

Badger Survey of 289 Ferry Road Hullbridge



On behalf of:

**Charles James Development Group
Leyland Farm
Lower Road
Hockley
Essex
SS5 6AJ**

Prepared by:

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1) Summary

In August 2016, as part of a planning proposal involving a residential property at 289 Ferry Road, Hullbridge, Hockley, Essex SS5 6AJ, a site visit was conducted to determine whether the grounds had been occupied by badgers. At that time, the survey found a badger sett was present beyond the rear boundary fence in Kendall Park, although there was **no** evidence of digging in the garden of the property. However, the sett is over 30m from the building line and the report concluded that the project would have no impact on the local badger population.



Photo 1: The rear garden. The fenced boundary with Kendall Park is in the background and the pipe on the lawn indicates a distance of 30m from the sett. This is beyond the building line

Following a lapse of six months, a second survey was conducted on 24th February 2017 to see if badgers had colonised the garden during the intervening period. The current survey confirmed the presence of the sett beyond the rear boundary fence in Kendall Park. There were no sett entrances in the garden of the property, although there was evidence that badgers were foraging across the rear garden. Several 'snuffle holes' indicative of foraging behaviour were present in the lawn and two well-worn paths leading through the site boundary from Kendall Park were present in the north-west and south-west corners of the garden.

Since there was no evidence of a badger sett within 30m of the development site, a European Protected Species Licence will **not** be required for this project.

However, it is recommended that the following precautions are taken prior to and during construction work:

- a post and rail fence be constructed across the garden 30m from the sett to deter heavy machinery from damaging any underground tunnels;
- any digging by contractors beyond the 30m line should be done by hand;
- when the rear boundary fence is replaced, gaps should be left in the NW and SW corners to allow continued access into the grounds for the badgers;
- any trenches left overnight should either be covered by boards or have sloping boards placed within to allow badgers to escape in the event of them falling into a trench;
- no artificial lighting should be introduced at night during the construction phase or on the developed site;
- no fire or chemicals within 20 metres of a sett entrance;
- no site clearance should block badger paths.

In this way, the project can be completed without any detrimental impact on the badger population.

2) Introduction

Essex Mammal Surveys were requested to carry out a survey of the gardens of a residential property at 289 Ferry Road, Hullbridge to investigate for signs indicating the presence of badgers. The identification of protected species is vital in the proposed development of a site to comply with existing legislation and also allows any work that may otherwise be detrimental to bats to be appropriately scheduled. John Dobson, a bat worker and trainer licensed by Natural England (Licence No. CLS 2015-15258-CLS-CLS), and author of *Mammals of Essex* (Essex Field Club, 2014) carried out the survey on 24th February 2017. John Dobson has been elected a Fellow of the British Naturalists' Association and received the David Bellamy Award for natural history in 2015. The property is located at Grid Reference: TQ809953.

3) Legislation and planning policy relating to badgers in the UK

In relation to the badger, the Wildlife and Countryside Act (1981) and its subsequent amendment (1985) made it an offence to take, kill, injure or ill-treat a badger. The badger gained further protection under the auspices of The Protection of Badgers Act (1992) which consolidates all former protective legislation in relation to badgers, except their inclusion on Schedule 6 of the Wildlife and Countryside Act 1981.

Under the 1992 Act, the badger sett is protected against obstruction, destruction, and damage; furthermore the animal's access to and from the sett must not be impeded. It should be noted that the concept/definition of the sett extends beyond the main sett to include annexe,

subsidiary and outlying setts. However, it must be noted that although the badger and its sett are protected (including access to the sett), the wider habitat and foraging ground is not.

With legal responsibilities and planning implications, it is essential that any ecological assessment of a potential development site, including the area of this report, must determine the possible presence or absence of any protected species as part of any planning development consideration.

Without this assessment the potential developer would be unable to demonstrate due diligence in his responsibilities. Furthermore the local planning authority would not have been provided with sufficient information for a planning decision to be made. This could result in the application being designated incomplete and not determined, or simply refused.

4) Methods

Badgers

The survey area (extending 30m beyond the site boundary) was investigated for evidence of badgers such as setts, well-worn paths, footprints, guard hairs caught on wire or vegetation and latrines.

5) Results

Badgers



Photo 2: Showing sett entrances close to the boundary fence



Photo 3: Badger path leading to south-west corner of garden



Photo 4: When the fence is replaced, a hole should be left at this point to allow continued access to the gardens



Photo 5: 'Snuffle hole' in lawn



Photo 6: Access to a neighbouring garden beneath a gravel board



Photo 7: Spoil heap further into the woodland

The current survey confirmed the presence of the sett beyond the rear boundary fence in Kendall Park. There were no sett entrances in the garden of the property, although there was evidence that badgers were foraging across the rear garden. Several 'snuffle holes' indicative of foraging behaviour were present in the lawn and two well-worn paths leading through the site boundary from Kendall Park were present in the north-west and south-west corners of the garden.

6) Discussion

Since there was no evidence of a badger sett within 30m of the development site, a European Protected Species Licence will **not** be required for this project.

However, it is recommended that the following precautions are taken prior to and during construction work:

- a post and rail fence be constructed across the garden 30m from the sett to deter any heavy machinery from damaging any underground tunnels;
- any digging by contractors beyond the 30m line should be done by hand;
- when the rear boundary fence is replaced, gaps should be left in the NW and SW corners to allow continued access into the grounds for the badgers;
- any trenches left overnight should either be covered by boards or have sloping boards placed within to allow badgers to escape in the event of them falling into a trench;
- no artificial lighting should be introduced at night during the construction phase or on the developed site;
- no fire or chemicals within 20 metres of a sett entrance;
- no site clearance should block badger paths.

In this way, the project can be completed without any detrimental impact on the badger population.

7) Review of existing records of badgers in area

Records occurring within a 2km radius of the site are as follows (some records will be from north of the Crouch):

TQ793961	25 Feb 2007	Badger latrine found
TQ793970	13 Jul 2013	Badger found dead on A132
TQ826943	07 Jan 2011	Badger found dead on Lower Road
TQ791963	07 May 2013	Badger found dead on A132
TQ793971	05 Oct 2004	Badger found dead on minor road
TQ794970	26 Apr 2014	Badger found dead on A132
TQ807940	30 Jan 2007	Badger found dead on Watery Lane
TQ794971	28 Mar 2010	Badger found dead on A132
TQ793967	26 Feb 2001	Badger found dead on A132
TQ821942	15 May 2007	Badger found dead on Lower Road