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Report prepared for: John Leahy

For the Site of: Land Adjacent to 45 Kentish Lane, Herts, AL9 6NG

| Version: | Written by: | Checked by: | Final: |
|----------|--------------------------|------------------------------|--------------------------|
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Ecological reports are limited in shelf life, Natural England usually expect reports for licences to be no more than 12 months old and therefore should the project not proceed within 12 months of this report an updated survey should be undertaken in order to check for changes that may have occurred on site. Information is believed to be accurate at the time of survey; recommendations are made without bias based on good practice guidelines within the industry. However, species presence and ecological parameters can change over time.

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Contents

| | |
|---|----|
| 0.0 Non-Technical Summary | 3 |
| 0.1 Background | 3 |
| 0.2 Results and Findings | 3 |
| 0.3 Impact Assessment and Recommendations | 3 |
| 1.0 Introduction | 5 |
| 2.0 Methods | 7 |
| 3.0 Results | 8 |
| 3.1 Desk Study | 8 |
| 3.2 MAGIC | 9 |
| 3.3 Biological Records Data: | 9 |
| 3.4 Site Location and Surrounds..... | 12 |
| 3.5 Observations | 13 |
| 4.0 Conclusions, Discussion and Recommendations | 16 |
| 4.1 Conclusion and Discussion | 17 |
| 4.2 Potential Impact..... | 17 |
| 4.3 Recommendations..... | 17 |
| 4.4 Mitigation and/or Compensation | 18 |
| 5.0 References | 19 |

Full Badger Survey

0.0 Non-Technical Summary

0.1 Background

The survey follows national guidelines allowing for the use of camera traps, sand traps and hair traps to establish if badgers are using a sett. Recommendations for mitigation, if considered necessary, are detailed in section 4. If a deviation from the guidelines has been made, this will be detailed in the Method Section.

The following report details the findings and recommendations for the site of Land Adjacent to 45 Kentish Lane, Herts, AL9 6NG.

The client commissioned Cherryfield Ecology to undertake a full badger survey as the proposals include for building a new dwelling on the plot, with associated landscaping and infrastructure.

0.2 Results and Findings

- Following a stage 1 ecological assessment undertaken on 02/04/2020, further surveys were recommended, which included for a full badger survey.
- These surveys have shown a low number of badgers (a maximum of one badger seen on one occasion) observed passing through the site but not using the sett entrances.
- The holes appear to be in use by rabbits, with foraging and commuting badgers, foxes and deer also seen in the area.

0.3 Impact Assessment and Recommendations

- No impacts are foreseen.
- If badgers are found during the development, works must stop and advice sought.

- Any trenches created during the works will need to be backfilled or will need a rough sawn timber plank placed in to allow any badgers (and other mammals) to get out if they fall in.
- As a badger was seen investigating the entrances, if development does not begin within 6 months the following will be required:
 - A final check will be required a week prior to works commencing.

1.0 Introduction

The client, John Leahy, has commissioned Cherryfield Ecology to undertake a full badger survey (FBS) for the site of Land Adjacent to 45 Kentish Lane, Herts, AL9 6NG. Planning permission is being sought to build a new dwelling, along with associated infrastructure.

This survey has utilised standard methods for checking for badgers, by placing out camera traps, sand traps and hair traps across the site. These are then checked in suitable weather for badgers. Whilst checking the traps, the surveyor also looks for other badger sign, e.g. hairs, spoil, bedding, latrines and snuffle holes around the site. The inspections were conducted between 08/07/2021 and 04/08/2021.

The survey can only ever provide a ‘snapshot’ of the site at the time of the survey and circumstances may change following this report. Health and Safety restrictions or obstructions may limit the ability to find reptiles e.g. flooding.

Biological records have been requested to give the report context and allow a study of the surrounds. The information is often sensitive and therefore a synopsis is provided and the full data released separately for verification.

The survey can be conducted between February to November when badgers are most active, although not hibernating their activity decreases in December and January. These months are generally considered optimal for observing active setts.

Summary of legislation and National Planning Policy that protects badgers in England:

- Wildlife and Countryside Act 1981 as amended.
- Countrywide and Rights of Way Act 2000.
- Natural Environment and Rural Communities Act 2006.
- National Planning Policy Framework (“NPPF”).
- Circular 06/05.
- Protection of Badgers Act 1992 as amended.

Badgers (*Meles meles*) both the badger and its habitat are protected under The Protection of Badgers Act 1992, Schedule V of the Wildlife and Countryside Act 1981, and Appendix III of the Bern Convention 1979.

This legislation makes it an offence to:

- Kill, injure, take or possess a badger.
- Interfere with, damage or destroy a badger sett including e.g. obstruct access to a badger sett.
- Cruelly treat or harm a badger.
- Disturb a badger in a sett.

2.0 Methods

The survey follows the national guidelines, which is taken as following:

- Badgers: surveys and mitigation for development projects, online at <https://www.gov.uk/guidance/badgers-surveys-and-mitigation-for-development-projects#survey-methods>

Badger Surveys can be conducted at any time of the year, but the best times are in the spring and early autumn/winter.

There are several ways of establishing if a badger sett is in use:

- Sand traps, used to establish footprints coming and going from the sett entrance.
- Hair traps, canes or sticks with tape wrapped around them to establish if the animal using the hole is a badger.
- Camera traps, used to capture badgers coming and going to and from the sett.

If mitigation becomes necessary, the favoured timing window for the licensed stopping-up and destruction of existing setts is mid-June to mid-November. Disturbance of existing setts is generally permitted in the period January to mid-June; however, new artificial setts can be created during this window.

If a deviation from the guidelines has been made, the reason and justification will be explained below:

No deviation from the standard guidelines has been made for this survey.

3.0 Results

The following section details the results of the desk study, inspection and survey. It includes MAGIC information, biological records data and map/aerial photo information.

3.1 Desk Study

The desk study is centred on Grid Reference - TL261045 and postcode - AL9 6NG.

Table 1: Weather Records

| Date | Survey | Weather: Start | Weather: Finish |
|------------|-----------------------|--|--|
| 08/07/2021 | Set-up | Temp: 17°C Wind: 1/12 Cloud: 50% Precip: None | Temp: 19°C Wind: 1/12 Cloud: 60% Precip: None |
| 15/07/2021 | 1 st Check | Temp: 18°C Wind: 0/12 Cloud: 40% Precip: None | Temp: 18°C Wind: 1/12 Cloud: 40% Precip: None |
| 22/07/2021 | 2 nd Check | Temp: 18 °C Cloud: 30% Wind: 0/8 Rain: None | Temp: 18 °C Cloud: 30% Wind: 0/8 Rain: None |
| 28/07/2021 | 3 rd Check | Temp: 16 °C Cloud: 60% Wind: 1/8 Rain: None | Temp: 17 °C Cloud: 60% Wind: 0/8 Rain: None |
| 04/08/2021 | 4 th Check | Temp: 17 °C Cloud: 20% Wind: 0/8 Rain: None | Temp: 18 °C Cloud: 20% Wind: 0/8 Rain: None |

3.2 MAGIC

The following statutory sites have been located on the search (2km) see Figure 1 -

- A single SSSI/LNR is located to the east, approx. 1.7km from the site. Known as Northaw Good Wood.
- Three EPS licences are found in the search area. None of these are closer than 1km from the site. These are 2009-982, 2010-1812 and 2013-6057, all include for pipistrelle.

MAGiC

KEntish Lane AL9 6NG

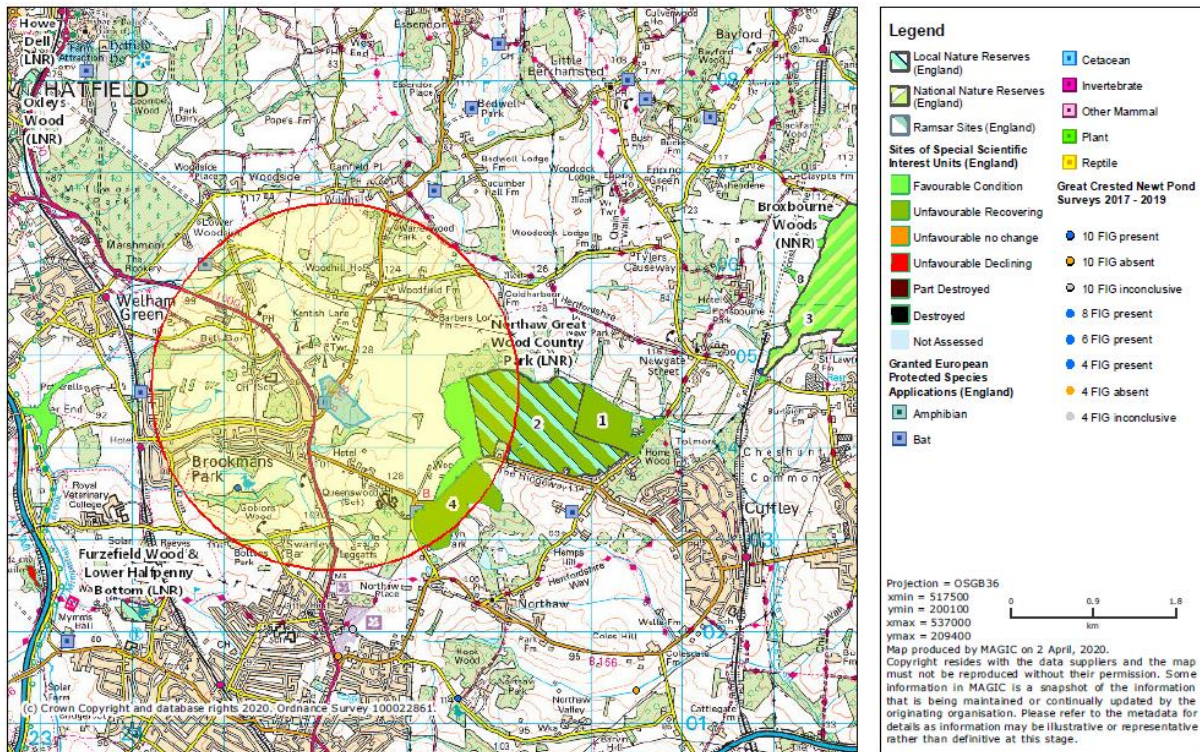


Figure 1: Magic Map Search

3.3 Biological Records Data:

A standard 1km data search of existing records for protected species and nature reserves has been commissioned, below details the results and site context:

Biological records were obtained from Herts Environmental Records Centre (2020).

Table 3: Biological records data

| Species | Number of records | Closest record (accuracy) | Most recent record (year) |
|---|-------------------|--|----------------------------|
| Bats | 33 | Four figure references only (10km or more) | 2018 |
| Brown long eared <i>Plecotus auritus</i> | | | |
| Soprano pipistrelle <i>Pipistrellus pygmaeus</i> | 4 | 140m (1km accuracy) | 2018 |
| Common pipistrelle <i>P. pipistrellus</i> | 46 | 0m (1km accuracy) | 2018 |
| Noctule <i>Nyctalus noctula</i> | 2 | 460m (1km accuracy) | 2018 |
| | 78 | 570m (1km accuracy) | 2017 |
| Natterer's <i>Myotis nattereri</i> | | | |
| | 76 | 570m (1km accuracy) | 2017 |
| Daubentons <i>M. daubentonii</i> | | | |
| Badgers <i>Meles meles</i> | 21 | 440m (1km accuracy) | 2015 |
| Reptiles | | | |
| Grass snake <i>Natrix helvetica</i> | 5 | 140m (1km accuracy) | 1991 |
| Great crest newt <i>Triturus cristatus</i> | 3 | 570m (1km accuracy) | 2004 |
| Common lizard <i>Zootoca vivipara</i> | 1 | Four figure reference supplied | 1965 |
| Otter/water-vole | n/a | | |
| Dormouse | n/a | | |
| Other | n/a | | |
| Non-Statutory Sites (see Figure 1a) | | | |
| Name | Ref no | Type | Description/designated for |
| Gobions Wood | 79/001/01 | Herts and Middlesex Wildlife Trust Nature Reserves | 36.40 of woodland |

| | | | |
|---|--------------|---------------------|---|
| Kentish Lane Farm Wood (N.E. of Brookmans Park) | 70/010 | Local wildlife site | Ancient semi-natural broadleaved woodland with coppice-with-standards. |
| The Legg North | 70/088/01 | Local wildlife site | Thin strip of broadleaved semi-natural broadleaved woodland. |
| Gobions Wood Central | 79/001/01/01 | Local wildlife site | Largely ancient woodland occupying a shallow valley with small streams that flow into swallow holes. |
| Gobions Wood Meadows | 79/001/01/02 | Local wildlife site | A relatively large semi- improved grassland site, in a well-connected landscape. |
| Queenswood Home Farm Grove | 79/010 | Local wildlife site | Semi-natural woodland consisting of predominantly old Hornbeam (<i>Carpinus betulus</i>) and Pedunculate Oak (<i>Quercus robur</i>). |
| George's Wood | 79/012 | Local wildlife site | Ancient semi-natural Pedunculate Oak (<i>Quercus robur</i>)/Hornbeam (<i>Carpinus betulus</i>) woodland. |
| Grasslands S. of Mymfield | 79/030 | Local wildlife site | Three fields with semi- improved to unimproved neutral to slightly acidic grassland. |

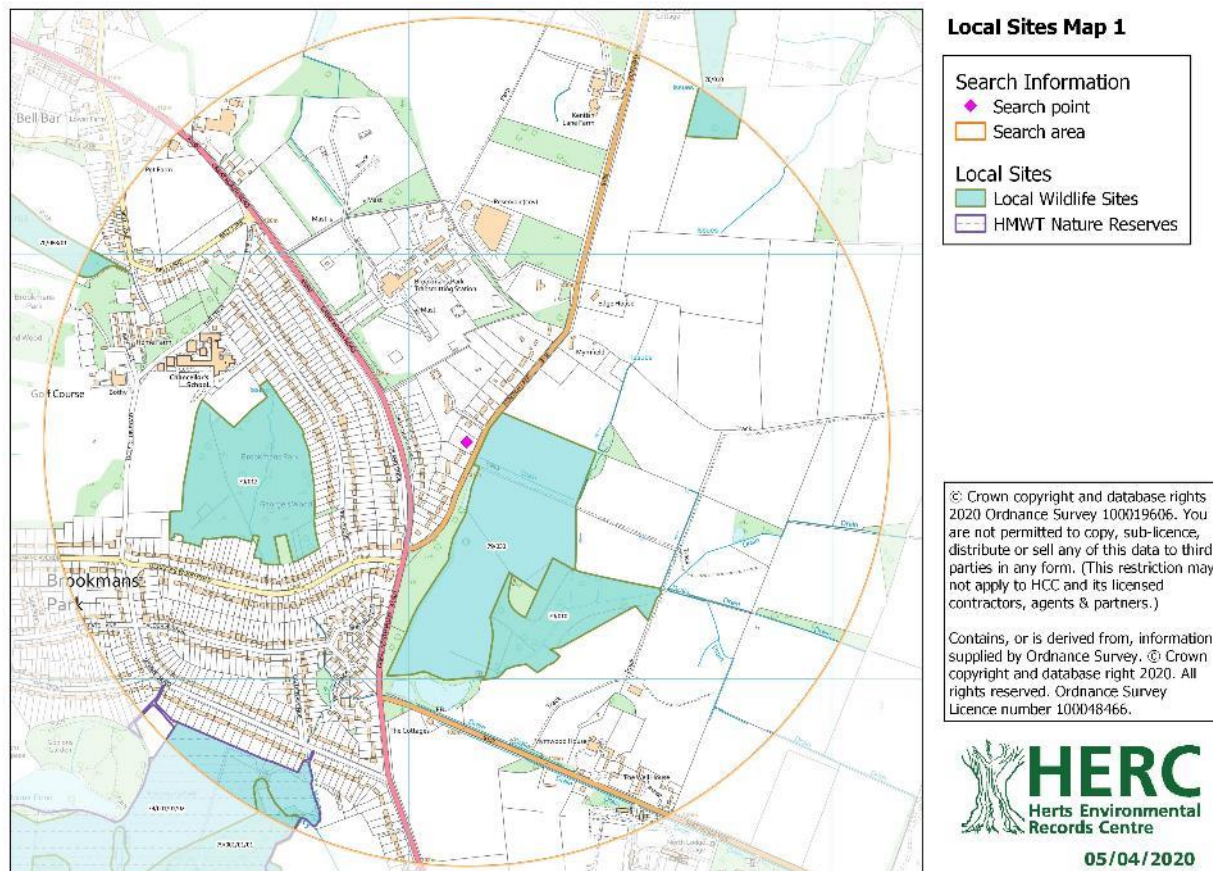


Figure 1a: Local sites

3.4 Site Location and Surrounds

The site is located in Hertfordshire, Brookmans Park and is surrounded by local density housing in the immediate local. Table 4 details the commuting, feeding and habitat features in a 1km radius of the site.


Table 4: Habitat features suitable for use by protected species




| Feature | Description |
|--------------|---|
| Water course | No named watercourses are found in the search area. Small drainage ditches are scattered around the general area. |
| Water bodies | Two unnamed ponds are located to the south, the first is approx. 300m from site and a further larger pond to the south approx. 700m from site. |
| Woodland | Woodland block and strips are found to the rear of the site, with small blocks located to the north and south, the blocks are no more than 200m from site, with strips leading to them. |

| | |
|--------------------------|--|
| Linear e.g. hedgerows | Garden hedging and tree lined roads are found to the immediate surrounds. |
| Pasture/arable/grassland | Amenity dominates the area, with a large open field to the rear boundary, this appears to be improved. |
| Other | n/a |

3.5 Observations

Table 4: Results and observations of the surveyors' checks

| Surveyor | Survey | Badger Activity Observed |
|---------------|-----------------------|---|
| AP | Set Up | No signs of badger activity. Some change to number and size of holes since EA but additional holes appear to be of small size. |
| Camera Trap 1 | 1 st Check | No badger activity recorded. Fox and rabbits were seen on numerous occasions. |
| Camera Trap 2 | 1 st Check | No badger activity recorded. Fox and rabbits were seen on numerous occasions. |
| Camera Trap 1 | 2 nd Check | No badger activity recorded. Rabbits seen using the hole regularly. |
| Camera Trap 2 | 2 nd Check | No badger activity recorded. Rabbits and birds were seen on numerous occasions. |
| Camera Trap 1 | 3 rd Check | <p>No badger activity recorded. Activity captured appears to be from rabbits using the entrance with a single fox also seen investigating the hole (see figures 2 and 3).</p>  <p>Figure 2: Example of rabbit seen using hole (hole location shown by red circle)</p> |

| | | |
|----------------------|-----------------------------|--|
| | |  <p>Figure 3: Example of fox seen investigating hole</p> |
| <p>Camera Trap 2</p> | <p>3rd Check</p> | <p>No badger activity recorded. Rabbits and birds were seen on numerous occasions.</p>  <p>Figure 4: Example of rabbits seen around hole</p> |
| <p>Camera Trap 1</p> | <p>4th Check</p> | <p>No badger activity recorded. Rabbits seen going in and out of entrance, with fox and deer also seen investigating the surrounding area (see figures 5 and 6).</p>  <p>Figure 5: Example of fox seen around entrance</p> |




| | | |
|--|---|--|
| | |  <p data-bbox="699 625 1273 657">Figure 6: Example of rabbit seen using entrance</p> |
| <p data-bbox="212 1209 310 1268">Camera Trap 2</p> | <p data-bbox="380 1213 493 1245">4th Check</p> | <p data-bbox="553 695 1409 814">A single adult badger seen passing through the site on night of 01/08/2021, does not appear to be near to entrance. Extensive activity and use of holes by rabbits with occasional deer and bird also seen.</p>  <p data-bbox="591 1257 1382 1289">Figure 7: Example of single sighting of badger passing through site</p>  <p data-bbox="691 1734 1284 1766">Figure 8: Example of rabbits around area of holes</p> |



Figure 9: Camera trap and sett entrance/hole location map

4.0 Conclusions, Discussion and Recommendations

The following section details the conclusions, discussion and recommendations in the context of the proposed works.

4.1 Conclusion and Discussion

The proposals include for building a new dwelling on the plot, with associated landscaping and infrastructure. Following a stage 1 ecological assessment, further badger surveys were recommended. These surveys have shown a low number of badgers (a maximum of one, on one occasion) passing through the site but not using the sett entrances. The holes/entrances appearing to be in use by rabbits *Oryctolagus cuniculus* with the occasional fox *Vulpes vulpes* observed.

4.2 Potential Impact

Impact assessments must be proportionate to the scale of the development (CIEEM, 2018) and the following Table 5 details a proportionate impact assessment based on current information.

Table 5: Impact Assessment

| | |
|--|--------------------------|
| Impact | No impacts are foreseen. |
| Characterisation of unmitigated impact on the feature | n/a |
| Effect without mitigation | n/a |
| Mitigation | n/a |
| Significance of effects of residual impacts (after mitigation) | n/a |

4.3 Recommendations

- If badgers are found during the development, works must stop and advice sought.

- Any trenches created during the works will need to be backfilled or will need a rough sawn timber plank placed in to allow any badgers (and other mammals) to get out if they fall in.
- As a badger was seen in the area, if development does not begin within 6 months the following will be required:
 - A final check will be required a week prior to works commencing.

4.4 Mitigation and/or Compensation

Currently no mitigation is required.

5.0 References

Badgers: surveys and mitigation for development projects, online at

<https://www.gov.uk/guidance/badgers-surveys-and-mitigation-for-development-projects#survey-methods>

Cherryfield Ecology (2020) Ecological Appraisal Report

CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland:

Terrestrial, Freshwater and Coastal, September 2018. Chartered Institute of Ecology and Environmental Management, Winchester, online at <https://www.cieem.net/data/files/ECIA%20Guidelines.pdf>

Records: Herts Environmental Records Centre, 2020 Office of the Deputy Prime

Minister (2005). Circular 06/2005: Biodiversity and Geological Conservation. Para.99