

F - Ecological Mitigation Strategy

WBLR Phase 3

Ecological Mitigation Strategy

1. Introduction

This Ecological Mitigation Strategy (EMS) forms part of the Construction Environmental Management Plan (CEMP) for the WBLR Phase 3 works.

The purpose of this strategy is to:

- Ensure compliance with ecological mitigation measures identified within the Environmental Statement (ES), including Table 16-1 (Mitigation Register).
- Protect ecological receptors during construction.
- Provide a framework for ecological supervision, mitigation and monitoring.
- Ensure compliance with relevant wildlife legislation and planning conditions.

This document should be read in conjunction with the WBLR Phase 3 scheme specific:

- Ecological Impact Assessment (EcIA) (Appendix G of the WBLR Phase 3 CEMP).
- Environmental Statement (December 2018), including Chapter 16 Mitigation Register (Table 16-1).
- Further Environmental Information Report.
- Arboricultural Impact Assessment and Tree Protection Plan.

All mitigation measures identified within Chapter 16 Mitigation Register (Table 16-1) of the Environmental Statement (December 2018) and the Ecological Impact Assessment (Appendix G of the CEMP) are embedded within this EMS and will be implemented in full.

Where there is any discrepancy between this EMS document and the EcIA, the more precautionary approach shall apply.

2. Legislative and Policy Context

All works will be undertaken in accordance with relevant legislation and guidance, including:

- Wildlife and Countryside Act 1981 (as amended)
- Countryside and Rights of Way Act 2000
- Conservation of Habitats and Species Regulations 2017
- Protection of Badgers Act 1992
- Natural Environment and Rural Communities (NERC) Act 2006

The Principal Contractor will ensure compliance with:

- Planning conditions associated with permission (Ref: DM/21/3279, DM/25/0109)
- Best practice guidance (e.g. CIRIA)
- Any protected species licensing requirements where applicable.

Based on the findings of the Ecological Impact Assessment, the works are not anticipated to require a European Protected Species licence.

Notwithstanding this, should protected species requiring licensing (e.g. bats or great crested newts) be identified during pre-commencement checks or construction, works will cease and advice will be sought from a suitably qualified ecologist. Where required, appropriate licences will be obtained from Natural England prior to works recommencing.

3. Ecological Baseline and Sensitive Receptors

3.1 Designated Sites

There are no statutory sites designated for nature conservation within or adjacent to the Application Site.

The nearest area of ancient woodland (Jane Murray Way Shaw) is located approximately 170m north of the Site. Given the nature and scale of the works, and the separation distance, no direct impacts are anticipated. Indirect impacts (e.g. dust, lighting, noise) will be controlled through the mitigation measures set out within this EMS.

3.2 Habitats

The Site comprises:

- Plantation broadleaved woodland (Habitat of Principal Importance).
- Semi-improved neutral grassland.
- Improved grassland.
- Roadside verges.
- Hedgerows and field boundaries.
- Drainage ditches and culverts.
- Hardstanding (carriageway and footway areas).

3.3 Protected and Notable Species

The Site has potential to support:

- Bats (foraging and commuting).
- Breeding birds.
- Badgers.
- Reptiles (including slow worm).
- Hedgehog.

It is considered unlikely that the Site supports:

- Great crested newts (GCN).

- Dormouse.
- Roosting bats.

However, precautionary methods of working will be implemented to ensure compliance with wildlife legislation as set out in the sections below.

4. Roles and Responsibilities

4.1 Principal Contractor

The Principal Contractor will be responsible for:

- Implementing this Ecological Mitigation Strategy.
- Ensuring all personnel are aware of ecological constraints.
- Programming works to avoid sensitive periods where practicable.
- Appointing a suitably qualified Ecological Clerk of Works (ECoW).
- Ensuring compliance with all ecological mitigation measures.

Notwithstanding that a Principal Contractor has not yet been appointed to undertake the WBLR Phase 3 works, this Ecological Mitigation Strategy sets out the minimum standards and commitments that will be adhered to during construction. The appointed Principal Contractor will be required to comply fully with this strategy and refine it where necessary, but no works shall commence unless all ecological mitigation measures set out herein are in place and, where required, supervised by a suitably qualified ecologist.

4.2 Ecological Clerk of Works (ECoW)

The ECoW will be responsible for:

- Undertaking pre-construction ecological checks.
- Supervising sensitive works (e.g. vegetation clearance).
- Delivering toolbox talks.
- Monitoring compliance with this strategy.
- Advising on protected species and stop-work procedures.

See section 6 of this EMS for further information on the ECoW.

5. Pre-Commencement Ecological Checks

Prior to the commencement of any vegetation clearance or groundworks, a suitably qualified ecologist will undertake updated ecological checks to confirm the continued validity of the EclA findings. These checks will include (but not be limited to):

- Inspection for nesting birds.
- Assessment of habitats for reptiles and amphibians.
- Inspection of trees for bat roost potential (if previously identified).

- Identification of any new ecological constraints.

Where new risks are identified, works will not proceed until appropriate mitigation measures have been agreed and implemented.

6. Mitigation Measures

6.1 General Environmental Protection

- Working areas will be clearly defined and demarcated.
- Retained habitats will be protected from damage.
- Construction activities will be restricted to agreed working areas.

6.2 Vegetation Clearance

- Vegetation clearance will not be undertaken during the bird nesting season (March–September inclusive) unless a pre-clearance inspection by a suitably qualified ecologist confirms the absence of active nests.
- If active nests are identified, an appropriate exclusion buffer will be established, and works will be delayed until nesting activity has ceased, and the nest is no longer in use.

6.3 General Protected Species Controls

- Daily inspections will be undertaken to ensure animals are not trapped in excavations, pipework or stored materials.
- All excavations will:
 - Be ramped or provided with escape routes, or
 - Be covered overnight where practicable.
- Pipes will be capped when not in use.
- Materials will be stored off the ground (e.g. pallets) where practicable.
- Standing water will be avoided.

If protected species are encountered:

- Works will cease immediately.
- The ECoW will be notified.
- Works will only recommence following appropriate advice and/or licensing.

6.4 Reptiles

A juvenile slow worm was recorded within the Site during surveys undertaken in 2024, confirming the presence of reptiles within the local area. As such, the Site is considered to support suitable habitat for reptiles, and a precautionary approach to works will be adopted.

Mitigation measures shall include:

- Vegetation clearance in areas of suitable reptile habitat will be undertaken using a phased directional approach under supervision of the ECoW to allow reptiles to disperse into adjacent retained habitats.
- Clearance will be undertaken during the active season (typically March – October) unless otherwise agreed with the ECoW.
- Along the northern verge of the A2300 (where a confirmed presence of slow worm has been identified), additional precautionary measures will be implemented as directed by the ECoW. These may include hand searches and, where necessary, destructive searches immediately in advance of vegetation clearance or ground disturbance. Such measures will be targeted to higher-risk areas and will be undertaken under ecological supervision to ensure any reptiles present are identified and allowed to disperse safely into adjacent retained habitats.

6.5 Great Crested Newts (GCN)

Although great crested newts are considered unlikely to be present within the Site based on the findings of the Ecological Impact Assessment, a precautionary approach will be adopted due to the presence of some habitats with limited suitability and the potential for changes in site conditions over time. As such:

- The ECoW will undertake a pre-construction review of habitat suitability within the Site and its immediate surroundings prior to the commencement of works. This will include inspection of terrestrial habitats such as grassland, scrub, and refugia features (e.g. log piles, rubble, dense vegetation), as well as consideration of connectivity to any nearby waterbodies that could support breeding populations.
- Where works are phased or delayed, updated checks may be required to ensure that site conditions have not changed and that no suitable habitat has developed since the previous assessment.
- If areas of potentially suitable habitat are identified, the risk of encountering great crested newts will be reassessed by a suitably qualified ecologist. Subject to the outcome of this assessment, appropriate precautionary working methods will be implemented.
- Such measures may include supervised vegetation clearance, phased directional strimming, and hand/destructive searches immediately in advance of works, with the aim of allowing any amphibians present to disperse naturally into adjacent retained habitats.
- Works affecting suitable habitat will, where practicable, be undertaken during periods when great crested newts are active (typically March to October), to reduce the risk of harm to individuals.
- In the event that a great crested newt is encountered during construction, works will cease immediately in the affected area, and the ECoW will be notified.
- Further advice will be sought from a suitably qualified ecologist, and where required, a licence will be obtained from Natural England prior to the recommencement of works. All works will thereafter proceed in accordance with the requirements of any such licence.

6.6 Badgers

The Ecological Impact Assessment states that there are no records of badgers within 2km of the Site, and no records of badger licences within 2km. However, the habitats within the Site are considered suitable for badgers, with areas of dense scrub vegetation and woodland present along the boundaries of the Site. As such:

- Pre-construction checks for badger activity will be undertaken by a suitably qualified ecologist prior to the commencement of works in any areas of suitable habitat. These checks will comprise a walkover survey to identify signs of badger presence, including setts, foraging activity (e.g. snuffle holes), tracks, latrines, hair, and pathways.
- Where works are phased, or where there is a delay between initial clearance and construction, repeat checks may be required to ensure no new badger activity has established.
- Any setts identified will be subject to appropriate stand-off distances and further assessment, including classification of the sett (e.g. main, annex, outlier) and consultation with a suitably qualified ecologist to determine appropriate mitigation.
- Where necessary, mitigation measures may include the establishment of exclusion zones, timing restrictions on works, or the installation of protective fencing.
- All works will be carried out in accordance with the requirements of the Protection of Badgers Act 1992.
- Where disturbance to an active sett cannot be avoided, a licence will be obtained from Natural England prior to the commencement of works.

6.7 Bats and Trees

- As part of this scheme, three trees have been identified as having bat roost potential. The remainder have been assessed of negligible value for rooting bats. These will not be impacted without further assessment.
- If works affect such trees, additional inspection/survey will be undertaken.
- Updated inspections will be required if works commence more than 18 months after previous surveys.

If bats are discovered:

- Works will cease immediately.
- Advice will be sought from an ecologist.
- Licensing will be obtained where required.

6.8 Dormouse

The Ecological Impact Assessment identifies historical records of hazel dormouse within the wider landscape, with the closest record approximately 0.21km southwest of the Site. Previous assessments have identified dormouse presence within hedgerows and woodland habitats to the north of the A2300. However, field surveys undertaken between 2019 and

2024, including targeted fingertip searches of suitable scrub habitat, recorded no evidence of dormouse within the Site. In addition, the Site is considered to comprise relatively isolated habitats, severed by existing roads and development, reducing its suitability for dormouse. As such, dormouse is considered unlikely to be present on-site.

Notwithstanding this, a precautionary approach will be adopted. As such:

- The ECoW will undertake a pre-construction review of habitat suitability, focusing on areas of scrub, hedgerows, and woodland edge habitats within and immediately adjacent to the Site.
- Where works are phased or delayed, updated checks may be undertaken to confirm that site conditions have not changed and that no suitable habitat has developed.
- If areas of potentially suitable habitat are identified, works will be undertaken using sensitive, phased vegetation clearance techniques, under ecological supervision where appropriate, to reduce the risk of harm to any potential dormouse.
- Vegetation clearance will, where practicable, be undertaken outside of the main dormouse active season (typically April to October) or under the supervision of a suitably qualified ecologist.
- In the unlikely event that evidence of dormouse is identified during construction, works will cease immediately in the affected area, and the ECoW will be notified.
- Further advice will be sought from a suitably qualified ecologist, and where required, a licence will be obtained from Natural England prior to the recommencement of works. All works will thereafter proceed in accordance with the requirements of any such licence.

6.9 Lighting Control

To minimise ecological impacts, lighting will:

- Avoid illumination of hedgerows, woodland edges and watercourses.
- Use warm white lighting (<2700K).
- Have zero upward light spill.
- Be directional and shielded.
- Temporary lighting will be minimised and positioned to reduce light spill.

No temporary or permanent lighting will be installed in a manner that results in significant illumination of retained habitats, including hedgerows, woodland edges, or watercourses.

6.10 Habitat Protection

- Protective fencing will be installed prior to any works commencing and will be retained for the duration of construction. These areas will be treated as exclusion zones.
- No storage, plant or access will be permitted within these protected areas / exclusion zones.

- No changes in ground levels will occur within these protected areas / exclusion zones.

6.11 Tree Protection

- Tree protection will be implemented in accordance with:
 - Arboricultural Method Statement.
 - Tree Protection Plan.
 - BS 5837:2012.
- No works within Root Protection Areas without approval.
- Works beneath tree canopies will be undertaken using hand tools unless otherwise agreed.

6.12 Water Environment Protection

- No materials to be stored within 10m of watercourses.
- Silt control measures will be implemented.
- Pollution prevention measures (e.g. bunding, spill kits) will be in place.
- Refuelling will occur in designated areas only.

7. Ecological Supervision and Monitoring

- A suitably qualified and experienced Ecological Clerk of Works (ECoW) will be appointed prior to commencement of the works. They will:
 - Undertake site inspections during key risk activities (e.g. vegetation clearance, works near habitats, drainage works).
 - Provide toolbox talks to all site personnel.
 - Undertake pre-commencement checks and ongoing monitoring.
 - Advise on compliance with protected species legislation.
 - Have the authority to stop works if ecological risks are identified.
- A site ecological log will record:
 - Inspections.
 - Incidents.
 - Corrective actions.

8. Toolbox Talks and Training

All site personnel will receive ecological toolbox talks covering:

- Protected species awareness.
- Legal responsibilities.
- Site-specific constraints.

- Procedures for unexpected discoveries.

9. Unexpected Ecological Discoveries

In the event that protected species or previously unidentified habitats are encountered during construction:

- Works in the vicinity will cease immediately.
- The ECoW will be notified.
- Appropriate mitigation and/or licensing will be agreed before works recommence.

All works will comply with relevant wildlife legislation.

10. Programme and Timing of Works

The Principal Contractor will programme works to:

- Avoid sensitive ecological periods where practicable.
- Sequence vegetation clearance appropriately.
- Align with ecological supervision requirements.

11. Compliance with Environmental Statement Mitigation

All mitigation measures identified within:

- The Ecological Impact Assessment (CEMP Appendix G); and
- Environmental Statement Chapter 16 (Table 16-1 Mitigation Register)

are incorporated within this strategy and will be implemented during construction.

12. Review and Updates

This Ecological Mitigation Strategy will:

- Be reviewed prior to construction.
- Be updated by the Principal Contractor where necessary.
- Remain compliant with planning conditions and approved documents.

The measures set out within this Ecological Mitigation Strategy are mandatory requirements for the construction of the WBLR Phase 3 scheme.

The works will be carried out in full accordance with this strategy unless otherwise agreed in writing with the Local Planning Authority.