

BADGER SURVEY REPORT AND METHOD STATEMENT

LAND OFF WYKIN LANE, STOKE GOLDING,
HINCKLEY AND BOSWORTH,
LEICESTERSHIRE, LE10 3EB

for

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CONTROL SHEET

Davidsons Developments Ltd

**Land off Wykin Lane, Stoke Golding, Hinckley and Bosworth, Leicestershire,
LE10 3EB**

Badger Survey Report

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1. RECOMMENDATIONS

1. No further surveys are required to support the proposals for this site, as no active setts are present and the potential for badgers to occur and significant impacts to arise during works is considered to be negligible.
2. Due to the presence of badger activity on the site a precautionary approach must be undertaken to prevent injury to any foraging badgers (and other mammals *e.g.* foxes). Care must be taken during development operations to prevent a breach of the Protection of Badgers Act 1992, to avoid unintentional harm to any other vulnerable fauna (*e.g.* hedgehogs) that may commute across the site, and ensure compliance with wildlife legislation (*e.g.* Wildlife and Countryside Act 1981, *etc.*). The precautionary approach to be taken is described within the 'Method Statement' of this document (Section 4).
3. Given the activity of badgers on the site and the loss of badger foraging habitat, enhancements should be made to ensure continued use of the site by badgers. Further details can be found in Section 4.4, below.

2. SUMMARY OF RESULTS

The site Land off Wykin Lane in Hinckley and Bosworth Borough Council, centred on Ordnance Survey grid reference SP 40077 96811 was initially subject to a Preliminary Ecological Appraisal in 2019 which was followed by an update in 2020 (Focus Environmental Consultants 2020). Focus Ecology (now Focus Environmental Consultants) carried out a badger walkover survey in early 2019 (Focus Ecology 2019). During the badger walkover survey, no signs of badger activity or setts were identified.

Planning permission for the construction of 55 dwellings at the site was granted by Hinckley and Bosworth Borough Council on 21 May 2021, subject to 24 conditions. Condition 15 reads:

“15) Any reserved matters application shall be accompanied by an updated Badger Survey. The findings of the survey including a method statement for the clearance of the site, shall be submitted to and approved in writing by the local planning authority. The site clearance shall be carried out in accordance with the approved details”

The site was surveyed on foot by an experienced badger surveyor from Focus Environmental Consultants on 13 July 2021. A plan illustrating the location of recorded badger activity within the site can be found in Appendix 5.2.2.

The site comprises of flat semi-improved grassland with solid wooden fencing along the north-west boundary, unmanaged hedgerows along the north-eastern and part of the south-western and south-eastern boundaries, with managed hedgerows making up the remainder of the south-eastern and south-western boundaries.

Setts/ Mammal Entrances: The site was checked carefully for burrows large enough to permit access by badgers; none were found within the boundaries of the site.

Boundaries 1, 3, 4 and 5 were fully inspected for signs of badger setts; none were identified.

Boundary 2 could not be fully assessed due to dense vegetation and limited access. B2 is an unmanaged hedgerow, which is gappy with a stock proof fence at the base. A flat, well-managed playing field is located on the other side of the hedgerow. The playing field beyond is unlikely to provide suitable opportunities for sett building, given its flat topography, regularly management and highly degree of disturbance.

Latrines: over 10 badger dung pits were identified, forming a latrine located in a line parallel along the hedgerow of Boundary 2. Several of these dung pits showed evidence of fresh use, others showed signs of degradation and mould. Published research indicates that 70% of badger latrines are located along the boundary of a badger territory (Woods 1995). Given the frequency and the varying states of degradation of the identified dung pits it is likely that they mark the edge of a territory. No other latrines were found on the site.

Snuffle holes: multiple areas of disturbed earth were present at the site and within the adjacent field. These were consistent with the appearance of snuffle holes created by badgers.

Other signs: three clear badger footprints were identified adjacent to Boundary 5, in an area of disturbed ground (two front pawprints and one back pawprint).

There were several mammal push-throughs large enough to suggest activity by badgers.

There were multiple well-worn mammal tracks throughout the site.

Additional observations: two live foxes were observed resting at the site. These were observed along the north-western boundary south-western boundary. No signs of den-building were observed at the site.

No signs of the site being utilised by any other mammal species were identified during the survey. However, conditions are suitable for other mammal species such as hedgehogs.

3. DISCUSSION & CONCLUSIONS

Positive confirmation of badger activity was found during the survey e.g. footprints, potential snuffle holes, fresh latrines etc. However, no positive confirmation of current or recent badger sett occupation was found on site (e.g. active sett entrances).

The site and areas surrounding the site are unlikely to support sett-building activities given that badgers rarely construct setts within open fields / flat land (<10% of all setts) such as that observed within the majority of application site (Byrne *et al*, 2014). The likelihood of new setts becoming established is also considered to be very low.

The surrounding area contains a wide hedgerow network and fields suitable for both foraging and commuting purposes.

It is unlikely that the development proposals will result in any significant loss or isolation of badger foraging habitats. However, given the badger foraging and territory-marking activity identified at the site, precautionary methods must be implemented during the construction phase of works.

New landscape planting associated with the site should include a variety of fruiting and berry-bearing species, which will provide a foraging resource for badgers, in time this will provide a green corridor and a permeable barrier for badgers and other mammals. In addition, strict control over the use of artificial lighting will need to be implemented, specifically avoiding the boundaries. Full details of the specific management of habitat areas to maximise biodiversity is detailed within Section 4.4, below.

4.METHOD STATEMENT

4.2 Pre-clearance site checks

A pre-site clearance check by the Ecological Clerk of Works will be undertaken before any ground clearance works or removal of vegetation. This recommendation is made to ensure that due attention is paid to the possible presence of protected and notable species including nesting birds, badgers and reptiles, and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

4.3 Working Hours

To avoid any unnecessary disturbances to nocturnal wildlife (e.g. night-lighting, loud noises or vibrations from the use of heavy machinery), construction activities will be restricted to the normal working day (i.e. 7am – 7pm). Working outside this time frame should only occur in exceptional circumstances and when no other option is available.

4.4 Mitigation strategy

During development operations, the following precautionary actions will be implemented to prevent unintentional harm to badger, or any other vulnerable fauna that may commute across the site:

- Due to the inquisitive nature of badgers, any machinery used will be made safe or temporarily fenced off when not in use. Should any trenches and excavations be required, an escape route for animals that may enter the trench must be provided, especially if left overnight. Ramps should be no greater than of 45 degrees in angle. Any holes will be securely covered. This will ensure animals are not trapped during work.
- All excavations must be checked for animals prior to infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.
- Any temporarily-exposed open pipe systems or ducts (diameter greater than 200mm) will be capped at the end of each working day in such a way as to prevent wildlife gaining access.

- Contractors will avoid leaving mounds of earth (or similar materials) undisturbed for long periods of time as mammals, such as badgers, may be tempted to excavate new setts within it.
- Any small mammals (*i.e.* hedgehogs) encountered during the works will be carefully transferred by hand from the work area to a safe location in similar habitat within the immediate vicinity.
- During the development, the storage of any chemicals required for construction must be contained in such a way that they cannot be accessed, knocked over or otherwise consumed by any roaming badgers (or other fauna).
- The site will be inspected on a regular basis through the construction phase by a nominated member of the site workforce for any evidence of badger holes or signs of digging within 30m of the site boundary (where appropriate).
In the event that a potential badger sett is identified. All work must cease immediately and a suitably qualified and experienced ecologist contacted for further advice.

*In the event a potential badger sett is identified, a buffer zone surrounding all suspected badger entrances must be implemented. A suitably qualified and experienced ecologist will determine the buffer distance using a range of factors *i.e.* direction of the entrance, topography of the terrain or existing levels of local disturbances.*

- **Should any trapped protected species be found, works within this area, work will cease immediately, and the Ecological Clerk of Works will be contacted for advice. Any injured animals found during works will be taken to an appropriate wildlife hospital or centre for relocation.**

- Night-lighting within areas of public open space should be kept to a minimum. Lighting should be directional and avoid light spillage into vegetated wildlife habitats and boundaries.

4.4 Compensation & Enhancement

Given the current badger presence on the site and the loss of foraging habitat, enhancements will be provided to ensure continued use of the site by badgers as a foraging and commuting resource. The following compensation and enhancement measures are to be established within the site boundaries:

- New landscape planting, particularly along the north-eastern boundary, should incorporate a variety of native species including those that are scented (*i.e.* herbs), flowering, fruiting and berry-bearing (such as *Sambucus nigra*, *Corylus avellana*, *Malus sp.*, *Prunus sp.*, *Sorbus sp.*, *Viburnum sp.* etc.). Through appropriate management, this will support a range of wildlife within the local area. Furthermore, once established, shrub and tree planting will provide good cover for foraging nocturnal wildlife.

4.5 Timetable of Works

The mitigation strategy detailed above is to be fully adhered to throughout the construction period. Landscaping is to form part of the development proposals, and will be completed post construction.

5. ANNEXES

5.1 Photographs

5.2 Plans

5.3 Survey & Third-Party Data

5.4 Survey Objectives

5.5 Limitations

5.6 Methods

5.7 Legislation & Best Practice

5.8 References & Bibliography

5.1 Photographs

All photographs taken on 13 July 2021.



Plate 1: north-eastern boundary (B2) of the site. Photograph looking north.



Plate 2: typical view of the site. Photograph looking east.



Plate 3: typical view of the site. Photograph looking north.



Plate 4: one of the three badger footprints observed at the site.



Plate 5: Showing one of the <10 badger dung pits identified along the north-eastern boundary (B2).

5.2 Plans

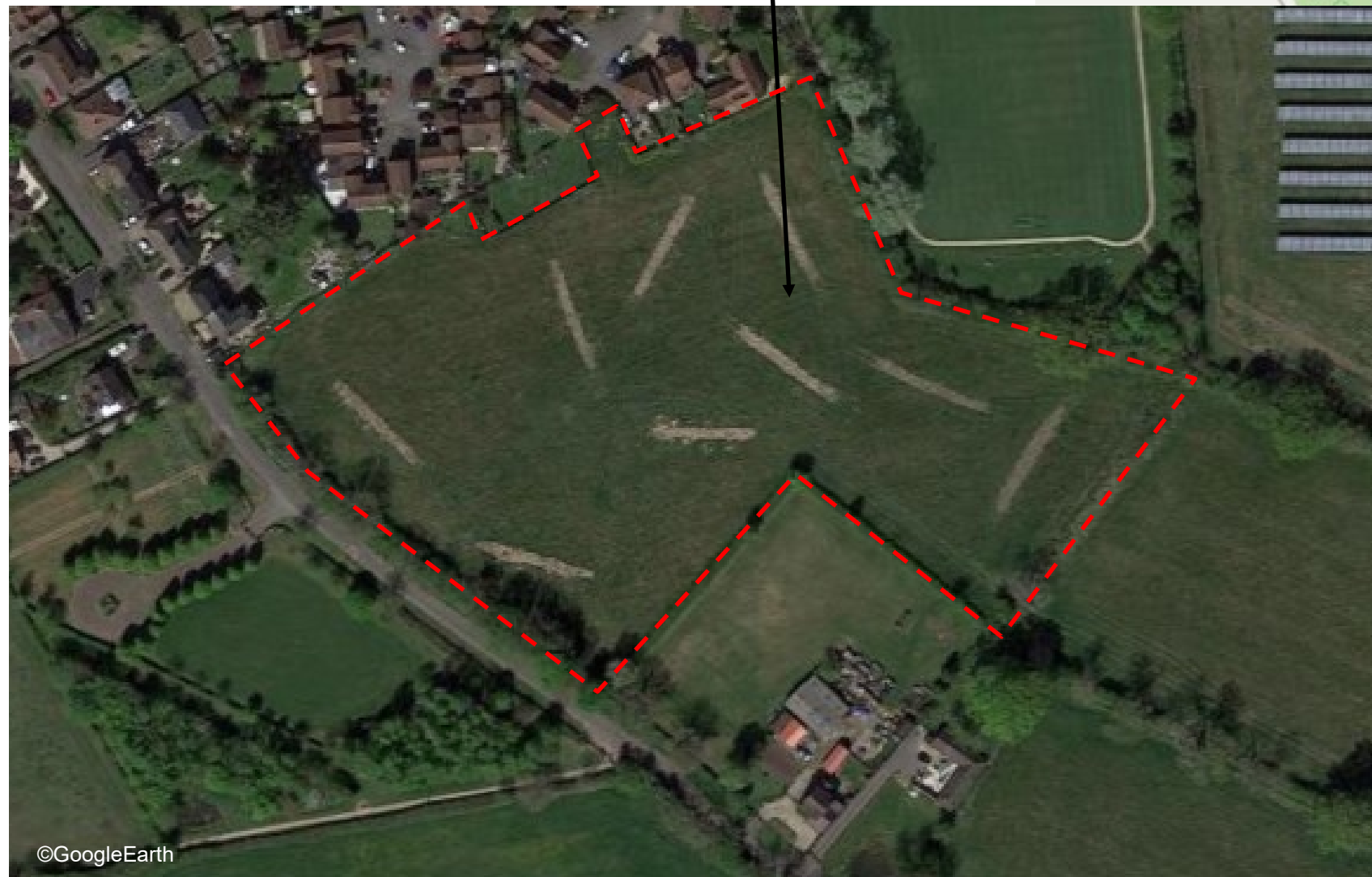
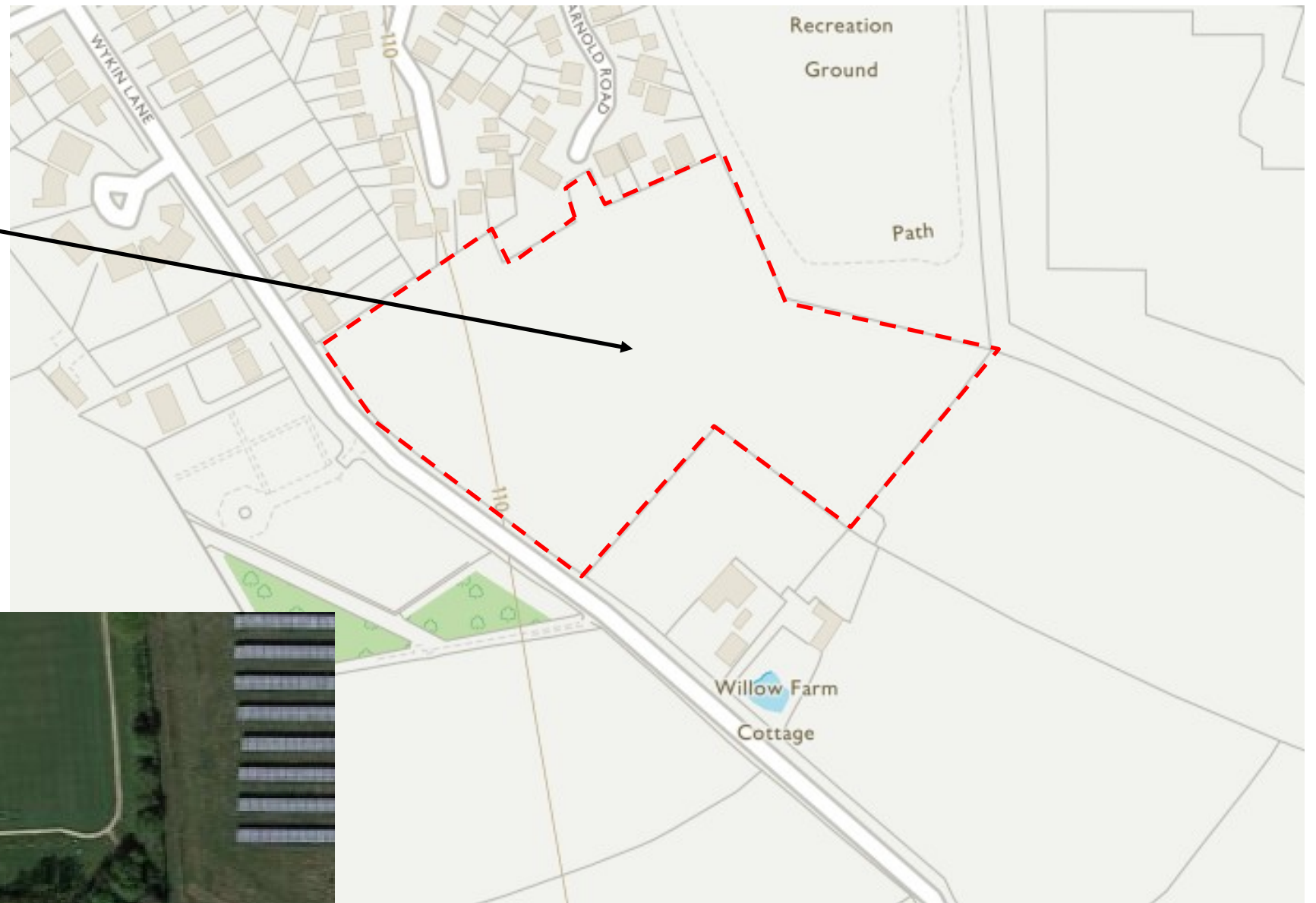
Plans:

5.2.1 Location Plan

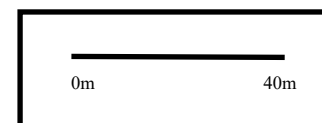
5.2.2 Badger Survey Plan

5.2.1 Location Plan

Site



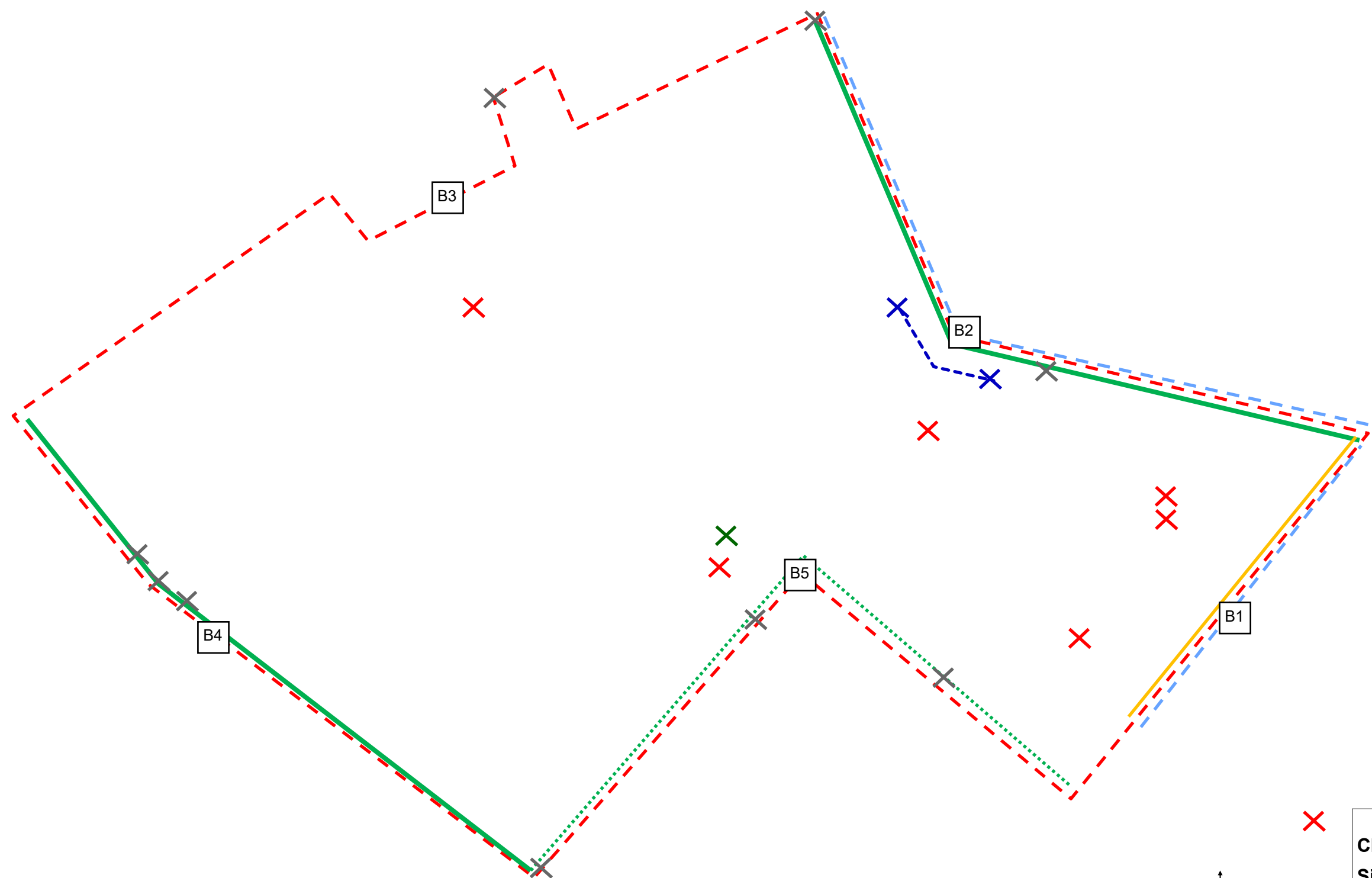
NORTH



Client: Davidsons Developments Ltd
Site: Land off Wykin Lane, Stoke Golding, Hinckley and Bosworth, Leicestershire, LE10 3EB
Title: Location Plan
Contract: 1567
Date: August 2021

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Please note: this plan is intended only to indicate the approximate location of features and should therefore, not be treated as an accurate scale plan.

5.2.2: Badger Survey Plan



Key

- Survey boundary
- Managed hedgerow
- Unmanaged hedgerow
- Ditch/depression
- Line of dense scrub
- Mammal push through
- Badger dung pits
- Potential snuffle holes
- Badger footprint

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5.3 Survey & Third-party Data

All surveys have been completed by appropriately qualified and experienced ecologists from Focus Environmental Consultants. Copies of raw survey data are available on request. Please contact the Project Contact at Focus Environmental Consultants for more details.

Table 1: Results of the badger survey at Land off Wkyin Lane, Stoke Golding on 13 July 2021.

Sett	Sett Type	No. of Entrances	Activity Level	GPS Coordinates	Observations
None	None observed	None observed	None observed	None observed	No suitable sett building opportunities at the site, along the north-western boundary (B3) or south-western boundary (B4) or beyond all boundaries.
Other Burrows	No burrows or other larger mammal entrances were identified during the survey.				
Badger Foraging Habitat	The site contained c. 1.9ha of grassland habitat. This area showed signs of foraging activity (snuffle holes and badger footprints) and territorial behaviour (<10 dung pits). There was c.0.12ha of dense scrub located at the site, this contained a variety of species that could provide suitable foraging habitat for badgers. The scrub is located along the south-eastern boundary (B1) and the north-western boundary (B3)				

5.4 Survey Objectives

The objectives of the survey were:

- to undertake a specialised survey for badgers, following current best practice survey guidelines;
- to provide specialist advice on the possible presence of badgers in relation to the planning process; and
- to provide a concise written report of the results, making any appropriate recommendations to ensure compliance with wildlife law and recognised best practice.

5.5 Limitations

Given the time of year that the survey was carried out (July) setts have the potential to be obscured by impenetrable scrub and vegetation, particularly along the north-eastern boundary (B2). However, given the topography of the site and the unsuitability of the surrounding habitat directly adjacent this is not considered to represent a significant limitation to the results of the survey.

5.6 Methods

4.6.1 Third-Party Data Trawl

A third-party data search has not been commissioned as part of this project.

4.6.2 Presence / Absence Survey

The site was surveyed on foot by an experienced badger surveyor from Focus Environmental Consultants. The survey site was thoroughly examined for evidence of badger activity including: setts, discarded bedding, footprints, tracks, foraging signs, latrines and hairs (see e.g. Harris *et al.* 1989, Woods 1995, Natural England & DEFRA, 2015b). A hand-held GPS (Garmin etrex) was used to allow the location of sett entrances to be recorded more accurately. All mammal holes were closely inspected for evidence of badger activity, such as listed below (see e.g. Harris *et al.* 1989, Woods, 1995, Natural England & DEFRA, 2015b).

- Badger sett entrances are usually D-shaped, wider than they are tall and with dimensions exceeding 200 mm in diameter. Fox earths are typically taller than

they are wide with a diameter of approximately 200mm. Rabbit burrows are usually round and 150 mm in diameter or less.

- Badger spoil heaps are typically larger than those of other species and often contain large quantities of discarded bedding.
- Badgers are animals with a squat physique. As badgers enter their setts the ventral hairs brush along the ground, removing debris from the tunnel. Therefore, setts that are regularly active have no, or very little, leaf litter or other debris in the mouth of the entrance.
- The presence of badger hairs will indicate that badgers have used or explored the tunnel, although it does not automatically suggest that they are currently resident.
- If a sett entrance is regularly used by badgers the tunnel walls will often take on a smooth or polished appearance, due to frequent passage of the animal's fur.

All holes were categorised into sett types using the following criteria, based on Natural England guidance (Natural England, 2011a):

- **Main setts:**

Usually appearing well-used, well established and having a large number of holes with big spoil heaps, often with piles of old bedding outside. Main setts tend to have well-worn paths between the sett and foraging areas, and between sett holes. They are generally considered to be breeding setts and are more often than not in use all year round. A social group of badgers will only have one main sett within their territory.

- **Annexe setts:**

Annexe setts are always close to a main sett and are usually connected by one or more obvious well-worn paths. They consist of several holes but are not necessarily in use the whole time, even if the main sett is very active.

- **Subsidiary setts:**

Often these have very few holes, are usually at least 50m from a main sett and do not have an obvious path connecting them with another sett. They are not continuously active.

- **Outlying setts:**

Usually comprising one or two holes with very little spoil outside (indicating that the tunnel system underground is not extensive), have no obvious path connecting them with another sett and are only used sporadically.

An indication of the level of activity at each sett was also made, as follows:

- **Active:**

Well used sett entrances contain no debris or vegetation, are obviously regularly used and often show signs of having been recently excavated.

- **Partial Use:**

Setts not in regular use and which may have debris (twigs, leaves, *etc.*) around the entrance. However, they could potentially be used regularly in the future with minimal clearance necessary.

- **Not Active:**

Not been in use for a considerable period of time.

5.7 Legislation & Best Practice

This is only a guide to the main provisions of the law, taken from Natural England's '*Badgers and Development, A Guide to Best Practice and Licensing*' (Natural England, 2011a). The Protection of Badgers Act 1992 is based primarily on the need to protect badgers from baiting and deliberate harm or injury. It also contains restrictions that apply more widely and it is important for developers to know how this may affect their work. All the following are criminal offences:

- to wilfully kill, injure, take, possess or cruelly ill treat a badger;
- to attempt to do so; or
- to intentionally or recklessly interfere with a sett.

A badger sett is defined by The Protection of Badgers Act as:

"...any structure or place which displays signs indicating current use by a badger;"

Sett interference includes damaging or destroying a sett, obstructing access to a sett, and disturbing a badger whilst it is occupying a sett. It is not illegal, and therefore a licence is not required, to carry out disturbing activities in the vicinity of a sett if no badger is disturbed and the sett is not damaged or obstructed.

Penalties for offences can be severe with fines of up to £5,000 plus up to six months imprisonment, for each illegal sett interference, or badger death or injury. The legislation does, however, recognise the need for a range of legitimate activities to be carried out and allows licences to be granted for certain purposes permitting work that would otherwise be illegal. The licensing authority in England is Natural England. The purposes for which licences can be granted are:

- preventing serious damage to land, crops, poultry or any other form of property (e.g. a house, garden, road, etc.).
- any agricultural or forestry operation.

- any operation to maintain or improve any existing watercourse or drainage works, or to construct new works required for the drainage of land, including works of defence against sea or tidal water.
- Preventing the spread of disease.
- Development.
- Controlling foxes in order to protect livestock or penned game.
- Ringing or marking.
- Scientific or educational purposes or conservation.
- Preservation of ancient monuments or an archaeological investigation.

5.8 References & Bibliography

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6. QUALIFICATIONS & EXPERIENCE

Focus Environmental Consultants® has the expertise to provide sure-fire environmental solutions to a wide range of projects. The company ethos forges the highest standards of professional scientific practice with a best value approach for our clients. Our core area of expertise is in the production of specialist environmental reports and advice to support planning applications. Our comprehensive services include Preliminary Ecological Appraisals (PEA), Ecological Impact Assessment (EcIA), Habitat Regulations Assessment (HRA) and fulfilling protected species surveys, licensing and mitigation requirements. Focus Environmental Consultants is a CIEEM Registered Practice, with all ecological staff being members of this professional body. Our flexible approach, range of skills and broad project experience from major infrastructure contracts to small private developments allows us to adapt to your individual requirements. As well as offering a full suite of ecological services, Focus Environmental Consultants can provide expert arboricultural advice and reports and is building an enviable reputation for innovative habitat creation and management solutions. Focus Environmental Consultants is situated in Worcestershire, providing a convenient and central UK location.

Katharine Coope MSc BSc (Hons) ACIEEM

Katharine is an Ecologist and has over four years' professional experience in the field of ecology. She holds a BSc (Hons) degree in Zoology from the University of Reading and a MSc in Conservation Ecology from Oxford Brookes University. Her ecological experience includes Preliminary Ecological Appraisals and surveying for European Protected Species including otters, great crested newts and bats. Katharine is also a competent surveyor of water voles, hazel dormice and reptiles. Katharine holds Natural England survey licence for great crested newts as well as NatureScot newt and toad survey licence. Katharine is an Associate member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

This report has been checked for quality and content by:

Graham Davison BSc (Hons) MSc MCIEEM MRSB

Graham is an ecologist with over eighteen years of experience in the field of applied ecology. He holds a BSc (Hons) degree in Zoology and an MSc with distinction in Law and Environmental Science. Graham's Masters paper on legal and practical implications for mammal reintroductions was published by the IUCN. His ecological experience includes surveys to identify nationally and locally important sites for wildlife, ecological services to local planning authorities and provision of ecological reports to accompany major infrastructure projects, housing schemes, industrial developments and mineral extraction. Graham is a skilled botanical surveyor (FISC 4) specialising in Phase I and Phase II (NVC) Habitat Surveys. Graham has considerable expertise in protected species surveys and licensing, and is a Registered Consultant under the Bat Mitigation Class Licence scheme (BMCL). Graham has appeared and delivered evidence as an expert witness for Planning Appeals and Public Inquiry. Graham has been interviewed for BBC local radio and TV programmes to provide specialist expertise on ecological topics.