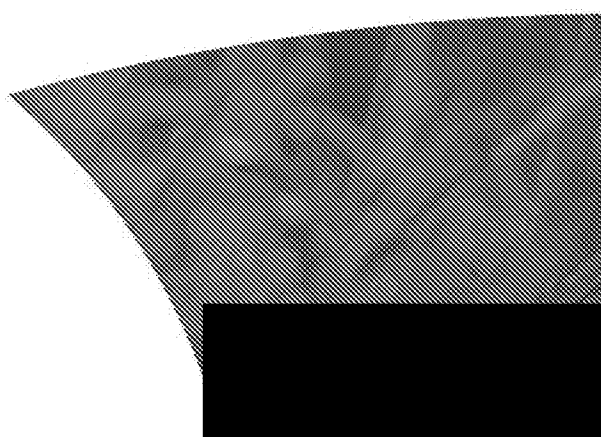




Land west of Church Lane,
Climping

Badger Survey Report

February 2021



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Land west of Church Lane, Climping

22/02/2021

Vivid and Climping Homes LTD

Document Control:

Project no.	Project
9709	Land west of Church Lane, Climping

Rev	Written by:	Checked by:	Authorised by:	Date:
Rev0	Kim Roll-Baldwin	Charley Scales	Richard Schofield	22 February 2021

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Phlorum Limited

Southern Office: Unit 12, Hunns Mere Way, Brighton, BN2 6AH

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Non-technical Summary

A badger survey was carried out on the land west of Church Lane, Climping on the 10th February 2021, in order to determine whether this species could affect the proposed works for the site. The survey area extended over approximately 25 hectares (ha).

The main findings of the survey are as follows:

- ❖ Due to the sensitive nature of this species, records were not returned from the local records centre.
- ❖ No setts or evidence of badgers was observed on-site.
- ❖ The broad-leaved semi natural woodland, arable land and ruderal vegetation on-site offered foraging and commuting potential for badgers. Overall, the site was considered to offer moderate potential for breeding badgers and moderate potential for foraging badgers.
- ❖ Badgers are not thought to be a constraint to development. A precautionary approach to the potential for badgers to be using the site is recommended.
- ❖ If more than 18 months commence between the start of works an updated badger survey should be undertaken.

1. Introduction

Background

- 1.1 Phlorum Limited was commissioned by Vivid and Climping Homes LTD to undertake a badger survey, to inform the potential ecological constraints of proposed future development of the site at land west of Church Lane, Climping (hereafter referred to as "the site"). The need for this survey was identified following a Preliminary Ecological Appraisal at the site (Phlorum, 2020) which identified suitable habitat for badgers and the removal of an area of woodland as part of the development proposal.
- 1.2 The purpose of this survey was to provide an assessment of the status of badgers on the site providing data on their presence/absence and distribution and to identify potential impacts of the proposed development in order to devise suitable mitigation measures.
- 1.3 It is understood that current proposals are for the construction of a new residential development. A new junction will be required between A259 and Church Lane. It is understood an area of hedge and trees within the eastern extent of broad-leaved woodland is to be removed as part of the plans.

Site Description

- 1.4 The site at land adjacent to Church Lane is within a relatively rural location within the centre of Climping in West Sussex. The site is bounded to the north by residential housing, and Horsemere Green Lane and to the east by Church Lane. Yapton Road bounds the site to the west and Crookthorn Lane is directly south.
- 1.5 In wider surrounds, agricultural land dominates the landscape south, east and west with residential properties and commercial buildings to the north. Littlehampton is located approximately 1.5km to the east and the coastline is approximately 1.3km to the south.
- 1.6 The National Grid Reference for the centre of the site is grid reference TQ 00082 02044. The survey area extended over approximately 25 hectares (ha).

2. Methodology

Desk Study

Data Search

- 2.1 A biological records report was obtained from Sussex Biological Record Centre (SxBRC, 2020) as part of the Preliminary Ecological Appraisal (PEA) (Phlorum, 2020).

Review of Previous Relevant Ecological Reports

- 2.2 A review of the PEA (Phlorum 2021), related to badgers, was carried out as part of the desk study assessment. Plus, a review of two earlier badger reports (Phlorum 2016 and 2018).

Personnel

- 2.3 The survey was led by Kim Roll-Baldwin, an ecological consultant with over 2 years' survey experience. Kim has previous experience of leading protected species surveys including badger surveys.

Badger Survey

- 2.4 A survey was undertaken on the 10th February 2021 by a suitably qualified ecologist to determine the use of the site by badgers. This evaluation was based on methodology developed for the National Survey for Badgers (Cresswell et al., 1990). This included a systematic search for badger field signs in the form of:
- ❖ setts: comprising either single isolated holes or a series of holes likely to be interconnected underground;
 - ❖ latrines: badgers usually deposit faeces in characteristically excavated pits called latrines;
 - ❖ paths: between setts or leading to feeding areas;
 - ❖ foraging areas indicated by the presence of a series of 'snuffle holes' in the ground;
 - ❖ hair: often found among spoil and bedding outside entrances to setts, or caught on fences and other objects along well used runs; and
 - ❖ footprints.
- 2.5 Field signs identified during the badger survey are indicated on the Figure 1 in Appendix A.
- 2.6 The potential presence for protected species is categorised as Negligible, Low, Moderate, High or Present, based on the findings of the field survey and on the evaluation of existing data.

- 2.7 Where access permitted, areas within 30m of the site boundary were also searched for evidence of badger activity. Where dense scrub restricted a thorough search, the perimeter of these areas was examined for evidence of runs or pathways into the scrub which may indicate the presence of a sett. The extent of the survey area is shown in Figure 1, Appendix A.
- 2.8 All holes potentially created by badgers were examined closely to determine if they were, or ever had been, used as badger setts. Where holes used by badgers were found, an intensive search within the area was undertaken to determine the number of entrances and levels of use. The sett was then classified according to the criteria shown in Table 2.1 below.

Table 2.1: Badger Sett Classification

Sett Type	Definition
Main	Several holes with large spoil heaps and obvious paths emanating from and between sett entrances.
Annexe	Normally less than 150m from main sett, comprising several holes. May not be in use all the time, even if main sett is very active.
Subsidiary	Usually at least 50m from main sett with no obvious paths connecting to other setts. May only be used intermittently.
Outlier	Little spoil outside holes. No obvious paths connecting to other setts and only used sporadically. May be used by foxes and rabbits.

Caveat

- 2.9 Although the survey methodology was robust the area was large, this may have resulted in field signs including foraging areas, footprints and latrines being missed during the survey.

3. Results

Desk Study

Date Search

- 3.1 The local badger group have requested that badger records remain confidential, and as a result no records were provided in the data search.

Review of the Previous Preliminary Ecological Appraisal

- 3.2 The PEA carried out at the site found no evidence of badgers on the site. However, identified suitable habitat for breeding and foraging. Overall, the site was considered to offer moderate potential for breeding badgers and moderate potential for foraging badgers.
- 3.3 Two previous badger surveys carried out at the site in 2015 and 2018 (Phlorum, 2015 & 2018) found no evidence of badgers on the site.

Badger Survey

- 3.4 No badger setts were observed during the survey. No hairs, footprints or latrines were noted.
- 3.5 Two potential snuffle holes were noted on site (TN1 & TN2) however these could have been caused by rabbits. Rabbits were noted on-site during the survey and droppings were present.
- 3.6 Although access throughout discrete areas within the site was restricted due to dense vegetation, no pathways were observed leading into these areas therefore it is considered unlikely that any secondary signs would have been missed at the site during the survey.
- 3.7 The site provides extensive areas of suitable foraging habitat for badgers. The nature of the arable fields and the associated field margins are likely to provide a high invertebrate density including earthworms, providing a food source for badgers. In addition, the woodland edge habitat provides cover and topography likely to support sett construction.
- 3.8 Surrounding residential gardens and agricultural land provides an additional range of food sources for badgers in the form of vegetable patches, planted beds and extensive areas of grassland, all of which might support earthworms, their preferred prey item, as well as other prey including caterpillars and other insect larvae. Berry yielding trees and shrubs both within the site and throughout the wider landscape also provide a food source for badgers for some of the year.

4. Discussion & Recommendations

Discussion

- 4.1 No setts were found on site at the time of the survey. No secondary signs including foraging areas or latrines were found within the site during the survey.
- 4.2 Based on the results of the survey, badgers do not pose a significant constraint to works. However due to the potential presence of badgers in the wider surrounds and suitability of the on-site habitats for foraging, there remains potential for badgers to pass through the site and therefore a series best practice measures are recommended in order to safeguard this species during the proposed works.

Recommendations

- 4.3 Badgers receive protection under The Protection of Badgers Act 1992.

Updated Survey

- 4.4 It is recommended that an updated badger survey is undertaken if more than 18 months have elapsed between the survey and the point at which any development decisions have been made at the site. This will serve to update the findings and status of the setts. The recommendations might then need to be revised accordingly.

Precautionary Approach

- 4.5 Due to the potential presence of badgers in the area, a series of general precautions are recommended. This will include the following:
- 4.6 Throughout construction, all on-site contractors must be made aware of the potential presence of badgers in the locality and a toolbox talk should be given by a qualified ecologist immediately prior to the start of construction works to discuss the potential for badgers to pass through the site and to provide information on legislation and the ecology of this species.
- 4.7 All trenches should be covered at night or if this is not possible, ramps must be installed into the trenches to enable badgers to escape should they enter the excavations. All materials must be stored safely and lids securely fitted, particular waste and other potential food sources.

5. Conclusion

- *****
- 5.1 A badger survey was carried out at land of Church Lane, Climping on the 10th February 2021.
 - 5.2 It is understood that current proposals are for the construction of a housing development with approximately 300 units. The survey area extended over approximately 25 hectares (ha).
 - 5.3 No evidence of badgers was observed during the survey
 - 5.4 A precautionary approach to the potential of badgers to be using the site is recommended. Badgers are a highly mobile species and could use the site for sett building after the survey. If this occurs then a suitably qualified ecologist must be informed to assess the new sett.
 - 5.5 If more than 18 months elapsed before works commence it is recommended a further survey is undertaken.

6. References

- ❖ Cresswell P, Harris S, & Jefferies D. J (1990). The history, distribution, status and habitat requirements of the badger in Britain. Nature Conservancy Council, Peterborough.
- ❖ Phlorum (2015). Land at Church Lane, Climping, West Sussex. Bat and Badger Survey Report. Unpublished report for Parker Dann.
- ❖ Phlorum (2018). Land at Church Lane, Climping, West Sussex. Badger Survey Report. Unpublished report for Parker Dann.
- ❖ Phlorum (2020). Preliminary Ecological Appraisal – Land off Church Lane, Climping. Unpublished report for Vivid and Climping LTD. Phlorum Ltd.
- ❖ SxBRC (2020). Biological Record Data for Land off Church Lane Climping. Sussex Biodiversity Record Centre.

Figures and Appendices

Appendix A

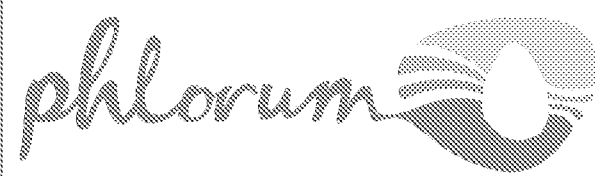
Badger Survey Map



Legend	
	Site Boundary
	Arable Land
	Ruderal Vegetation
	Hedge and Trees
	Broad-Leaved Semi-Natural Woodland
	Evergreen Hedgerow
	Target Notes

Figure 1: Land west of Church Lane, Climping Badger Survey

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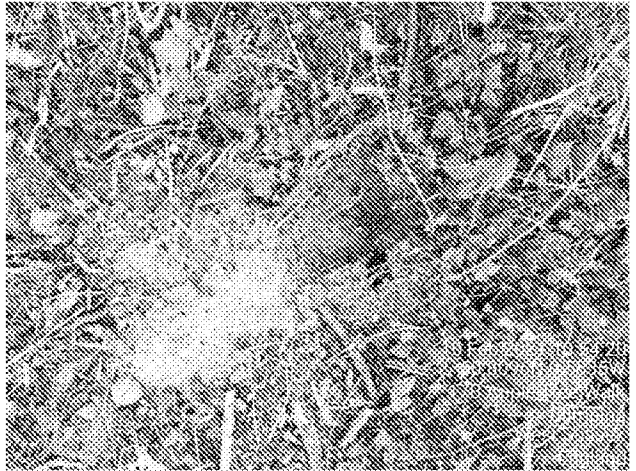


Phlorum Limited, 12 Hunns Mere Way,
 Woodingdean, Brighton, East Sussex,
 BN2 6AH
 Tel: +44(0)1273 307167
 Web: www.phlorum.com
 Email: info@phlorum.com

Appendix B

Photographs and Target Notes

Photographs and Target Notes

Photograph Number	Target Note (TN) and/or Description of Feature	Photograph of Feature
1	TN: Potential snuffle hole	
2	TN: Potential snuffle hole	

Appendix C

Legislation

Legislation

This section contains information pertaining to the legislation and planning policy applicable in Britain. This information is not applicable to Northern Ireland, the Republic of Ireland the Isle of Man or the Channel Islands. Information contained in the following appendix is provided for guidance only.

Species

The objective of the EC Habitats Directive¹ is to conserve plants and animals which are considered to be rare across Europe. The Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2017 (as amended) (formerly The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended).

The Wildlife and Countryside Act 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and also implements the obligations set out for species protection from the Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Various amendments have been made since the Wildlife & Countryside Act came into force in 1981. Further details pertaining to alterations of the Act can be found on the following website: www.opsi.gov.uk. Key amendments have been made through the Countryside and Rights of Way (CROW) Act (2000) and Nature Conservation (Scotland) Act 2004.

There are a number of other legislative Acts affording protection to species and habitats. These include:

- ☒ Countryside and Rights of Way (CROW) Act 2000;
- ☒ Deer Act 1991;
- ☒ Natural Environment & Rural Communities (NERC) Act 2006;
- ☒ Protection of Badgers Act 1992; and
- ☒ Wild Mammals (Protection) Act 1996.

Badger

Badgers and their setts are protected under the Protection of Badgers Act (1992), which consolidated and added to the previous Badger Acts of 1973 and 1991. Under this legislation it is an offence to:

- ☒ cruelly ill-treat a badger, including use of tongs and digging;
- ☒ intentionally or recklessly cause a dog to enter a badger sett;

¹ Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora.

- ☒ intentionally or recklessly damage, destroy or obstruct access to a badger sett² or any part thereof;
- ☒ intentionally or recklessly disturb³ a badger when it is occupying a badger sett;
- ☒ possess or control a dead badger or any part of a badger;
- ☒ sell or offers for sale, possesses or has under his control, a live badger; and
- ☒ wilfully kill, injure, take, or attempt to kill, injure or take a badger.

A Development Licence will be required from Natural England for any development works affecting an active badger sett, or to disturb badgers while individuals are occupying the sett. Depending on the nature of the works and the specifics of the sett, badgers could be disturbed by work near the sett even if there is no direct interference or damage to the sett itself. Natural England has issued guidelines on what constitutes a licensable activity. There is no provision in law for the capture of badgers for development purposes and therefore it is not possible to obtain a licence to translocate badgers from one area to another.

² 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. Natural England (2009) have issued guidance on what is likely to constitute current use of a badger sett: www.naturalengland.org.uk/Images/WMLG17_tcm6-11815.pdf

³ For guidance on what constitutes disturbance and other licensing queries, see Natural England (2007) Badgers & Development: A Guide to Best Practice and Licensing. www.naturalengland.org.uk/Images/badgers-dev-guidance_tcm6-4057.pdf, Natural England (2009) Interpretation of 'Disturbance' in relation to badgers occupying a sett www.naturalengland.org.uk/Images/WMLG16_tcm6-11814.pdf, Scottish Natural Heritage (2002) Badgers & Development. www.snh.org.uk/publications/online/wildlife/badgersanddevelopment/default.asp and Countryside Council for Wales (undated) Badgers: A Guide for Developers. www.ccw.gov.uk.

Phlorum Limited

Head Office & Registered Office:
Unit 12
Hunns Mere Way
Woodingdean
Brighton
East Sussex
BN2 6AH

Northern Office:
Ground Floor
Adamson House
Towers Business Park
Wilmslow Road
Didsbury
Manchester
M20 2YY

Western Office:
One Caspian Point
Pierhead Street
Cardiff Bay
Cardiff
CF10 4DQ