

14 July 2025

Badger Technical Note

Land North of Orton Road, Warton Road, Tamworth, Nr B79 0JG

Application Ref: PAP/2025/0155

A badger sett has not been identified on or within 30m of the application site boundary (see Mammal Activity Plan, June 2025).

A 2km cross boundary search was undertaken by Warwickshire Biological Record Centre and Leicestershire and Rutland Environmental Records Centre in February 2025. No records of badgers have been returned within 2km of the application site as part of this search.

A review of the Ecological Appraisal Report (Just Ecology, 2017) for the adjacent Bellway Cornfields residential development to the east (PAP/2017/0551) confirmed dispersal / foraging opportunity to be low with no badger setts identified. However, precautionary working measures were implemented. No records of badgers were returned within 1km of this adjacent site by the local record centres.

Nevertheless, the mobile nature of badgers is recognised and therefore the following precautionary methods of work are to be implemented and secured under a future Construction Ecological Management Plan (CEMP) to ensure full compliance with The Protection of Badgers Act, 1992:

- A pre-commencement badger walkover will be conducted by an ecologist to ensure no setts have established. Vegetation clearance (where required) will be supervised by an ecologist so that any signs of badgers, setts etc. are identified. Should a possible sett be recorded and be impacted by the proposals; further monitoring and a Natural England licence application may be required to lawfully complete the works.
- All site personnel will be fully briefed regarding badgers including methods of work, wider presence of badgers, mitigation measures to be followed, relevant legislation, penalties imposed and a point of contact.
- Excavations or trenches left overnight will be covered or have an escape route such as a shallow gradient at one or both ends.
- Excavations and tranches will be inspected each morning and evening to ensure no badgers have become trapped.
- Open pipework with the diameter of more than 120mm will be covered or capped at the end of the working day to prevent badgers from entering and becoming trapped.
- During work, the storage of chemicals will be contained so that they cannot be knocked or accessed by roaming badgers.
- The storage of topsoil or other 'soft' building materials will be carefully considered to avoid the risk of badgers adopting mounds to build setts which would then be afforded the same legal protection.
- Litter, tools and potentially dangerous materials will be cleared at the end of the working day. Care will be taken to ensure no sharp metal objects or pointed protrusions on the ground which could seriously injure a badger.

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- Security lighting will be kept to a minimum to avoid disturbance to any badgers should they be on-site.

Subject to the above being implemented, no significant impacts are anticipated upon badgers and will allow the development to proceed in line with The Protection of Badgers Act, 1992. Furthermore, the scheme proposes substantial landscape benefit including 0.06ha of traditional orchard, 1.19ha of species-rich grassland, planting of 177 trees and creation of 270m of species-rich hedgerow.

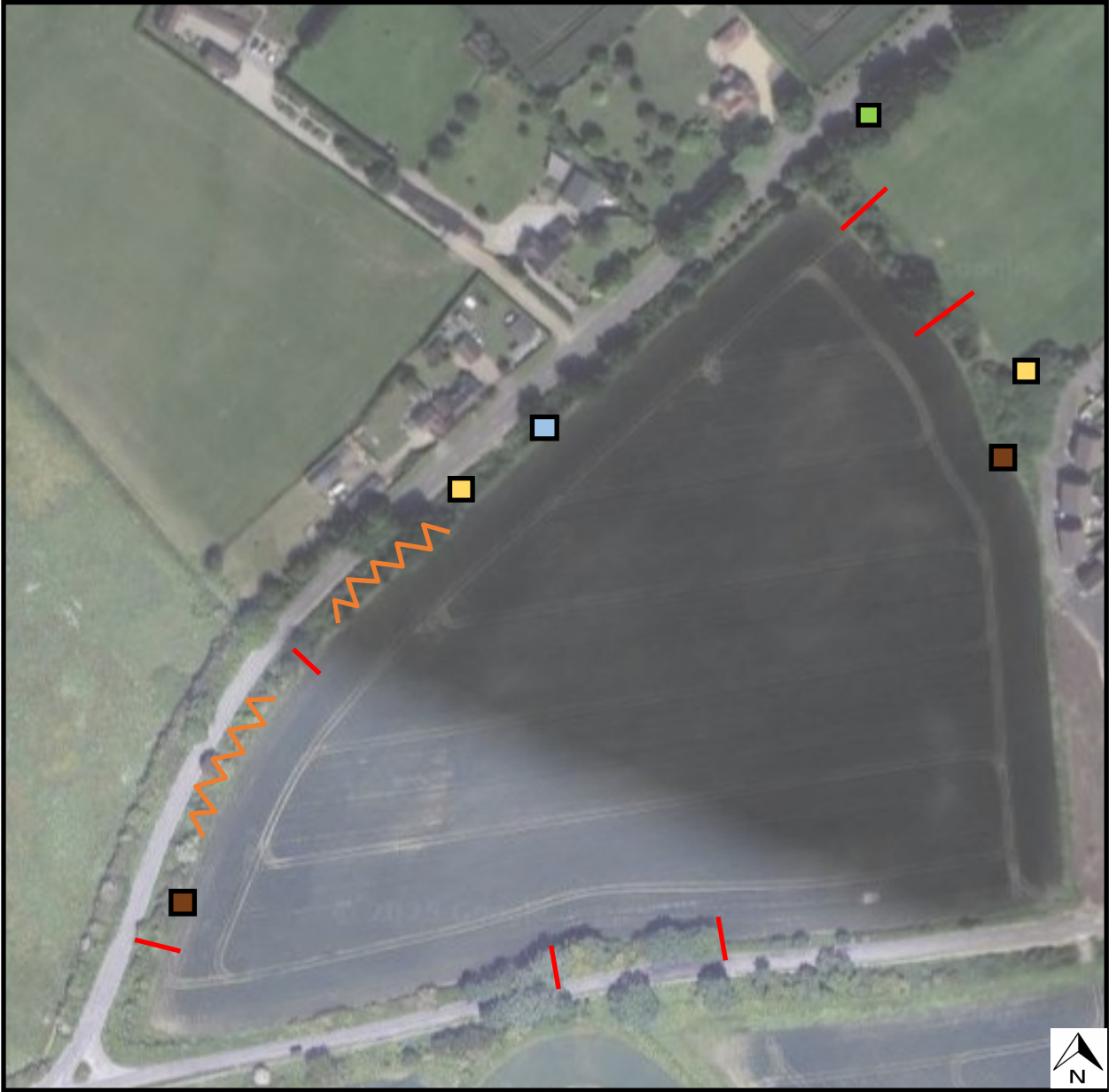
Traditional orchards, species-rich grasslands and hedgerows all provide high-value foraging habitat for badgers. Traditional orchards offer seasonal food sources such as fallen fruit, as well as invertebrates like beetles and earthworms in the undisturbed soil beneath the trees. Species-rich grasslands are particularly important, supporting high densities of earthworms, one of the badger's primary food sources, and allowing easy digging due to their soft, well-structured soils. Species-rich hedgerows further enhance foraging opportunities by providing insects, berries, and shelter, as well as acting as safe corridors for movement between feeding areas. Together, these habitats form an improved foraging landscape (currently intensively cultivated reducing earthworm and invertebrate availability) that supports the diverse dietary needs of badgers throughout the year.

Legislation

Badgers are protected in the UK under the Protection of Badgers Act (1992), making it an offence to:

- Kill, injure or take a badger;
- Intentionally or recklessly interfere with a badger sett. Sett interference includes damaging, destroying or obstructing access to a sett and disturbing badgers while they occupy a sett.

Mammal Activity Plan



Key

- Mammal pathway
- Impenetrable vegetation
- Mammal scat
- Disturbed ground
- Open bare ground below trees
- Exposed barbed wire - no mammal hairs

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Orton Road, Warton

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