

OTTER SURVEY REPORT

May 2022

Cornhill Regeneration Project, Leek

Barnfield Road and Sunnyhills Road

Cornhill, Leek

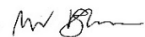
Staffordshire

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QUALITY MANAGEMENT

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Prepared By:	Jake Healy	Signature:		Qualifications: Assistant Ecologist, Qualifying CIEEM
Checked By:	Shannon Brady	Signature:		Qualifications: Biodiversity Net Gain Consultant
Checked By:	Mark Blacker	Signature:		Qualifications: Senior Ecologist, MSc, ACIEEM
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NON-TECHNICAL EXECUTIVE SUMMARY

Casey Group Ltd are proposing to develop land at Barnfield Road and Sunnyhills Road, Leek in Staffordshire (hereafter referred to as 'the site'). The proposals include the demolition of former industrial buildings and redevelopment of the site.

Urban Green have been appointed to complete otter (*Lutra lutra*) Surveys and a Report of the site. A Preliminary Ecological Appraisal (PEA) was conducted at the site in June 2021. Further surveys, in the form of otter surveys were recommended to further assess the Pow Maughan for presence/likely absence of otters.

Otters are known to be present within the River Churnet. Otter spraints and footprints were identified within the search area, with the inclusion of an otter holt/couch and a potential otter holt/couch. These features were located over 20m away from the site and are not anticipated to be impacted by construction of the proposed development.

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1 Introduction

1.1 Background to the Scheme

Casey Group Ltd are proposing to develop land at Barnfield Road and Sunnyhills Road, Leek in Staffordshire (hereafter referred to as ‘the site’). The proposals include the demolition of former industrial buildings and redevelopment of the site.

Urban Green have been appointed to undertake an otter survey following recommendations outlined within a Preliminary Ecological Appraisal (PEA), undertaken at the site by Urban Green in June 2021 (see Section 2 for further information).

The author of the report is Jake Healy, MSc, Qualifying CIEEM, Assistant Ecologist at Urban Green. Jake has experience providing ecological consulting services for a range of development schemes across the UK, including residential, commercial, and industrial schemes.

1.2 Site Context

The site is located at National Grid Reference SJ 97749 55272 and comprises a total area of approximately 7.3ha (see Figure 1).

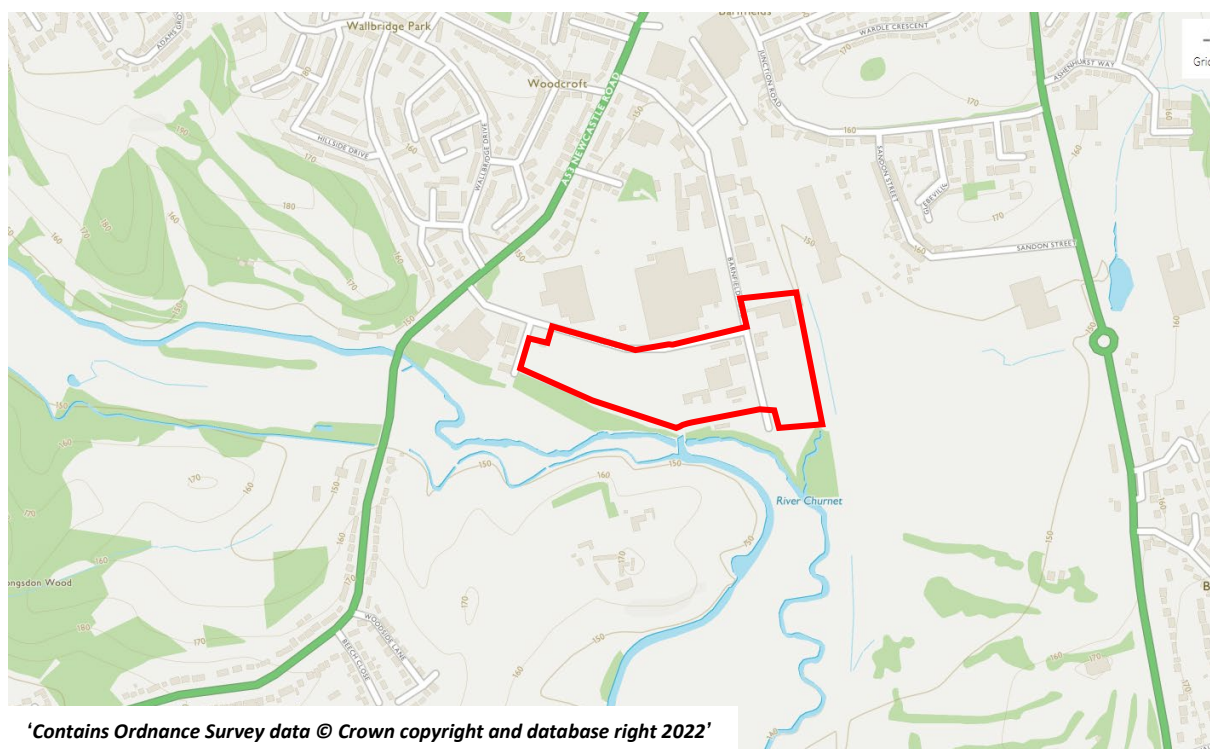


Figure 1 – Site Extent

The site is located on the rural-urban fringe of Leek, approximately 1.5km from the town centre. Sunnyhills Road borders the site to the north and Barnfield Road runs through the eastern part of the site. The A53 is present approximately 300m to the west and the A520 is present approximately 800m to the east. Westwood Golf Club is present approximately 700m to the west and Leek Golf Club is also present 1km to the south-east. The River Churnet is present 30m to the south.

1.3 Purpose of this Report

This report has been produced to demonstrate the results of otter survey which has completed at the site. The survey was conducted to:

- Establish whether otter are present or likely absent within the Survey Area;
- Determine, if present, the distribution of otter within the Survey Area; and
- Present the findings of the survey in a baseline report.

The findings of these objectives will be used to inform the impact assessment and mitigation proposals for otter to support the proposed development.

Relevant UK legislation of the protection of otters are detailed in Appendix 1.

2 Previous Surveys

2.1 Ecological Assessment (Tyler Grange, 2013)

An Ecological Assessment (EA) was completed by Tyler Grange LLP in August 2013 (Tyler Grange, 2014), in support of the outline planning application (SMD/2014/0750).

The assessment found that the River Churnet supports brown trout and other fish species that would act as prey species for otter. It was also found that the River Churnet offers suitable foraging, commuting, and resting habitat for otter. The Caldon Canal was also found to offer suitable foraging and commuting habitat.

However, no evidence of otter was recorded during the survey.

2.2 Preliminary Ecological Appraisal (Urban Green, 2021)

A PEA was completed at the site by Urban Green in June 2021 and is detailed within Report UG_1145_ECO_PEA_final (Urban Green, 2021).

A desk study conducted by Urban Green as part of the PEA returned one record of otter which was located approximately 200m south of the site, associated with the River Churnet.

The field survey found that the River Churnet and Caldon Canal were in similar condition to that assessed within the EA (Tyler Grange, 2014) and as such offered suitable potential for otter.

However, a full assessment for potential otter holts was not completed during the survey, and the presence of holts could not be ruled out in relation to the proposed marina location.

As such an updated otter survey was recommended.

3 Methods

3.1 Otter Survey

An otter survey was conducted on the 27th of April 2022 by Mark Blacker, Senior Ecologist and Jake Healy, Assistant Ecologist. Mark has experience completing otter surveys for a range of developments over six years. The weather conditions were 12°C, with cloud cover but no precipitation. No rainfall had been encountered within 36 hours of the survey being completed.

The survey involved surveying the length of the River Churnet adjacent to the scheme, plus approximately 100m upstream and downstream of the proposed development. The survey involved searching for signs of otter presence such as spraints, holts, footprints, feeding remains, slides (into water) and couches (above-ground resting areas) according to best practice guidance (Chanin, 2003). Please refer to Appendix 2 for the survey area.

3.2 Constraints to the Survey

The conclusions and recommendations detailed in this report are based upon the site redline boundary and the development proposals as outlined by the client at the time of writing. Should there be any changes to the site redline boundary or development proposals at a later stage, this assessment should be reviewed to determine whether any amendments or additional survey work is required.

The findings of this report represent the professional opinion of qualified ecologists and do not constitute professional legal advice. The client may wish to seek professional legal interpretation of the relevant wildlife legislation cited within this document.

3.3 Lifespan of Reports

In accordance with CIEEM's Advice Note on the Lifespan of Ecological Reports and Surveys (CIEEM, 2019), the details of this report will remain valid for a period of **18 months** from the date of the survey (i.e., until 27th October 2023). After this date, this assessment should be reviewed to determine whether any updated surveys are required.

4 Results

4.1 Habitat Descriptions

The western extent of the River Churnet within the survey area, comprised a mixture of steep and sloping banks dissecting through Ladderedge Country Park. As such, the river was accessible to the general public and frequently used by dog walkers. Therefore, the river is likely to be subject to disturbance by dogs. The width of the river varied between 8 – 12m and approximately 0.5-1m deep. The riverbed consisted of a mixture of sandy substrate and stones for much of its length.



Photograph 1 – The western extent of the River Churnet within the survey area.

Various mature broadleaved trees were present, scattered along the extent of the riverbank, with species present including sycamore (*Acer pseudoplatanus*), crack willow (*Salix fragilis*), and alder (*Alnus glutinosa*). The surrounding habitats mainly comprised of grassland, tall ruderal, scrub, and woodland within the adjacent landscape. Limited emergent vegetation was present within the river although marginal vegetation was present scattered along the extent of the bank. Species included greater plantain (*Plantago major*), garlic mustard (*Alliaria petiolata*), hogweed (*Heracleum sphondylium*), cow parsley (*Anthriscus sylvestris*), lesser celandine (*Ficaria verna*), cleavers (*Galium aparine*), broadleaved dock (*Rumex obtusifolius*), fern (*Pteridium spp.*), wood anemone (*Anemone nemorosa*), soft rush (*Juncus effusus*), herb robert (*Geranium robertianum*), bramble (*Rubus fruticosus agg.*), nettle (*Urtica dioica*), and wood avens (*Geum urbanum*).

A land bridge was present, connecting Ladderedge Country Park with the Caldon Canal, forming a tunnel through which the River Churnet flows. The river becomes shallow through this area, with a sandy, flat embankment adjacent that showed signs of otter use.

The eastern extent of the river ranges between 10-13m in width, with a depth of approximately 0.5-1.5m. The banks were steep and dominated by woodland, with much more leaf litter present.

4.2 Otter Field Survey

Otter field signs and potential otter holts/couches were recorded with a summary provided in Table 1.

Table 1 – Summary table

Target Note (Appendix 2)	Feature	Description	Photograph
OS1	Footprints	Recent otter prints present in exposed substrate on northern embankment.	
OS2	Spraint	Old otter spraint located on exposed boulder within river channel.	
OS3	Spraint	Old otter spraint tree stem growing out of northern embankment.	
OS4	Spraint	Old otter spraint on exposed boulder within river channel close to southern embankment.	

Target Note (Appendix 2)	Feature	Description	Photograph
OS5	Potential Holt	A sheltered area within the northern embankment under a tree stem within the roots. Multiple spraints were present.	
OS6	Potential Holt	A small, sheltered area within the northern embankment under a tree stem within the roots. No obvious signs of otter were present, although the feature provides suitable potential.	
OS7	Spraint	An otter spraint present on an exposed boulder present within the river channel.	
OS8	Footprints	Multiple otter prints present on the sand embankment adjacent to the river located under the land bridge.	

5 Mitigation and Recommendations

5.1 Impact Assessment

Otters are known to be present within the River Churnet, with field signs observed during the survey, confirming recent presence. The closest otter sign (OS8) identified during the survey was located approximately 15m south of the site and was attributed to footprints.

The two potential holts identified during the survey are located approximately 100m (OS5) and 80m (OS6) from the site boundary respectively and no vegetation clearance will take place within 10m of the River Churnet, as such, construction activities are not anticipated to have a direct adverse impact on local otter populations. The location of these potential holts is shown on the associated figure present in Appendix 2, with a 20m protection buffer present around them. If works will be required within this 20m buffer then further survey effort to determine the level of use of these potential holts by otter will be required and potentially a licence from Natural England may also be required.

While there are no direct impacts anticipated to be caused during the construction phase of development, indirect impacts to otter through pollution of the River Churnet are a possibility without the correct mitigation.

5.2 Mitigation

5.2.1 Construction Phase

The following Reasonable Avoidance Measures should be followed throughout the construction phase:

- All site personnel are to be inducted through use of a toolbox talk, on the presence of otters, their legal protection and working limits.
- Any man-made excavations, trenches or pits relating to the development that must remain open overnight, will either be securely fenced off or covered up overnight to avoid entrapment of otters. If left open, access ramps (e.g., mammal ladders, a roughened plank or even a ramp of earth) will be placed within the excavation each night near to crossing points to allow any animals that accidentally fall into the excavation a means of climbing out.
- No works within 30m of the River Churnet will be undertaken after dusk or before dawn.
- Any temporarily exposed open pipe system will be capped in such a way as to prevent otters gaining access, as this may happen when contractors are off-site.
- Commuting otters may lie-up in stacked pipes or beneath pallets. These features, where they are within 30m of the Pow Maughan are to be inspected daily before the start of works.

If in the unlikely chance an otter is discovered on site, the project ecologist is to be contact immediately and Natural England are to be informed.

Lighting is to follow the protocols outlined in the Institute for Lighting Engineers document “Guidance for the Reduction of Obtrusive Lighting” (2005) and BCT’s “Bats and Artificial Lighting in the UK” (2018). The construction lighting may impact species on site and within the local area which are sensitive to light. Directional lighting will be achieved by angle and orientation of beam, use of a cowl, louvre or other light shield, or a combination of these.

Construction lighting is not to be directed towards retained habitats and surrounding habitats including the River Churnet.

6 Summary

Overall, the report objectives have been met through providing information on:

- Results of the otter survey completed has been detailed in Section 4.2.
- Appropriate mitigation methods have been detailed in Section 5.

7 References

CIEEM (2019). Advice Note on the Lifespan of Ecological Reports and Surveys. CIEEM.

Chanin, P. (2003) Ecology of the European Otter. Conserving Natura 2000 Rivers Ecology Series No. 10. English Nature, Peterborough.

Institute of Lighting Engineers (2005). Guidance Notes for the Reduction of Obtrusive Light.

Mitchell-Jones (2004). Bat Mitigation Guidelines: Working Today for Natural Tomorrow. English Nature.

Tyler Grange LLP (2014). Land at Barnfield Road and Sunnyhills Road, Cornhill, Leek Ecological Assessment 1942_R01a_SH_JM_AS.

Urban Green (2021). Preliminary Ecological Appraisal. Ref: UG_1145_ECO_PEA_final.

Appendix 1 - Relevant Legislation

Legislation relating to European Protected Species (e.g., otters)

European Protected Species and their resting places (e.g., otters) are protected under the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way (CROW) Act 2000, and the Conservation of Habitats and Species Regulations 2017.

Otters are listed on Schedule 5 of the *Wildlife and Countryside Act 1981* (as amended) and Schedule 2 of *The Conservation of Habitats and Species Regulations 2017*, making them *European Protected Species*. They are afforded full protection under Section 9(4) of the Act and Regulation 41 of the Regulations. These make it an offence to:

- deliberately capture, injure, or kill any such animal;
- deliberately disturb any such animal, including in particular any disturbance which is likely to:
 - impair its ability to survive, breed, or rear or nurture their young;
 - impair its ability to hibernate or migrate.
 - Significantly affect the local distribution or abundance of that species; or
- damage or destroy a breeding site or resting place of any such animal; or
- intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- intentionally or recklessly obstruct access to any place that any of these animals uses for shelter or protection.

The Conservation of Habitats and Species Regulations 2017 transpose the European Union's 'Habitats Directive' (Council Directive 92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora (EC Habitats Directive) into UK law. The Regulations provide for the designation and protection of 'European Sites', the protection of 'European Protected Species' (EPS), and the adaptation of planning and other controls for the protection of European Sites. EPS are listed on Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

Staffordshire BAP

Otter are listed as a priority species on the Staffordshire Biodiversity Action Plan, with the objectives of this plan to maintain and enhance current populations through good habitat management, and to promote expansion of populations by the natural re-colonisation of river catchments.

Appendix 2 – Otter Survey Results

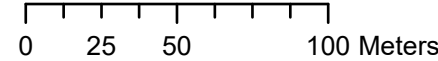
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Legend
Survey Notes



notes

- ★ Otter survey start point
- ★ Otter survey finish point
- Otter Footprints
- Otter Spraint
- Potential Otter Holt
- Scattered tree
- SI Poor semi-improved grassland
- Red Line Boundary
- Building
- Tall Ruderal
- Broadleaved Woodland
- Scattered Scrub
- Ephemeral / short perennial
- River
- Hardstanding
- Buffer



A: Ground Floor, The Tower,
Deva City Office Park, Trinity Way,
Manchester M3 7BF

T: +44 (0) 161 312 3131

weareurbangreen.co.uk

Client:
Caseys

Project:
Cornhill Regeneration Project

Title:
Otter Signs Map

Issue:
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