



Ref: A070660-24

Date: 14th February 2019

By email only to: Rebecca.Fenn-Tripp@bloorhomes.com

Dear Rebecca,

Appendix F11: Sandleford Park, Newbury – Badger Survey Letter Report

CONFIDENTIAL – this report contains information pertaining to species that may be persecuted. Therefore, its distribution should be limited to those parties necessary.

Site location and description

The site is located at Sandleford Park in Newbury, West Berkshire and is centred at Ordnance Survey National Grid Reference SU 46847 64550. The survey area, hereafter referred to as the 'site', is shown on Figure 1 and comprises of agricultural fields with areas of grassland and several copses of ancient woodland dispersed throughout. A central valley runs from the north-western corner of the site towards the River Enborne at the site's southern boundary.

For details of the development description, please see the main ES chapter.

Background

WYG was commissioned by Bloor Homes and the Sandleford Farm Partnership in December 2018 to review the findings of badger surveys at Sandleford Park, with reference to the current proposals.

This report has been prepared by Ben Cooke, and updated by Tamsin Clark MCIEEM.

Badger surveys have previously been completed at the site in 2011, 2014, 2016 and 2017.

Survey Objectives

The purpose of the winter 2017 update survey was to provide an up to date record of badger activity within the survey area (and where possible 30m surrounding the site), to identify potential ecological constraints to the current proposed development and to make any necessary recommendations regarding further work, mitigation and enhancement.

The scope of work comprised:

- Identification of any badger setts on or adjacent to the site;
- Identification of any signs consistent with badger activity on the site;

The information contained within this letter aims to:

- Assist the client to operate within the law;



- Ensure that the required level of survey work is conducted to apply for a licence, should one be necessary; and
- Provide advice on mitigation strategies against any adverse effects on the local badger population which may arise as a result of the currently proposed development.

Legislative Consideration

Badgers and their setts are protected under the Protection of Badgers Act 1992, which makes it illegal for any person to kill, injure or take a badger. It is also an offence to destroy damage or obstruct an entrance to a badger's sett, or to disturb animals whilst within a sett. In addition, the likelihood of disturbing a badger sett, adversely affecting badgers' foraging territory or links between them, or significantly increasing the likelihood of road casualties amongst badger populations, are capable of being material considerations in planning decisions.

Works in proximity to a sett entrance have the potential to affect a sett (Natural England, 2007 and 2009). Works which would otherwise cause an offence under current legislation may in some cases be permitted under licence from the relevant statutory authority, which in this case is Natural England. Licences are usually only valid between July and November of any year inclusive, and full planning permission will be required if a badger sett is to be closed.

Natural England requires 30 working days to process a licence application (if required) and sett exclusion will take a minimum of three weeks, from gate installation. Daily monitoring of the sett being closed is recommended to ensure that no badgers are left trapped within the sett, that the gates remain free-swinging, and to ensure that badgers are not digging back in around the sett.

Survey Methodology

A badger survey was conducted within the predicted zone of influence¹ on 6th December 2017. All areas of the site were investigated, including those parts that are not expected to be affected directly by the works but may be indirectly impacted upon.

The site was surveyed for evidence of badger setts or other badger activity such as paths, latrines, footprints or signs of foraging. Methodologies used and any setts recorded were classified according to the published criteria (Harris, Cresswell & Jefferies, 1989).

The following signs of badgers were searched for:

- Setts;
- Footprints;
- Paths; and
- Dung pits and Latrines.

¹ **Zone of influence:** the area that may be affected by the biophysical changes caused by the activities associated with the proposed works.



Dung pits and latrines

Badgers generally defecate into a shallow 'scrape' in the soil called a dung pit. These may be solitary, or grouped together in one area (usually between 5 and 10 dung pits), in which case they are termed a latrine. Latrines are often situated in the far corner of a clan territory or on the border with another clan's territory. Solitary dung pits may also be located on clan boundary lines, or closer to the sett.

Paths and hairs

Badger hair (from the back of the animal) is much coarser than rabbit hair and generally much darker in colour. During the site survey where potential badger pathways were noted, low hanging branches and fences were searched for signs of badger hair. The presence of badger hair can be used to confirm use of a particular path by badgers.

Footprints

During the site survey all muddy and silty areas were checked for signs of badger footprints. Where these were found, the number and relative size of the prints was noted.

Setts

The classification of holes as active, partially used, or disused, follows Harris, Cresswell & Jefferies (1989). **Active setts** are clear of any debris or vegetation, and will have some of the following features: well-worn paths, spoil mounds, footprints, fresh bedding outside the entrance and / or footprints leading in. **Partially used** holes are considered to not show signs of current use (e.g. have vegetation growing across the entrance), but could easily be reused if required. **Disused** setts are partially or completely blocked, with substantial excavation required to allow reoccupation. All setts regardless of current condition were also recorded using a Global Positioning System (GPS) to accurately pinpoint their location.

- Main setts are considered to be the most important sett within the territory of a badger group, where breeding takes place. They tend to be large, with five or more entrances and large spoil heaps and to be used throughout the year.
- Annexe setts also have many well used entrances, and tend to be 50-150m from the main sett, connected by well-worn paths, but may not be used all year round.
- Subsidiary setts are not usually connected the main sett by obvious paths, and may have any number of entrances.
- Outlier setts tend to have only one or two holes and are used occasionally. There may be no obvious path to the main sett.

Determining Territories

The location of setts and latrines are used to identify the boundaries of the territory and the badgers' foraging areas. The extent of the territory depends on the value of the foraging ground for example: a badger group in a poor-quality ground may occupy up to 183 ha, and one in good foraging as little as 15 ha (information sourced from www.badgers.org.uk).



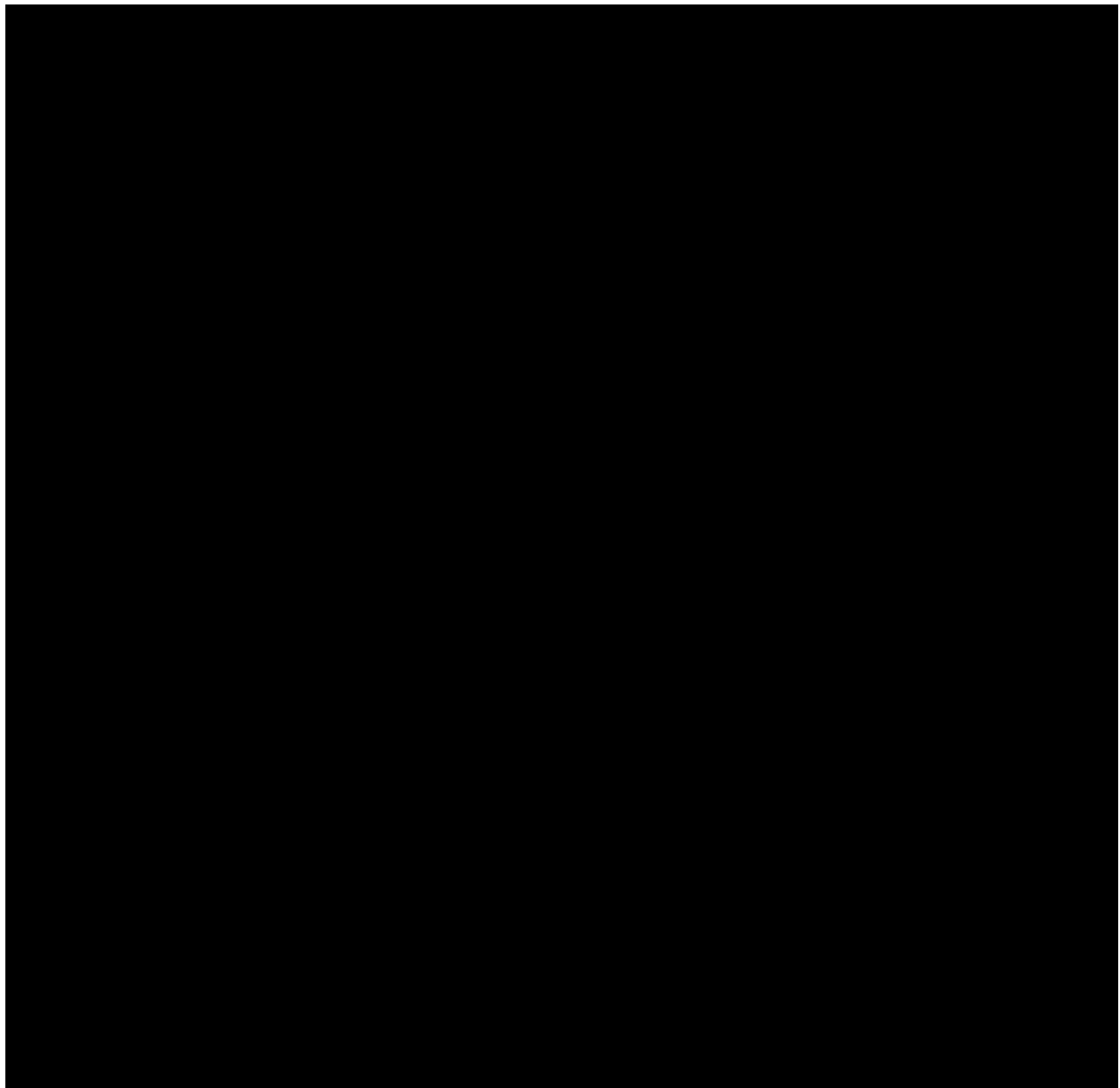
Territories which are in current use tend to have tracks running around the boundaries. The location of such features along with all the other collected information was used to help determine the extent of badger clan boundaries within the site.

Results

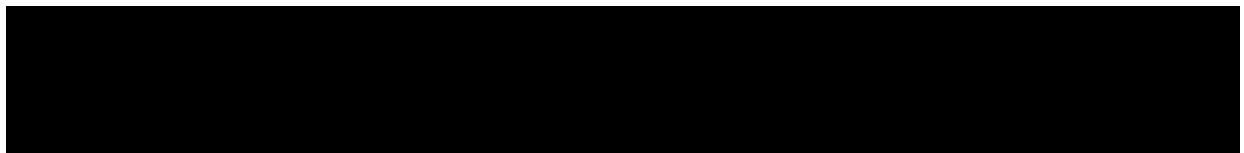
Table 1 below shows the results of the most recent survey completed on the 6th December 2017.

Table 1: Badger Survey Results 6th December 2017

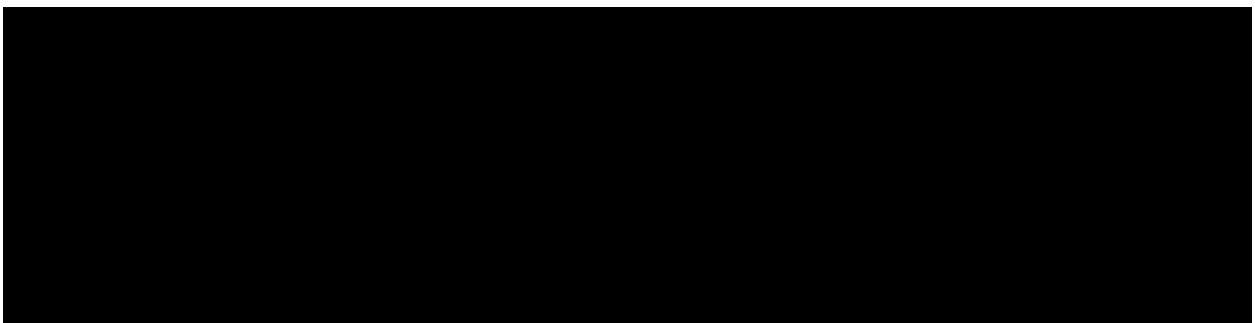
The content of Table 1 is completely redacted with a large black rectangular block covering the entire area where the table would be located.



Badger Activity and Foraging



Limitations





Ecological Constraints, Impacts and Recommendations

Licensing

If plans change, or new setts are created and interference with a sett is unavoidable, then a Natural England licence may need to be obtained. It should be noted that:

- Sett interference should be avoided between December – June inclusive; during which time badgers breed. Badgers are particularly vulnerable and sett interference at this time can result in dependent young left on their own;
- The law does not permit licences to capture badgers for development purposes;
- The named licenced person should be competent and ideally have previous relevant experience with badgers;
- Exclusion methods such as one-way badger gates are in-situ for a minimum period of 21 days following the last indication of possible badger access to the sett; and
- Full planning permission must be obtained prior to submission of a licence application.

Recommendations

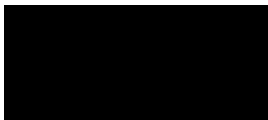
- A pre-commencement badger survey of the site is recommended to be undertaken immediately prior to works beginning onsite to assess whether badgers are present;



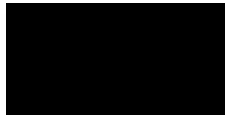
- The storage of materials and topsoil to be as far as possible from areas of identified badger activity, and are subject to a daily check by construction staff to identify if badgers have attempted to construct a sett. If a sett is discovered, all works within the immediate area (30m buffer) should cease until a suitably qualified has been contacted for advice;
- Night working to be kept to a minimum whenever possible to avoid disturbance and any works within 30m of a sett should cease at least two hours prior to sunset. If flood lighting is to be used, it is recommended it is directed away from known areas of activity;
- Earth/ wooden ramps are to be left/installed in open excavations overnight to allow any animals that fall into such features escape; and
- Any pipes (with a diameter greater than 200mm) that need to be left overnight are capped to avoid animals becoming trapped. Pipes which have not been capped should be checked prior to movement to ensure badgers have not entered.

All above measures are included in the EMMP (Appendix F18), and CEMP (Appendix D1) where appropriate.

Yours sincerely,



Ben Cooke
Consultant Ecologist



Tamsin Clark MCIEEM
Associate Ecologist

References

English Nature (2002). Badgers and Development, Peterborough

Harris, S., Creswell, P. & Jefferies, D. (1989). Surveying Badgers. The Mammal Society, London.

Natural England (2009a). Guidance on 'Current Use' in the definition of a Badger Sett.

Natural England (2009b). Interpretation of 'Disturbance' in relation to badgers occupying a sett.



Figure 1 – Badger Survey – 06.12.2017