnut remains. Detailed results of those surveys were provided in a separate report (Co-ecology, 2023) which forms part of a de-facto technical appendix to this report.
- 2.9. As the site did not hold suitable habitats for dormouse except the presence of some hazel on the boundaries and as habitats to the north could not be accessed, there remains a low likelihood that hazel dormice could be present on site when construction starts. A precautionary approach to remaining site clearance is required.
- 2.10. Following the recommendations made in afore mentioned reports, a series of measures are described in this document to protect ecological features identified at the site and within the wider landscape, including:
 - *Hazel dormice* – The line of trees and woody vegetation habitats along all boundaries comprised suitable foraging and nesting opportunities for dormice and had good connectivity with the wider landscape.
 - *Nesting Birds* – The ash tree within site and the trees on the boundaries of the site had high suitability to support nesting birds.

- 2.11. In addition, due to the significant amount of time that has elapsed since the PEA assessment was carried out, a pre commencement meeting will be held to ensure that any other protected species that may now inhabit the site are considered, in particular bats and reptiles.
- 2.12. The mature ash tree located in the northern section of the site will require a check by a suitably qualified ecologist prior to any works taking place.
- 2.13. Biodiversity objectives were determined through consideration of the information collated during the ecological surveys at the site. These are detailed in Table 2.1 below.

Table 2.1 Biodiversity Objectives

Ecological Feature	Target
Hazel dormice	To implement a sensitive lighting scheme to minimise impacts to dormouse foraging habitat. Minimise impacts to any suitable dormouse nesting or foraging habitats on the boundaries. Enhancements of retained suitable habitats.
Nesting Birds	Minimise potential impacts to birds through timing of works. Ensure nesting opportunities are not compromised, foraging habitat is maintained. Enhancement of suitable nesting and foraging habitat on site with the provision of new shrub planting and incorporation of bird nesting boxes into the built structure.
Bats (foraging)	To implement a sensitive lighting scheme to minimise impacts to bat foraging and commuting lines and ensure dark corridors are maintained. Enhancement of suitable bat foraging habitat and provision of new roosting opportunities within the development site.

3 Risk assessment of potentially damaging activities

- 3.1. Potentially damaging construction activities are listed below. These have been identified from: the proposed site layout as detailed in the site layout below; the construction practices; and current guidance on activities/operations likely to result in impacts to ecological features (CIEEM, 2016):
- Movement of machinery and vehicles;
 - clearance of site vegetation (remnant secondary woodland);
 - digging/excavation or infilling;
 - pollution/silt runoff;
 - dust/air pollution;
 - noise;
 - lighting;
 - spreading, discharge or storage of materials;
 - construction of access roads, areas of hardstanding and buildings/structures;
 - laying of pipes and cables; and
 - erection of permanent or temporary structures.
- 3.2. Taking into consideration the expected zone of influence of each of these activities, potential direct or indirect impacts resulting from the proposed construction activities have then been identified in the absence of mitigation. These include (but are not limited to) short-term impacts (i.e., disturbance) and long-term impacts (i.e., modification, loss, and fragmentation/ isolation).
- 3.3. Aspects of ecological structure and function considered when predicting impacts included; available resources, environmental processes, ecological processes, human influences, historical context, ecological relationships, ecological role or function, ecosystem properties and other environmental influences, in accordance with current guidelines (CIEEM, 2019).
- 3.4. Potential impacts on ecological/biodiversity features (in the absence of mitigation) are summarised in Table 3.1 below.

Table 3.1 – Potential impacts from construction related activities on protected species

Activity	Hazel Dormouse	Nesting Birds	Bats (foraging)	Reptiles (if present)
Movement of machinery and vehicles	Disturbance	Disturbance	No Impact	Disturbance
Site clearance - vegetation	Injury, disturbance, and loss of foraging habitat	Loss of foraging and nesting habitat and disturbance	Loss of foraging opportunities	Loss of foraging habitat and disturbance
Digging/excavation or infilling	Injury, disturbance and entrapment	Disturbance	No Impact	Disturbance and entrapment
Pollution/silt runoff	No Impact	No impact	No Impact	No Impact
Dust/air pollution	Deterioration in respiratory function, reduced reproduction success	Deterioration in respiratory function, reduced reproduction success	No Impact	Deterioration in respiratory function, reduced reproduction success
Noise	Disturbance	Disturbance, abandonment of nests	Fragmentation of suitable foraging habitat.	No Impact
Lighting	Fragmentation of suitable foraging and commuting habitat.	Fragmentation of suitable foraging habitat. Abandonment of nests. Reduced reproduction success.	Fragmentation of suitable foraging and commuting habitat.	No impact
Spreading, discharge or storage of materials	Injury and disturbance	No impact	No Impact	Disturbance to foraging habitats
Construction of access roads, areas of hardstanding and buildings/structures	Fragmentation of habitats suitable for foraging.	Fragmentation of habitats suitable for foraging.	Fragmentation of habitats suitable for foraging.	Fragmentation of habitats suitable for foraging.
Laying of pipes and cables	No Impact	No impact	No Impact	Entrapment
Erection of permanent or temporary structures	Fragmentation of foraging habitats	Fragmentation of habitats suitable for foraging.	Fragmentation of foraging habitats	Fragmentation of habitats suitable for foraging.
Engineering works including drilling	Disturbance, abandonment of nests	Disturbance, abandonment of nests	No impact	Disturbance

4 Practical Measures to Avoid or Reduce Impacts

Pre-works site assessment

- 4.1. Prior to the commencement of construction, a site meeting between the project ecologist and the main contractor will be undertaken to set up a schedule of activities requiring ecological supervision. After the site meeting this CEMP will be reviewed and further measures may be required.
- 4.2. The assigned project ecologist will conduct a site assessment to ascertain if any significant changes have occurred on site since the previous site survey visit in 2023.
- 4.3. An Ecological Clerk of Works will work alongside the client and primary contractor to manage and mitigate impacts to the biodiversity receptors. This will be achieved through site attendance and a pre-works meeting to ascertain the final construction zone and determine the location of required vegetation clearance. The ECoW will ensure the working methods described in the CEMP are adhered to.
- 4.4. The updated site assessment will include an evaluation of the large, mature ash tree and any other trees which are scheduled for removal.
- 4.5. Additionally, the ECoW will carry out a toolbox talk at the start of the works and conduct a fingertip search of the route prior to clearance.

Biodiversity features

- 4.6. For each potential impact identified, all mitigation options provided follow the established mitigation hierarchy as set out in BS 42020:2013 (BSI, 2013). This seeks to first avoid impacts where possible and then mitigate any unavoidable impacts, and as a last resort, to compensate for any unavoidable residual impacts that remain after avoidance and mitigation measures are exhausted. All mitigation measures follow current best practice guidance (CIEEM, 2014), and are proportionate to the level of impact identified and to the nature and scale of the proposed works.

Mitigation for Protected Species

- 4.7. The measures listed below provide the mitigation solution to allow the works to progress whilst meeting the stated objective of avoiding and/or minimising the risk to any legally protected species that are reasonably likely to be present on the site.

Summer Clearance Working Method

- 4.8. **Timing** – Clearance of woody vegetation will take place in September and October after the bird nesting season has finished and prior to dormice entering hibernation. This will enable any dormice in the area to move away from the construction zone and into the suitable habitat in the surrounding area.
- 4.9. **Ecological Clerk of Works** – A suitably experienced ecologist will work with the contractors to fully ascertain the final route and location of the vegetation clearance and will ensure that the working methods described here are adhered to throughout the process. The ECoW will carry out a toolbox talk at the start of works as well as conducting a fingertip search of the route of the clearance.
- 4.10. **Pre-works checks** – The ECoW will conduct a visual inspection of all woody vegetation where dormice could be present. The search for dormice will be centred on locating any tightly woven nests that are characteristic of this species. If any dormice are recorded during this process, the ecologist will move the dormouse to a dormouse box installed on site.
- 4.11. **Working Area and method** – Due to the low likelihood of dormouse and breeding birds being present on site, the following precautionary approach to vegetation clearance will be followed:

- All vegetation removal works will be undertaken under the direct supervision of a suitably qualified ecologist;
- Work will start in the north of the site progressively moving towards the south of the site (as shown in Figure 1, below). This method of site clearance will encourage any dormice or birds that may be present to move away from the development area towards the adjacent suitable habitat comprising broadleaved semi-natural woodland;
- No ground cutting or excavation works are to be undertaken between November and March to avoid the dormice hibernation period;
- Vegetation clearance will be completed in a single stage;
- Vegetation will be maintained at ground level using hand tools for the duration of the construction phase; and
- All vegetation clearance will be carried out using hand-tools only, including brush cutters and strimmers.

Other

- 4.12. *Unexpected finds* – If any other protected species not covered in this method statement are recorded during the vegetation clearance or construction phase then works will cease immediately and advice from the ECoW and Co-ecology will be sought on how to proceed.

Figure 1. Biodiversity protection Measures.



5 Scope of Works and Schedule

- 5.1. The scope of works will involve site clearance of vegetation to facilitate construction activities. There will be no additional land take, beyond the proposed development boundary, for the purposes of site compounds or storage areas etc.
- 5.2. The mitigation and enhancements will be undertaken in accordance with the proposed programme of works. The programme will take into account seasonal constraints, the expected timetable of works (i.e., when site clearance needs to be undertaken, and when construction works are due to commence) and any other timing considerations.
- 5.3. The Principal Contractor and the Project Ecologist will review the scope of works, design a timetable to agree and ensure appropriate on-site supervision is provided to avoid/mitigate impacts on protected species as outlined above (see Mitigation). The timetable for ecological supervision must be agreed prior to works commencing on site.

Timing of Sensitive Works and Presence of an Ecological Clerk of Works (ECoW)

- 5.4. An ecology watching brief will be required if vegetation removal is undertaken during the bird nesting season (March to August inclusive) and if the vegetation habitats are above 250mm in height.
- 5.5. Any habitat suitable for hazel dormouse and common reptile species will be hand searched by a suitably experienced ecologist prior to removal.

Table 6.1 Timing of Works (X = optimal timing of activity)

Task	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Pre-works check of site habitats for protected species (ECOLOGIST)	X	X	X	X	X	X	X	X	X	X	X	X
Removal of ash and line of trees along eastern boundary (ECOLOGIST)	X	X							X	X	X	X
Vegetation clearance outside of breeding bird season	X	X							X	X	X	X
Vegetation clearance during breeding bird season (ECOLOGIST)			X	X	X	X	X	X				
Site preparation	X	X							X	X	X	X
Installation of protective Heras fencing along BPZs	X	X	X	X	X	X	X	X	X	X	X	X
Construction related activities	X	X	X	X	X	X	X	X	X	X	X	X

6 Mechanisms to Secure Delivery

- 6.1. Prior to the commencement of any works on site, including the setting up of site compounds and access onto the site, the Principal Contractor (and any personnel appointed by the Principal Contractor) will receive a formal briefing by the project ecologist. This briefing will detail all relevant protected species issues as set out within this CEMP (Biodiversity). A copy of this document must be read and understood by all contractors conducting the works.
- 6.2. The Principal Contractor will then be responsible for relaying any necessary information to contractors on site, either employed by them directly or third parties. Advice will be sought from Co-ecology Ltd. in the event of complex issues arising or in cases where there is any doubt as to the action to be taken. Any proposed deviation from this CEMP (Biodiversity) will be discussed with Co-ecology Ltd prior to seeking approval from the Local Planning Authority as necessary.
- 6.3. The site is owned by Shelwin Real Estates Ltd, and they are responsible for arranging site access and contractors accordingly.
- 6.4. The contractor responsible for overseeing the construction of the new property and ensuring that all personnel read and understand this management plan and that the measures within this plan are followed is Shellwin Real Estates Ltd.
- 6.5. The client or a third party employed to undertake specific services, will be responsible for implementing all the necessary avoidance/mitigation measures detailed within this CEMP (biodiversity). These actions will proceed under ecological supervision where relevant.
- 6.6. A suitably qualified and experienced ecologist, licensed/accredited where necessary, will be provided and act as an ECoW. The role of the ECoW is in accordance with BS 42020:2013 (BSI, 2013) and will satisfy the following requirement:

‘An ecological Clerk of works should be able to demonstrate a level of experience and competence commensurate with the complexity of the role needed on site to deal with the wide range of ecological issues likely to be encountered and to adapt to new and unforeseen challenges raised by development activities.’

Responsible Persons and Lines of Communication

- 6.7. Details of personnel and lines of communication necessary for the full implementation of the CEMP (Biodiversity) are summarised in Table 6.1 below. This is provided to ensure that the project team know who to liaise with and which personal are undertaking the required tasks.

Table 6.1 Responsible persons and lines of communication features

Required Information	Responsible Person	Line of Communication
Advice and monitoring in relation to regulations, legal consents, planning conditions, environmental procedures and contractual arrangements.	Co-ecology - 01273 031599	Clara Gonzalez Hernandez clara@co-ecology.co.uk
ECoW and toolbox talks for contractors		
Vegetation removal	TBC	TBC
Contingency measures in the event of an accident or occurrence of other potentially damaging incidents.	Lead Contractor: TBC	TBC
Periodic reporting on the success of advice/toolbox talks etc. as required, for example, by planning conditions.	Lead Contractor (TBC), ECoW, Co-ecology and Project Manager (TBC)	All reporting fed back to the Project Manager (TBC)

References

British Standards Institution (2012) *BS 5837:2012- Trees in relation to design, demolition and construction*. BSI, London.

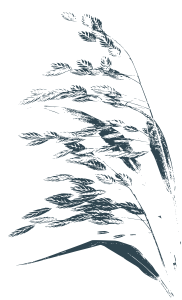
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