

Appendix 11.6 Otter Survey Results

Introduction

This report has been prepared by Tyler Grange Group Ltd on behalf of Northern Gateway Development Vehicle LLP (NGDV). It sets out the findings of otter *Lutra lutra* surveys undertaken at 'Northern Gateway'.

The EIA¹ assesses the Assessment Boundary, which measures approximately 570 ha. Within the Assessment Boundary, sits the Proposed Scheme (Application Boundary approximately 210 ha), for which an outline planning application is sought. Otter surveys were undertaken within the Survey Area (**Figure 11.3**); which was largely defined by permitted access. Access was granted within the entirety of the Proposed Scheme, with the addition of fields immediately south of the southern Application Boundary also permitted for access. All remaining areas outside of the Survey Area, but within the Project for Assessment/ Assessment Boundary were not surveyed in detail, and assumptions were made of the habitat type, condition and suitability through aerial imagery and views from Public Rights of Way (PRoW).

This survey has been undertaken to establish otter presence/ absence within the Survey Area, to inform mitigation requirements.

Legislation and Conservation Status

Otters are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2017² and under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It is an offence, with certain exceptions, to:

- Intentionally or deliberately capture, kill, or injure an otter;
- Intentionally or recklessly damage, destroy, and disturb otters in a place used for shelter or protection, or obstruct access to such areas;
- Damage or destroy an otter breeding site or resting place;
- Possess an otter, or any part of it, unless acquired lawfully; and
- Sell, barter, exchange, transport, or offer for sale an otter or parts of them.

Actions that are prohibited can be made lawful by a licence issued by the appropriate Statutory Nature Conservation Organisation.

Otters are a Priority Species in the 'UK Post-2010 Biodiversity Framework which provides a statutory list of priority species in England, Scotland, Wales and Northern Ireland, as required under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 (England), Section 7 of the Environment (Wales) Act 2016, Section 2(4) of the Nature Conservation (Scotland) Act 2004, and Section 3(1) of the Wildlife and Natural Environment Act (Northern Ireland) 2011. Decision-makers such as Local Planning Authorities must have regard to Priority species in all their activities, including when making decisions on planning applications.

¹ NORM3018 Northern Gateway JPA 1.1 Environmental Impact Assessment

² Natural England standing advice on otters at <https://www.gov.uk/guidance/otters-advice-for-making-planning-decisions>

Previous Surveys and Desk Study Records

The data trawl undertaken as part of the desk study in March 2024 returned no records of otter within 2km of the Assessment Boundary.

Tyler Grange undertook a suite of otter surveys in Spring and Summer 2022. No evidence of otter was found with the survey area (see Methodology).

Survey Methodology

The survey followed the best-practice guidelines outlined in the CIEEM guidance³ for surveying otters. The Survey Area comprised the three accessible watercourses which are either found within the Survey Area, or comprise the Survey Area boundaries. There are small tributaries leading off the main watercourses, which were followed for approximately 100m, beyond which point the watercourses largely became unsuitable otter habitat (watercourses drying-out/ becoming increasingly shallow, or exposed in open fields).

Therefore the three main (accessible) brooks within the Survey Area were surveyed (refer to **Figure 11.22** for the otter survey area); which were Brightley Brook, Castle Brook and Whittle Brook. Brightley Brook was surveyed due to the watercourse comprising the northern Application Boundary. Castle Brook was surveyed as it comprises a tributary to Whittle Brook. Whittle Brook was surveyed as it comprises the main watercourse running north-south through the Project for Assessment and comprises the Proposed Scheme southeastern boundary. Survey dates, times and surveyors are described in **Table A11.6.1** below.

The survey included an assessment of the watercourse banks up to 5m from the waters' edge or 3m from the bank top, whichever is greater. A search was made for field signs indicating the presence of otters including spraints, prints, runs/pathways, slides and holts. Field signs are recorded by type, location, condition and age to determine habitat use and activity. Where it is safe the water feature will be entered to fully assess the bank. Where it is not safe to enter the water, just the bank tops will be searched. Field signs include:

- Holts and denning areas that vary greatly in size from enlarged rabbit holes to tree root cavities in banks and rock piles. Often heavily marked by spraint, although natal holts (for rearing young) can be cryptic and have few identifying features;
- Slides- Bank slides typically 200mm wide but much wider with heavy use. Tracks may be present where otters have propelled themselves;
- Nests/Couches- These occur close to the water's edge, in vegetated banks and marshes. Recognised by an area of flattened and twisted grass or soil. May have evidence of feeding remains;
- Spraint/ faeces- Irregular, sometimes short, rounded segments, sometimes flattened, containing fish bones, scales and cray fish parts. When fresh they are often greenish and slimy, turning grey and brittle with age. Most often found on banks or on raised features such as logs, rocks and headwalls;
- Latrines- Often found in high places similar to the individual spraints above, but with flattened vegetation and multiple scats, and are used for territory marking;

³ Guidelines for Surveying Otter [online] accessed 22/11/2023 <https://cieem.net/resource/monitoring-the-otter/>

- Footprints- Five toes on front and rear tracks with the front track often being wider and rounder than the rear. Asymmetry or toe and interdigital pads can often be an indicator between dog and otter, with toes fanning out. The claws, if present, are blunt. Approximately 60mm wide from base of track and 90mm long

Habitat Evaluation

In addition to the otter surveys, data relating to the quality of identified water features was reviewed so that a general assessment could be made as to the suitability of the habitat for otter. This involved a review of the aerial maps and data searches in local records.

Factors that are likely to influence the survival of local otter are judged to be of the greatest importance when evaluating habitat value. As otter populations may be limited by prey abundance, areas possessing or allowing access to optimal foraging habitat are judged to be of key importance. Areas possessing sub-optimal foraging habitat but that have other habitat qualities (e.g. low levels of disturbance and dense riparian cover) are of lesser importance, as they are less likely to be vital to local otter survival⁴. Details of how values of importance to the local otter population were derived are given below:

- Very High Value – A locally unique key resource, vital for maintenance of existing otter population.
- High Value - Optimal foraging habitat owing to locally abundant prey items coupled with low disturbance and suitable riparian habitat for cover and lying-up sites i.e. holts and couches.
- Medium Value - Despite abundant prey items, location is considered sub-optimal due to either moderate disturbance levels or poor riparian habitat for cover and/or lying-up-sites.
- Low Value - Location offers marginal food resources and/or poor habitat/cover and/or suffers from substantial disturbance.

Table 11.6.1 below outlines the survey dates, surveyors and weather conditions of the otter surveys conducted within the Survey Area. All lead surveyors are appropriately experienced in conducting this type of survey. Surveys followed published guidelines.

Table A11.6.1: Survey Dates, Surveyors and Weather Conditions of Otter Survey

Survey Visit	Date(s)	Weather Conditions	Lead Surveyor
1 Castle Brook	4 th June 2024	16°C, 8/8 cloud, 12mph wind	Bethany Pythian
2 Castle Brook	24 th September 2024	14°C, 3/8 cloud, 12mph wind	Bek Stobbart
1 Brightley Brook	29 th May 2024	15°C, 6/8 cloud, 14mph wind	Nick Bell

⁴ Kruuk, H., Carss, D.N., Conroy, J.W.H. and Durbin, L. (1993). Otter (*Lutra lutra*) Numbers and Fish Productivity in Rivers in North East Scotland. *Symposium of the Zoological Society*, **65**, 171-191.

2 Brightley Brook	23 rd September	15°C, 8/8 cloud, 14mph wind; light rain towards the end of survey	Bek Stobbart
1 Whittle Brook	27 th June 2024	20°C, 2/8 cloud, 11mph wind	Richard Laws
2 Whittle Brook	29 th September 2024	13°C, 1/8 cloud, 8mph wind	Bek Stobbart

Limitations

Some survey dates were rescheduled due to heavy preceding rain, however, once rescheduled, there were no limitations in relation to survey timing or survey effort and all suitable habitats within the Survey Area were surveyed for otter during the survey.

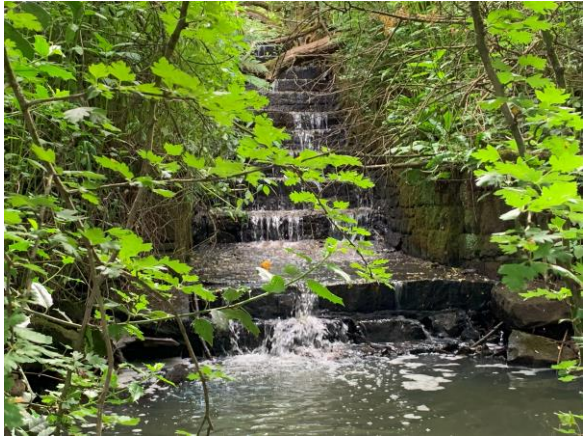
Results

No evidence of otter was observed during the two surveys at Castle, Brightley and Whittle Brook. Additional information pertaining to watercourse characteristics and habitat suitability are provided in **Table A11.6.2** below.

Table A11.6.2: Results of Watercourse Characteristics and Habitat Suitability

Waterbody Reference/ Name	Watercourse Characteristics	Photo	Habitat suitability	Field Sign
Brightley Brook	A manmade channel, flowing from Pilsworth Lake/ Fisheries. Large sections of this watercourse were stone-lined, with no natural embankment, with vegetation only present on the bank-top. The southern end is culverted, while there is a large man-made waterfall at the northern extent. The watercourse was approximately 80cm wide and 25-30 cm deep, with a fast and fluctuating flow.		Low Value	None

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Castle Brook	A small meandering natural watercourse which forms a tributary of the larger Whittle Brook. Embankments were predominantly grass-lined with the occasional scattered tree. There was little emergent vegetation. In some locations the watercourse was extremely narrow, at approximately 40cm; with an average depth of 40cm, with a fast and fluctuating flow.		Low Value	None

Whittle Brook	A large, meandering watercourse. There were areas of vegetated embankments, which were predominantly grasses, with areas of bare-earth embankment. Emergent vegetation was limited to small isolated areas. There were variations in hydrology, from slow flowing optimal conditions to suboptimal conditions such as fast flowing and very shallow sections. On average the width was 2m, although much narrower in some locations; with an average depth of 65-80cm. The eastern end was culverted underneath the M62.	 	Medium Value	None
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Habitats within the Project for Assessment

The Brooks within the wider Project for Assessment area are considered to provide similar habitat (some are brooks within the Project for Assessment are continuations of surveyed watercourses, i.e. Castle Brook) and therefore likely to provide negligible ecological importance for otter, although this cannot be fully quantified without detailed survey.

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