

Technical Briefing Note

Ref: 1004567 BN06 UBSR dv1

Saltbox, Bognor Regis (1004567)

Update Badger Survey Results

Date: December 2019

1 Introduction

- 1.1 Aspect Ecology Ltd is acting on behalf of Landlink Estates in relation to ecological matters at the site at Saltbox, Bognor Regis, located approximately at OS grid reference SU 935 016.
- 1.2 The site is in receipt of hybrid planning permission (most recently ref: BE/135/18/PL, permitted on 07 November 2019), comprising outline planning permission for the principle of employment uses B1-B8 and full planning permission in relation to units 2 and 4-9 with associated access, engineering, landscaping and ancillary works. The planning permission is subject to a number of conditions, which are listed separately in regard to the 'outline' matters and 'full' matters. Of these, condition 17 in relation to the 'outline' matters and condition 19 of the 'full' matters (which are similarly worded) relate to ecology, stating:

"Prior to commencement of development a badger survey should be undertaken to ensure badgers are not using the site. If badgers are discovered on site, mitigation measures will need to be submitted and approved in writing by the LPA in liaison with Natural England and the approved works carried out by a professional ecologist prior to the occupation of the Units in Phase 2/1."

- 1.3 The site has previously been subject to a range of ecological survey and assessment work by Aspect Ecology Ltd in order to inform the development proposals (most recently during July 2017), including as set out within the information submitted to inform the relevant application associated with the planning permission for the site (e.g. Aspect Ecology Ltd report ref: 1004567 EcoAp vf1).
- 1.4 Given the time that has elapsed since the previous survey work, in order to further inform the forthcoming progression of the permitted development works at the site and confirm the up to date position with regard to Badger activity (including in line with the requirements of planning conditions 17/19), specific update Badger survey work was undertaken at the site by Aspect Ecology Ltd during December 2019. This note sets out the details of the Badger survey work undertaken, along with the results and associated considerations/implications and recommendations.

2 Previous Survey Work

- 2.1 The site was previously surveyed by Aspect Ecology Ltd over a number of visits during May to July 2017, including specific Badger survey work, including as set out within the previously submitted information.

3 Update Survey Methodology

- 3.1 In order to update the previous position and inform any necessary mitigation measures to ensure compliance with the relevant legislative and planning requirements in regard to this species, further specific Badger survey work was undertaken at the site during December 2019.
- 3.2 The survey work comprised two main elements. Firstly searching thoroughly for evidence of Badger setts. For any setts that were encountered, each sett entrance was noted and plotted even if the entrance appeared disused. The following information was recorded:
- i) The number and location of well used or very active entrances; these are clear from any debris or vegetation and are obviously in regular use and may, or may not, have been excavated recently;
 - ii) The number and location of inactive entrances; these are not in regular use and have debris such as leaves and twigs in the entrance or have plants growing in or around the edge of the entrance; and
 - iii) The number of disused entrances; these have not been in use for some time, are partly or completely blocked and cannot be used without considerable clearance. If the entrance has been disused for some time all that may be visible is a depression in the ground where the hole used to be and the remains of the spoil heap.
- 3.3 In addition, Badger activity, such as well-worn paths and run-throughs, snagged hair, footprints, latrines and foraging signs was recorded in order to build up a picture of the ongoing levels of use of the site by Badgers.
- 3.4 ***Survey Constraints and Limitations.*** Badgers are dynamic animals, such that nature and levels of activity throughout their range would be anticipated to vary over time and accordingly, any survey can only provide a snapshot of the current/recent activity to guide consideration of the overall activity levels at a site, with surveys considered to remain valid/up to date for a limited period (*i.e. no more than 12 months*).
- 3.5 Nonetheless, the update survey work was undertaken under suitable weather conditions at a suitable time of year, with all areas of the site fully accessible and searched for evidence of Badger, and taking full account of the previous survey results. As such, it is considered that the survey work undertaken allows a robust assessment of the current use of the site by Badger insofar as is possible, with no other significant constraints or limitations noted that would be anticipated to influence the results.

4 Survey Results and Discussion

Previously Recorded Position

- 4.1 No Badger setts, latrines or foraging signs were recorded within the site during the previous survey work, however evidence of Badger presence was recorded in the form of footprints within the cropped areas, confirming this species accesses the site.

Current Survey Results

- 4.2 During the update survey work undertaken, no evidence for any setts or digging by Badger was recorded at the site. Similarly, no active Badger latrines were recorded (indicating a likely lack of strong territorial boundaries within the site), albeit a number of mammal pathways and push-throughs in boundary vegetation (including likely attributable to Badger) were recorded, indicating likely continued access by this species as part of a wider territory (see Plan 4567/UBSR2).

5 Discussion and Mitigation Measures

- 5.1 **Potential for impacts on setts.** In line with the previous survey results, no Badger setts were recorded within the site boundary, nor within the immediately adjacent habitats. Accordingly, it is clear that the progression of construction works associated with the permitted development will not result in any adverse effects on any Badger setts.
- 5.2 **Construction Considerations.** The survey work has identified the continued use of the site by individual foraging/commuting Badgers (evidenced through clear pathways, push-throughs and previous footprints).
- 5.3 In line with the previously submitted information, it is therefore recommended that a number of working safeguards and mitigation measures be implemented to safeguard any individual Badgers potentially present or utilising the site itself during the construction phase of the permitted development. Suitable construction considerations (in line with Natural England best practice guidelines) are set out below. These safeguards (if undertaken) aim to ensure that the site as a whole remains safe for Badgers during the construction period.

Mitigation Measures and Safeguards

- 5.4 In order to safeguard individual Badgers that may access the site, it is proposed that the following best practice safeguards be implemented;
- All contractors and site personnel will be fully briefed on the presence of Badgers at the site and a watching brief in place by construction staff at the site for any additional Badger activity.
 - Any trenches or deep pits within the site that are to be left open overnight will be provided with a means of escape should a Badger enter. This could simply be in the form of a roughened plank of wood placed in the trench as a ramp to the surface. This is particularly important if the trench fills with water;
 - Any temporarily exposed open pipes (>150mm outside diameter) should be blanked off at the end of each working day so as to prevent Badgers gaining access as may happen when contractors are off-site;
 - Any trenches/pits will be inspected each morning to ensure no Badgers have become trapped overnight. Should a Badger become trapped in a trench it will likely attempt to dig itself into the side of the trench, forming a temporary sett. Should a trapped Badger be encountered a suitably qualified ecologist will be contacted immediately for further advice;
 - The storage of topsoil or other 'soft' building materials in the site will be given careful consideration. Badgers will readily adopt such mounds as setts. So as to avoid the adoption of any mounds, these will be kept to a minimum and any essential mounds subject to daily inspections with consideration given to temporarily fencing any such mounds to exclude Badgers;
 - The storage of any chemicals at the site will be contained in such a way that they cannot be accessed or knocked over by any roaming Badgers;
 - Fires will only be lit in secure compounds away from areas of Badger activity and not allowed to remain lit during the night; and
 - Unsecured food and litter will not be left within the working area overnight.

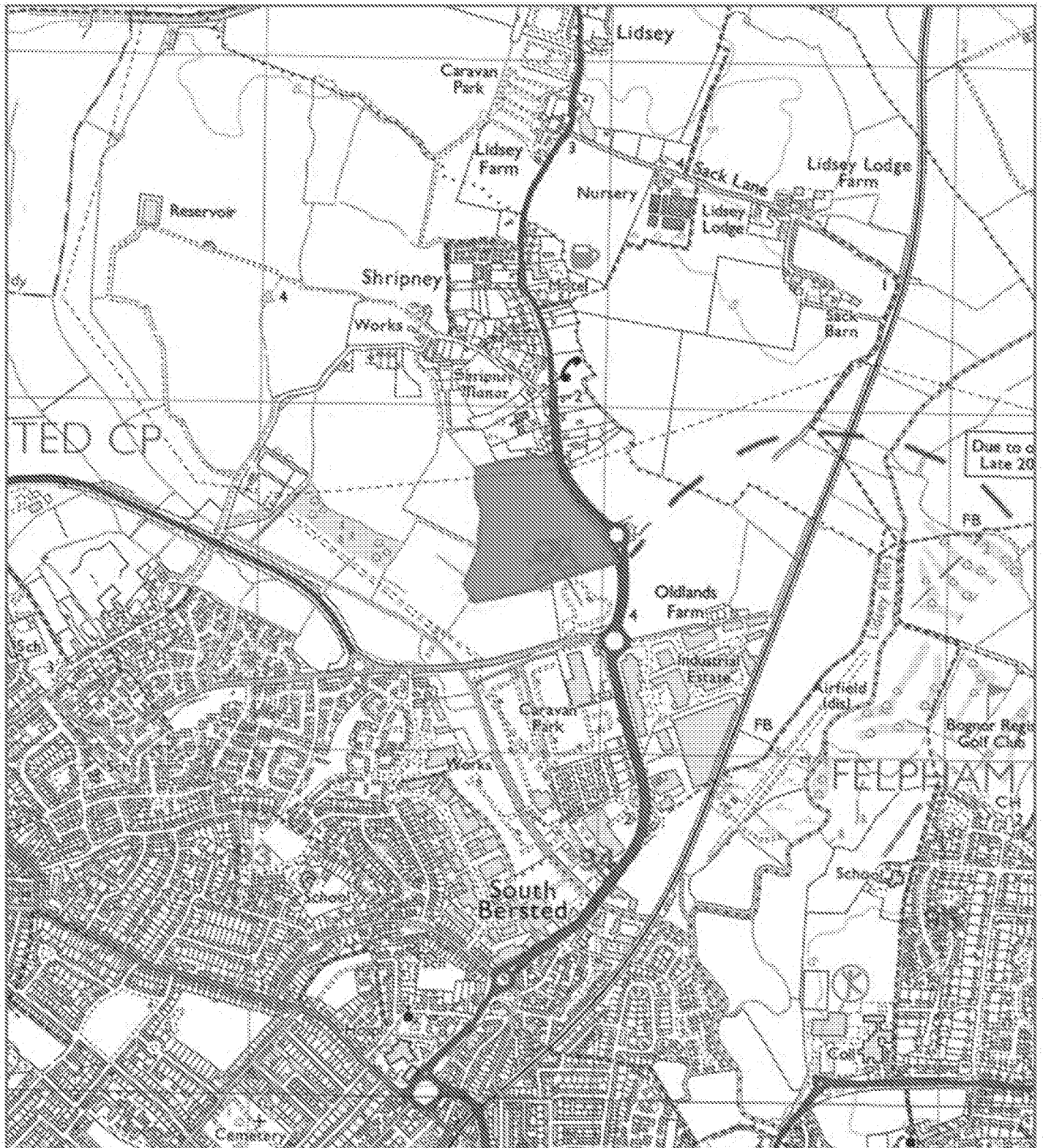
- 5.5 The above measures are further set out within a stand-alone summary sheet at Appendix 4567/UBSR1, for ease of reference by individual construction staff.

6 Summary and Conclusion

- 6.1 In summary, the updated Badger survey work undertaken has recorded no evidence for the presence of any Badger setts, latrines, key territorial boundaries or Badger foraging resources within the site, in line with the previous survey results and information. Accordingly, no further specific consideration in regard to existing Badger setts is required in regard to the progression of the permitted construction works, based on the current information, albeit measures are recommended (in line with the previously submitted information) in order to safeguard individual Badgers accessing the site.
- 6.2 The implementation of the precautionary measures/safeguards set out during the progression of construction works (which would be anticipated to be implemented by construction staff at the site), will ensure that this species is suitably safeguarded during the progression of works at the site (in line with the relevant legislative requirements in regard to this species and information submitted as part of the planning considerations), thereby avoiding any potential offence in this regard.
- 6.3 It is considered that the Badger survey work and information reported within this note satisfies the stated pre-commencement requirements in relation to the relevant planning conditions (17/19) of the planning permission for the site (ref: BE/135/18/PL) and as such (particularly given the absence of any recorded Badger setts within the site), the relevant requirements of these conditions can be suitably discharged in relation to the progression of the permitted development.

Plan 4567/UBSR1:

Site Location



Key:



Site Location

aspect ecology

Report Ecology Limited - West House - Harwood Business Park
Norton Way - Bury - Greater Manchester - M9 2JF
01205 279721 - info@aspect-ecology.com - www.aspect-ecology.com

Saltbox, Bognor Regis PROJECT

Site Location OFFICE

4567/UBSR1 DRAWING NO.

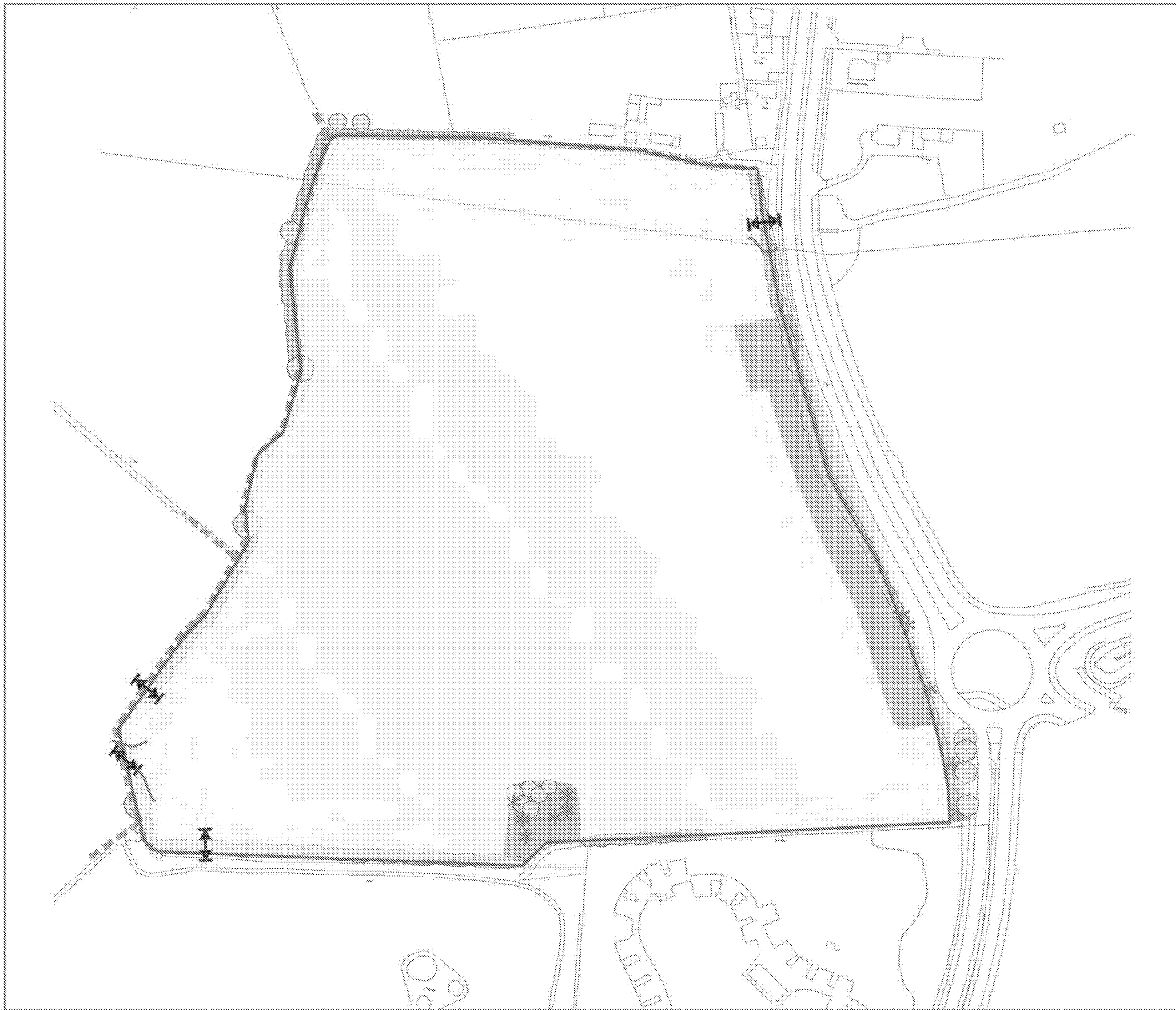
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December 2019 DATE



Plan 4567/UBSR2:

Update Badger Survey Results



- KEY:
-  Site Boundary
 -  Mammal Pathway
 -  Mammal Push-through

aspect ecology

Aspect Ecology Limited - West Court - Hardwick Business Park
Norral Way - Banbury - Oxfordshire - OX16 2AF
01295 276056 - info@aspect-ecology.com - www.aspect-ecology.com

Saltbox, Bognor Regis PROJECT

Update Badger Survey Results TITLE

4567/U8582 DRAWING NO.

NEW

December 2019 DATE



Appendix 4567/UBSR1:

Summary of Mitigation Measures to be Implemented at the Site in regard to Badger

SALTBOX, BOGNOR REGIS

BADGER MITIGATION MEASURES SUMMARY

General Site Safeguards (to be implemented across the site throughout construction works):

- Contractors/personnel to be fully briefed on the presence of Badgers and a watching brief in place by construction staff at the site for any additional Badger activity.
- Any trenches or deep pits to be provided with a means of escape should a Badger enter (e.g. plank of wood or ramp). Trenches/pits to be inspected daily to ensure no Badgers have become trapped.
- Any temporarily exposed open pipes (>150mm outside diameter) to be blanked off to prevent access by Badgers;
- Storage of topsoil or other 'soft' building materials to be given careful consideration, kept to a minimum and subject to suitable inspection to confirm Badgers remain absent;
- Storage of any chemicals/materials at the site to be contained in such a way that they cannot be accessed or knocked over by any roaming Badgers;
- Fires only to be lit in secure compounds away from areas of Badger activity and not allowed to remain lit during the night; and
- Unsecured food and litter will not be left within the working area overnight.

In the event that a Badger is encountered within the site at any time, works should cease and Aspect Ecology Ltd contacted at the earliest opportunity for further advice. (Contractors should not attempt to approach or capture any Badger.)

Similarly, should any new mammal tunnels be encountered within areas to be worked, Aspect Ecology should be contacted prior to any works proceeding in these areas for further advice. This may include the need for inspection work by a suitably qualified ecologist to confirm the position and advise any necessary further mitigation measures that may be required.

Aspect Ecology Ltd

Hardwick Business Park : Noral Way : Banbury : Oxfordshire OX16 2AF



ecology • landscape planning • arboriculture

aspect

Aspect Ecology Ltd
West Court
Hardwick Business Park
Noral Way
Banbury
Oxfordshire OX16 2AF