



**Kingdom Ecology**

6 Warwick Road • Chorlton  
Manchester • M21 0AU



077 998 44249

[enquiries@kingdomecology.com](mailto:enquiries@kingdomecology.com)

[www.kingdomecology.com](http://www.kingdomecology.com)

Company No 07524016

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To whom it may concern,

**Results of Badger Survey at Area of Land to the South West of Ashbourne Road, Leek, Staffordshire, ST13 5BU.**

Planning Ref- SMD/2016/0510

**Introduction**

Kingdom Ecology have carried out a badger survey of approximately 0.4ha of land to the South West of Ashbourne Road, Leek, Staffordshire, ST13 5BU (National Grid Reference SJ995559).

Full planning permission (Planning Reference- SMD/2016/0510) has been granted at the site for the construction of 12 dwellings with associated parking at the site.

Planning Condition 12 of the above permission states:-

*21. Prior to the commencement of any development, an updated badger survey shall be undertaken, together with survey findings and mitigation measures providing for the appropriate protection of badgers, which shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing. Development shall thereafter be carried out in accordance with the approved mitigation scheme for the site.*

Badger survey was completed on the 21<sup>st</sup> May 2018. Survey was completed by Richard Roe (BSc, MSc, MIEEM, CEnv). Richard has extensive experience of undertaking badger surveys and has held several badger development licences.

Survey examined the proposed development site and adjacent habitats located within 30m of the proposed development area.

## Legislation

Badgers are afforded protection under the Protection of Badgers Act (PBA) 1992; this act was introduced on welfare grounds. The Act is based primarily on the need to protect badgers from baiting and deliberate harm or injury. Badgers are not considered to be a species of any conservation concern. However the Act contains restrictions that apply more widely and can have implications where badgers and development come into conflict. All the following are considered criminal offences:

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

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.

The legislation recognises 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, including development. Badger licences are project specific and cannot be issued until full planning permission has been granted. The authority responsible for the issuing of licenses is Natural England.

## Methods

The badger survey examined all semi-natural habitats within the study area. Survey followed methodologies given in Harris *et al.* (1989<sup>1</sup>). All linear features such as hedgerows, fence lines and drainage ditches were walked and searched for evidence of badgers. Suitable sett habitat such as scrub and woodland were also actively searched for badger field signs, where accessible. Badger field signs include prints, latrines, foraging signs, snagged hair or badger setts.

Surveys were undertaken on 21<sup>st</sup> May 2018 by Richard Roe (BSc, MSc, MIEEM, CEnv). Richard has extensive experience of undertaking badger surveys and has held several badger development licences.

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<sup>1</sup> Harris, S., Cresswell, P. & Jefferies, D. (1989). *Surveying for badgers*. Occasional Publication of the Mammal Society No. 9. Bristol, UK: Mammal Society.

## **Results and Recommendations**

### *Description*

The site is located to the south west of Ashbourne Road within the town of Leek. Surrounding habitats comprise of residential properties with associated gardens.

The 0.4ha site comprises of a grazed paddock. The site has a drainage ditch and embankment running along the southern and western boundaries. The northern boundary is marked by a dry stone wall whilst the north boundary is marked by a fenceline.

There is a line of broadleaved trees running immediately beyond the site along its southern and western boundaries.

A photograph of habitat recorded at the site is shown on the Appendix.

### *Survey Results*

The 2018 survey recorded no badger setts within the proposed development site itself or within habitats located within 30m of the development site boundary. No other field signs indicative of badger activity were found at the site.

No signs of badger activity were recorded during the field survey in 2016.

However, previous consultation with the local records centre identified several records of badger within the surrounding landscape.

It is therefore possible that the development site represents part of a local badger social group's territory and that badgers could occasionally visit the field to forage.

Notwithstanding this, it is considered very unlikely that the proposed development would significantly affect local badger populations.

### *Potential Impacts and Recommendations*

The proposed development will result in a loss of some grassland habitats at the site. However pasture land is ubiquitous in the area and so this habitat loss is unlikely to represent a significant loss to the local badger social group's available foraging resources.

No badger setts were identified during survey within proximity to the proposed development site therefore construction of the new dwellings will not have any direct effect on badger resting places.

However, badgers are likely to be present in the locality and could be harmed during construction if works are carried out in an insensitive manner. It is therefore recommended that during construction:

1. Where any trenches or other excavations are to be left open overnight these would be fitted with mammal ramps or would have the sides battered to form a slope to allow badgers to escape.
2. A tidy works area would be maintained during construction and any hazardous substances would be fenced off to remove any badger hazards from the site.

Following the implementation of these measures, it is considered to be unlikely that the proposed development will have a significant negative impact upon the local badger population.

Yours sincerely,

Richard Roe  
Principal Ecologist

*Photograph 1- Habitats at the Site*

