

Badgers

Ecology

Badgers are a common and widespread animal within England and Wales with a more localised distribution within Scotland. Badgers are typically associated with woodland and areas of open countryside however they can live quite successfully in urban areas. A family group of badgers will occupy a territory in which there may be several setts which are utilised on a periodic basis, with one large main sett used for breeding. Badgers are active all year round with breeding occurring from December to June.

Legislation

Due to historic and continued persecution badgers are protected under the Protection of Badgers Act 1992. Under this legislation it is illegal to intentionally capture, kill or injure a badger, damage, destroy or block access to their setts or disturb badgers whilst occupying a sett.

Planning process and survey effort

As part of any planning application submission the location of any badger sett needs to be identified and the presence of foraging habitat needs to be assessed, with appropriate avoidance or mitigation measures designed into the proposed development scheme and presented as part of the planning application.

Where a sett is present within the site then measures to avoid disturbance to this sett should be first considered, with works within 20-30 m of a sett not normally permitted. In addition to avoidance of direct impacts on the sett, impacts on foraging habitat and connectivity of habitat also need to be considered, with Local Planning Authorities requiring the retention and if necessary enhancement of foraging habitat and connectivity within the site.

Where a development will impact on a sett a licence can be applied for from the relevant Statutory Nature Conservation Organisation (SNCO), which allows disturbance to a sett or in some cases the closure of a sett. In cases where badgers are causing damage to property licences can also be applied for from the relevant SNCO.

To adequately inform the design of a proposed scheme, the subsequent planning application and licence application (if required), it is important that sufficient survey data is gathered in the initial stages.



PLANNING | LANDSCAPE | ENVIRONMENT

Typically, the location of any sett is identified during the preliminary ecological survey/ extended Phase 1 habitat survey. Alternatively, surveys can be undertaken as a specific standalone badger survey. This initial survey work can be undertaken at any time of the year, however, surveys are best undertaken in spring and autumn, when vegetation is less likely to obscure evidence of badgers (latrines, footpaths and setts etc.) and badgers are actively marking territories.

When a sett is identified the extent of the sett and number of holes present is recorded which is then used to classify the likely type of sett present, with setts classified as Main (breeding sett), Annexe, subsidiary or outlying sett.

Where a sett is identified, further survey work may be required to accurately map the location of the sett and to determine how badgers are currently utilising the proposed development site. This enables developments to be designed around the sett and retain key areas of foraging habitat.

Where developments works cannot avoid a sett then a licence will need to be applied for and further survey work maybe required to inform the licence application. This could include bait marking surveys which are used to establish the extent of the badger groups territory and how it relates to other badger territories in the wider area.

It is important to note that badger setts can only be closed from the [1st July to the 30th November](#), outside of their breeding season.



PLANNING | LANDSCAPE | ENVIRONMENT