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Construction Ecological Management Plan (Ecological CEMP)

Land At Dalefield Way (West), Gravesend, Kent, DA12 2FL.

February 2026

Project: Land At Dalefield Way (West), Gravesend, Kent, DA12 2FL.

Date: 12/02/2026

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Version: Final

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1.0 Executive summary

1.1 This Construction Ecological Management Plan (Ecological CEMP) document outlines the working practices for protected species on sites and protective habitats with a low risk of the species being present and habitats damaged, and when the local planning authority (LPA) considers the preventive measures applicable.¹

1.2 If any protected species are discovered during construction or other site works that are likely to be affected by the development, work must cease immediately. The owner/site manager will then seek the advice of a suitably qualified and experienced ecologist, and outcomes will only proceed following their advice.

1.3 It is understood that the development will be delivered in a single phase. Therefore, it is recommended that any ongoing grounds management care and building maintenance be continued until the completion of the construction. Any site neglect will make the area attractive to wildlife and may invalidate the Construction Ecological Management Plan (Ecological CEMP).

1.4 A small stream is adjacent to the site and the Thames Estuary and Marshes within 120 metres. The protection zones are to protect retained habitats and protected species with an 8 metre buffer along the northern and western boundary. A sweet chestnut fence will be constructed to protect access into the buffer zone.

2.0 Introduction

2.1 Purpose of the report

2.1.1 This Construction Ecological Management Plan (Ecological CEMP) sets out a practical working strategy to be implemented during the development's pre-construction and construction phases. It ensures that features of ecological interest, including notable habitats and protected/notable species, are not compromised within the working area or the influencing distance of the working site.

2.1.2 The "working area" is defined as 'any area where there will be a requirement for temporary or permanent works to facilitate the construction of the development'. This includes areas required for access, temporary construction, temporary storage areas and site facilities.

¹ This is not a legal document and does not include information on wildlife protection and legislation.

2.1.3 The Construction Ecological Management Plan (Ecological CEMP) includes no landscape design, management or biodiversity enhancement measures.

2.1.4 The Construction Ecological Management Plan (Ecological CEMP) must be included as ecological input to inform the Contractors' Environmental Management Plan (CEMP) and ensure the following recommendations are implemented.

2.1.5 The Construction Ecological Management Plan (Ecological CEMP) shall include the following:

- a) Risk assessment of potentially damaging construction activities:
 - Measures to avoid impacts on the retained habitats
 - Identification of 'biodiversity protection zones' and use of protective fences, exclusion barriers, and warning signs.
 - An appropriate map indicating the zone and location of the proposed construction and mitigation works
- b) 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).
- c) The location and timing of sensitive works are to avoid harm to biodiversity features.
- d) There are times during construction when specialist ecologists need to be present on-site to oversee works.
- e) Responsible persons and lines of communication.
- f) The role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person.
- g) Containment, control and removal of any invasive non-native species present.

2.1.6 The approved CEMP shall be adhered to and implemented throughout the construction period, strictly following the approved details unless otherwise agreed in writing by the local planning authority.

2.2 Baseline Site Location and General Description

2.2.1 The site is at Land At Dalefield Way (West), Gravesend, Kent, DA12 2FL. A small stream is adjacent to the site and the Thames Estuary and Marshes within 120 metres. The protection

zones are to protect retained habitats and protected species with an 8 metre buffer along the northern and western boundary. A sweet chestnut fence will be constructed to protect access into the buffer zone.

2.3 Development Proposal

2.3.1 The proposal is to open storage of construction-related equipment and operations related to Dalefield Way Industrial Park (B8 use) with associated installation of hardstanding/surface treatment.

2.4 Ecological Constraints

2.4.1 No ecological constraints are present on site.

2.4.2 The site was considered to be of limited ecological value at a site value apart from the area retained as a biodiversity area. The recommendations suggested include:

- Works to minimise the possible dust pollution from the construction
- Minimal, directional and shielding lighting to take into account the presence of nocturnal wildlife
- Works to be completed outside of breeding season to avoid disturbing breeding birds

2.5 Purpose and Objective

2.5.1 This Construction Ecological Management Plan (Ecological CEMP) considers the scope and localised nature of the proposed works. It assesses how those works will potentially affect protected species within the works' Ecological Zone of Influence (EZOI). Reasonable and practical measures are provided, which are proportionate to the scale of the development and the potential with which protected species are likely to be present.

2.5.2 The Construction Ecological Management Plan (Ecological CEMP) sets out the relevant advice to ensure that appropriate and reasonable efforts are made to avoid harm to wildlife and prevent breaches in legislation that protect wildlife species.

2.5.3 This document and its implementation will inform the local authority when considering the planning application.

2.5.4 The overall aims of the CEMP are:

- To ensure that all features of ecological importance, including faunal species that are of ecological importance or species of conservation concern that do

not have specific protection and legally protected species, are protected during and post-construction. The area is designated as a biodiversity area.

- To ensure that the mitigation measures are carried out effectively.
- To specify necessary work timescales and critical responsibilities for operatives planning and undertaking construction operations.

2.6 Qualifications and Competence of the Ecologist

2.6.1 The Ecologist has over 25 years of conservation experience. Founder of a new conservation charity and previously worked as Head of Conservation for a Wildlife Trust, Director of Studies for the Field Studies Council and Course Director and Lecturer for the University of Essex and Cambridge.

2.6.2 The Ecologist has been nationally recognised by respected organisations and awarded various fellowships for his *outstanding or significant contribution* to these disciplines, including conservation and biodiversity for landscape-scale conservation projects.

2.6.3 Currently on the external advisory board for the University of Essex and representing the Chartered Institute of Ecology and Environmental Management at the University of Southampton, judging national ecological projects and as an ecological expert for the Southwood Foundation.

3.0 Construction Ecological Management Plan (Ecological CEMP)

3.1 Risk assessment of potentially damaging construction activities

3.1.1 Construction activities associated with the scheme have the potential to cause impacts on biodiversity:

- Movement of machinery and vehicles;
- Site clearance;
- Strimming of vegetation;
- Digging/excavation or infilling;
- Inorganic and organic pollution/silt run-off;
- Dust/air pollution;
- Lighting;
- Dumping, spreading, discharge or storage of materials;
- Construction of roads, hard-standing or buildings;
- Erection of permanent or temporary structures; and,

- Engineering works.

3.1.2 Through the implementation of appropriate mitigation measures, detrimental impacts and breaches of current wildlife legislation will be avoided. Without these measures, there is the risk of disturbing, injuring or killing nesting birds (during the nesting bird season) and mammals occupying the site and reducing any potential impact on habitats within the biodiversity zone.

3.1.3 This CEMP (Ecological CEMP) has been prepared based on ecological information collated from previous assessments. Suppose the acting Ecological Clerk of Works (ECoW) visits the site nearer the construction time and considers that the baseline has changed. In that case, they may approve changes to the mitigation measures as appropriate (subject to the appropriate consultation).

3.1.4 Compensation and enhancement measures are provided in the Biodiversity Enhancement Management Plan.

3.2 Identification of Biodiversity Protection Zones

3.2.1 All retained habitats will be protected from construction-related impacts by installing fencing before site clearance and construction activities.

3.3 Practical measures (physical and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

3.3.1 Method Statement 1: Toolbox talk

- The toolbox talk aims to protect species and retain habitats during construction, and ensure site personnel are aware of their responsibilities.
- Toolbox talks will be provided to contractors by the ECoW. Toolbox talks will explain the potential presence of protected or notable species on-site and off-site, implications to these habitats and species, required work methods and locations of any exclusion zones. It will also provide an overview of the other Method Statements to be implemented. Toolbox talks will be updated when any new ecological issues arise (including seasonal variations/restrictions) or changes to working methods are required.
- The site manager will relay all information from the toolbox and talk to all site staff during their inductions. If the site management changes, the ECoW will repeat the Toolbox Talk.
- The delivery of the toolbox talk will mark its completion.

3.3.2 Method Statement 2: Biodiversity Protection Zone Fencing

- Before construction, a sweet chestnut fence will be erected and maintained to prevent construction activities from physically damaging areas of sensitive habitats and species (Map 1).
- No site personnel or machinery shall enter the biodiversity protection zones, and no equipment will be stored therein for the duration of construction.
- An ECoW will inspect the maintenance of the biodiversity protection zones and the fencing condition on installation to ensure it complies with the correct location. The fencing will be subject to regular checks by the ECoW as per Method Statement 8; however, the site manager will ensure the fence is appropriately maintained throughout the construction phase.
- The completion of the fencing installation and inspection by the ECoW marks the completion of the work.

3.3.3 Method Statement 3: Airborne pollution (dust) and silt control

- Dust and silt control measures are implemented to retain habitats and protected species throughout construction.
- All aspects of work will be conducted in such a manner to minimise the generation and spread of dust and silt into the surrounding area, including the following:
 - Stockpiles of materials will be kept away from the site entrance and field boundaries.
 - Stockpiles of materials subject to wind erosion will be dampened down or seeded to ensure satisfactory dust control and covered with tarps as appropriate.
 - Airborne dust will be kept to a minimum by the regular use of water spray systems and bowsters wetting down haul roads and pre-excavated areas;
 - All loads entering and leaving the site, as well as skips stored on site, will be securely covered.
 - Delivery of materials to the site will be programmed to minimise the time stockpiles are kept on site.
 - Plant and wheel washing will only be carried out in a designated area as far away from any watercourse, surface drain or potential pollution pathway.

This will be constructed on a waterproof base with a collecting sump to prevent the spreading of dust and spoil onto the surrounding roads.

- Silt fencing or temporary drainage channels will be used to block or divert run-off from stockpiles of materials.
- Notices will be erected to stipulate that the above measures are adhered to.
- Implementation of the correct procedure, as verified by the site manager, marks completion.

3.3.4 Method Statement 4: Pollution Prevention (Safe Storage of Chemicals and Materials)

- Measures outlined within the Best Practice Pollution Prevention Guidelines will be followed to avoid pollution incidents that may indirectly affect terrestrial or aquatic habitats. Measures will include, but are not limited to, the following:
 - Arrive at the site with clean footwear.
 - Ensure footwear is visually clean from soil and debris before leaving the site.
 - Ensure vehicles are kept clean. Remove any accumulated mud before leaving the site using a stiff-haired brush. Cleaning will be carried out over a root barrier membrane or hard surface that can contain and collect any contaminated material that has been washed off the vehicle.
 - Make use of the facilities to clean footwear and equipment.
 - Keep vehicles to established tracks and park vehicles on hard-standing.
 - Any works carried out by contractors will be accompanied by a Risk Assessment Method Statement (RAMS). The RAMS will detail appropriate biosecurity measures to be observed during the work's duration and outline the work's scope and any ongoing monitoring/works required.
 - Where possible, water will be prevented from entering excavations.
- Storage areas will be located away from sensitive areas, mainly retained habitats. Store materials off the ground during construction to avoid creating standing water that may become attractive to wildlife.
- Pollution-prevention measures to be implemented to protect retained habitats and protected species. Any potential contaminants (fuel, oils and chemicals) used during construction will be stored in designated compounds on an impervious surface. These will be securely locked away when not in use. Appropriate measures to prevent the

spillage of chemicals into ditches and drains will be implemented, including the storage of spill kits and, potentially, the usage of earth bunds surrounding the designated refuelling/chemical handling site.

- A detailed pollution/spill response plan will be kept within the site office. The Environment Agency will be contacted in the event of an incident. Machinery operation within 15m of ponds and ditches will be minimised in general and avoided entirely during periods of heavy rain.
- A spill kit with sand, earth or commercial products must be kept on-site to contain fuel and other spillage.
- All staff will receive the appropriate training in using these kits and be made aware of where the kit is stored. In the event of a spillage of oils or chemicals resulting in contamination of water courses or damage to habitats, the following procedure will be adopted:
 - The appropriate spill kit is to be deployed immediately, and the site manager is to be informed.
 - The incident is to be recorded within the site logbook.
 - In the event of contaminants being discharged directly to water courses or significant spillage (more than 10 litres), the Environment Agency is to be contacted on the incident hotline at 0800 80 70 60.
- Implementation of the correct procedure, as verified by the site manager, marks completion.

3.3.5 Method Statement 5: Sensitive Lighting Strategy

- Construction lighting should minimise spill onto the surrounding landscape to reduce potential adverse lighting-related effects upon bats and other sensitive species. Where possible and practicable, operational lighting should be directed away from the boundaries, particularly the northern and western boundary adjacent to the marshland and buffer zone, although it is noted that the development operation will conform to industry-standard guidelines and best practices regarding health, safety, and crime prevention.

3.3.6 Method Statement 6: Precautionary Site Maintenance Measures

- Access for mammals and other wildlife will be maintained throughout the construction period, and precautionary measures will be taken to avoid harm to the wildlife resulting from machinery, equipment, or excavations to avoid injury or mortality.
- Mammals may likely move within the site during the construction phase. As such, any pits or trenches dug during the construction phase will be covered overnight, or a wide, rough-sawn plank or earth ramp will be placed/created in the pit at a 45° angle to enable any animals to escape should they fall in. In addition, any open pipework larger than 150mm outside diameter will be blanked off at the end of each working day to prevent badgers from occupying it.
- Electrical equipment will be stored away securely to prevent the electrocution of wildlife. In the unlikely event of a mammal becoming trapped or injured during construction, the ECoW must be called immediately, and the appropriate action must be undertaken. A 10mph speed limit on the site will be imposed to reduce the risk of collisions and subsequent injury or mortality of wildlife.
- Gaps of 100-150mm in the external fencing will be maintained to allow access for mammals and other wildlife across the construction site. Gaps must be created around the site's perimeter, with a gap provided at least every 200m. The ECoW will verify this during the biodiversity protection zone fencing inspection; gaps will be checked during regular ecological monitoring.
- Implementation of the correct procedure, as verified by the site manager, marks completion.

3.3.7 Method Statement 7: Breeding Bird Mitigation

Due diligence is required to ensure no bird breeding grounds are disturbed or damaged during the demolition and operation phases. Any potential breeding areas will be removed and made unsuitable for nesting.

Schedule 1 listed birds are protected from disturbance during the breeding season. If development during March-August, or the site's end use, has the potential to disturb schedule 1 species through noise and vibration, then a breeding bird survey will be required to assess the location and number of territories of Cetti's warblers that are present.

Maintenance of Unsuitable Habitats for Nesting

- Habitats will be cut to ground level after 31st August and before 1st March to discourage nesting within the following nesting season. Habitats will be maintained as unsuitable for nesting.

Nesting Bird Inspections

- During the demolition and construction phase, any removal of suitable vegetation for nesting, which has not been maintained as unsuitable through the measures detailed above, should ideally be conducted outside the bird nesting season (usually February to August, but is variable depending on the climate). However, suppose work is required during this period. In that case, a suitably experienced ecologist (or the ECoW) must first inspect the absence of nesting birds to ensure that offences relating to nesting birds are not committed.

Habitats

- If suitable habitats remain during the nesting season, an experienced ecologist will conduct a walkover survey within 48 hours before construction commences to check for nests. If an active nest is found, a suitable exclusion zone (to be determined by the ecologist, but a minimum of 4m for nests) will be instigated around the nest to protect it until the completion of nesting. The exclusion zone will be restricted by barrier tape or appropriate temporary fencing (e.g. High Visibility Netlon or Heras), along with notices informing site staff that the excluded area must not be disturbed. The ecologist will monitor the nest periodically and determine when the chicks have fledged so the exclusion zone can be removed.
- In the unlikely instance that an active bird nest is subsequently identified during site clearance without an ecologist, the activity must cease immediately, and advice must be sought from the ECoW.

3.3.8 Method Statement 8: Construction-phase Monitoring

- To ensure that retained habitats and species are being safeguarded, periodic monitoring by the ECoW is required.
- At the outset of construction and every month after that during the construction phase, the ECoW will inspect the site to ensure compliance with the CEMP. This will include checking the following:

- Correct installation of fencing.
- Safeguarding biodiversity protection zones.
- Implementation of precautionary site maintenance measures.
- Adherence to the lighting strategy.
- Following inspections, the ECoW will discuss monitoring outcomes with the site manager and provide a written proforma of findings, identifying any remedial actions and timescales for actions to be implemented.
- Completing the monitoring visits by the ECoW marks the completion of work.

3.4 Responsible persons and lines of communication

3.4.1 Project Manager

- The appointed Project Manager (likely to be the contractor) will be responsible for the project's overall environmental management, ensuring that all works are carried out following the project CEMP. Ultimately, the Project Manager is responsible for adequate staff resources to ensure that the environmental requirements identified in the CEMP are undertaken and to check that construction activities comply with the requirements of the CEMP and any associated appendices of this document. The Project Manager should be suitably qualified and have relevant experience to carry out this role.

3.4.2 Environmental Manager

- The appointed Environmental Manager (likely to be a contractor) will coordinate and manage all the environmental activities during the construction phase. They should be suitably qualified and have relevant experience in this role. The Environmental Manager's responsibilities include but are not limited to the following:
 - Develop, review and update the CEMP and specialist procedures as required or appropriate;
 - Lead the appointment of environmental specialists, as appropriate;
 - Ensure delivery of environmental training to personnel within the project team;
 - Manage and coordinate work carried out by the environmental specialists;
 - Monitor construction activities and performance to ensure compliance with the CEMP and that identified and appropriate control measures are being effective;
 - Primarily to ensure that actions and decisions taken during the construction stage of the scheme are informed by sufficient and appropriate ecological information; and,

- Act as the main point of contact between the regulatory authorities and the project on environmental issues.

3.4.3 The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person

- The ECoW is responsible for advising on environmental activities on the project and should be a suitably qualified ecologist with relevant experience to carry out this role, reporting to the Environmental Manager. The ECoW's responsibilities include but are not limited to the following:
 - Ensuring all work on-site complies with relevant legislation in relation to protected species and the CEMP (Ecological CEMP) is adhered to throughout the construction phase of development;
 - Providing advice to developers and contractors on how best to minimise impacts on wildlife throughout the construction phase of development;
 - Being the main point of contact should any issues relating to ecology arise during construction (i.e. discovery of a protected species);
 - Making the relevant people aware of any ecological issues that occur during the construction phase;
 - Ensuring Toolbox Talks on protected species and sensitive habitats to contractors carrying out work within the site are undertaken;
 - Ensuring supervision of any construction activities that have the potential to impact protected species and/or sensitive habitats;
 - Ensuring fence lines (biodiversity protection zones) are monitored throughout the construction phase of development. The ECoW will be regularly provided with an updated programme of works to determine watching brief requirements and associated ecological issues. The times during construction when the ECoW is responsible for ensuring that the CEMP (Ecological CEMP) is followed and when the ECoW or appointed representative needs to be present. Suppose the ECoW or appointed representative identifies any issues in relation to ecology or considers that the CEMP (Ecological CEMP) is not being adhered to at any point during construction. In that case, the developer will be contacted, and measures will be

taken to resolve any issues. If the contractor identifies any ecology issues, the ECoW will be contacted for advice immediately.

Map 1: Biodiversity Exclusion Zone

