PRECAUTIONARY METHOD OF WORKS DOCUMENT

JULY 2025

AFG Millbrook
Wastdale Road,
Wythenshawe,
Manchester
M23 2RX

URBAN GREEN

QUALITY MANAGEMENT

Project No.:	UG2548				
Project:	AFG Millbrook				
Location:	Wastdale Road, Wythenshawe, Manchester, M23 2RX				
Title:	Precautionary Method of Works Document				
Document Type:	PMoW	**Issue No.:**	01		
Date:	09/07/2025				
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Revision Status:				
Rev:	**Date:**	**Issue/Purpose/ Comment:**	**Prepared:**	**Checked:**

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Figure 1 - Site Context 1



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Legend:
Red Line Boundary

0.4
Kilometers

N

Client: Alternative Futures Group	Issue: 01	
Project: Wythenshawe AFG	Scale @ A4: 1:5,000	
Title: Site Context	Approved by: HM	Checked by: HL
Drawing Ref: UG_2548_SITE_CONTEXT	Author: CL	Date: 11/06/2024

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1 Introduction

1.1 Background to the Scheme

1.1.1.1 Urban Green has been instructed by Alternative Futures Group to produce a Precautionary Method of Works (PMoW) Document to British Standard 42020:2013 guidelines at Millbrook Independent Hospital and produce our findings in a report.

1.1.1.2 Site development proposals include the erection of a single storey extension to provide an additional 7 bedrooms to the existing Independent Hospital (Use Class C2), along with associated landscaping and amendments to the car parking layout.

1.2 Site Context

1.2.1.1 The site is located at National Grid Reference SJ 81007 87770 and comprises a total area of approximately 0.14ha (see Figure 1).

1.2.1.2 The site is located to the north of the Millbrook Independent Hospital in the Wythenshawe area of south Manchester. It is situated within a residential area, with the Wythenshawe hospital complex to the northwest, and areas of agricultural land located approximately 400m west and southwest. Access to the site is via Wastdale Road.

1.3 Purpose of this Report

1.3.1.1 Urban Green have been appointed to provide a Precautionary Method of Works document. It has been produced in support of an application for the approval of reserved matters and to assist in discharging Condition 16 of outline planning permission:

"Prior to the commencement of the development hereby approved, details of how the proposed development will mitigate for the potential impacts to Great Crested Newts and other amphibians shall be submitted to and be approved by the City Council as Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details."

1.3.1.2 Additionally, the mitigation included within this report will be determined by the results of the Preliminary Ecological Appraisal (PEA) (Urban Green, 2024), as detailed in Section 2 (below).

2 Baseline Conditions

2.1 Ecological Reports Considered

2.1.1.1 A PEA was conducted in July 2024, by Urban Green (2024). The PEA identified habitats including bare ground and modified grassland, with associated hardstanding, buildings, hedgerows and urban trees. Suitable habitats on site for common nesting birds, common amphibians, hedgehog and other small mammals, and commuting and foraging badger.

2.1.1.2 The presence of great crested newt (GCN) (*Triturus cristatus*) was reasonably discounted within the PEA (Urban Green, 2024), as follows:

'No ponds were located within site, although one pond was located 250m of the site boundary. As great crested newts' upper dispersal limit is generally considered to be up to 250m from a waterbody (though occurrence of greater distances does exist), ponds further than 250m have been discounted from assessment (English Nature, 2001). Assessment of the surrounding environment made it evident that it is a small pond in a distinctly urban environment and separated from site by several anthropogenic factors. This includes:

- *residential and commercial developments;*
- *a lack of ecological corridors between site and the pond;*
- *a lack of ecological corridors connecting the pond to the local environment (notably Ponds at Davenport Green SBI); and*
- *a lack of records returned relating to the pond within 250m.*

As such, great crested newt are reasonably discounted from commuting and foraging on site.'

2.1.1.3 However, Reasonable Avoidance Measures regarding the species will be included on the rare occasion the species is present on site during development.

3 Badger

3.1 Ecology Background

3.1.1.1 A direct search was undertaken during the PEA for signs of badger. Signs of badger may include setts, latrines, paths or hairs on fences and vegetation.

3.1.1.2 No evidence of badger activity or badger setts were identified during the PEA, and the site was assessed to have negligible sett-building potential, although presence of the species could not be ruled out from foraging and commuting on site.

3.2 Rationale

3.2.1.1 Badgers and their setts are protected under the Protection of Badgers Act (1992). The construction works will not impact any badger setts as there are none present on site.

3.2.1.2 To that end, precautionary measures are detailed in Section 3.3 (below) to avoid contravention of the aforementioned legislation. This is based on 'Badger Protection: Best Practice Guidance for Developers, Ecologists and Planners (England)' published in August 2023 and professional judgement, in the context of the proposed works.

3.3 Precautionary Method of Works

3.3.1.1 The following precautionary methods should be followed during the construction phase to ensure that no badgers are impacted by the proposed development:

- All site operatives will be inducted to the potential presence of the species and the species legal protection.
- All site operatives will be inducted as to identifying potential badger setts and should be vigilant if they suspect they locate a new sett during works and inform the site manager immediately. A minimum 20m buffer will be maintained from the potential sett until an ecologist has been to site.
- All excavations will be battened at a 45-degree angle or ramps to be positioned to allow escape should animals become trapped.
- All site machinery and materials will be appropriately stored to avoid harm to the species, notably between July and November each year when extra care is needed to avoid potential impacts on pregnant females.

4 Amphibians

4.1 Ecology Background

4.1.1.1 While the site does not feature any explicit aquatic habitats, the modified grassland, hedgerow and nearby waterbodies may provide suitable foraging resources and cover for common amphibians such as common toad (*Bufo bufo*), particularly during wet weather spells.

4.1.1.2 Local ponds and ornamental waterbodies within nearby residential gardens may provide additional breeding opportunities.

4.1.1.3 One pond is located within 250m of site, and GCN traversal from this pond to site is considered unlikely due to the factors detailed in Section 2; however, the presence of individuals cannot reasonably be discounted from site in commuting on rare occasions.

4.2 Rationale

4.2.1.1 Great crested newt are European Protected Species under the Conservation of Habitats and Species Regulations (2017), making it an offence to deliberately impair the species' ability to survive, breed or reproduce.

4.2.1.2 Overall, the presence of great crested newt (GCN) on-site is considered unlikely. However, the hedgerows, modified grassland, nearby ponds and waterbodies provide potential traversing and commuting opportunities for GCN.

4.3 Precautionary Method of Works

4.3.1.1 A toolbox talk will be delivered to all operatives prior to construction commencing. This will include an overview of amphibian biology, species identification, species legal protection, and the precautionary method of works.

4.3.1.2 A suitable off-site receptor is to be identified prior to construction for potential translocation. If any amphibians (excluding GCN) are found onsite during development construction, an ecologist must be contacted to carefully remove them by hand to a suitable off-site receptor site.

4.3.1.3 In the unlikely event that great crested newt is found on site at any time during the site investigation phase of the project, the works should pause whilst an ecologist is contacted about how best to proceed.

5 Nesting Birds

5.1 Ecology Background

5.1.1.1 Habitats present on site provide potential for nesting bird species through both the hedgerow and trees on site. A bird's nest was also identified on site within the willow tree.

5.1.1.2 As such, it was considered likely that nesting birds will be present within the habitats during the construction phase of development.

5.2 Rationale

5.2.1.1 All nesting birds are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally take, damage or destroy the nest, whilst it is in use, of any wild bird.

5.2.1.2 The construction works may directly or indirectly impact nesting birds and destroy their nests within these habitats in the absence of precautionary working methods to avoid this.

5.2.1.3 To that end, precautionary measures detailed in Section 4.3 (below) to avoid contravention of the legalisation. This is based on "Wild birds: advice for making planning decisions" published by Natural England in January 2022 and professional judgement, in the context of the proposed works.

5.3 Precautionary Method of Works

5.3.1.1 Vegetation removal should be undertaken outside of the breeding season (March to September, inclusive).

5.3.1.2 If this is not possible, any clearance of any hedgerow, shrub, individual trees vegetation on the site must be preceded by a nesting bird check by the Ecological Clerk of Works (ECoW) no more than 48 hours ahead of the proposed works.

5.3.1.3 Active nests will be protected by a (minimum buffer zone of 5m) that will be marked out with appropriate demarcation, until the young have fledged and the nest is no longer active. The ECoW will determine the required buffer area based on species and status of breeding condition.

6 Small Mammals

6.1 Ecology Background

6.1.1.1 The site's habitats were suitable for supporting hedgehog (*Erinaceus europaeus*) as well as other small mammals, with areas of grassland and hedgerow on site.

6.2 Rationale

6.2.1.1 Mammals are generally protected under the Wild Mammals (Protection) Act 1996. Under this act, it is an offence to inflict unnecessary suffering on any wild mammal with intent.

6.2.1.2 The construction works may directly impact small mammals; to that end, precautionary measures are detailed in Section 6.3 (below) to avoid contravention of the above legislation. This is based on 'Hedgehogs and development' published by HegdehogStreet.org in April 2019 and professional judgement, in the context of the proposed works.

6.3 Precautionary Method of Works

6.3.1.1 A toolbox talk will be delivered to all operatives prior to construction works commencing. This will include an overview of the species biology, species legal protection, and the precautionary method of works.

6.3.1.2 Any potential nest sites (leaf litter/ brash piles) within the working area must be either left in situ and a minimum buffer zone of 5m applied or the ECoW will dismantle potential nests by hand. If a hedgehog is found with young, the area will be left, a buffer established and monitored until the hedgehog is no longer present, and vegetation removal may resume.

6.3.1.3 Careful searching within suitable hedgehog habitat, such as hedgerows and shrub, should be carried out before the removal of these areas are carried out for the construction works.

6.3.1.4 Only hand tools, such as chainsaws, strimmer or hedge cutters will be used to carry out vegetation clearance of habitats suitable for hedgehogs. If other mammals are present within the site, they will be allowed to leave the area of their own accord before works can commence. If they fail to move on their own, an ecologist should seek a suitable receptor area to then relocate them carefully to.

7 References

Badger Trust (2023). Badger Protection: Best Practice Guidance for Developers, Ecologists, and Planners (England).

CIEEM (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine.

Collins, J. (ed.) (2023). Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th edition. The Bat Conservation Trust, London.

HedgehogStreet.org (2019). Hedgehogs and Development.

Natural England (2022). Wild Birds: advice for making planning decisions.

Urban Green (2024). Preliminary Ecological Appraisal of AFG Millbrook. (Ref: UG_2548_ECO_PEA_02).

Appendix 1 – Relevant Legislation

Legislation relating to European Protected Species (e.g. bats, otter, great crested newt)

European Protected Species and their resting places (e.g. bat roosts) are protected under the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way (CRoW) Act 2000, and the Conservation of Habitats and Species Regulations 2017.

The Conservation of Habitats and Species Regulations 2017 transpose the European Union's 'Habitats Directive' (Council Directive 92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora (EC Habitats Directive) into UK law. The Regulations provide for the designation and protection of 'European Sites', the protection of 'European Protected Species' (EPS), and the adaptation of planning and other controls for the protection of European Sites. EPS are listed on Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

Badger

The *Protection of Badgers Act 1992* consolidates previous legislation (including the *Badgers Acts 1973 and 1991*, and the *Badgers* (*Further Protection*) *Act 1991*). It makes it an offence to:

- wilfully kill, injure or take, or attempt to kill, injure or take a badger;
- cruelly ill-treat a badger, dig for a badger; use badger tongs in the course of killing or taking, or attempting to kill or take a badger; or use for the purpose of killing or taking a badger any firearm other than that stated under the exceptions within the Act;
- intentionally or recklessly interfere with a badger sett;
- sell or offer for sale a live badger, or have possession or control of a live badger; and
- mark a badger or attach any ring, tag, or other marking device to a badger.

Section 3 of the Act defines interference (with a sett) as:

- damaging a sett;
- destroying a sett;
- obstructing access to, or any entrance of, a sett;
- causing a dog to enter a sett; or
- disturbing a badger when it is occupying a sett.

Under Section 14 of the Act, a sett is defined as "any structure or place which displays signs indicating current use by a badger".

Under Section 10 (1)(d) of the Act, a licence may be granted by Natural England to interfere with a badger sett for the purpose of development, as defined by Section 55(1) of the *Town and Country Planning Act 1990*.

Breeding Birds

With certain exceptions[1], all wild birds, their nests and eggs are protected by Section 1 of the *Wildlife and Countryside Act 1981* (as amended). Therefore, it is an offence to:

- intentionally kill, injure or take any wild bird;
- intentionally take, damage or destroy the nest of any wild bird while it is in use or being built; or
- intentionally take or destroy the egg of any wild bird.

These offences do not apply to hunting of birds listed in Schedule 2 subject to various controls.

Bird species listed on Schedule 1 of the Act receive further protection, thus for these species it is also an offence to:

- intentionally or recklessly disturb any bird while it is nest building, or is at a nest containing eggs or young; or
- intentionally or recklessly disturb the dependent young of any such bird.

Hedgehog

The hedgehog was added to the list of UK BAP species in 2007 and is on the Biodiversity Lists for England and Wales (Listed as species of principal importance under the *NERC act 2006*, and Northern Ireland (listed as a Priority Species in the Northern Ireland Priority Species List, March 2010).

Small mammals are generally protected under the Wild Mammals (Protection) Act 1996. If, save as permitted by this Act, any person mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering he shall be guilty of an offence.

Amphibians

Common toad and common frog are protection under Section 9(5) of The *Wildlife and Countryside Act 1981* (as amended), but only against trade (i.e. sale, barter, exchange, transporting for sale and advertising to sell or to buy). It is not an offence to collect or possess these species.

Common toad was added to the list of UK BAP species in 2007 and is on the Biodiversity Lists for England and Wales (Listed as species of principal importance under Section 41 of the NERC act 2006.

[1] Some species, such as game birds, are exempt in certain circumstances.