

# M60/M62/M66 Simister Island Interchange

TR010064

## 6.5 FIRST ITERATION ENVIRONMENTAL MANAGEMENT PLAN

### APPENDIX D: OUTLINE GENERAL ECOLOGY MANAGEMENT PLAN

APFP Regulation 5(2)(a)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

## Infrastructure Planning

Planning Act 2008

### **The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009**

## **M60/M62/M66 Simister Island Interchange Development Consent Order 202[ ]**

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### **FIRST ITERATION ENVIRONMENTAL MANAGEMENT PLAN APPENDIX D: OUTLINE GENERAL ECOLOGY MANAGEMENT PLAN**

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## Outline General Ecology Management Plan

### D.1 Background to the plan

- D.1.1 This Outline General Ecology Management Plan (Outline GEMP) sets out the measures that will be used by the Principal Contractor (PC) to manage and protect general ecology which may be affected by construction of the M60/M62/M66 Simister Island Interchange (the "Scheme").
- D.1.2 This management plan will be updated by the PC to General Ecology Management Plan (GEMP) and included within the Second Iteration Environmental Management Plan (EMP), as appropriate and necessary, prior to commencement of works in accordance with the Requirements in Schedule 2 of the draft Development Consent Order (DCO) (TR010064/APP/3.1) and the requirements of the First Iteration EMP.

### D.2 Responsibilities

- D.2.1 The effective implementation of this plan requires that roles and responsibilities are clearly defined and understood. The key environmental management roles involved in the delivery of the GEMP are identified in Chapter 2, Table 2.1: Environmental Roles and Responsibilities of this First Iteration EMP.
- D.2.2 At the start of a work shift or commencement of a new activity, contractors will be given a toolbox talk, for example by the PC Ecological Clerk of Works (ECoW), to inform them of the environmental and ecological constraints and restrictions of the site, as described in as described at Section 7.4 of this First Iteration EMP.
- D.2.3 Should any protected or notable species be found during any activities, works will stop immediately and the PC Environmental Specialist (ecologist) / ECoW will be contacted. The ecologist will advise how the works should proceed and measures to be taken to minimise disturbance to protected or notable species.
- D.2.4 If any works are likely to impact on category A and B trees or important hedgerows, works will stop immediately, and the PC Environmental Specialist (arboriculturist)/ Landscape Architect will be contacted. The arboriculturist will advise how the works should proceed and measures to be taken to minimise disturbance to protected or notable vegetation.

### D.3 Scheme Commitments

- D.3.1 Several commitments have been made as part of the Scheme, incorporating good practice measures which would reduce impacts on

ecology. These commitments are provided in the Register of Environmental Actions and Commitments (REAC) contained in Section 3 of this First Iteration EMP.

### **Vegetation Retention and Removal**

- D.3.2 The REAC includes commitments that are relevant to retention of existing vegetation which would be implemented in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction. Root protection areas (RPAs) for all existing trees have been identified in Appendix 7.5: Arboricultural Impact Assessment of the Environmental Statement Appendices (TR010064/APP/6.3), the Arboricultural Impact Assessment (TR010064/APP/6.3).
- D.3.3 Details on how individual trees would be protected and retained, and which site-specific construction methods would be used to safeguard trees and their roots, will be provided in an Arboricultural Method Statement and Tree Protection Plan, which would be prepared during the detailed design phase, refined following final design agreement and in place prior to works affecting trees commencing and appended to the Second Iteration EMP. The Arboricultural Method Statement and Tree Protection Plan would include areas of special measures to protect and retain features that would be subject to encroachment and localised removal. This would be based on the special measure areas, construction exclusion zones and outline tree protection measures presented within the Arboricultural Impact Assessment presented within Appendix 7.5: Arboricultural Impact Assessment of the Environmental Statement Appendices (TR010064/APP/6.3).
- D.3.4 Appropriate fencing would be installed to protect existing trees and ensure no construction activities affect the RPAs. All temporary fences would be regularly checked to ensure they have not been moved during construction.
- D.3.5 The PC's ECoW (supported by a competent arboriculturist and ecologist) would be available during the phase of site clearance to assess and advise on retention of habitats. Where practicable, the Scheme would aim to avoid loss of habitats with importance for wildlife, such as hedgerows, woodland, scrub, and water bodies. The ECoW would assess each area prior to clearance commencing and would advise whether full ECoW supervision is required for the work, or where it is not required would 'sign off' on the clearance of that area.
- D.3.6 All tree works would be carried out by a specialist contractor in accordance with the detailed requirements set out in the MCHW Volume 1

Series 200 Site Clearance (Highways England, 2001b), that will be produced at detailed design stage.

- D.3.7 Hedgerow trimming shall generally be undertaken outside of the bird breeding season. The main bird nesting season is generally considered to be from March until August inclusive. If hedgerow trimming is required within the nesting season, then the ECoW would assess each area prior to clearance commencing and would advise whether full ECoW supervision is required for the work, or where it is not required would 'sign off' on the clearance of that particular area.

## **Habitat and species protection**

### **Pre-construction surveys**

- D.3.8 Pre-construction surveys for protected species are required by the draft DCO (TR010064/APP/3.1). In summary these surveys will comprise the following:
- Bat surveys would be undertaken for all trees to be felled to enable construction of the Scheme, and all trees within a radius of potential disturbance effects depending on the type of construction activity, but up to a maximum distance of 50m.
  - Badger survey up to 50m from the Order Limits.
  - Invasive Species surveys up to 10m from the Order Limits.
  - Barn Owl surveys for all trees to be felled to enable construction of the Scheme.
  - Reptile surveys.
- D.3.9 These surveys will follow best practice survey guidance and be conducted at suitable times of the year. For bats, barn owls, reptiles and invasive plant species that will be within the current or most recent optimal season, i.e. May to September prior to the start of construction. Surveys for badger are not constrained by season and will be completed within a suitable timeframe to enable information to be collected to support a badger licence application.

### **Species Protection**

- D.3.10 Procedures for protected species safeguarding and mitigation during construction will be fully detailed within the Natural England Protected Species Licences. A draft version of the application for the badger licence is provided within the Environmental Statement (TR010064/APP/6.3). Method Statements will include consideration of breeding birds (including barn owl), bats, aquatic fauna, reptiles, great crested newt (GCN),

terrestrial invertebrates and other species of principal importance for the purpose of conserving biodiversity.

- D.3.11 For trees which are identified as having bat roost potential, preconstruction surveys would confirm if the status of the feature has changed since baseline surveys were undertaken (i.e. is there any new evidence to confirm bats are now using the trees to roost). Should any roosts be confirmed a licence would be submitted for approval to Natural England to agree appropriate mitigation including the timing of works, exclusion measures and suitable replacement roosts.
- D.3.12 Seasonal ecological constraints will apply to certain construction activities, including:
- In respect of general vegetation clearance, nesting bird constraints will need to be considered between March and August (inclusive), and outside these times where weather conditions are suitable for nesting birds.
  - Vegetation and hedgerows with the potential to support reptiles will need to be removed between March and October (weather dependent) unless the PC ECoW has assessed otherwise (in accordance with a hedgerow risk assessment).
  - Further considerations include timing works to avoid in-channel works for main rivers during freshwater fish spawning and migration periods (October to May).

## D.4 General Control Measures

- D.4.1 Prior to construction, a suitably qualified and experienced (or team of suitably qualified and experienced) ECoW and a named bat licensed ecologist will be appointed and will support the main contractor with the implementation of the Second Iteration EMP prepared by the PC. The ECoW will:
- Provide ecological advice to the PC over the entire construction programme as required.
  - Undertake or oversee pre-construction surveys for protected species in the areas affected by the Scheme.
  - Monitor ecological conditions during the construction phase to identify additional constraints that may arise because of natural changes to the ecological baseline over time.
  - Provide ecological toolbox talks to site personnel to make them aware of ecological constraints and information, identify appropriate

mitigation developed to minimise impacts and make site personnel aware of their responsibility with regards to wildlife. The toolbox talks will include, as required, all ecological receptors considered within the Environmental Statement (TR010064/APP/6.1) and REAC.

- Monitor the implementation of the mitigation measures during the construction phase to ensure compliance with protected species legislation and commitments within the Environmental Statement and REAC.

D.4.2 The ECoW will have previous experience in similar ECoW roles, be approved by the Applicant and be appropriately qualified for the role. The ECoW will be appointed in advance of the main construction programme commencing to ensure pre-construction surveys are undertaken and any advance mitigation measures required are implemented.

D.4.3 The following general control measures are applicable:

- Site/vegetation clearance and tree felling will be kept to a minimum as far as practicable to reduce the impacts of habitat loss and fragmentation. Areas of clearance, particularly those within temporary works, will be identified within a works plan and agreed with the ECoW.
- Important commuting features such as mammal pathways and river channels will be left clear of obstruction. Where an ECoW deems it beneficial to local wildlife, temporary fencing will be raised slightly off the ground (150mm) where reasonably practicable; if not, gaps will be provided at regular intervals (as assessed on site). Where wildlife travelling freely through fencing is considered likely to increase the risk of mortality (e.g. fencing between habitat and the existing M60), then fencing will be installed to reduce likelihood of wildlife moving freely through it where practicable, i.e. not leaving a gap beneath fencing or at regular intervals.
- ECoW to be present during site clearance operations in sensitive habitats where works have the potential to impact protected and/or notable species. These areas will be defined in advance in accordance with information on these species as detailed below.
- Working areas and machinery tracking should be defined in advance and kept to a minimum to prevent unnecessary encroachment on the verge and adjacent habitat along the Scheme extent.
- Works during the construction period will be undertaken during daylight hours (07.00 to 19.00) Monday to Friday to reduce the impact to nocturnal and crepuscular species, particularly bats, barn owl and



badger. However, extended hours, including night-time, will be required for some construction operations. Should night working be required, these will be discussed with the ECoW and appropriate measures put in place as determined by the ECoW.

- Construction works will be undertaken considering sensitive ecological seasons (e.g. breeding, hibernation or migration seasons) and the potential impact that the type of construction work could have on species/species groups within that season.
- If any suspected protected species are identified during the site works, all work in the immediate area must cease and an appropriately qualified ecologist must be contacted for advice through the PC.
- To prevent entrapment of wildlife, any trenches or voids will be excavated and infilled within the same working day. If this is not possible, the void will be securely covered overnight, or a suitable means of escape provided (such as a ramp at no greater than a 45-degree angle). Any void will then be visually inspected prior to re-starting works to confirm the absence of entrapped wildlife.
- All escape measures will be discussed and agreed with the ECoW to ensure they are suitable for the size of void and wildlife that may become trapped. If deemed appropriate, the ECoW may enforce additional measures, such as the installation of temporary fencing around the void to prevent entry.
- Site workers should be made aware of the appearance of common invasive species by way of a 'toolbox talk'. If any invasive species are suspected to be present on site, all works in the immediate area should cease and the PC notified.
- Pre-works nesting bird checks, to be undertaken by suitably qualified personnel should vegetation clearance of grassland, hedgerow, scrub, or trees takes place during the nesting bird season (March to August inclusive and out with these months when seasonal weather patterns facilitate bird nesting).

D.4.4 Task lighting should be directed away from the surrounding habitat to minimise the disturbance on nocturnal wildlife species, including bats, in accordance with current best practice guidance. A suitable lighting strategy will be developed for implementation across the Scheme in accordance with BS5489 Code of Practice for the Design of Road Lighting and good practice guidance on lighting with regards to protected species. Measures will include:

- Avoidance of direct lighting on any buildings or trees, habitats of value to foraging and commuting species (such as hedgerows, trees, woodland) where defined from pre-construction surveys.
- Avoidance of light spill using directional and/or baffled lighting. The use of movement triggers, thus lighting only turns on when people (large objects) move through the area (use within compound). Positioning of lighting columns away from habitats of value to foraging and commuting species (hedgerows, trees, woodland). Reducing the height of lighting columns to reduce light spill onto adjacent habitats.
- Variable lighting regimes (VLR) - switching off when human activity levels are low i.e. 21:00 to 05:30. Avoid use of blue-white short wavelength lights and high ultraviolet (UV) content.
- Work during hours of darkness will be avoided as far as practicable and where unavoidable, directed lighting will be used to minimise light pollution and glare.
- Temporary lighting used for construction will be switched-off when not in use and positioned so as not to spill on to adjacent land, watercourses, sensitive receptors or retained vegetation within the area surrounding the works.
- Directed lighting will be used to minimise light pollution/glare, including for construction compounds. Lighting levels around construction compounds will be kept to the minimum necessary for security and safety by the PC. Where this is not possible the Contractor will agree any exceptions with the ECoW in advance of construction activities.

## **D.5 Specific Control Measures**

### **Great Crested Newt (GCN) *Triturus cristatus***

**D.5.1** GCN have been confirmed present within 250m of the Order Limits. As the Order Limits support terrestrial habitats that are suitable for GCN a licence is required before works can proceed. A District level Licence (DLL) from Natural England approach has been selected as an alternative approach to typical mitigation licensing. DLL removes the seasonal constraint requirements of working in an area that supports GCN and any species translocation. However, where other protected species are present, the DLL does not supersede the legislation pertaining to those species e.g. protection of reptiles from killing and injuring.

**D.5.2** Whilst not a requirement under DLL, reasonable avoidance measures may also be adopted to minimise impacts on GCN during works.

## Badger

- D.5.3 Badger setts are located within the Order Limits and will be unavoidably impacted by the Scheme. As such, a Natural England licence will be required in advance of any works. Informed by pre-construction survey, the requirements of the licence will likely entail exclusion of badger setts. A draft version of the application is provided within the Environmental Statement (TR010064/APP/6.3). On the 2 July 2024, Natural England issued a 'Letter of No Impediment' (LONI) to verify they are content that the draft licence application is of the required standard, and to give confidence that they, as the competent licencing authority, see no impediment to issuing a licence in the future, based on information assessed to date in respect of the proposals.
- D.5.4 Four active sets have been recorded in the Order Limits. Works within the vicinity of the active setts include hedgerow planting and construction of an embankment. Details of the active setts are provided within the Environmental Statement (TR010064/APP/6.1) and draft badger licence.
- D.5.5 One badger sett will require permanent closure under the badger licence detailed in the Environmental Statement (TR010064/APP/6.1).
- D.5.6 Mitigation measures such as the use of buffer zones and use of hand tools will be adopted to prevent damage/disturbance of retained active setts as outlined in the REAC within the First Iteration EMP main text, Environmental Statement (TR010064/APP/6.1) and draft badger licence.

## Reptiles

- D.5.7 A Precautionary Working Method Statement (PWMS) will be developed for enabling works and construction associated with the vegetation clearance. The PWMS will detail a prescribed works method to ensure the safety of any reptiles that might be present and is likely to include:
- Avoidance of vegetation clearance when reptiles are likely to be in hibernation (November to March inclusive).
  - Hand search for reptiles in area to be cleared.
  - Strim of vegetation to 10 cm.
  - Second search by hand for reptiles.
  - Strim of vegetation to ground level
  - Removal by hand, any features with potential to support reptiles (e.g. log piles, rubble piles, stone walls).
- D.5.8 If reptiles are encountered during their active season (April to October inclusive), they will be captured by hand or allowed to naturally disperse in

a direction away from the construction area to a retained suitable habitat and/or predefined release area within suitable supporting habitat. The release site shall be identified by the ECoW.

- D.5.9 If reptiles are encountered during hibernation, they will be left in their resting place and no further works with potential to directly impact reptile hibernation habitat will be undertaken in the vicinity for the duration of the hibernation season, as directed by the ECoW.

### **Birds**

- D.5.10 Vegetation and site clearance works will be undertaken outside the bird nesting period, March to August inclusive, to avoid damage or destruction of nests. Where this is not possible, site clearance will be preceded by an inspection from the ECoW within 24 hours of clearance works commencing to confirm the absence of active nests. If an active nest is recorded, a buffer will be implemented (as determined by the ECoW) and remain in place until the nest is confirmed as inactive. All cleared vegetation will be rendered unsuitable for nesting birds, for example, by covering or chipping depending on the end purpose of the vegetation or will be removed from the works area.
- D.5.11 Should a nesting bird be uncovered during the works, works within the surrounding area shall cease and the ECoW be contacted. An appropriate exclusion zone will be demarcated. This exclusion zone shall remain in place until the young have fledged. The size of the exclusion zone would be dependent on the nest location, type of work being undertaken etc. and would be reviewed on a case-by-case basis by a suitably qualified ecologist.
- D.5.12 When any bird nesting is found the state of the nest shall be reviewed on a weekly basis to minimise the potential for disturbance.
- D.5.13 Nest boxes, suitable for use by species likely to be present within carriageway verge habitats, shall be provided in suitable locations (locations and quantities to be decided).

### **Bats**

- D.5.14 Eight trees with bat roosting potential were recorded within the Order Limits, the closest of which was located adjacent to the Schemes M60/M62/M66 road alignment and the furthest was located at 204m East.
- D.5.15 Bat boxes would be provided for every tree assessed as having moderate to high suitability in the bat report that would be lost because of construction of the Scheme.

- D.5.16 Pre-construction surveys will be undertaken and if a bat roost is found to be present that a licence would be sought from Natural England.

### **Barn Owl**

- D.5.17 Pre-construction surveys for barn owls would be undertaken for all trees to be felled to enable construction of the Scheme.
- D.5.18 Should surveys confirm the presence of a barn owl nest, to prevent disturbance, buffer zones would be applied to the nest based on guidance from the ECoW and works would be timed to avoid impacts to the nest while active.
- D.5.19 Nest boxes would be provided (away from the Scheme) in order to mitigate the loss of a nest site.

### **Works Affecting Trees**

- D.5.20 Avoidance and retention of existing mature vegetation wherever possible, as identified on the Tree Removal Plan (Figure 7.5.2: Tree Removal Plan within Appendix 7.5: Arboricultural Impact Assessment of the Environmental Statement Appendices (TR010064/APP/6.3)). The roots of vegetation that enter the construction corridor will be protected in accordance with BS5837:2012 Trees in relation to design, demolition, and construction – Recommendations. Contractors' working areas shall be clearly marked out and boundaries adhered to in accordance with the Arboricultural Method Statement.
- D.5.21 Any tree felling will be carried out by experienced contractors to reduce direct mortality of protected species according to agreed felling methods between contractors and the ECoW.
- D.5.22 Trees up to 15 m outside of the Order Limits of the Scheme will be assessed prior to construction commencement to ensure that appropriate mitigation for roots within the Order Limits of the Scheme is in place to protect root protection areas. The exact location and extent of buffer and protection measures to be employed will be considered during detailed design.
- D.5.23 Trees will be protected using protective measures such as ground protection within the root protection areas (RPA) and fencing on the boundary of the RPA, as shown on the associated Tree Protection Plans. Excavations will be carried out using manual techniques to reduce soil disturbance. No-dig construction will be prescribed at detailed design for access routes and footways to reduce or avoid root and soil disturbance. Working areas will be minimised as far as is practicable to and access routes diverted away from sensitive arboricultural features. Pruning will be carried out in accordance with BS3998:2010 Tree Work.

Recommendations, to mitigate damage during trees works. All Tree Works and Construction will be undertaken in accordance with BS5837:2012 Trees in relation to design, demolition, and construction - Recommendations.

- D.5.24 No works, including temporary works such as the creation of topsoil mounds will be carried out within the root protection area of existing retained trees.
- D.5.25 All existing trees and shrubs not affected by the construction of the permanent works will be fenced off with a suitable type of temporary fencing in accordance with BS5837:2012. Fencing will be erected prior to construction activities in that area and will remain for the entire construction period in that area.
- D.5.26 Toolbox talks on ash dieback will be delivered where works impact areas where ash dieback is known to be or has the potential to be present.