Otter Survey

Land off Bretton Street, Dewsbury, Kirklees WF12 9DB

Jade3 Architecture Ltd

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Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

Proportionality

> The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.
>
> The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.
>
> (BS 42020, 2013)

Executive Summary

Arbtech Consulting Limited was instructed by Jade3 Architecture Ltd to undertake an otter survey at Land off Bretton Street, Dewsbury, Kirklees WF12 9DB (hereafter referred to as "the site"). The survey was required to inform a planning application for the construction of a commercial unit (hereafter referred to as "the proposed development").

The otter survey was informed by a Preliminary Ecological Appraisal (PEA), that was completed by Arbtech on 27/02/2025.

The following is work you will need to commission to obtain planning permission and to comply with legislation. Further information is outlined in Table 3 of this report.

Survey Results Summary	Impact Assessment	Recommendations
Otter	Although that no evidence of otter was identified during the surveys, transient individuals may be present and as such, the proposed development could bring about disturbance, death or injury to otter.	A precautionary working method will be implemented during construction.

Contents

1.0 Introduction and Context

1.1 Background

Arbtech Consulting Limited was instructed by Jade3 Architecture Ltd to undertake an otter survey at Land off Bretton Street, Dewsbury, Kirklees WF12 9DB (hereafter referred to as "the site"). The survey was required to inform a planning application for the construction of a commercial unit (hereafter referred to as "the proposed development"). A plan showing the proposed development is provided in Appendix 1.

The otter survey was informed by a Preliminary Ecological Appraisal (PEA), that was completed by Arbtech on 27/02/2025. The PEA determined the site was suitable for otters, as detailed below:

- **Otter** – The Calder and Hebble Navigation located directly adjacent to the site on the eastern boundary is likely to offer suitability for otters, with suitable riparian habitat present for commuting to the wider area. Based on surveyor knowledge, otter are known to be present on the within the catchment area and as such, are likely to commute along its reach, whilst accessing other watercourses within the catchment, such as the River Calder, which is located 140m north-east of the site, and comes into close proximity to the adjacent canal, approximately 50m north of the area that runs adjacent to the site.

1.2 Site Location and Landscape Context

The survey site is centred on National Grid Reference SE 25005 20226 and has an area of approximately 0.86ha. The site comprises an area of land, forming a mosaic of woodland, grassland and scrub. It comprises a triangular area of land bound by Bretton Street to the north, the Dewsbury-Wakefield railway line to the west and the Calder and Hebble Canal (Dewsbury Cut) to the east. The site is set down from Bretton Street, with historical evidence indicating the ground was previously utilised for grazing. The wider landscape is dominated by areas of urban land, including significant areas of commercial units, with residential development, also present. A site location plan is provided in Appendix 2.

1.3 Scope of the Report

This report describes the suitability of the habitats on the site for otter and identifies any otter activity within the site. It identifies possible constraints in relation to otters as a result of the proposed development and summarises the requirements for further surveys and mitigation measures to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation.

To achieve this, the following steps have been taken:

- A field survey has been undertaken to identify otter activity within the site and to assess the suitability of the site for otter.
- An outline of potential impacts on otter has been provided, based on the proposed development.
- Recommendations for further surveys and mitigation have been made.
- Opportunities for the enhancement of the site for otter have been set out.

2.0 Methodology

2.1 Otter Survey

A detailed visual search of the watercourses within the site and the surrounding 100m, where accessible. Searches for otter activity were undertaken following guidance provided in Monitoring the Otter (Chanin and Smith, 2003). The field signs searched for were as follows:

- Holt entrances – holes characteristically in river banks or under tree roots at river edges.
- Couch – typically an above-ground nest-like structure used as a resting place.
- Footprints – five toes which arch around the front of a large pad. In soft ground claw marks and webs between toes may show. Often seen in sand or soft mud deposits along rivers and under river bridges.
- Otter trails through vegetation – otters use the same routes within their territory to access rivers, so the paths are usually worn leading down the banks to the river and may have a 'slide' at the end of well-worn mud as they slide into the water.
- Spraint – found in prominent locations adjacent or along a river, for example on tree stumps, large rocks and ledges under bridges. Sometimes otters may build a 'castle' of soft mud or sand along a river to spraint on top of. Spraints are made up of clearly visible fish bones and scales, with some other small bones, fur, feather and insect fragments sometimes present. Fresh spraint is usually black, tarry and sticky. It has a distinctive sweet-musky odour, which is not unpleasant.
- Anal jelly – a jelly-like secretion that smells strongly of otter and can vary in colour from pale brown, greenish to amber.
- Other signs – for example, occasionally remains of dead otters can be seen on roads.

2.3 Limitations

These surveys follow best practice guidance to record otter activity within the site. However, this information is collected at finite dates and times, and provides an indication of the conditions on site only. The use of the site by otter, at all times cannot be established based on this information.

3.0 Results and Evaluation

The results of the field survey are illustrated in Appendix 3. The weather conditions recorded at the time of each survey visit are shown in Table 1 and survey results are shown in Table 2.

Table 1: Weather conditions during each survey visit

Date:	27/05/2025
Start/End Time	07:00 – 09:00
Temperature	17°C
Humidity	68%
Cloud Cover	30%
Wind	5mph
Rain	None

Table 2: Survey Results

Watercourse ref	Watercourse description	Evidence of otter	Photograph
W1	Along the eastern boundary of the site is the Calder and Hebble Navigation. This is a heavily modified canal, with man-made banks and high levels of pollution. There are, however, patches of suitable riparian habitat present within the site, which could allow suitable value for commuting to the wider area.	**No evidence found.**	

4.0 Conclusions, Impacts and Recommendations

Taking the field survey results into account, Table 3 presents an evaluation of the value of the site for otter in relation to the proposed development which will comprise the installation of ground mounted photovoltaic farm with associated infrastructure, engineering works, access, and landscaping.

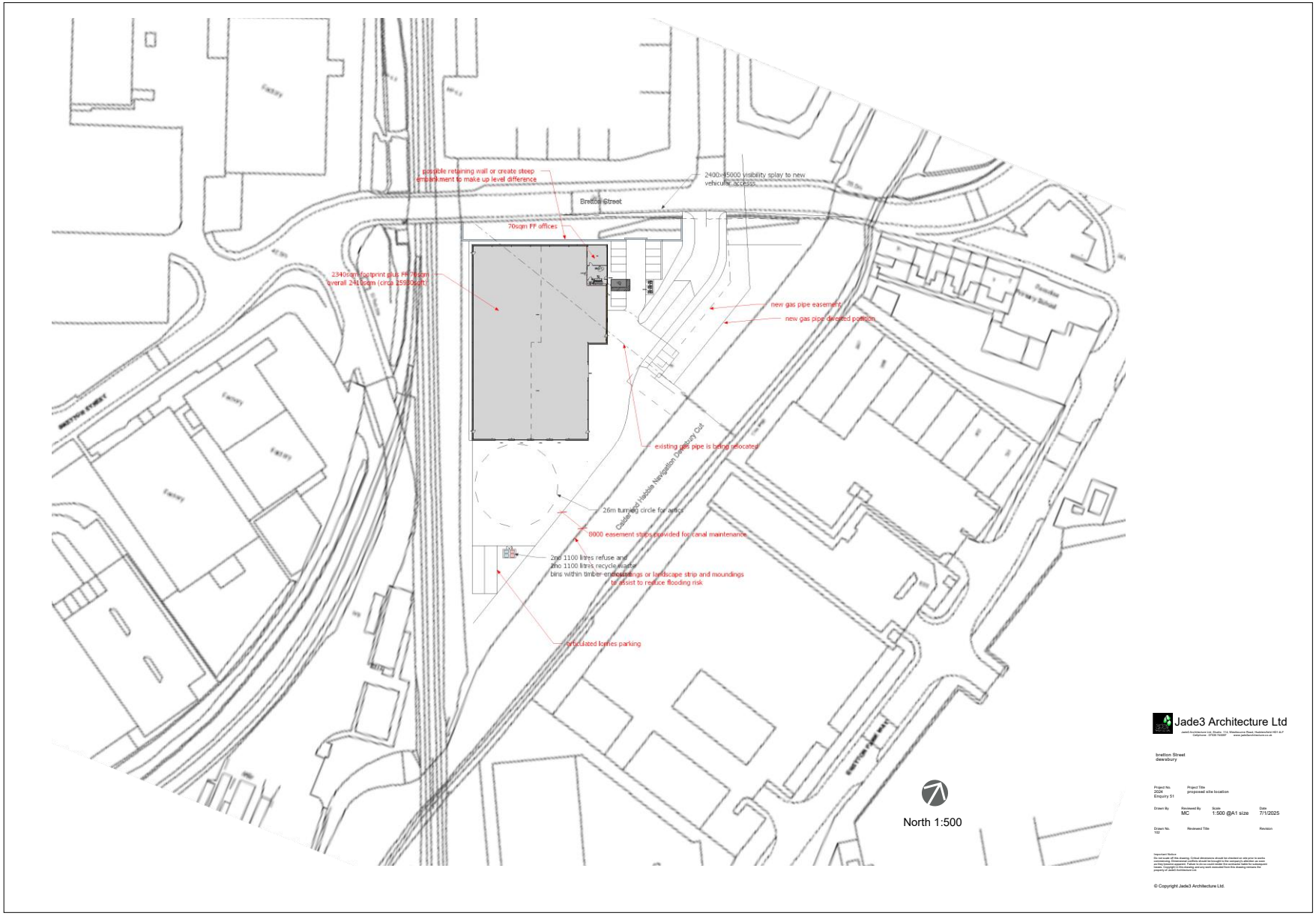
Table 3: Evaluation of site for otter

Species	Survey Results Summary	Impact Assessment	Recommendations
Otter	No otters or evidence of otters was identified during the surveys.	Although that no evidence of otter was identified during the surveys, transient individuals may be present and as such, the proposed development could bring about disturbance, death or injury to otter.	A precautionary working method will be implemented during construction, including the following measures: • A toolbox talk will be given to contractors regarding the possible presence of otters at the site. • A pre-commencement inspection of the site will be undertaken for otters. • Any excavations will be covered overnight, or a ramp will be installed to enable any trapped animals to escape. • The use of night-time lighting will be avoided, or sensitive lighting design will be implemented to avoid light spill on to the watercourse and any retained habitats which otters could use. • Best practice pollution prevention measures will be implemented to minimise impacts to the watercourse and any retained habitats that otters could use. • Any chemicals or pollutants used or created by the development should be stored and disposed of correctly according to COSHH regulations. In the unlikely event that an otter holt or den is identified, works must cease and advise must be sought from a suitably qualified ecologist.

5.0 Bibliography

- Chanin, P. (2003). Ecology of the European Otter. Conserving Natura 2000 Rivers Ecology Series No. 10. Natural England, Peterborough.
- Hambleton Local Plan (adopted February 2022)
- HMSO: Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 https://www.legislation.gov.uk/uksi/2019/579/contents/made
- HMSO: Natural Environmental and Rural Communities Act (2006) http://www.legislation.gov.uk/ukpga/2006/16/contents
- HMSO: Wildlife and Countryside Act 1981 (as amended 01.04.1996) http://jncc.defra.gov.uk/page-1377

Appendix 1: Proposed Development Plan



Appendix 2: Site Location Plan

Appendix 3: Otter Survey Plan

Appendix 4: Legislation and Planning Policy

LEGAL PROTECTION

Otters

Otters *Lutra lutra* are fully protected under the Conservation Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species
- Deliberate disturbance of species in such a way as:
- To impair their ability to survive, breed, or reproduce, or to rear or nurture young;
- To impair their ability to hibernate or migrate
- To affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place

Otters are also currently protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

NATIONAL PLANNING POLICY

National Planning Policy Framework 2021

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as UK Biodiversity Action Plan priority species) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; opportunities to incorporate biodiversity in and around developments are encouraged; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England, Natural Resources Wales, Scottish Natural Heritage) will be required for works likely to affect otter breeding or resting places (often referred to as holts, couches or dens) or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, and rear young). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.