THIS REPORT INCLUDES INFORMATION REGARDING THE LOCATION OF BADGER SETTS AND SHOULD THEREFORE BE TREATED AS CONFIDENTIAL AND ONLY VIEWED BY BONA FIDE ORGANISATIONS AND INDIVIDUALS.

Gladman Developments Ltd.

Land at Evenhill, Littlebourne

Badger Report

CONFIDENTIAL

February 2023

This document contains information on the location of badger setts and activity. Due to the sensitive nature of these records and the current public awareness, this document should remain confidential for the use of the planning application and should not be made publicly available.

FPCR Environment and Design Ltd
Registered Office: Lockington Hall, Lockington, Derby DE74 2RH
Company No. 07128076. [T] 01509 672772 [E] mail@fpcr.co.uk [W] www.fpcr.co.uk

Rev	Issue Status	Prepared / Date	Approved/Date
	Final	PJP / 18.01.23	DAH / 23.02.23

CONTENTS

FIGURES

1.0 INTRODUCTION

1.1 The following Badger Survey Report has been prepared by FPCR Environment and Design Ltd. on behalf of Gladman Developments Ltd. and provides an assessment of the badger *Meles meles* activity identified on land at Evenhill, Littlebourne, Kent (central OS Grid Reference TR 20340 57416).

1.2 Badger surveys, undertaken during 2021, were conducted alongside surveys for other protected species, to provide an accurate assessment of the site's importance to the local badger population to inform a proposed planning application.

1.3 Results of badger surveys have not been included within the accompanying Ecological Appraisal (FPCR, February 2023) due to the sensitive nature of the species, and the potential negative effects that could result from disclosing details of badger evidence and sett locations to the public. Therefore, this document is to be considered confidential and should not be released into the public domain.

Site Context

1.4 The application site, approximately 15.77 ha in area, comprises the northern and southern extents of one larger arable field, bisected by a stream passing east to west. The field is bordered by arable margins, scattered scrub, and tall ruderal vegetation. The eastern edge of the northern extent of the field was bound by the stream, which passes north along the eastern boundary. Hedgerows form the northern and western boundaries of the northern extent, and the northern and south-eastern boundaries of the southern extent.

1.5 The application site is situated on the south-western periphery of Littlebourne, east of Canterbury. The surrounding landscape to the north, south and west was predominantly comprised of a mosaic of arable farmland and woodland, including parts of the Trenley Park Woods Local Wildlife Site (LWS). Howlett's Wild Animal Park lies directly to the south. Canterbury Road (A257) runs along the northern boundary of the site, with Bekesbourne Lane directly parallel with the south-easternmost boundary.

Development Proposals

1.6 The proposals comprise a residential development of up to 300 units, with associated infrastructure. Approximately 6.4ha of green infrastructure (GI) will be incorporated, which will include allotments, a community orchard, trees and scrub, species-rich grassland, wetland, and public open space.

1.7 Habitat loss will be predominantly restricted to cultivated arable land, with associated margins. The majority of the hedgerow extent, and the stream on the eastern boundary will be retained, with the exception of a few small losses to the hedgerows along Canterbury Road and Bekesbourne Lane to facilitate vehicular and pedestrian access. New hedgerows and several lines of trees will be planted throughout.

2.0 LEGISLATION

2.1 Badgers are protected under the Protection of Badgers Act 1992. This act is based on the need to protect badgers from persecution by baiting, and from deliberate harm or injury. The act makes it an offence to:

- Wilfully kill, injure, take, possess, or cruelly ill-treat a badger, or attempt to do so; or
- To intentionally or recklessly interfere with a sett (Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett, or obstructing access routes to or from a sett).

2.2 A sett is defined as:

"Any structure or place that displays signs indicating current use by a badger".

2.3 Work that disturbs badgers whilst occupying a sett is illegal without a licence, and badgers may be disturbed by work near a sett, even if there is no direct interference, or damage, to the sett itself. Natural England (formerly English Nature) have previously issued guidance on the types of works that could be undertaken within proximity of a badger sett; however, this guidance has subsequently been replaced with the general requirement for a licence in any instance where disturbance, or damage, to a sett cannot be avoided. This old guidance considered the following needed a licence:

- Using heavy machinery (generally tracked vehicles) within 30m of any entrance to an active sett;
- Using lighter machinery (generally wheeled vehicles), particularly for any digging operation within 20m; and
- Light work such as scrub clearance or hand digging within 10m.

2.4 Current Natural England guidance also suggests that the potential for such disturbance might not be as great as originally assumed, due to the relatively high tolerance levels expressed by certain clans of badgers. Whether disturbance will be caused should take into account the sett characteristics, current usage and proposed extent of works, with the need for a licence being assessed on a site-by-site basis.

2.5 Licences only allow works to be carried out between July and November inclusive.

3.0 METHODOLOGY

3.1 In order to compile existing baseline information, relevant ecological information was requested from both statutory and non-statutory nature conservation organisations including:

- Kent & Medway Biological Records Centre (KMBRC)

3.2 Further inspection of the application site and wider landscape was also undertaken, using colour 1:25 000 OS base maps (www.ordnancesurvey.co.uk) and aerial photographs from Google Earth (www.maps.google.co.uk), in order to provide additional context and to identify any features of potential importance for badgers.

Field Surveys

3.3 Signs of badger activity were not noted during the initial site walkover (January 2021); however, evidence of badgers was also sought during subsequent protected species surveys carried out throughout 2021 (Ecological Appraisal, FPCR January 2023).

3.4 Surveys included a search for evidence of badger activity in and around all hedgerows, scrub, and other suitable habitats within the site, and immediately adjacent. A standard methodology was used, as outlined by Harris, Creswell, and Jefferies (1989)[1], which involved a thorough search for evidence badger presence, including:

- Setts (including main, annexe, subsidiary, and outlier)
- Faeces and latrines
- Prints and trackways
- Guard-hairs caught on rough wood and fencing; and/or
- Snuffle holes, scratching posts and general feeding activity.

3.5 The identification of snuffle holes, scratching posts, or feeding signs in isolation does not necessarily provide conclusive evidence of the presence of badgers, with several such signs needed to be seen in conjunction before they can be said to indicate conclusive evidence of badger activity.

3.6 Where setts were found, their status and level of activity was noted accordingly. Sett status is broadly categorised as follows:

- *Main sett* – usually continuously used, with many associated signs of activity around, many holes, and conspicuous spoil mounds
- *Annexe sett* – usually located close to a main sett and connected to it by well used paths. Annexe's may not be continuously occupied
- *Subsidiary sett* – lesser used setts comprising few holes and without associated well-used paths. Subsidiary setts are not continuously occupied

[1] Harris, S., Cresswell, P. and Jefferies, D., 1989. Surveying Badgers. An occasional publication of the mammal society–No. 9. *Mammal Society, London*.

- *Outlier sett* – one or two holes without obvious associated paths. These are used sporadically.

3.7 Level of activity is described as:

- *Well used* – clear of debris, with trampled soil mounds and obviously active, with signs of activity, including prints and dislodged guard hairs around the entrances
- *Partially used* – some associated debris or plant growth at the entrance. Could be used with minimal excavation and usually with signs of activity within the vicinity, for example, badger pathways; and
- *Disused* – partially or completely blocked entrances

4.0 RESULTS

Desk Study

4.1 No records of badgers were returned by KMBRC from within 1-2km of the site boundaries. Extensive areas of rural habitat, including farmland, woodland, and grassland, were present in the local area suitable to support badgers.

Field Survey (*Figure 1: Badger Survey Plan*)

4.2 Habitats present on site were considered to provide suitable commuting and foraging opportunities for badgers. These include along boundary features, including hedgerow bases and associated field margins, as well as amongst the narrow extent of semi-improved grassland along the stream banks. Few areas on-site provided suitable habitat for sett creation, due to the lack of any substantial areas of dense cover, and shallowly sloping topography.

4.3 During the phase 1 habitat survey conducted in January 2021 no evidence of badger activity was identified within the application site. The neighbouring (off-site) parcel of deciduous woodland, located to the northwest (part of Trenley Park Woods), was also surveyed for badger evidence; however, the damp waterlogged ground was not conducive for sett construction, nor were any other signs of badger activity evident.

4.4 Evidence of badger activity was identified during protected species surveys undertaken in April, May, and September 2021. These are described below, with their locations mapped on *Figure 1: Badger Survey Plan*.

4.5 A single dropping was identified in April along hedgerow H1, which forms the western boundary. A large latrine (comprised of a cluster of several dung pits, one of which contained fresh droppings) was found near the northern end of hedgerow H5, with a nearby mammal run that passed eastwards through the hedgerow, across Bekesbourne Lane. Given, the proximity of badger dung pits/latrine it is likely this mammal run was a trackway made by a badger(s) passing through.

4.6 Several recently excavated snuffle holes (feeding signs) were also recorded in May, nearby the latrine along hedgerow H5, as well as along hedgerow H2, which forms the northern site boundary. In September, a mammal run, which passed northwards through a squeeze point under the western end of hedgerow H3, leading into the adjacent field, was also noted. Two further latrines, each comprised of two dung pits, were found in the field margin along H3. One, formed by two older, disused dung pits, was found nearby the mammal run/squeeze, while the second, consisting of relatively fresh dung pits, was found further southeast along H3.

4.7 No additional evidence, including sett excavations or bedding, were identified. Evidence suggests that while badgers were likely to be foraging on-site, they do not appear to be resident, with the local clan utilising a sett elsewhere.

5.0 DISCUSSION AND RECOMMENDATIONS

5.1 No evidence of badger occupation, in the form of active setts and associated excavations, were identified on-site, or in the immediate surroundings. However, some evidence of badger foraging activity and territory marking was identified, with at least one dung pit and some feeding evidence recorded at the base of the hedgerows bordering the site, and at least one active latrine, mammal runs, and several snuffle holes found in the field margins.

5.2 No records of badgers were returned by the local biological record centre; however, suitable habitat does exist in the immediate local vicinity of the site.

Potential Impacts of Development in the Absence of Mitigation

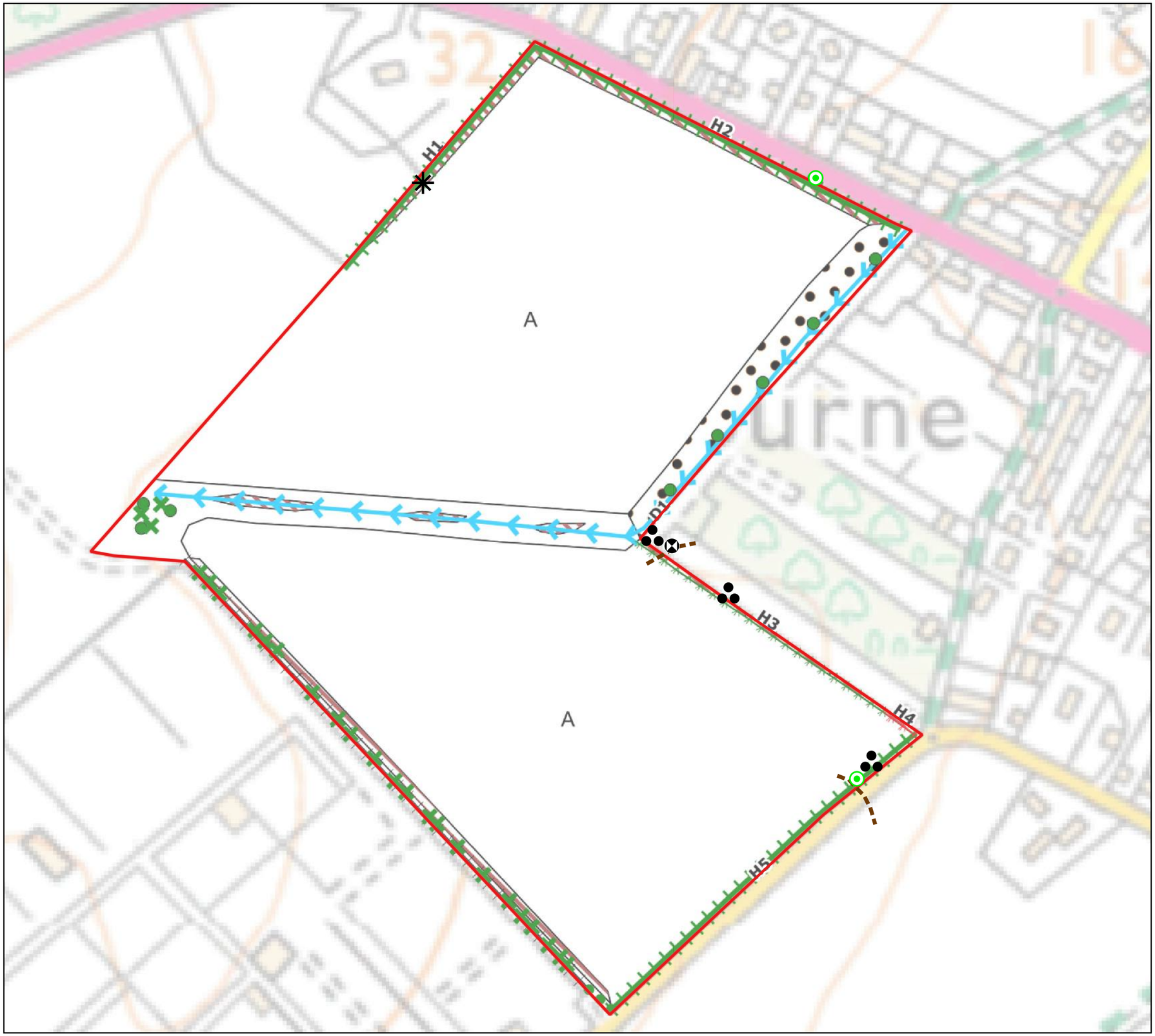
5.3 Badgers are transient in nature, and while no records of these species were identified from the wider area, their presence on the site is not unexpected; thus, it is recommended that further surveys will be undertaken at reserve matters to determine the utilisation of the site by badgers. If they continue to use the site only for foraging and territory marking, then there will be no constraints to development, as foraging grounds are not lawfully protected. Given the relatively low levels of badger activity recorded, it is unlikely that the site forms a major foraging resource for the local badger clan. The impact of development proposals is likely to be negligible.

Mitigation Strategy

5.4 If the site continues to be unoccupied, then there are no legal requirements for any mitigation measures, and no licences will be required. However, if the site continues to be used for foraging, then some precautionary measures should be implemented, this will ensure that badgers are not harmed through isolation, or injured from falls into excavations, such as trenches, holes, and ditches. All such excavations will be covered outside of working hours, or where excavations are too large to cover, a means of escape will be provided, such as sloping banks or wooden planks. Pipes of over 250mm in diameter should be capped overnight, this will reduce the possibility of badgers and other mammals becoming trapped and injured.

5.5 During the construction phase, all operations (where possible) will be restricted to daylight hours to reduce the potential for adverse effects through disturbance to badgers (and other nocturnal and crepuscular wildlife). Construction offices, material compounds and security buildings will be located in appropriate locations, away from retained habitats, to reduce the potential for accidental damage to such habitats. All waste materials will be appropriately stored. This particularly concerns domestic waste from construction site welfare units, which may attract badgers. Such waste should be stored in heavy duty bins, with lids that are inaccessible to badgers.

5.6 Much of the existing hedgerows and tree lines located along the site boundaries will be retained and strengthened. Existing gaps will be filled, and the overall structure thickened, by supplementary planting of native species bearing nectar, berries, fruit, and nuts. It is anticipated that the new public open space, natural greenspace, and network of residential gardens, will also have capacity to provide additional foraging resources for badgers. It is likely the local badger population will adapt to using the enhanced site features and the potential effects on the local population will consequently be **Negligible**.



Key

- Site Boundary

Badger signs

- Latrine
- Dropping
- Squeeze
- Snuffle hole
- Mammal runs

CONFIDENTIAL

client
Gladman Developments Ltd.

Land at Evenhill,
Littlebourne

BADGER PLAN

scale @ A3
1:2,500

drawn
PJP

issue date
1/3/2023

drawing / figure number
Figure 1

rev

FPCR Environment and Design Ltd, Lockington Hall, Lockington, Derby, DE74 2RH t:01509 672 772 f:01509 674 565 e: mail@fpcr.co.uk w: www.fpcr.co.uk
masterplanning environmental assessment landscape design urban design ecology architecture arboriculture

0 25 50 75 m

B:\QGIS Projects\XXXX Job Name\QGIS 2.14\PLANS\Badger Plan\XXXX-E-01 Badger Plan.qgs