

Land off Buxton Road, Furness Vale

Discharge of Condition 16

HPK/2020/0201



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Client The Guinness Partnership

Project Title Land off Buxton Road, Furness Vale, Derbyshire

Project Reference RHE.2015.04

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	Name	Position	Date
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Reviewer	Dr Rachel Hacking	Principal Ecologist	24/10/2024
Revision			



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Background

Rachel Hacking Ecology Ltd was commissioned in 2024 by The Guinness Partnership to provide ecological consultancy services in connection with development work at Land off Buxton Road, Furness Vale, Derbyshire, hereafter referred to as the 'site'. The site was granted planning permission by High Peak Borough Council in 2022 for the development of 37 houses with associated access, parking and landscaping (planning reference HPK/2020/0201). This document relates to the discharge of condition 16, appended to the planning permission.

Condition Wording

Condition 16 states: "No development hereby permitted shall be commenced (including any site clearance, site stripping, site establishment, formation of new access, installation of any drainage infrastructure or groundworks) until a survey of mammal holes onsite has been undertaken by a competent ecologist to check for badger activity with written confirmation provided to the Local Planning Authority. This shall include placement of a camera trap for a period of at least two weeks between March and November. Providing no badger activity is recorded, the mound shall be destroyed under the supervision of an ecologist. If badger activity is recorded, a Mitigation Strategy shall be first submitted to and approved in writing by the Local Planning Authority prior to Page 7 any development first commencing. The scheme shall be implemented in accordance with the details and timescales so approved. Reason: - In the interests of nature conservation and to comply with Policy EQ5 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework".

Legal Context

Badgers *Meles meles* are protected under the Protection of Badgers Act 1992. This Act, for example, makes it illegal to disturb a Badger whilst it is in a sett, to kill, injure or take a badger and to obstruct the entrance to a Badger sett.

Badger Surveys

A number of survey visits have been undertaken and these are listed below, along with the results. In summary, the mound that supported the mammal holes, which is the subject of the planning condition, no longer exists on site. Since 2021, no evidence of Badger has been identified on site.



Site visit 15th April 2019

No evidence of recent Badger activity was located on the site¹. A mound was located in the centre of the site that supported disused mammal holes. All of the holes were covered with vegetation, with no recent spoil associated with them, and some were covered with cobwebs. No Badger latrines or snuffle holes were found on site.

Site visit 1st June 2021

No Badger sett was located on the site during the survey². The mound that supported mammal holes located during the previous survey of the site was not located and the holes previously located are assumed to be disused. A mammal track was found between the site and the railway embankment, it is possible that Badgers were gaining access to the site to forage.

Site visit 30th July 2024

No Badger sett was located on the site during the survey and no evidence of Badger was identified³. The mound that supported mammal holes located during the 2019 survey of the site was again not located. No mammal holes were located.

Summary

The mammal holes located during the 2019 survey of the site were not located in the 2021 and 2024 surveys of the site. Further survey effort through the deployment of camera traps is considered to be disproportionate, since no mammal holes or the mound that supported mammal holes were found on-site during the 2021 and 2024 surveys. However, the site still supports scrub and it is possible that dense vegetation may obscure mammal holes, even though no mammal tracks or push-through were seen associated with the scrub. Mitigation is recommended to protect Badgers that may commute or forage across the site, such as careful clearance of vegetation to check for any potential holes.

Recommendations and Mitigation

Due to the location of the site and habitats present, it is considered that the construction activities may pose a threat to foraging or commuting Badgers, and therefore a Reasonable Avoidance Method Statement will be implemented during construction. The Reasonable Avoidance Measures Method Statement is as follows:

¹ Rachel Hacking Ecology (2019) Extended Phase 1 Habitat Survey of land off Buxton Road, Furness Vale, Derbyshire 2019

² Rachel Hacking Ecology (2022) Badger Survey of land of Buxton Road, Furness Vale, Derbyshire - 2022

³ Rachel Hacking Ecology (2024) RHE.2015 Preliminary Ecological Appraisal at Land off Buxton Road, Furness Vale, Derbyshire 2024



- If a Badger, or a large mammal hole, is discovered on site at any time during the development, work must temporarily cease, and a suitably experienced ecologist be contacted for advice
- All site operatives will receive an induction (toolbox talk) to include training on Badgers. The appointed site ecologist will remain on call for the duration of the construction period.
- A copy of this method statement must remain on site at all times.
- The clearance of any vegetation on site should be carefully undertaken with caution, to check for any potential holes during clearance.
- If any mammal holes are found during site clearance, or during the development of the site, within the construction zone, work must temporarily stop in that area, and a suitably experienced ecologist be contacted for advice.
- Night-time work is to be avoided.
- Any trenches or excavations left open overnight will be covered or have a means of escape, such as a ramp, so if a Badger falls into an excavation, it can easily escape.
- No spoil piles to be left open, to prevent Badgers from digging into them. Spoil piles should be covered with sheeting or compacted. If any large piles of spoil are created and left undisturbed, or spoil or other loose building material is brought onto site and left as a mound, this must be inspected prior to being moved/disturbed by a suitably experienced ecologist, to check for signs of mammal digging.
- Any temporary exposed open pipe system greater than 150mm will be capped so that Badgers are prevented from gaining access overnight.
- Chemicals will be stored safely in locked, Badger-proof containers.

