

Tetrosyl, Mill Lane, Bury, BL9 6RE

REASONABLE AVOIDANCE MEASURES METHOD STATEMENT FOR AMPHIBIANS

March 2020

[ERAP (Consultant Ecologists) Ltd ref: 2019-159b]
[Bury Council ref: 63533 Condition 17]

ERAP (Consultant Ecologists) Ltd
49a Manor Lane
Penwortham
Preston
Lancashire
PR1 0TA

Tel: 01772 750502

mail@erap.co.uk
www.erap.co.uk



CONTENTS

1.0	Introduction	2
1.1	Background	2
1.2	Rationale and Supporting Documents.....	2
2.0	Reasonable Avoidance Measures Method Statement for the Protection of Amphibians.....	3
2.1	Ecologist's Details	3
2.2	Scope of Toolbox Talk	3
2.3	Timing of Works.....	4
2.4	Biosecurity.....	4
2.5	Actions to be Applied Prior to / During Draining Down of Lodge.....	5
2.6	Discovery of a Common Toad and Other Amphibians.....	5
2.7	Best Practice Actions / Site Management to be Implemented During Construction	6
3.0	Conclusion	6
4.0	References.....	6
5.0	Appendix 1: Figure	7
6.0	Appendix 2: Toolbox Talk Declaration.....	8
7.0	Appendix 3: Amphibian Identification Guide.....	9
8.0	Appendix 4: Record of Amphibians Found / Advice Given	13

Document Control

Reporting	Personnel	Date
Author	Victoria Burrows B.Sc. (Hons) M.Sc. CEnv MCIEEM Principal Ecologist	28 th February 2020
Signature(s)		
Checked by	Catie Haworth B.Sc. (Hons) M.Sc.	2 nd March 2020
Reviewed and Issued	Victoria Burrows	2 nd March 2020
Version	1	
Report issued to	Barratt Manchester	

1.0 INTRODUCTION

1.1 Background

1.1.1 Planning consent for 'residential development comprising 268 no. dwellings (Class C3) with associated access, car parking, landscaping and open space' [Bury Council reference: 63533] at the former Tetrosyl site, Bevis Green Works, Mill Lane, Bury BL9 6RE (hereafter referred to as the 'site') was granted in February 2020.

1.1.2 Condition 17 of the planning consent states:

"Prior to the commencement of any earthworks, draw down and infilling of the mill lodge, a reasonable avoidance method statement for amphibians, written by a suitably experienced ecologist shall be submitted to and approved in writing by the Local Planning Authority. The method statement will include full details of:

- *The consultant name and contact details and experience;*
- *Detail of how contractors will be briefed;*
- *Procedures on how to deal with common toad if found on site;*
- *Timing of draw down and site clearance;*
- *Procedures for checking the site prior to work commencing; and*
- *Procedures for management of the site during construction.*

Only the approved method statement shall be adhered to and implemented in full prior to works commencing.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework."

1.1.3 This report / Reasonable Avoidance Measures Method Statement (RAMMS) has been prepared to satisfy the requirements of Condition 17 of the planning consent.

1.2 Rationale and Supporting Documents

1.2.1 The need for a RAMMS was identified in the *Ecological Survey and Assessment* report (ERAP (Consultant Ecologists) Ltd, July 2019), hereafter the '2019 ecology report', prepared to inform the planning application.

1.2.2 The 2019 ecology report identified that breeding common toad (*Bufo bufo*), a Priority Species, use the mill lodge (Pond 1) and records of breeding common toad are known for habitats in the wider area (particularly at Gorse Quarry Site of Biological Importance (SBI), Baldingstone SBI and Gindles Farm Biological Heritage Site (BHS)), which all support large bodies of open water within a radius of 500 metres from the Tetrosyl site.

1.2.3 Owing to the presence of breeding common toad, Pond 1 is recognised as Priority Habitat. The 2019 ecology report identified that mitigation measures in the form of a RAMMS were necessary to protect common toad during the construction period (particularly works at the mill lodge), to provide opportunities for breeding common toad in the long-term and to ensure that the redevelopment proposals comply with the requirements of national and local planning policy and best practice.

- 1.2.4 The timings referred to in this report are in accordance with the programme of works provided by Urban Regen (principal contractor) on 21st February 2020; the preparation of which was informed by ecological guidance.

2.0 REASONABLE AVOIDANCE MEASURES METHOD STATEMENT FOR THE PROTECTION OF AMPHIBIANS

2.1 Ecologist's Details

Lead / Principal Ecologist: Victoria Burrows B.Sc. (Hons) M.Sc. CEnv MCIEEM

- 2.1.1 Victoria has over 20 years experience working as a consultant ecologist. This work has included the preparation and implementation of RAMMS and licensed mitigation works for a range of amphibian species including common toad and great crested newt (*Triturus cristatus*). Victoria is experienced in the identification and handling of all British amphibian species. Victoria has held over 30 Natural England European Protected Species Mitigation (EPSM) licences for great crested newt and is a registered consultant under the great crested newt low impact class licence which is awarded by Natural England through earned recognition whilst working with amphibians.

Ecologist: Amy Sharples B.Sc. (Hons) M.Sc. GradCIEEM

- 2.1.2 Amy Sharples has worked with Victoria at ERAP (Consultant Ecologists) Ltd since 2012. Amy has experience of the completion of great crested newt and amphibian surveys and the implementation of mitigation strategies. Amy has prepared and implemented common toad RAMMS including the draining down and search of breeding ponds and the rescue and translocation of amphibians.

Ecologist Team

- 2.1.3 The ecologists will be assisted by other members of our qualified and experienced ecologist team, as needed.

Contact Details

- 2.1.4 ERAP (Consultant Ecologists) Ltd. 49a Manor Lane, Penwortham, Preston PR1 0TA

Tel: 01772 750502

Email: victoria.burrows@erap.co.uk

Website: www.erap.co.uk

2.2 Scope of Toolbox Talk

- 2.2.1 Prior to the commencement of works at the lodge, the Toolbox Talk to be delivered by the licensed ecologist will cover:
- A brief summary of common toad ecology;
 - The wildlife legislation and protection and conservation status afforded to common toad;
 - The presence of the Reasonable Avoidance Measures Method Statement (RAMMS) and the need to abide by the content (i.e. measures that will be used to protect common toad and other ecological considerations);
 - Good working practices;

- e. Protocol to be followed if a common toad is discovered (particularly when the ecologist is not on site); and
- f. Identification of common toad and other amphibians, refer to Amphibian Identification Guide (**Appendix 3**).

2.2.2 All contractors / site personnel to confirm they have understood the Toolbox Talk by signing the Toolbox Talk record sheet, appended (**Appendix 2**).

2.2.3 A copy of the Toolbox Talk will be available at the site office for reference as needed.

2.2.4 Confirmation that the Toolbox Talk exists and its content will be included within the site manager's induction process / meeting for new site personnel, as needed.

2.3 Timing of Works

2.3.1 Following ecological input into the programme of works and taking into consideration other constraints, the current (21.02.2020) version of the programme of works confirms the following relevant timings:

- | | | |
|--------------|---|----------------------|
| a. Item 12. | Common Toad breeding season restrictions (spawn stage) | 02.03.20 to 30.04.20 |
| b. Item 13. | Fish removal from lodge (under licence) | 11.05.20 to 28.05.20 |
| c. Item 14. | Commence draining of lodge
(under consented permit to discharge) | 01.05.20 to 28.05.20 |
| d. Item 104. | Open the de-culverted diversion along the eastern boundary* | 04.12.20 to 17.12.20 |

*At this time the retained pool at the northern end of the site will be completed and available for breeding common toad in the 2021 breeding season.

2.3.2 This programme of works has been arranged to ensure impacts on common toad are avoided / minimised in the following ways:

- a. Minimising the risk of common toad spawn (typically laid in March) becoming stranded and at risk of drying out / predation on the margins of the lodge as the water levels are scheduled to be lowered after the tadpoles will have hatched; and
- b. Ensuring that common toad on site are not left without a breeding pond (i.e. breeding will be permitted in 2020 and the new pond area at the northern end of the site will be available prior to the 2021 breeding season).

2.4 Biosecurity

Pollution Prevention

2.4.1 The pollution prevention measures and environmental considerations detailed in the *Construction Environment Management Plan (CEMP)*, or similar, will be adhered to.

Biosecurity and Invasive Plant Species

2.4.2 To ensure no invasive or undesirable plant species are introduced to the site and retained habitats / areas of habitat creation it is essential that plant and machinery to be brought to the site is clean and

clear of plant material and excessive mud and other materials. Contractors must not accept any hired plant or machinery onto the site that contains plant material or excessive mud / earth cover.

Amphibian Disease Precautions

- 2.4.3 Prior to the commencement of works all ecologists working on the site will familiarise themselves with the guidance provided by ARG UK entitled *Amphibian Disease Precautions: A Guide for UK Fieldworkers* (ARG UK, March 2017).
- 2.4.4 All equipment and containers used will be clean. The appropriate disinfects (Virkon) will be used prior to entering the pond areas and after works.
- 2.4.5 To avoid the risk of spread of Chytridiomycosis and Ranavirus in accordance with best practice and the *Amphibian Disease Precautions: A Guide for UK Fieldworkers* (ARG UK, March 2017) advice note, amphibians will not be actively transferred off site.

2.5 Actions to be Applied Prior to / During Draining Down of Lodge

- 2.5.1 The draining down of the lodge is expected to occur slowly over a number of days. This approach permits adult amphibians the chance to escape and the tadpoles to move with the retreating water level.
- 2.5.2 Prior to the commencement of draining down an ecologist will search the margins of the lodge for toad spawn. If spawn is present the works will be postponed.
- 2.5.3 The draining down will permit the following actions to be carried out by the ecologists:
 - a. Netting of the lodge margins with the use a long-handled pond net. Any netted amphibians (all life stages) will be deposited in a lidded bucket that contains wet moss;
 - b. The search of the terrestrial vegetation and other debris on the pond margins for amphibians. Any amphibians will be picked up and deposited into the lidded bucket;
 - c. Once draining down commences netting will be carried out periodically. As the pond levels decrease, where it is safe to do so, the shallow water will be netted and the bed and margins of the lodge will be searched for amphibians by the ecologists. Any netted amphibians will be deposited in a lidded bucket which contains rainwater and wet moss;
 - d. Once all reasonable effort has been carried out to rescue any amphibians the ecologists will cease the netting;
 - e. All captured amphibians will be recorded; and
 - f. All captured amphibians will either be deposited beneath suitable debris (log piles and mossy habitats) in the grassland and woodland to be retained in the northern and eastern margins of the site or, particularly in the case of tadpoles, in the retained pool of water at the northern end of the site.

2.6 Discovery of a Common Toad and Other Amphibians

- 2.6.1 Refer to the Amphibian Identification Guide at **Appendix 3**.
- 2.6.2 If a common toad (or other amphibian species) is discovered during the works it is recommended that the animal is carefully picked up and placed in a bucket or other suitable container. The amphibian should then be moved (by hand (not in a machine)) to the grassland and woodland habitats at the

northern and eastern margins of the site. This position has been selected as these habitats are scheduled for retention, they have connectivity to the proposed new pond area and the off-site ponds in the wider area and are away from sources of potential harm such as busy roads.

2.7 Best Practice Actions / Site Management to be Implemented During Construction

During Construction

2.7.1 To avoid the active construction working area becoming suitable for the attraction of sheltering amphibians the following best practice actions are necessary:

- a. Ensure areas of standing water / pools are not permitted to accumulate (as much as possible);
- b. Avoid the accumulation of construction waste and debris in piles (which can create suitable shelters for amphibians) by ensuring skips are available to receive waste;
- c. Store construction materials off the ground as much as is possible (i.e. on pallets);
- d. Avoid leaving trenches / holes open overnight (either complete the works in one day or ensure the holes are suitably covered or fitted with a means of escape (sloping edge or plank) to permit wildlife to escape; and
- e. Piles of crushed demolition rubble and construction materials will not be deposited within 30 metres of the new pond basin. The pond basin will be demarcated with temporary fencing and treated as a 'no-go' area for construction operations.

During Habitat Creation

2.7.2 The ecologist will attend site when the final profile of the new pond area is created. This will enable direction to be provided in relation to the shape of the banks and consideration of amphibian access in future years.

3.0 CONCLUSION

3.1 It is considered that this RAMMS provides all relevant information to inform the commencement of works and to satisfy the requirements of Condition 17 of the planning consent.

4.0 REFERENCES

- ARG UK, March 2017. *Amphibian Disease Precautions: A Guide for UK Fieldworkers.*, UK: Amphibian and Reptile Groups of the United Kingdom.
- Bury Council , August 1997. *Bury Unitary Development Plan (UDP)* , Bury: Bury Council .
- ERAP (Consultant Ecologists) Ltd, December 2018. *Tetrosyl, Walmersley Old Road, Walmersley, Bury BL9 6RG. Confidential Addendum: Badger Survey and Assessment*, Preston: ERAP (Consultant Ecologists) Ltd.
- ERAP (Consultant Ecologists) Ltd, July 2019. *Tetrosyl, Walmersley Old Road, Bury. Ecological Survey and Assessment (including a Licensed Bat Survey and Assessment and Mitigation Strategy)*, Preston: ERAP (Consultant Ecologists) Ltd.
- Great Britain, 1981. *Wildlife and Countryside Act*. London: H.M.S.O.
- Great Britain, 2006. *Natural Environment and Rural Communities Act*. London: H.M.S.O.

5.0 APPENDIX 1: FIGURE

Figure 5.2: Phase 1 Habitat Survey to Show Location of Lodge



6.0 APPENDIX 2: TOOLBOX TALK DECLARATION

DECLARATION:

It is confirmed that the Ecologist provided the Toolbox Talk. I and all relevant contractors understand the Toolbox Talk and will abide by the content and guidance provided:

Signed:				
Print Name:				
Position:				
Date:				

Signed:				
Print Name:				
Position:				
Date:				

7.0 APPENDIX 3: AMPHIBIAN IDENTIFICATION GUIDE

Amphibian Identification

Common frog

Adults 6-7 cm.
Smooth skin, which appears moist.

Coloration variable, includes brown, yellow and orange. Some females have red markings on lower body.

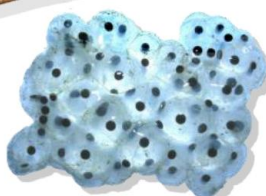
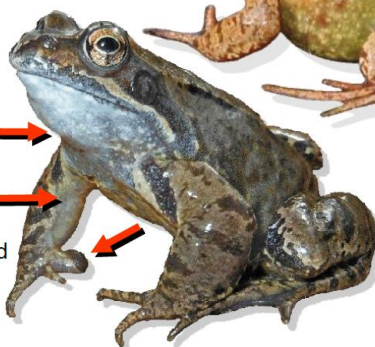
Usually has a dark 'mask' marking behind the eye.

Breeding male

Grey/pale blue throat.

Thick front legs.

Dark (nuptial) pad on inner toes of the front feet.



Spawn is laid in gelatinous clumps.

Markings also variable, including varying amounts of black spots and stripes.



Young froglets look like smaller versions of the adults.

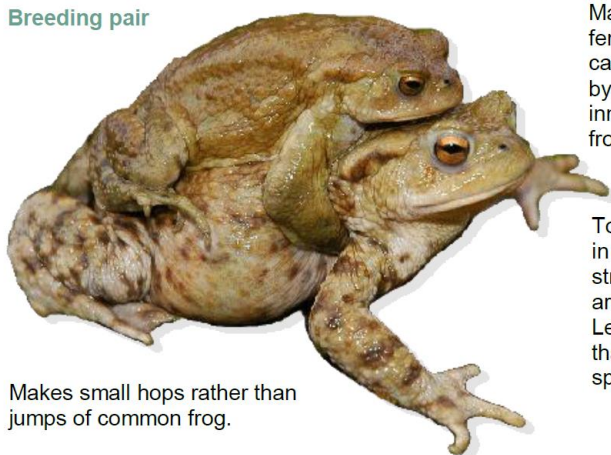
Common toad

Adults 5-9 cm. Rough skin. Brown with darker markings. Less commonly, some individuals are very dark, almost black, others are brick-red.

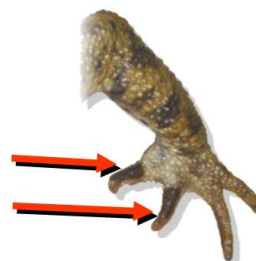
Breeding pair

Makes small hops rather than jumps of common frog.

Toadlets transforming from the tadpole stage are often very dark in colour.



Males smaller than females. Breeding males can also be distinguished by dark (nuptial) pads on innermost two toes of the front feet.



Toad spawn is laid in gelatinous strings, wrapped around vegetation. Less conspicuous than common frog spawn.



Juveniles are similar colours to adults, including brick-red.



amphibian and reptile
conservation



Great crested newt

Grows to 16 cm, but usually smaller. Crest in male has break at base of tail. Silvery-white stripe towards rear of tail conspicuous.

Both sexes have rough, granular skins and yellow/orange bellies with irregular black spots.

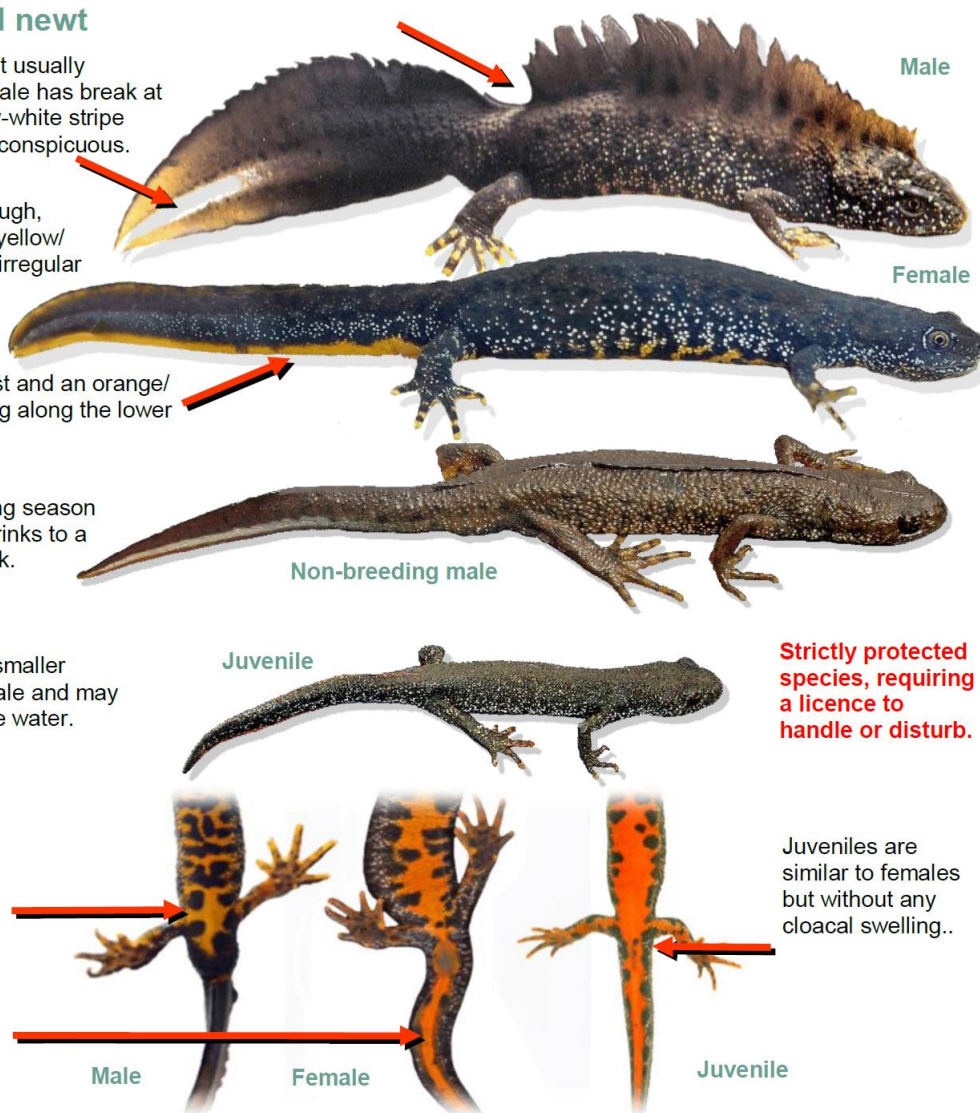
Female has no crest and an orange/yellow stripe running along the lower edge of the tail.

Outside the breeding season the male's crest shrinks to a ridge along the back.

Juveniles look like smaller versions of the female and may live on land or in the water.

Orange/yellow coloration on underside extends to flanks (not confined to central stripe). This continues along lower edge of tail in females.

Strictly protected species, requiring a licence to handle or disturb.



Alpine newt



Adults 8-11 cm, females often much larger than males. A non-native species restricted to few sites, but becoming increasingly common. Most likely to be found in garden ponds, or ponds near to gardens.

Females have a marbled pattern on the back.

Underside is bright orange, without spots (although there may be black spots on the throat in some cases).



Smooth newt

A widespread species which breeds in a variety of water bodies. Often found in garden ponds.



Male

Female

Both sexes have an orange or yellow belly stripe and rounded spots, which are larger in the male.



Male



Female

Grows to about 10 cm. Breeding male has an undulating crest running from head to tail tip.



Non-breeding male

Non-breeding adults live mostly on land. Juveniles live entirely on land.



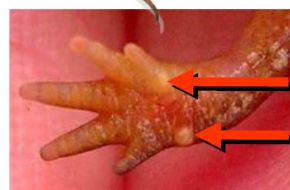
Juvenile (eft)

Palmate newt

Grows to 9 cm. Breeding male has a ridge running along the back, rather than a crest. Dark, webbed hind feet, and tail ends in filament.



Non-breeding male



There are two pale coloured nodules on the underside of the hind feet of the female.

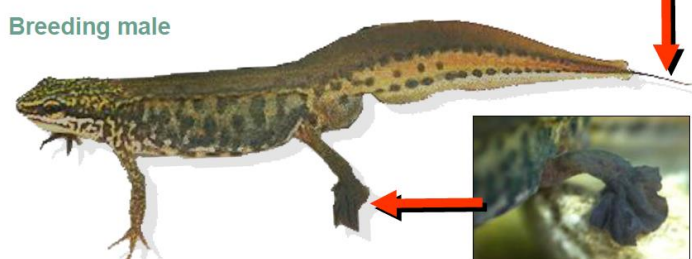


Palmate



Smooth

Throat of palmate newt has no pigment (looks pink). Throat of smooth newt is off-white and usually spotted.



Breeding male

Female



Female looks similar to smooth newt.



Underside (male)

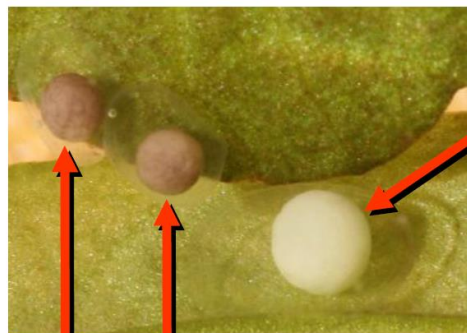
Juveniles live on land.



Juvenile (eft)

Newt eggs

Newt eggs are usually wrapped, singly, in vegetation. Leaves folded around great crested newt eggs are particularly conspicuous. To identify, unfold the leaf. Identification of undeveloped eggs is easiest.



Great crested newt eggs are white, sometimes with a tint of green or orange (jelly capsule 5 mm).



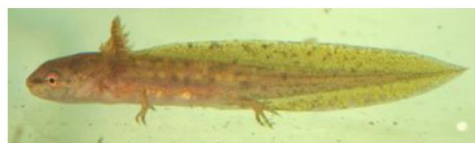
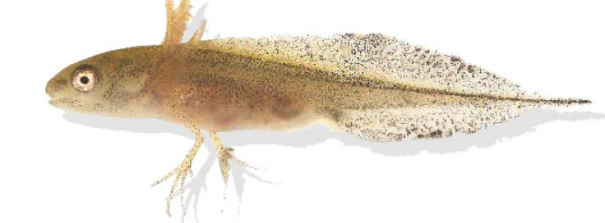
Eggs of smooth and palmate newts cannot be distinguished by eye, but they are smaller (jelly capsule 3 mm) than great crested newt eggs and are grey or beige when newly laid.



Several great crested newt eggs folded into a single blade of flote grass, giving a 'concertina' effect.

Newt larvae

Examine well-developed larvae (late May to July, or to August for great crested newts).



Great crested newt larvae (above) have long toes and blotches of dark pigmentation on tail fins. Grow to approximately 5 cm.

Palmate and smooth newt larvae (above) are indistinguishable in the field—but do not have the long toes or spotted tail fins of great crested newt larvae. Grow to approximately 3 cm.

Overwintering and neoteny



Young newts usually leave the water in late summer or autumn, although sometimes they remain as larvae over the winter (e.g. smooth newt, right).

Neotenuous smooth newt



Exceptionally newt larvae grow to adult size, able to breed, but retaining their gills.

Further information Howard Inns (2009, reprinted 2011). *Britain's Reptiles and Amphibians*. WILDGuides.

Amphibian and Reptile Conservation & Fred Holmes (2014)

Additional photographs courtesy of Jon Cranfield, Ray Cranfield, Chris Glead-Owen, Howard Inns, Mark Jones, Phyl King, Liam Russell, Duncan Sweeting and Rose Tichner.

Revised with financial assistance from Natural England.

Amphibian and Reptile Conservation www.arc-trust.org

**amphibian and reptile
conservation**



8.0 APPENDIX 4: RECORD OF AMPHIBIANS FOUND / ADVICE GIVEN

To be completed by the Ecologist, as needed.