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Nexus Planning

By email only

30th January 2018

Badger survey and mitigation plan for Land north of Water Lane, Angmering

The Ecology Partnership was commissioned by Rydon Homes and Gleeson Strategic Land to carry out a badger survey of Land north of Water Lane, Angmering (Figure 1). This follows an initial survey carried out as part of the preliminary ecological appraisal in August 2015.

During the original survey, an active badger sett was located within an area of woodlands to the south of the central driving circuit. Approximately eight holes were found with well-worn pathways leading to and from the holes. No snuffle holes or latrines were noted on site, however these may have been present on the arable fields just simply not present on the day the survey took place. One further mammal hole was found within the southern half of the Grooms Copse along with two mammal pathways. This is suspected to have been made by a badger, no other holes were found in the area.

This update survey was carried out to determine the current status of the badger sett and to check for the presence of any new evidence.



Figure 1: Approximate location of red line boundary

Legislation

Badgers receive protection under The Protection of Badgers Act 1992, which consolidates the previous Badger Acts of 1973 and 1991. The Act makes it an offence to:

- Wilfully kill, injure, take or attempt to kill, injure or take a badger;
- Cruelly ill-treat a badger, including use of tongs and digging;
- Possess or control a dead badger or any part thereof;

- Intentionally or recklessly damage, destroy or obstruct access to a badger sett¹ or any part thereof;
- Intentionally or recklessly disturb a badger when it is occupying a badger sett;
- Intentionally or recklessly cause a dog to enter a badger sett;
- Sell or offer for sale, possess or have under his control, a live badger.

It must be noted that badger foraging habitat and corridors are not legally protected, although should be considered within any development. A Development Licence would be required from Natural England for any development works that are likely to affect an active badger sett, or disturb badgers whilst in a sett. However, Natural England states that *“badgers are relatively tolerant to moderate levels of noise and activity around their setts and that low to moderate levels of apparent disturbance at or near to badger setts do not necessarily disturb the badgers occupying those setts”* and therefore such disturbance around setts does not always require a licence (Natural England 2009).

Methodology

On 30th January 2018, ecologists Natalie Kay BSc (Hons) MSc ACIEEM and Jade Brennan BSc (Hons) MSc assessed the site and 30m around the red line boundary for evidence of badgers. The evaluation of badger activity was based on methodology developed for the National Survey of Badgers (Creswell *et al.* 1990) and includes searching for badger field signs such as setts, badger pathways, tracks (paw prints), dung piles with latrines, badger hairs and feeding signs such as snuffle holes.

During the survey, all habitats potentially suitable for badgers were systematically examined for evidence of badger activity including:

¹ A badger sett is defined in the legislation as “any structure or place which displays signs indicating current use by a badger”. This includes seasonally used setts. Latest guidance from Natural England a sett is defined as such (and thus is protected) as long as signs indicate “current use”. Additionally, Natural England state that “the maximum lapse of time between last occupation by badgers and the inspection of a sett for it to be considered in “current use” is how long it takes the signs to disappear, or more precisely, to appear so old as to not indicate “current use”” (Natural England, June 2009).

- Setts: several sett types may be present within a social group territory, ranging from a single hole to numerous interconnecting tunnels. Setts can be categorised according to main, annexe, subsidiary and outlier (Wilson *et al.* 1997).
- Latrine sites: badgers characteristically deposit dung in pits, which may be located along the boundaries and with the social group territory. These sites serve as means of inter- and intra-group communication.
- Paths and runs: well used routes between setts and/or foraging areas. Often used by generations of badgers.
- Snuffle holes: areas of disturbed vegetation often formed by badgers foraging for ground dwelling invertebrates such as earthworms and larvae and the underground storage organs of plants.
- Hair: often found among spoil and bedding outside entrances to setts or snagged on fences (such as barbwire) along well-used runs.
- Footprints: easily distinguishable from other large mammal species. Often found along paths and runs or in spoil outside sett entrances.

Particular attention was paid to areas where holes had been previously identified and other areas where the vegetation and/or the topography offered suitable sett sites such as embankments and wooded areas. Loppers were used to get through the dense areas of vegetation and a GPS was used in order to more accurately map hole locations.

Limitations

This assessment is only valid for the time when the survey was carried out. Additional surveys may be required based on the findings of this assessment. It should be noted that badgers are highly mobile animals and setts can become active/inactive in a short space of time and on a regular basis.

Results

Overall, fourteen holes were identified as part of the main badger sett in the centre of the site (Figure 2). Five holes were not considered to be in use due to the amount of leaf litter and other detritus surrounding

and within the entrances. However, nine were considered to be active due to signs of recent digging, clear entranceways, paw prints, badger hairs and the presence of bedding material close to the holes.

It should be noted that there were numerous other mammal holes along this edge but the size and shape of the holes suggested they may have been made by rabbits and rats.

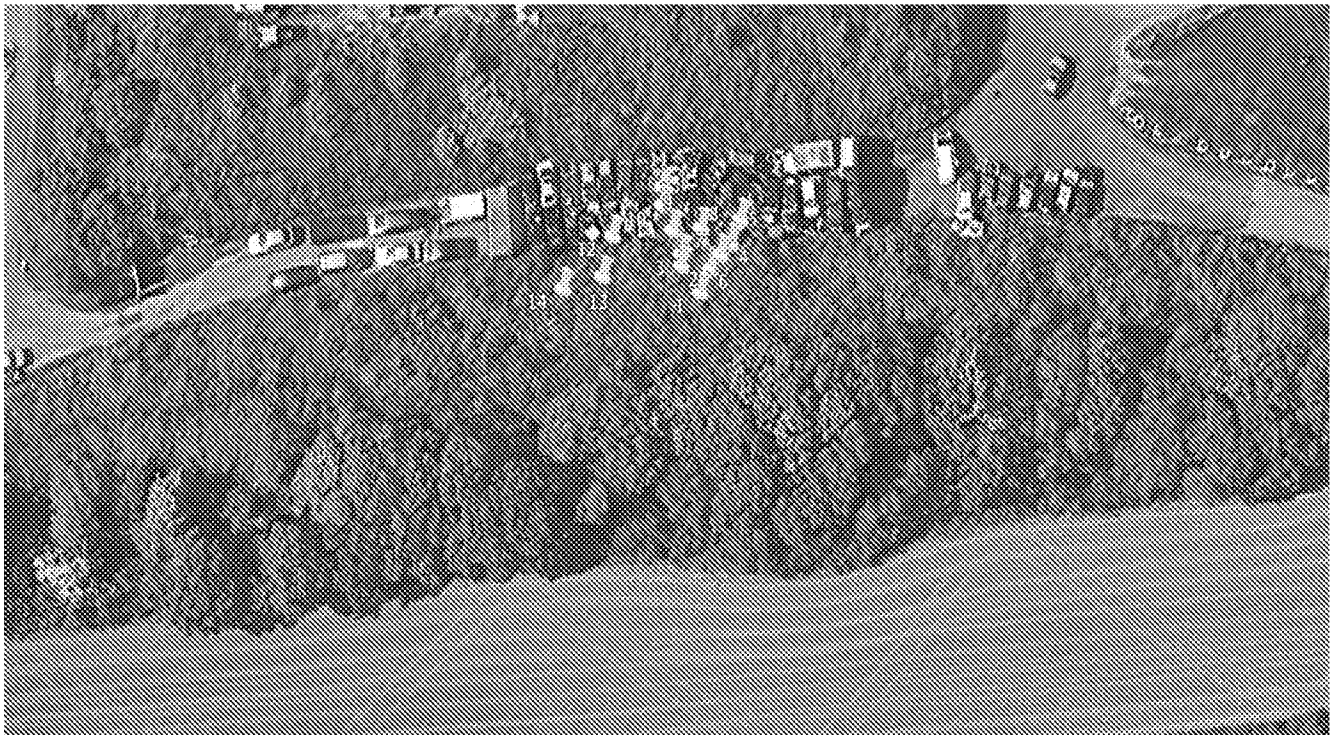


Figure 2: Location of the active and inactive badger holes

Discussion

Fourteen badger holes were found on the day of the survey, identified by their distinctive D-shaped entrances, amount of fresh digging outside the hole and the presence of badger hairs and paw prints. Nine of the holes showed signs of active use.

A badger sett is defined in the legislation as “*any structure or place which displays signs indicating current use by a badger*”. This includes seasonally used setts. According to the latest guidance from Natural England, a sett is defined as such (and thus protected) as long as signs indicate ‘current use’. Additionally, Natural England state that “*the maximum lapse of time between last occupation by badgers and the inspection of*

a sett for it to be considered in “current use” is how long it takes the signs to disappear, or more precisely, to appear so old as to not indicate “current use” (Natural England 2009).

As such, it is considered that the sett is in active use by badgers as there were a large amount of fresh paw prints found going to and from the badger holes and the amount of fresh digging outside the hole. In terms of classifying the sett, it is considered that this is a main sett given the number of active holes in close proximity to one another and the length of time this sett has been present (at least 4 years).

Since an active main badger sett is present along the boundary of the site, it must be considered within the design of the development. A suitable buffer will be required between any development works and the sett. It is known that badger excavations can reach up to 20m from an entrance hole. Therefore, it is recommended that a 20m buffer be maintained along this edge. The illustrative master plan shows this area of the site as being maintained as a green finger with a large buffer extending both north and south of this feature. It is recommended that this buffer is planted with a range of species which badgers are known to forage from, as well as thorny species to protect badger from impacts associated with new residents and pets.

As badgers are known to be present on site and in the wider landscape, there are a number of best practice guidelines which should be followed when working the vicinity of known badger setts:

- Any trenches or excavations on site should be either covered at night or a plank of wood placed in so as to allow any animals to escape if they were to accidentally fall in.
- Any open pipes or conduits laid should be blocked off each night to prevent badgers from entering them.
- Construction work should only take place between dawn and dusk with no late evening work. This will reduce possible disturbance to badgers as they emerge to forage and also reduce the risk of traffic casualties from late working site traffic.
- Construction work should be undertaken so as to minimise the time required to work within 30m of the badger setts and therefore keep the length of disturbance to a minimum.
- All site workers will be informed of the known badger sett. Site works must be informed that, by law, they must not:
 - Interfere with setts;
 - Dump equipment or litter in badger holes;

- Have fires next to badger holes;
- Damage or destroy the sett.

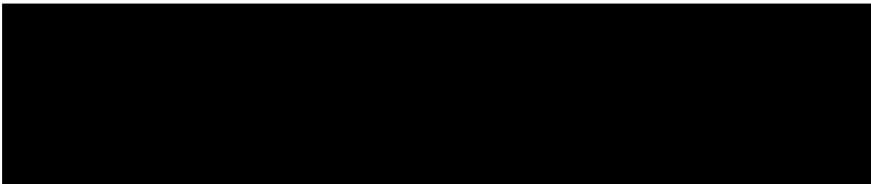
Conclusions

An update to date survey of the badger sett in the centre of the site identified nine active badger holes and five not currently in use. Given the number of holes present and the length of time they have been there, the sett is considered to be an active main sett.

A 20m buffer zone is recommended due to the fact that excavations can extend up to 20m from entrance holes. The illustrative master plan shows a large buffer along this central green corridor, which extends north, providing a suitable buffer. Best practise measures for working near and adjacent to badger setts will be required and protection of the sett will be needed prior to any site works.

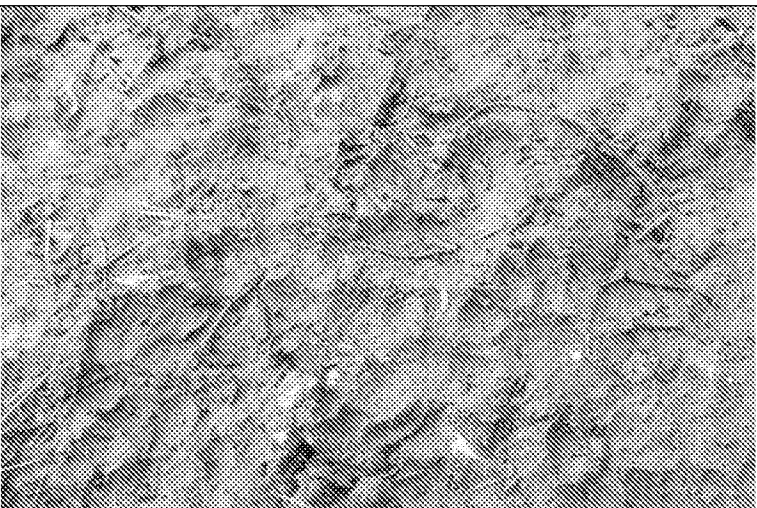
If you require any further details, please do not hesitate to contact me.

Kind regards,



Alexia Tamblyn MA (Oxon) MSc CEnv MCIEEM FRGS
Managing Director

Appendix: Photos

Photograph 1: Badger hole 1 considered active at time of survey (TQ0765805265 +/- 3m).	
Photograph 2: Badger hole 2 considered inactive at time of survey (TQ0765605267 +/- 3m).	
Photograph 3: Paw prints leading to the badger holes.	

Photograph 4:
Badger hole 11
considered
active at the
time of the
survey
(TQ0765405270
+/- 4m).



Photograph 5:
Badger hole 8
considered
inactive at the
time of the
survey
(TQ0765805270
+/- 4m).

