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Document Control

Project:

Habitat Regulations Assessment Report

Prepared for:

Bellair Scotland Ltd on behalf of Fylde Care Village

Document Checking:

Updated by:	Chris Formaggia BSc (Joint Hons) CBiol CEnv MRBS VR, Head of Ecology
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Checked and verified by:

Issue	Date	Status
1	06 th July 2017	Draft for review by Natural England
2	31 st May 2018	Finalised after Natural England DAS meeting
3	4 th December 2021	Reviewed and updated for current scheme for a #62 Unit residential scheme.

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Appendix 1 – Reasons for designation and conservation objectives of Natura 2000 sites

Appendix 2 – Great Birchwood pink-footed goose desk study and ecology review

Appendix 3 – Site Topographical Survey detailing boundary bunding that provides acoustic and visual screening.

Appendix 4 – adjacent fields characterisation.

Summary

1. This document sets out Arbtech Consulting Limited's screening of proposed construction work in accordance with the Habitats Regulations¹ and the EU Habitats Directive². It is the Habitats Regulations Assessment Screening document for this proposed outline planning application.
2. The approach is based on the EU document "Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC" prepared by Oxford Brookes University for European Commission Environment DG and published by European Commission Environment DG, 2001, in particular the Annex 2 assessment forms.
3. Sections highlighted in **bold** include recommendations which should be included in any future project specific HRA screening report, and some recommendations put forward can be secured using suitably worded planning conditions.
4. Sections highlighted in red text are adjustments made to this report following a DAS meeting held with Natural England, in Manchester on Wednesday 9th May, to resolve outstanding concerns and information requirements.
5. In 2015 The Court of Appeal³ ruled that providing the Council (competent authority) was duly satisfied that proposed mitigation could be 'achieved in practice' to satisfy the HRA requirements, and the proposed development would have no adverse effect, then this would suffice. This ruling has since been applied to a planning permission (rather than a Local Plan). In this case the High Court ruled that for 'a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that (any) proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision maker is able to conclude that a development will satisfy the requirements of Regulation 102 of the Habitats Regulations.
6. Therefore, there is an acceptance in principle that Appropriate Assessments can be tiered and that all impacts are not necessarily appropriate for consideration to the same degree of detail at all tiers. Therefore, this outline application is being considered as far as possible with the information provided by the client at this stage. Recommendations have been made which, in principle, will not only negate any further mitigation, but may also positively impact the Ribble and Alt Estuaries SPA/Ramsar sites.
7. Habitats Regulations Assessment is an assessment of the potential effects of a proposed project or plan on one or more sites of international nature conservation importance. Projects and plans can only be permitted where the 'competent authority' (in this case, Fylde Borough Council) is satisfied that there will be no adverse effects on the integrity of the relevant nature sites.
8. These sites of international nature conservation importance are the network of Natura 2000 sites. The Natura 2000 sites are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within the European Community. Natura 2000 sites include Special Protection Areas (SPAs) designated under the EU 'Wild Birds' Directive, Special Areas of Conservation (SACs) designated under the EU 'Habitats' Directive, European Marine Protection Areas (MPA) and Offshore Marine Sites (OMSs).
9. Points discussed with Natural England at a DAS meeting in May 2018 have focussed on remaining concerns of that organisation.

10. These relate to the construction phase of the project rather than the operational stage. They primarily relate to the potential winter foraging value of the immediate fields surrounding the site for SAC interest species, recreational impact and in-combination impacts. These are addressed in v3.0 of this report. Winter bird surveys have not been undertaken of the immediate fields, so a more precautionary approach has been agreed with Natural England this is detailed.
11. Natural England has drawn attention to the recently published “Sweetman II” Judgement (12th April 2018)¹. Natural England have not yet received legal opinion on the outcome of this judgement, but it appears (to Arbtech) to ensure that mitigation/compensation measures cannot be utilised within a Habitats Regulations Screening document to avoid having to undertake Appropriate Assessment. However, the primary mitigation measure relied upon by this scheme is the site bunding that is already in place.
12. **The previous version of this HRA assessed for the redevelopment of the site to a care facility with associated infrastructure. The site proposals have changed since version 2 and are now to build #62 new residential units on the site.**

¹ The Conservation (Natural Habitats & c) Regulations 1994 as amended.

² The European Communities (1992) Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

³ No Adastral New Town Ltd (NANT) v Suffolk Coastal District Council Court of Appeal, 17 February 2015

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62017CJ0323&from=EN>

13. The UK Government's Planning Policy Statement 9 (PPS9) 'Biodiversity and Geological Conservation' states that Ramsar sites should be taken to be part of the Natura 2000 network and treated accordingly (para 6, PPS9, ODPM 2005). Ramsar sites are wetlands of international importance, designated under the International Wetlands Convention, which took place at Ramsar, Iran. PPS9 also states that proposed sites should be treated in the same way as designated sites for all practical purposes, including for Habitats Regulations Assessment. We have followed this Government guidance, and in this document have used the term 'Natura 2000 sites' to refer to all these designations and proposed designations.
14. Stage 1 of the Habitats Regulations Assessment process is the screening of proposed plans or projects for significant effects. If there are none, then no further steps need to be taken. Where significant effects seem likely, a more detailed Appropriate Assessment of the proposed plan or projects is necessary. This process will often establish mitigation measures or alternatives, which can offset all significant adverse effects and enable the plan or project to go forward. Where this is not the case, other more stringent measures need to be considered. However, legal advice on the outcome of Judgement detailed in paragraph 11 above might result in Appropriate Assessment becoming necessary because mitigation and compensation is relied upon to reach the conclusion 14 below (albeit that a major feature of the mitigation relied upon is already in place – the site bunding and screening this affords to the immediately adjacent fields).
15. After carrying out the Habitats Regulations Assessment screening process as set out in this document, we conclude that the proposed work:
 - a) Is not directly connected with or necessary to the management of the Natura 2000 sites;
 - b) Is likely to have a significant effect on each of the following sites:
 - Ribble and Alt Estuaries Special Protection Area (SPA)
 - Ribble and Alt Estuaries Ramsar site
 - Ribble and Alt MPA site.

Either alone or in-combination with other plans or projects;

 - c) An adverse effect on the integrity of the European sites is likely to occur as a result of the proposal, resulting for increased recreational pressure on the sites resulting from new residents alone and in-combination with other residential schemes.
16. Accordingly, an "appropriate assessment" will be required to be made under Regulations 48, 49 and 54 of the Conservation (Natural Habitats & c.) Regulations, before Fylde Council decides to undertake, or give any consent, permission or other authorisation for this project.

Screening Matrix – Planning Application APP 16/0992

Brief description of the project or plan and historic information:

17. The proposed site covers approximately 11.8ha around grid ref: SD 39528 28237.
18. The previous proposed scheme for the site was for the redevelopment of the site as a mixed-use scheme, which will consist of up to 20 x 1.5 storey dwellings (Class C3), up to 10 assisted living single storey units (Class C2), a two-storey care home (Class C2), 47 new holiday lodges with 5 existing holiday lodges retained (class C1), an amenity building (recreation/cafe/workshop) and associated revisions to internal access routes and landscaping.
19. The proposal is now to create #62 3-4 bedroom houses on the site:

Figure 1: Illustrative layout for new proposal



20. In addition:

- The site was previously used as a caravan site and is still inhabited by some private residents.
- The proposals are for the redevelopment of the site, as opposed to new construction on a previously undeveloped greenfield site.
- The proposed site was in continual use until August 2016, when peak visitor numbers were approximately 350-400 per weekend. When Country and Western music festivals were held on site this visitor number could increase to over 700.
- The proposal will generate ~200 to 350 new permanent residents. The scales are similar to former guest levels but the permanence of

occupation will alter the pattern and extent of recreational demand.

- The site was used for car boot sales until approximately a year ago and so experienced fluctuating levels of noise and recreational disturbance. It follows that those bird species which utilise the nearby SPA/Ramsar sites may have become accustomed to such disturbances.
- A recent 2015 study⁴ by BTO found that Whooper Swans were the most recorded species utilising Warton Marsh, which is the section of the SPA adjacent to the proposed development. The report also highlights that a greater number of Annex 1 bird species roost and/or feed on the opposite side of the estuary to this proposed development.

21. The proposed project site is located less than 220 metres from the Ribble and Alt Estuaries SPA/Ramsar/MPA/SSSI site.

Brief description of the Natura 2000 sites

Natura 2000 sites within which the application site is contained

22. The application site is located within 220m of two Natura 2000 designations: Ribble and Alt Estuaries Special Protection Area (SPA) and Ribble and Alt Estuaries Ramsar site. The boundaries for these designations also cover the MPA.
23. Ribble and Alt Estuaries SPA/Ramsar sites support internationally important populations of waterbirds in winter, including swans, geese, ducks and waders. It is also of major importance during migration periods, especially for wader populations moving along the west coast of Britain. The larger expanses of saltmarsh and areas of coastal grazing marsh support breeding birds, including large concentrations of gulls and terns. These seabirds feed both offshore and inland, outside the SPA. Several species of waterfowl (notably Pink-footed Goose *Anser brachyrhynchus*) utilise feeding areas on agricultural land outside the SPA boundary.

The highest densities of feeding birds are on the muddier substrates of the Ribble, though sandy shores throughout are also used. Saltmarshes and coastal grazing marshes support high densities of wildfowl and these, together with intertidal sand and mudflats throughout, are used as high tide roosts.

The SPA encompasses all or parts of Ribble Estuary SSSI and Sefton Coast SSSI. It comprises two estuaries, of which the Ribble is by far the larger, together with an extensive area of sandy foreshore along the Sefton Coast, and forms part of the chain of west coast SPAs that fringe the Irish Sea.

24. Brief descriptions of the SPA and Ramsar (these descriptions also include the same information as found in the MPA citation) sites plus their conservation objectives and vulnerabilities are provided in Appendix 1.

Other Natura 2000 sites

25. There are several other sites designated as SPA, SAC, Ramsar and MPA within the Liverpool Bay area which are considered to have close links with the Ribble and Alt Estuaries SPA/Ramsar/MPA site in terms of bird movements. Due to the close proximity of these sites to each other, ornithological consensus is that there is a ready exchange of wildfowl and waders between sites depending on tidal conditions, weather, prey availability and other factors including disturbance. These sites are listed below.

- Dee Estuary SPA
- Dee Estuary Ramsar and proposed Ramsar site
- Dee Estuary SAC
- Mersey Estuary SPA/Ramsar site
- Ribble and Alt Estuaries Ramsar site
- Mersey Narrows and North Wirral Foreshore proposed SPA
- Mersey Narrows and North Wirral proposed Ramsar site
- Liverpool Bay potential SPA
- Martin Mere SPA
- Martin Mere Ramsar site

MPAs are still being finalised this year (2017), some advice packages are still being compiled, but for this assessment, the recommendations within this HRA screening report are deemed sufficient for the MPA conservation objectives.

26. Advice is that Habitats Regulations Assessment should be 'appropriate' and fit for purpose. It is inappropriate to screen this project against the above listed sites if the screening of the two sites closest to the scheme shows no likely significant effect i.e. no full Appropriate Assessment is required for them.

Assessment criteria

1. Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 sites.

⁴ Review and Analysis of changes in water-bird use of the Mersey Estuary SPA, Mersey Narrows & Wirral Foreshore SPA and Ribble and Alt Estuaries SPA. BTO Research Report No. 648
Great Birchwood Country Park December 2021

The project - Alone

27. The following elements of the proposal both during and post-construction have been considered to determine whether they are likely to give rise to impacts on the Natura 2000 sites:
- Noise
 - Light pollution
 - Windblown waste
 - Air pollution
 - Water pollution
 - Recreational pressure
28. The following potential impact pathways have been considered:
- Noise disturbance to bird species for which the Ribble and Alt Estuaries SPA/Ramsar site has been designated.
 - Additional lighting directed towards the estuary.
 - Release of pollutants into the estuary including construction dust and windblown waste materials.
 - An increase in vehicle omissions may impact on the estuaries air quality.
 - The accidental release of pollutants into watercourses which may reach the estuaries.
 - Recreational pressure due the permanent increase in resident numbers at the site.
 - Indirect impacts upon the foraging value of fields immediately surrounding the site to winter birds of interest and particularly pink-footed goose *Anser brachyrhynchus*. A desk study already presented to Natural England capturing information available on open-source is attached as *Appendix 2*.
29. Any noise disturbance from construction will be temporary in nature. When the site is completed and fully functional, any noise disturbance is very unlikely to exceed levels previously experienced on site, there will be no themed music weekends which occurred previously. As such, birds which regularly use the SPA site will be accustomed to the background level of noise, and there will be no significant detrimental impact on the SPA/Ramsar site. In fact, redevelopment of the site may have a positive impact on noise levels. Natural England previously confirmed that their concerns related to construction noise rather than operational noise, in the case of the previous scheme, and in particular to the generation of impulsive noise by piling operations. It is expected that, under the new proposals, their concerns will be extended to operational noise resulting from the new builds.
30. Noise disturbance affecting adjacent supporting habitats will be reduced due to the vegetation bund to the east of the site. Land to the west of the site is currently used as a golf course, so is unlikely to support any ground nesting bird species. The surrounding grazing land is broken by hedgerow boundaries, which in turn will reduce the long-term suitability for roosting/feeding for a number of Annex 1 species. *Appendix 3* contains a topographical survey of the site that confirms the existing site bunding which will provide substantial acoustic and visual screening of site works to the immediately surrounding fields. This remains true for the new proposal.

31. Warton Marsh within the SPA supports a number of overwintering migratory Whooper Swans and small number of other Annex 1 species. **Disturbance to this species during construction work can be avoided by timing certain aspects of construction to just spring/summer. The planning application sought is an outline one and full construction details are not resolved. However, because of constructional impact concerns the works will be conditioned to be undertaken only between the months of March to October. Nosier construction tasks will be restricted to summer months wherever possible and a construction phasing plan will be developed that ensures works near to the perimeter are undertaken in early stages so that the construction phasing moves from the peripheries to the centre of site. Construction should avoid the use of piling operations if possible or failing that only employ non-percussive piling techniques. These shall be restricted to July to August. This detail shall be captured in a Construction Environment Management Plan to be produced and agreed with the LPA and Natural England prior to works commencing.**
32. A physical assessment of the immediate fields surrounding the site is presented in Appendix 4. These detail field-sizes; boundary information, topography, soil type and agricultural use. The fields are within third-party ownership and the project has no control over them.
33. No additional lighting will be required during construction, as this will only be undertaken during daylight hours. **Additional external lighting (car parks, outdoor lighting) will only be directed within the complex, so avoiding light pollution towards the estuaries;** therefore, lighting will not be an issue.
34. Daily litter picking should be undertaken throughout and beyond the site both during and after the construction phase. During construction, the site and vehicles will be

dampened down if necessary, to prevent windblown dust and/or waste reaching the estuaries. Refuse bins will be provided throughout the site when operational, and these will be emptied on a regular basis. **This can be incorporated as a contractual requirement during the tender process.**

35. Domestic vehicles (cars/vans) have been frequent at the site up until approximately a year ago, with a peak in the number of vehicles visiting the site occurring during car-boot sales that used to occur.
36. With regards to both the windblown dust/waste and vehicle emissions, it is worth noting that the dominant wind direction in this region is from the west, so any increase in dust/waste and/or gaseous emissions around the SPA/Ramsar sites is deemed to be insignificant.
37. During the construction phase, drains and gullies should be covered to prevent any accidental spillages from entering the drainage system. In addition, there will be a minimum 5 metre standoff from all watercourses and field ditches on site. Spill kits should be made available throughout the site, with all personnel given toolbox talks regarding the effective use of such spill kits. Any accidental spills no matter how small, must be reported immediately to the site manager/site supervisor, and remedied immediately. **This can be incorporated as a contractual requirement during the tender process.**
38. Once construction is complete, it is recommended the watercourses on site are fenced off, to discourage people from littering/pouring away unwanted liquids. Signage should be erected to inform residents/visitors why the surrounding ditches and watercourses are important, what species they may support, and how they form supporting habitats for the nearby designated sites. The use of signage in operational phase to control recreational impact will be applied and the provision of "homeowner packs" will provide site owners with guidance information on how individuals can manage their behaviour to reduce impact on the Natura 2000 sites and land contributing to them. Natural England previously took the view that the greenspace provision within site is adequate in combination with an information dissemination plan to avoid recreational impact significant to the Natura 2000 sites. NE will clearly reassess their opinion on the provision now proposed. **This can be incorporated as a contractual requirement during the tender process.**
39. The site has already experienced unregulated, fluctuating levels of recreational pressure (such as car-boot sales) and fluctuating levels of recreational visitors. With this new proposed planning application, such pressure can be better managed as it will be less fluctuating but it will generate an increased recreational pressure demand upon the special sites network.

Once construction is complete, new homeowner packs can be prepared, which explain the importance of the Ribble and Alt Estuaries, including:

- Details on the designated sites, reason for designation and their sensitivities to recreational impacts;
- Encourage home owners to consider alternative recreational opportunities in the area;
- Providing alternative footpath routes away from the designated site(s), with consideration of user friendly routes for use by dogs and their owners.
- Alert site users to potential recreational impact upon immediately surrounding agricultural land that may be contributing to FCS on the Special Site.

40. Fylde Council has recently introduced 'Dogs on Leads' Byelaw PSPO in some areas within Lytham St. Annes. **The Council may wish to extend this byelaw to the SPA.**
41. Recent estimates put the number of dogs in the northwest at 1.3 per household (<http://www.pfma.org.uk/dog-population-2017>). Considering the proposed development, there may be up to 77 properties that may contain a pet dog, all year round.

42. In addition, Fylde Council could apply a planning condition to ensure that opportunities are taken to include walks / dog-walking routes and associated facilities as an alternative to walking within the SPA.

2. Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 by virtue of:

- Size and scale;
- Land-take;
- Distance from Natura 2000 sites;
- Emissions (disposal to land, water or air);
- Other.

Size, Scale and Land-take

43. There will be no land-take within the Natura 2000 sites.

Distance from the Natura 2000 sites

44. The closest Natura 2000 sites to the application site are:

- Ribble and Alt Estuaries SPA
- Ribble and Alt Estuaries RAMSAR site

45. These sites are located less than 230 metres south of the site at the closest point. As we consider that there are no likely significant effects from the proposed scheme on those Natura 2000 sites closest to the application site, we consider it inappropriate to screen the scheme against additional sites.

Emissions resulting from the project

46. Potential emissions resulting from the project requiring consideration are:

- Release of pollutants into the estuary including construction dust and windblown waste material
- Additional lighting directed towards the estuary

47. With respect to dust, the predominant wind direction is from the west, so driving any dust and/or gaseous emissions away from the estuaries. In addition, the limitations recommended above will reduce construction dust and gaseous emissions, so this is not considered significant.

48. The construction times can be conditioned in any planning permission and should include: construction work only to be undertaken during the daytime hours, so will rule out any significant impacts due to light disturbance/pollution on the Ribble and Alt estuaries.

Duration of the Project

49. The construction timetable has not yet been determined, as this planning application is at outline planning stage. It is expected that if outline planning permission is granted, these details will be assessed within a project-specific HRA screening report. The advice and recommendations included in this initial HRA screening assessment should be taken into consideration and built into a Construction Environmental Management Plan that will control construction

activities.

3. Describe any likely changes to the sites arising as a result of:

- **Reduction of habitat area;**
- **Disturbance to key species;**
- **Habitat or species fragmentation;**
- **Reduction in species density;**
- **Changes in key indicators of conservation value (water quality etc.);**
- **Climate change**

Reduction of habitat area

50. There will be no reduction of habitat area as a result of the proposed project.

Disturbance to key species

51. 'Significant' disturbance is defined by AEWA (The Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA), 2016):

“Disturbance should be judged as significant if an action (alone or in combination with other effects) impacts on (water)birds in such a way as to be likely to cause impacts on populations of a species through either;

Changed local distribution on a continuing basis; and/or

Changed local abundance on a sustained basis; and/or

The reduction of ability of any significant group of birds to survive, breed, or rear their young.”

52. Such potential disturbance(s) have been discussed previously in this report. However, none of the potential pathways have been assessed to be of any negative significance to the SPA or associated water-bird species.

53. The fields adjacent to site have some potential to provide winter foraging for interest species and in particular pink-footed goose. The fields have not been subject to winter bird surveys. A desk study has been carried out and physically assesses the fields. A goose desk study has also been carried out. Both of these documents are attached in the appendices of this report. At the request of Natural England, the Wetland Wildlife Trust at Martin Mere has been consulted to determine if they hold any pertinent records for the adjacent fields. Construction impacts will be avoided as a result of pre-existing site-bunds that provide direct screening of acoustic and visual impacts (see topographical survey in appendices); by careful work phasing and timing restrictions; and by avoidance of impulsive noise generation. Solid barrier screening will be applied to any identified boundary gaps in the site bunding.

Habitat or species fragmentation

54. The proposals will not result in significant habitat or species fragmentation.

Reduction in species density

55. The project is not predicted to result in significant disturbance, fragmentation or other effects which could lead to a reduction in species density.

Changes in key indicators of conservation value (water quality etc.)

56. No likely significant impacts were identified at this time.

Climate change

57. We consider that there is no likely significant effect from climate change or impact

on climate change.

- 4. Describe any likely impacts on the Natura 2000 sites as a whole in terms of:**
- **Interference with the key relationships that define the structure of the site;**
 - **Interference with the key relationships that define the function of the site.**

58. It is considered that there are no likely impacts on the Nature 2000 sites, taking each site as a whole, in terms of interference with the key relationships that define structure or function of the sites from this project.

5. Provide indicators of significance as a result of the identification of effects set out above in terms of:

- **Loss;**
- **Fragmentation;**
- **Disruption;**
- **Disturbance;**
- **Change to key elements of the site (e.g. water quality etc.).**

59. It is not expected that operational disturbance is likely to have a significant impact. Greenspace provision with an information campaign will manage recreational impact effectively. Constructional impacts are not expected to be experienced in the Special Sites because of distance amelioration and screening between. Constructional impact onto contributory immediate fields is rendered insignificant because of:

- Screening provided by on-site boundary bunding and any supplementary screening required
- Timing of works to avoid winter foraging period (November through to end of February) and noisy operations further restricted to June to August.
- Works phasing plan.
- Avoidance of percussive piling.

6. Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where scale or magnitude of impacts is not known.

60. Natural England requested in-combination consideration of impacts from local wildfowling and provided information to support this.

61. Potential impacts have been identified and their significance considered against the attributes within the Favourable Conservation tables for the Natura 2000 sites.

62. A likely significant impact has been identified as the new proposals are expected to increase recreation pressure on special sites at a level that would be considered significant – both alone and in-combination with other residential developments.

63. Thus, we consider that there is likely significant effect arising from this project either individually or in combination with other plans and projects.

Documents referred to:

Oxford Brookes University for European Commission Environment DG (2001).
*Assessment of plans and projects significantly affecting Natura 2000 sites:
Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats
Directive 92/43/EEC*

Finding of No Significant Effects Report – Outline Planning Application

Description of project or plan:

The redevelopment of the site is proposed to be for ~62 3 and 4 bedroom residential units with associated infrastructure and landscaping.

Name and location of Natura 2000 sites

The application site is located within 220m of two Natura 2000 designations:

- Ribble and Alt Estuaries Special Protection Area (SPA)
- Ribble and Alt Estuaries Ramsar site

The boundaries of the two Natura 2000 designations are identical.

The closest Natura 2000 sites to the application site not including those listed above include:

- Dee Estuary SPA
- Dee Estuary Ramsar site
- Dee Estuary SAC
- Mersey Estuary SPA
- Mersey Estuary Ramsar site
- Mersey Narrows and North Wirral Foreshore SPA
- Mersey Narrows and North Wirral Foreshore Ramsar site
- Liverpool Bay SPA and pSPA
- Martin Mere SPA
- Martin Mere Ramsar site

It is considered unnecessary to screen this project against the second list of Natura 2000 sites if the screening of Natura 2000 sites within which the project site is located shows no significant effects i.e. that no full Appropriate Assessment is required.

Description of the project or plan

Although not fully determined, key elements of the proposed work will involve:

- Any necessary vegetation clearance;
- Any necessary demolition of buildings surplus to requirements;
- The removal of static caravans and other buildings no longer required;
- Building construction;
- Associated access points and driveways;
- Construction of car parking spaces;
- Sympathetic landscaping together with ecological remediation of the site and associated ponds/watercourses.
- Control of constructional impacts through a CEMP and operational information campaign through signage and homeowner packs to control recreational impact.

The proposed project site is located less than 220m north of the Ribble and Alt Estuaries SPA/Ramsar site.

Is the project or plan directly connected with or necessary to the management of the sites (provide details)?

No.

Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?

No new in-combination schemes have been identified.

The assessment of significance of effects

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 sites.

Potential impacts identified were:

1. Disturbance to birds for which Ribble and Alt Estuaries SPA/Ramsar site has been designated.
2. Release of pollutants into the estuaries including construction dust and windblown waste materials.
3. Additional lighting directed towards the estuary.
4. Increase in recreational pressure on the SPA/Ramsar site
5. An increase in vehicle omissions which may impact on the estuaries air quality.
6. Accidental release of pollutants into watercourses which may reach the estuaries.
7. Construction impacts by impulsive noise disturbance and visual disturbance causing impacts on adjacent foraging fields supporting winter wildfowl.

Explain why these effects are not considered significant.

The potential effects of this outline planning application are not considered significant as:

1. Historically, noise levels of site have been high (music from previously held Country and Western music weekends on site could be heard over 2 miles away, pers. comm). The construction work will be temporary in nature, and a desktop analysis of the redevelopment predicts lower visitor numbers to the site than previously experienced.
The daily activities on site will not affect any flight paths of birds using the protected site, nor will any feeding grounds or roosting sites be lost/damaged or impacted in any way.
2. The wind is predominantly from the west, therefore likely to blow any windblown dust and/or waste material away from the estuaries. In addition, further control measures can be incorporated into the construction packs.
3. Any additional lighting is considered unlikely to be significant against the surrounding environment.
4. Visitor numbers are projected to be lower than previously experienced. The visitor experience can be more effectively managed, with the use of signage, alternative walking routes, increased rubbish collection, and a direction to dog owners to keep dogs on leads at all times.
5. Vehicle omissions are not considered to be an issue for reasons stated in 2. Above.
6. Watercourses will be protected from accidental or purposeful pollution, with a number of measures put in place. Wrea Brook flows south, towards the estuaries, but other minor watercourses (field ditches and drains), have been observed flowing north, away from the estuaries.
7. Constructional impacts on adjacent land are ameliorated by existing site bunding and works timing and phasing.

However, recreational visitor numbers are projected to be significantly higher than previously experienced. The visitor experience can be more effectively managed, with the use of signage, alternative walking routes, increased rubbish collection, and

a direction to dog owners to keep dogs on leads at all times.

List of agencies consulted: provide contact name and telephone or e-mail address.

Natural England

Response to consultation

V2.0 adjusted

Data collected to carry out the assessment

Who carried out the assessment?

Caroline Maghanga, Consultant Ecologist BSc MSc MCIEEM

Sources of data

Applicant
 Joint Nature Conservation Committee (website)
 Natural England
 Department for Central and Local Government
 BTO

Level of assessment completed

A number of site-specific surveys, studies and site visits have been considered to support the conclusions of this screening option.

Where can the full results of the assessment be accessed and viewed?

Contacting Fylde Council

Conclusion

64. On the basis of the above information it is our opinion that the proposed work to which the screening report relates –

- a) is not directly connected with or necessary to the management of the sites; and
- b) is likely to have a significant effect on each of the following sites:
 - Ribble and Alt Estuaries Special Protection Area (SPA)
 - Ribble and Alt Estuaries Ramsar site.
 either alone or in combination with other plans or projects;
- c) is likely to result in any adverse effect on the integrity of the Natura 2000 sites.

65. Accordingly, an “appropriate assessment” is required to be made under Regulations 48, 49 and 54 of the Conservation (Natural Habitats & c.) Regulations before Fylde Council decides to undertake, or give any consent, permission or other authorisation for this plan.

Appendix 1 – Reasons for Designation and Conservation Objectives of Natura 2000 sites

Ribble and Alt Estuaries Ramsar site

Brief Description	Conservation Objectives	Vulnerability
<p>The Ribble and Alt Estuaries lie on the Irish Sea coast of north-west England. The site comprises two estuaries, of which the Ribble Estuary is by far the larger, together with an extensive area of sandy foreshore along the Sefton Coast. The site consists of extensive sand- and mud-flats and, particularly in the Ribble Estuary, large areas of saltmarsh. There are also areas of coastal grazing marsh located behind the sea embankments.</p> <p>The site is a wetland of international importance because:</p> <ul style="list-style-type: none"> • It regularly supports 20,000 or more waterbirds (Criterion 5); • It regularly supports 1% or more of the populations of the following waterbird species or sub-species in any season (Criterion 6); <p>Lesser Black-backed Gull <i>Larus fuscus graellsii</i> Ringed plover <i>Charadrius hiaticula</i> Grey plover <i>Pluvialis squatarola</i> Red knot <i>Calidris canutus islandica</i> Sanderling <i>Calidris alba</i> Dunlin <i>Calidris alpina alpina</i> Black-tailed godwit <i>Limosa limosa islandica</i></p>	<p>For Ramsar sites, a decision has been made by Defra and Natural England not to produce Conservation Advice packages, instead focussing on the production of High Level Conservation Objectives. As the provisions on the Habitats Regulations relating to Habitat Regulations Assessments (HRAs) extend to Ramsar sites, Natural England considers the Conservation Advice packages for the overlapping European Marine Site designations to be, in most cases, sufficient to support the management of the Ramsar interests. If there are Ramsar qualifying features not covered by overlapping European Marine Sites, we will consider the best approach on addressing these (e.g. to produce advice on a feature basis) if there is an operational risk.</p> <p>(https://designatedsites.naturalengland.org.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK9005103&SiteName=ribble&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=)</p> <p>(http://necmsimarinetest.esdm.co.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK11057)</p>	<p>The estuaries are subject to multiple uses; The sites are vulnerable to physical loss, toxic and non-toxic contamination and biological disturbance by wildfowling. The Special Protection Area status, requirements for Habitat Regulations Assessment for most operations within and around the estuary should safeguard the site.</p> <p>The bird numbers can also be affected by noise and physical disturbance, alterations to sediments and feeding grounds.</p> <p>Some of the main environmental pressures relevant to the nature conservation objectives of the Ribble and Alt Estuaries SPA / Ramsar site are:</p> <ul style="list-style-type: none"> • Loss and/or damage to existing habitat as a result of increasing offshore exploration and activity associated with oil and natural gas extraction; • Over-grazing of the saltmarshes by cattle; • Heavy metal pollution from either industry or disturbance of sediment; • Pollution via rivers and drains by agricultural effluent, inorganic chemicals and organic compounds from everyday domestic products. • Damage of marine benthic habitat directly or indirectly from fishing methods and aggregate extraction; • Harm to species and/or habitat loss due to increasing proposals/demand for offshore wind turbines; • Pollution, direct kills, litter, disturbance or loss of habitat as a result of water-based recreation or other recreation activity and related development along the foreshore (Wildlife Trust, 2006); • Selective removal of species (e.g. bait digging, fishing). <p>(Source: several from Natural England, undated, via website).</p>

Common redshank *Tringa totanus tetanus*
Tundra swan *Cygnus columbianus bewickii*
Whooper swan *Cygnus cygnus*
Pink-footed goose *Anser brachyrhynchus*
Common shelduck *Tadorna tadorna*
Eurasian wigeon *Anas penelope*
Eurasian teal *Anas crecca*
Northern pintail *Anas acuta*
Eurasian oystercatcher *Haematopus ostralegus ostralegus*
Bar-tailed godwit *Limosa lapponica lapponica*
Black-headed gull *Larus ridibundus*
Common tern *Sterna hirundo hirundo*
Ruff *Philomachus pugnax*
Eurasian curlew *Numenius arquata arquata*
Common greenshank *Tringa nebularia*
Red-throated diver *Gavia stellata*
Great cormorant *Phalacrocorax carbo carbo*
Northern shoveler *Anas clypeata*
Black (common) scoter *Melanitta nigra nigra*
European golden plover *Pluvialis apricaria apricaria*
Spotted redshank *Tringa erythropus*

(Source: JNCC Ribble and Alt Estuaries information sheet on Ramsar wetlands, 1995.)

Ribble and Alt Estuaries Special Protection Area

Brief Description	Conservation Objectives	Vulnerability
<p>As above</p>	<p>The Conservation Objectives are to maintain in favourable condition, subject to natural change:</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site. <p>(Source: based on Natural England's Conservation Objectives for Ribble and Alt Estuaries, 2014)</p>	<p>The estuaries are subject to multiple uses; The sites are vulnerable to physical loss, toxic and non-toxic contamination and biological disturbance by wildfowling. The Special Protection Area status, requirements for Habitat Regulations Assessment for most operations within and around the estuary should safeguard the site.</p> <p>The bird numbers can also be affected by noise and physical disturbance, alterations to sediments and feeding grounds.</p> <p>Some of the main environmental pressures relevant to the nature conservation objectives of the Ribble and Alt Estuaries SPA / Ramsar site are:</p> <ul style="list-style-type: none"> • Loss and/or damage to existing habitat as a result of increasing offshore exploration and activity associated with oil and natural gas extraction; • Over-grazing of the saltmarshes by cattle; • Heavy metal pollution from either industry or disturbance of sediment; • Pollution via rivers and drains by agricultural effluent, inorganic chemicals and organic compounds from everyday domestic products. • Damage of marine benthic habitat directly or indirectly from fishing methods and aggregate extraction; • Harm to species and/or habitat loss due to increasing proposals/demand for offshore wind turbines; • Pollution, direct kills, litter, disturbance or loss of habitat as a result of water-based recreation or other recreation activity and related development along the foreshore (Wildlife Trust, 2006); • Selective removal of species (e.g. bait digging, fishing). <p>(Source: several from Natural England, undated, via website).</p>

