

I am the chairman of The West Surrey Badger Group. I have over 30 years practical experience in regards to badgers.

In August 2025 I was contacted by residents of Langley Vale with a request for help in objecting to a development of housing on land, known locally, as Langley Vale. Epsom.

I attended the site and carried out a walk over survey of the site. It was not possible, due to heavily overgrowth of nettles and brambles, to conduct a full survey. I did however find several indications of badger activity on the site, such as clear pathways through the undergrowth and into the field. I could not follow the pathways due to the undergrowth. I also found badger latrines in 3 places within the site. Badger will form a scrape into which they will defaecate and then leave the scrape open, they are the only mammals in Britain to do this. It acts as a scent marker, I also found several clear pathways from the undergrowth, (set aside), leading into the farmers field.. Please see attached docs.

I again visited the site on 6th September where I again found very heavy undergrowth. I surveyed the field edge and found 2 very heavy concentrations of badger faeces, along the north eastern boundary and in the northern corner.

These 2 visits convinced me that there were up to 3 separate badger setts within this site.

Unfortunately, due to serious ill health I was not able to visit the site again until 23rd May 2026 when I found the field had been ploughed and sown with barley/wheat. I again conducted a site survey and found, on the North Eastern boundary several pathways leading from the set aside into the field,. I was unable to follow the pathways due to heavy growth of nettles and bramble making it extremely dangerous to complete further survey. I did, however, find clear pathways from the undergrowth into the field. I also found a badger latrine. on the north eastern boundary and in the north eastern corner, Along the North Eastern boundary I found 2 pathways through the undergrowth and into a conifer hedgerow. I spoke to the owner of the property with the hedgerow and he informed me that he had regularly seen badgers in his garden, which bounded the site. I also found a tunnel going under the wooden fence of the garden. I examined the underside of that fence and found attached to the fence a badger hair. Badger hair is oval in cross section and cannot be rolled between forefinger and thumb.

I also found, in the northeastern corner a 5 hole badger sett, (please see attached photograph). It was difficult to photograph the sett holes due to heavy undergrowth. I also found 2 separate holes in the bank underneath the boundary fence and about 30m from the previous 3 holes, The 2 holes each had a short path onto the road. It is my opinion, and accepting the legal definition of badger setts, under Harris et al, that these 5 holes formed an active badger sett. I also found a fresh badger latrine close to the fifth hole.

Sir/Ma'am all the above indicates that there is a quantity of badgers using the site as their home and habitat.

Further evidence is being collated and will, with your consent, be forwarded to you

I am a retired police officer and know the importance of ensuring that all evidence presented should be accurate and truthful and to that end I declare that what I have stated above is, to the best of my knowledge and belief totally true.

I remain

Your faithful servant

Robert Shatwell.

Badger Evidence and Planning Protection Summary

1. Legal framework

In England, badgers and their setts are protected by the Protection of Badgers Act 1992. A badger sett is protected whether it is a main sett, annexe, subsidiary or outlier sett, provided it shows signs of current use by badgers. It is a criminal offence to kill, injure or take a badger, or to interfere with a badger sett by damaging, destroying, obstructing access to it, or disturbing a badger while it is occupying the sett.

Natural England's standing advice confirms that badgers are a material consideration in planning decisions. Where there is evidence of badgers or suitable habitat for sett building or foraging, local planning authorities should require appropriate survey information and assess whether development would harm badgers or their setts. The authority should apply the mitigation hierarchy: first avoid harm, then minimise impacts, and only as a last resort consider compensation and licensing.

2. Planning policy context

The National Planning Policy Framework requires planning decisions to contribute to and enhance the natural environment, including by minimising impacts on biodiversity and protected species. Natural England's protected species guidance states that a planning authority should be satisfied that sufficient information has been provided, that avoidance and mitigation measures are adequate, and that any necessary licence is likely to be obtainable before granting permission.

3. Relevance to this evidence

The observations, camera records and mapped locations in this document are relevant because they indicate the possible presence of active badger setts and regular badger movement within or close to the proposed development area. If active setts are present, the local planning authority should require up-to-date ecological survey work, assess whether the development can avoid harm, and consider whether refusal is justified if impacts cannot lawfully and credibly be addressed through design, mitigation and licensing.

I, **Mark Byrne**, of **14 Langley Close, Epsom, Surrey, KT18 6HG**, make this statement in support of the evidence contained in this document concerning the presence of badgers and badger setts on land at Farm View, Langley Vale, where development of 110 houses is proposed. The facts and matters set out in this statement are true to the best of my knowledge and belief, save where I indicate otherwise.

This document has been prepared to record evidence gathered over several nights using a GardePro 8 night vision camera. For each deployment, I recorded the location at which the

camera was placed, marked that location with a red X on the accompanying map, and retained the resulting images showing badger activity on or around the site. On each occasion, I was accompanied by Tuni of 1 Langley Close, Epsom, Surrey, who witnessed the placement and retrieval of the camera.

Statement maker: Mark Byrne, 14 Langley Close, Epsom, Surrey, KT18 6HG

Witness to camera placement and retrieval: Tani Joloaso, 1 Langley Close, Epsom, Surrey, KT18

The following pages set out the evidence gathered on each night of observation.

Map location 1 (uppermost red X) – Night 1

On 26 May 2026, the camera was positioned at 7.52 pm at the location identified by the uppermost red X on the accompanying map, opposite a large badger sett containing what appears to be a sow and cubs.

Map location 2 (central red X) – Night 2

On 27 May 2026, the camera was positioned at 8.15 pm at the location identified by the central red X on the accompanying map, opposite a badger sett from which several local residents state that badgers enter adjoining gardens.

Map location 3 (lowermost red X) – Nights 3 and 4

On 29 and 30 May 2026, the camera was positioned at the same location, identified by the lowermost red X on the accompanying map, within the centre of the proposed development site, where a very large badger sett was reported by a badger specialist consulted by local residents and where residents have also reported sightings.



Night 1 – Photograph 1



Night 1 – Photograph 2



Night 1 – Photograph 3



Night 2 (28 May 2026)

Night 2 – Photograph 1



Night 3 (29 May 2026)

Night 3 – Photograph 1



Night 3 – Photograph 2



Night 4 (30 May 2026)

Night 4 – Photograph 1



Night 4 – Photograph 2



Night 4 – Photograph 3



STATEMENT OFCherrill Auton..... Age, (if under 21)

ADDRESS1 Saddlers Way, Langley Vale, KT18 6HQ

Occupation Retired

I make this statement of my own freewill and know that if I have stated anything I know, or believe to be false I shall be liable to prosecution. I am Cherrill Auton of 1 Saddlers Way, Langley Vale, KT18 6HQ. My rear garden adjoins land known as Farm View, Langley Vale. The photograph below of a badger in my garden was taken on Friday 5 June at 2130 hours.

The badger comes every night and has done for years. There is a groove in the lawn where the badger takes the same route every night. On 9 June 2026 at the same time there was a second badger and I watched the two fight.

Cherrill Auton







