

OUTLINE SKYLARK MITIGATION STRATEGY

FAIRGREEN BESS, RAYLEIGH, ESSEX

prepared by



commissioned by

RES GROUP

APRIL 2026



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Project title	Fairgreen BESS, Rayleigh, Essex		
Document title:	Outline Skylark Mitigation Strategy	Project number:	9488
Client:	RES Group	Author:	Molly Brown
Version:	Version 1	Issued on:	08/04/2026
	Version 2 (following client review)	Issued on:	09/08/2026
Quality Assurance	Checked by:	Approved by:	
	Peter Timms	Peter Timms	

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1 INTRODUCTION

- 1.1.1 Clarkson and Woods Ltd. was commissioned by RES Group to prepare an Outline Skylark Mitigation Strategy (SMS) for land proposed to accommodate Fairgreen Battery Energy Storage System (BESS), near Rayleigh in Essex, hereafter referred to as 'the Site'.
- 1.1.2 This Outline SMS has been prepared to ensure that skylarks *Alauda arvensis* are not harmed during the construction phase of the project, and that long-term provision is made for breeding skylarks which may be displaced throughout the operational phase of the BESS.
- 1.1.3 It is anticipated that provision of the Full Skylark Mitigation Strategy, and consequent implementation of the mitigation measures set out within the document, will be secured through an appropriate planning condition, to be determined by the Local Planning Authority, in line with other pre-commencement and operational phase mitigation measures.
- 1.1.4 The baseline skylark population at the Site has been calculated based on published territory density estimates for arable farmland, as detailed breeding bird surveys of the Site were not undertaken.
- 1.1.5 Calculations of the relative uplift in carrying capacity for the skylark population, as generated by the change in land management practices, has been informed by research distilled into a paper published in CIEEM 'In Practice' by Harry Fox of Clarkson & Woods¹.
- 1.1.6 This Mitigation Strategy has also been informed by the following documents:
- Ecological Impact Assessment – Fairgreen BESS, Rayleigh, Essex v2.0 (Clarkson & Woods, June 2025); and
 - Proposed Infrastructure Layout (RES, 05560-RES_LAY-DR-PT-001, June 2025).

1.2 Scope

- 1.2.1 This Mitigation Strategy defines the current, assumed baseline for breeding skylarks within the Site and makes reasonable assumptions of the likely impacts to skylarks on Site as a result of the proposed development, as set out within the Ecological Impact Assessment (EclA) report for the Site.
- 1.2.2 It discusses mitigation measures to ensure no killing or injury of skylarks occurs during the construction phase. It is expected that these measures will also be detailed in a Construction Environmental Management Plan (CEMP): Biodiversity, in accordance with the recommendations of the EclA and to be provided to discharge relevant planning conditions.
- 1.2.3 This Outline SMS then goes on to set out a rationale for operational-phase mitigation for displaced skylarks: namely managing un-developed land within the Site to generate an uplift in carrying capacity, thus compensating for displaced territories. A range of potential management approaches have been set out, and the final management prescriptions will be detailed within the Full SMS.
- 1.2.4 Long-term monitoring of the Site is also specified, to evaluate success and progress against the aims and objectives and to inform the need for remedial measures, if required.
- 1.2.5 Details of responsible personnel and their roles are clearly defined.
- 1.2.6 The timings of the works required under this document are set out in Appendix A.

1.3 Objectives

- 1.3.1 The following objectives have been identified which, if met, will ensure that skylarks and their habitats are suitably protected and habitats managed sensitively during the construction and operational phases of the development, as well as ensure that any adverse impacts on the species are suitably mitigated for.
- 1.3.2 These objectives will be addressed through the mitigation measures set out within Sections 4 and 5 of this SMS, along with the timetable for their implementation in Appendix A.
- **Objective 1: To ensure adverse impacts to skylarks are avoided during the construction phase.**

¹ Blithe Spirit: Are Skylarks Being Overlooked in Impact Assessment? *In Practice*, Issue 117. (CIEEM, September 2022).



Implementation of appropriate mitigation measures, sensitive working methods and timing of works during construction will minimise the potential impacts to skylarks as far as possible.

- **Objective 2: To create and enhance grassland habitats within the Site to maximise their value as a foraging resource for skylark.**

Neutral grassland of varying condition will be created across the Site; provision of a diverse grassland sward under low-intensity management will support invertebrate communities suitable for skylark foraging.

- **Objective 3: To monitor use of the Site by skylark throughout the lifetime of the development and inform remedial measures where necessary.**

Periodic monitoring during the operational phase will ensure that habitats on Site are being managed in line with this SMS and inform remedial action, where necessary. Breeding bird surveys are to be carried out as part of the monitoring schedule to monitor skylark numbers and provide an indication of mitigation success.



2 RESPONSIBLE PERSONNEL & LINES OF COMMUNICATION

2.1 Developer

- 2.1.1 RES Group will be responsible for the implementation of this SMS and shall liaise with the Ecological Clerk of Works (ECoW) to commission and arrange an ecologist's input or attendance to Site, where necessary.
- 2.1.2 In addition, RES Group will ensure that the Site manager during the construction phase, the operational management company, and all landscape contractors, are suitably competent and made aware of the ecological constraints associated with the Site. They will provide a copy of the SMS to all appointed contractors and relevant Site personnel before works are carried out.
- 2.1.3 RES Group will also be responsible for commissioning a suitably qualified ecologist to undertake operational-phase monitoring of the Site, to ensure the requirements of this SMS are being adhered to in the long-term.
- 2.1.4 Should ownership or management responsibilities of the Site change, new personnel will be made aware of and action this SMS.

2.2 Site Manager (Construction)

- 2.2.1 The Site manager (to be assigned by RES Group) will be responsible for the implementation of construction-phase prescriptions detailed within this SMS for the duration of works. The Site manager will be provided with a copy of this document and will liaise with RES Group and the appointed ECoW throughout the construction phase to ensure that the stipulated measures are being implemented correctly.

2.3 Ecological Clerk of Works (ECoW)

- 2.3.1 An ECoW is required to support the development during the construction phase of the development and ensure that RES Group adhere to the requirements of this SMS. During construction, this will not involve a permanent on-site presence; instead, an appropriately qualified ecologist will attend Site at critical stages and be available via an 'on-call' basis. This will enable a prompt response for dealing with any issues pertaining to ecology, primarily relating to skylark.
- 2.3.2 Ecological queries should be directed to Clarkson and Woods. Where another ecological consultancy is employed to fulfil the role of ECoW, any ecologist must be suitably qualified, have sufficient experience and be in receipt of suitable training in how the responsibilities of the ECoW are to be discharged.

2.4 Contact Details

	Company	Contact Name	Address	Contact Details
Developer	RES Group	John Hills	Beaufort Court, Egg Farm Lane, Kings Langley, Herefordshire, WD4 8LR	john.hills@res-group.com
Site Manager	TBC	TBC	TBC	TBC
ECoW	Clarkson & Woods Ltd.	Molly Brown	Overbrook Business Centre, Poolbridge Road, Blackford, Somerset, BS28 4PA	molly.brown@clarksonwoods.co.uk 01934 712500



3 BASELINE CONDITIONS

3.1 Habitat Survey

- 3.1.1 An Extended UKHabitat (UKHab) Classification Survey of the Site was conducted in February 2025 and updated in May 2025. The main development footprint of the Site comprises three arable fields with narrow margins, separated by wet ditches and hedgerows. Small pockets of grassland habitat are also present across Site, in addition to various scrub types and tall forbs. Broadleaved woodland parcels bound the western aspect of the Site, with the wider field to the east encompassed by Priority Habitat Inventory lowland, mixed deciduous woodland (outside of the redline). Further detail of the habitat baseline on Site is provided in the EclA, referenced above.

3.2 Skylark Territory Density

- 3.2.1 Detailed breeding bird surveys were not undertaken on Site, due to the relatively small size of the Site, limited habitat diversity, and the proposals retaining the majority of boundary habitats. The baseline territory density and the anticipated number of skylark territories considered likely to be displaced as a result of the proposed development have therefore been estimated on a precautionary basis, based on published data presented within the CIEEM 'In Practice' article. Given that the average territory density for arable farmland habitat is 0.28 territories per hectare (ha), and that the area of arable farmland within the Site lost as a result of the proposed development is approximately 16ha, the estimated number of territories to be displaced is 3.36 (between 3-4 whole territories).
- 3.2.2 It is possible that the actual territory density, and therefore number of displaced territories, may be different than the estimates provided owing to crop type, the configuration of the fields and proximity of woodland and hedgerows affecting the suitability of sites for nesting. However, a baseline territory density of 0.28 territories per ha has been assumed in line with the precautionary principle.



4 CONSTRUCTION-PHASE MITIGATION

4.1 Impacts

Accidental Killing/ Injury

- 4.1.1 Skylarks are known to be present within the Site and may nest between April and August inclusive. Therefore, the construction of the array, along with enabling works, could result in the accidental killing or injury of skylarks; their nests, eggs and young, if carried out between April and August; this would result in an offence under the Wildlife and Countryside Act, 1981.

4.2 Mitigation Measures

- 4.2.1 In order to avoid impacts, the following measures will be implemented.
- 4.2.2 A summary of timings for implementation of these mitigation measures is provided in Appendix A.

Maintenance of Habitats as Unsuitable for Nesting Prior to Construction

- 4.2.3 The Site will be maintained as unsuitable for skylark nesting prior to construction.
- 4.2.4 Subsequent to the last crop being removed from the fields, the vegetation height will be maintained below 20cm to dissuade skylarks from nesting, up until the point that construction commences.
- 4.2.5 This will be achieved through cutting/ rolling/ ploughing. A repeat cut and roll may be needed in March, prior to the nesting season commencing in April.
- 4.2.6 In the event that vegetation has not been maintained in line with the above prescription, a check for ground nesting birds by the ECoW will be required prior to the commencement of construction. Any nests identified will need to be protected through implementation of suitable buffers until completion of nesting.

Toolbox Talk

- 4.2.7 Prior to construction activities commencing, a toolbox talk will be delivered by the ECoW to all Site personnel. The talk will provide information relating to the basic ecology of skylarks, relative legislation pertaining to breeding birds, and the ecological imperatives for the protection of skylark. It will also provide an overview of the mitigation measures to be implemented.
- 4.2.8 It will be the responsibility of the Site manager to relay all of the information within the toolbox talk to all new Site staff during their inductions. In the event that the Site management changes, the toolbox talk shall be repeated by the ECoW.
- 4.2.9 A log of when and to whom the toolbox talks have been given will be kept and should be made available as evidence of adherence to this Mitigation Strategy.



5 OPERATIONAL-PHASE MITIGATION

5.1 Impacts

Displacement of Breeding Skylarks from the Site

- 5.1.1 As set out within Section 3, it has been assumed that 3-4 skylark territories are present within the development footprint. It is assumed that these will all be wholly or partly displaced by the BESS installation, since skylarks rely on open sightlines for predator avoidance and do not nest in cluttered environments.
- 5.1.2 It is anticipated that limited habitats suitable for skylark nesting will remain within the main BESS Site, owing to the built infrastructure disrupting sightlines and remaining open habitat being in proximity to wooded boundary features suitable for predator perches. However, retained habitat both within the main BESS Site, and particularly within an area of undeveloped land to the southwest (Figure 1 refers) will be managed to provide suitable conditions for nesting.

Improved Foraging Opportunities

- 5.1.3 Habitats immediately surrounding the Site are also arable in nature and are considered likely to already support their maximum carrying capacity of skylark territories. However, landscaping proposals within the Site have been designed to increase the foraging value of habitats on Site for skylark territories on neighbouring land.
- 5.1.4 It is proposed that areas of organic set-aside habitat and areas of modified grassland are created within the Site, both of which are considered to be of greater foraging value for skylark owing to increased species diversity and absence of pesticide/insecticide application compared to the arable baseline (Figure 1 refers). Given the large-scale habitat changes from the current monoculture arable crop to permanent grassland or set-aside, the availability of invertebrate and seed resources is likely to increase.
- 5.1.5 As such, some of the displaced territories may be 'absorbed' into the wider landscape by virtue of having improved foraging resources available to them, essentially increasing the carrying capacity of surrounding habitats.

5.2 Mitigation Measures

Creation and Management of Grassland Habitat

- 5.2.1 Proposed grassland habitats within the Site will be seeded with a diverse grassland seed mix with good tussock forming capability. The sward will be managed to achieve a target height between 20-50cm to provide optimal nesting habitat for skylark (although nesting is considered unlikely in these areas) and promote a varied structure. The habitat will be subject to cutting either once or twice annually, depending on the establishment and growth of the sward. The cuts will take place outside of the nesting bird season, in early spring (March) and/or early autumn (September/October). Where vigorous growth exceeds a sward height of 60cm, a cut to no less than 20cm will be required to ensure the field remains suitable for the target species. A spray can be undertaken as an alternative. Only one such cut or spray per growing season should be undertaken.
- 5.2.2 The creation and management of such habitat can be expected to provide good sources of seed and invertebrate prey for foraging skylarks. Detailed specifications for the creation and management of grassland habitats within the Site will be provided within a Habitat Management and Monitoring Plan (HMMP) for the Site, to be prepared post-determination in line with statutory Biodiversity Net Gain (BNG) requirements.

Creation and Management of Organic Set-Aside Habitat

- 5.2.3 No development will take place in the area of land proposed to be managed as organic set-aside habitat (Figure 1 refers). Following construction, this area will be managed as fallow land, likely to be dominated by grasses, arable weeds and ruderal species which will provide a varied foraging resource for skylark as well as optimal vegetation structure for nesting.
- 5.2.4 The vegetation will be maintained at a height of 20-50cm, with a single cut to be carried out outside of the nesting season for skylark (April-August inclusive). This cut will prevent re-seeding of the previous crop and promote structural diversity.



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- 5.2.5 The area will be cultivated every 2-5 years; the soil will be lightly disced in February-March to a maximum depth of 7cm and a cut taken to remove scrub, if required.
- 5.2.6 Additional, targeted management of scrub or undesirable species may be required, with remedial measures to be agreed as a result of monitoring. Management prescriptions for this habitat will be secured within the HMMP for the Site.

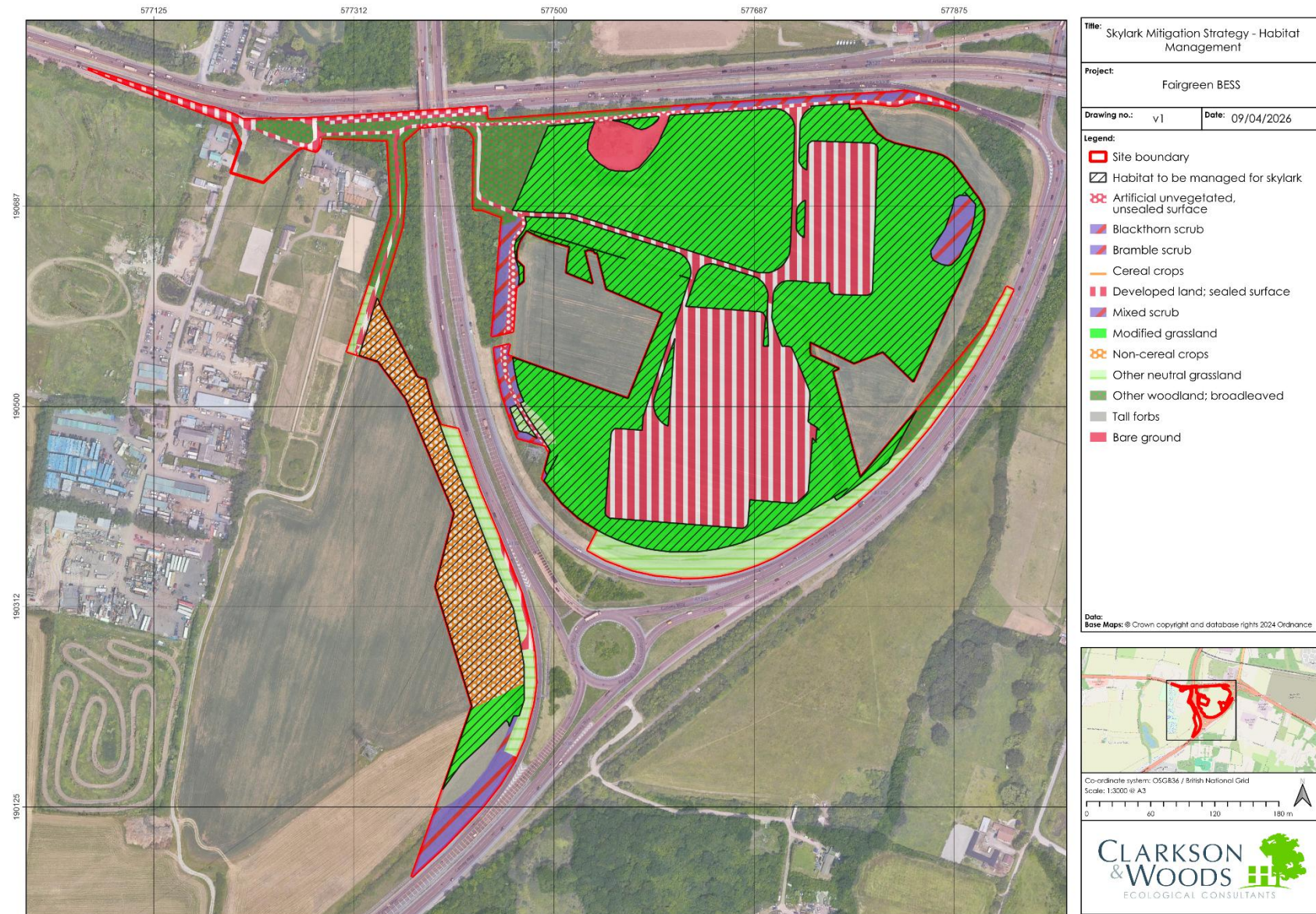


Figure 1: Habitat to be Managed for Skylark Mitigation



5.4 Monitoring

- 5.4.1 It is proposed that monitoring visits are conducted periodically during the operational phase of the development to assess the success of the skylark mitigation, and in line with the HMMP.
- 5.4.2 Monitoring visits will confirm that the appropriate management regime (to be confirmed within the Full SMS) is in place. The monitoring regime will be as follows:
- Every other year, a single inspection of habitats within the Site, namely grassland and set aside habitats, will be carried out in summer (May-July), to confirm the appropriate management regime is in place.
 - During each monitoring visit, incidental observations of skylark within the Site will be noted and mapped, alongside any skylark behaviours observed. Such observations will provide an indication as to whether the Site continues to be used by the species.
- 5.4.3 Following each monitoring visit, a short proforma report will be prepared, or information included within the general monitoring report for the Site as required by the HMMP. These reports will be made available to the LPA to evidence the continued adherence to this SMS.
- 5.4.4 A summary of timings for monitoring is provided in Appendix A.

5.5 Remedial Measures

- 5.5.1 During the construction phase, monitoring by the Site Manager and ECoW will inform any changes to the mitigation measures detailed in this SMS, which may be necessary to address particular issues.
- 5.5.2 During the operational phase of the development, monitoring by the ECoW will ensure that the recommendations of this SMS remain relevant and inform the need for any changes to the prescriptions.
- 5.5.3 In the event that monitoring shows the prescribed management regime is not being followed, this SMS will be reviewed, and remedial actions implemented where necessary.
- 5.5.4 The LPA ecologist will be informed of any changes.



APPENDIX A: SCHEDULE OF WORKS

Activity Timetable				Required/Optimal Timing									
				May be Required/Sub-Optimal Timing									
				Not Required/Prohibited									
Activity	J	F	M	A	M	J	J	A	S	O	N	D	Detail
Construction Phase													
Maintenance of Habitat to Dissuade Nesting													Prior to construction, the Site will be maintained as unsuitable for nesting skylarks by removing the crop and then cutting/ rolling the ground to keep the vegetation height <20cm. This may need to be repeated prior to April if the sward exceeds 20cm.
Toolbox Talk													TT to be given to Site personnel prior to the commencement of construction.
Nesting Bird Checks													If the Site has not been maintained as unsuitable for skylark nesting prior to construction commencing, and construction works then commence in the skylark nesting season (typically April-August inclusive, but potentially March-September), then a prior inspection of the Site will need to be undertaken by an ecologist to confirm skylark absence, or else identify and protect any nests found.
Operational Phase													
Skylark Mitigation Habitat - Cutting													Management of on-site mitigation habitat via cutting in either early spring or early autumn to avoid skylark nesting.
Skylark Mitigation Habitat (Set-Aside) - Cultivation													Cultivation of set-aside habitat every 2-5 years in February-March.
Monitoring													Single visit in summer, every two years of operation.

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