

A1 in Northumberland: Morpeth to Ellingham

Scheme Number: TR010059

7.26.4 Applicant's Written Summaries of Oral Submissions to Hearings - Appendix F - Otter Position Statement

Rule 8(1)(c)

Infrastructure Planning (Examination Procedure) Rules 2010

Planning Act 2008

May 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Examination Procedure) Rules
2010**

**The A1 in Northumberland: Morpeth to
Ellingham**

Development Consent Order 20[xx]

Appendix F - Otter Position Statement

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1 APPENDIX F - OTTER POSITION STATEMENT

1.1 INTRODUCTION

- 1.1.1. This appendix sets out the position as understood by the Applicant in respect of the assessment of impacts of the Scheme in relation to otters.

1.2 PART A

- 1.2.1. The Applicant has not received comments from the Environment Agency or Northumberland County Council identifying disagreement with the methodology or conclusions in respect of assessment of otter, or the proposed mitigation measures, for Part A. As such, the position detailed below is exclusive to Part B and the position in relation to Part A is assumed to be agreed.

1.3 PART B

- 1.3.1. As set out in their Deadline 4 submission [REP4-076], the Environment Agency have accepted that the otter surveys for Part B were undertaken in accordance with the relevant standard guidelines and methods. Similarly, Northumberland County Council did not highlight any disagreement with the surveys undertaken whatsoever, until their oral submissions during ISH3 on 21 April 2021.
- 1.3.2. Following ISH3, it appears that the Applicant and the Environment Agency/Northumberland County Council (both bodies present the same position) disagree about the conclusion of likely absence of otter for Part B. The Environment Agency and Northumberland County Council stated during Issue Specific Hearing 3 that both bodies consider otter to be widespread within Northumberland, with Northumberland County Council also confirming that they would usually assume presence of otter in their role as the local planning authority.
- 1.3.3. The Environment Agency's position has previously been raised in their written submissions. However, Northumberland County Council had not raised disagreement with the otter assessment prior to ISH3 on 21 April 2021.
- 1.3.4. Similarly, the Applicant was not informed by either party that they consider otter to be widespread in Northumberland prior to the submission of the application for the Scheme. Further, Northumberland County Council does not have a published policy to the effect that otter should be assumed to be present and did not comment to this effect during scoping of the Environmental Impact Assessment for Part B (and Part A). Therefore, the suggestion of a shortcoming in otter assessment has been belatedly introduced.
- 1.3.5. The Applicant's conclusion of likely absence is set out in full within Items 3 and 20-26, Table 1-4 of the Applicant's Response to Deadline 4 Submissions [REP5-029]. By way of summary, desk study records for Part B identified historic otter records, with the most recent record returned from 2015 approximately 1km to the east of the A1 carriageway. The most recent otter casualty on the A1 (within the Order limits of Part B) dates back to 2011. In addition to the desk study, otter field surveys for Part B were undertaken by experienced

surveyors in accordance with best practice guidelines; and in line with Chanin (2003)¹. Surveys were undertaken along watercourses spanning either side of the existing A1 carriageway in 2016, 2017, 2018 and 2019, with no evidence of otter activity or presence recorded along any watercourses or riparian habitat within the Order limits or survey area.

- 1.3.6. Of the historic nature of the desk study results, the negative field survey results over a number of years and the presence of predominantly suboptimal habitats to support the species informed a “likely absent” classification for otter within the Part B Order limits.
- 1.3.7. Following ISH3, the Applicant held discussions with the Environment Agency on 23 and 30 April 2021 to explore the evidence for the presence of otter. Further possible evidence of otter adjacent to the study area for Part B was provided by the Environment Agency at the meeting on 30 April, and the Applicant is considering this and the potential need for fencing along Part B at key crossing locations.

1.4 MITIGATION

- 1.4.1. The potential for retro-fitting mammal shelves for Part B was previously discounted by the Applicant due to construction health and safety concerns (working in confined spaces).
- 1.4.2. Nevertheless, the Applicant is verifying the options available at Shipperton Burn (the watercourse in relation to which new evidence has been presented by the Environment Agency) and continues to discuss this matter with the Environment Agency and Northumberland County Council to seek resolution. The outcomes of the ongoing discussions with both parties will be recorded in the draft statements of common ground.

¹ Chanin P (2003). Monitoring the Otter *Lutra lutra*. Conserving Natura 2000 Rivers Monitoring Series No. 10, English Nature, Peterborough

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