



Lydiate Neighbourhood Plan

Strategic Environmental Assessment Habitats Regulation Assessment

Final Screening Report

January 2018

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1. Introduction

1.1 This report has been produced to determine the need for a:

- Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004
- Habitat Regulations Assessment (HRA) in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 as amended (the habitats regulations)

for the proposed Lydiate Neighbourhood Plan.

2. Policy context

2.1. Neighbourhood planning gives communities the opportunity to direct the development of their areas through creating plans and policies. This was introduced by the 2011 Localism Act. Whilst this gives powers to local people to help shape the communities in which they live, policies within Neighbourhood Plans have to be in broad conformity to national planning policies and the strategic policies in the development plan for the area, in order to deliver sustainable development.

2.2. For the purposes of the emerging Lydiate Parish Council Neighbourhood Plan the key national and local policy context is as follows:

- National Planning Policy Framework
- National Planning Practice guidance
- Sefton Local Plan [Proposed Modifications]

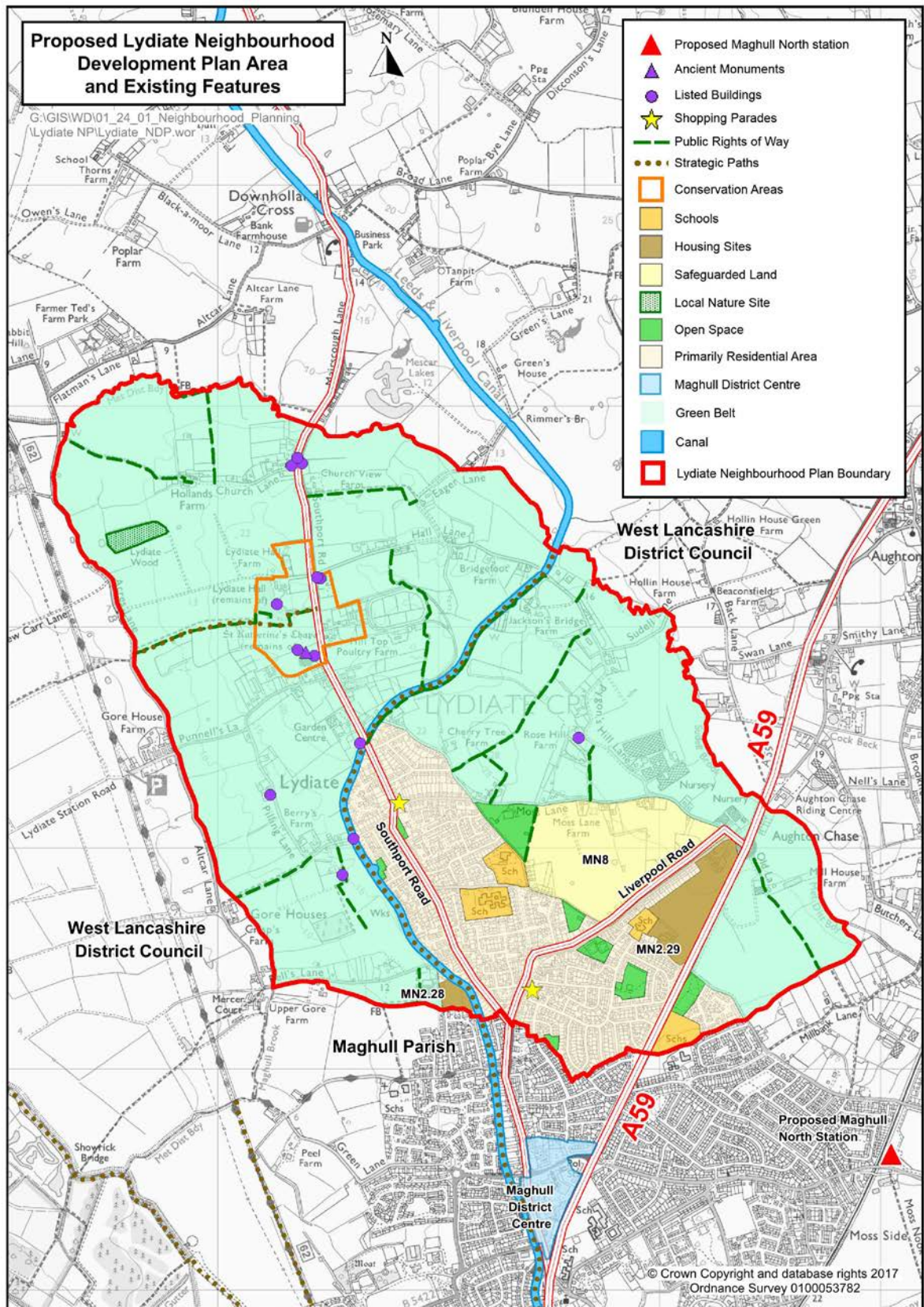
2.3. The Council adopted the Sefton Local Plan (see www.sefton.gov.uk/localplan) at its meeting of the [Full Council on Thursday 20th April 2017](#). The objectively assessed land supply for housing and employment needs and the approach to selecting sites for housing can therefore be considered up-to-date and its policies provide the policy context for the neighbourhood plan along with the National Planning Policy Framework.

3. Lydiate Context

3.1. The Lydiate Neighbourhood Plan area is situated on the northern edge of the Liverpool conurbation and, together with the Parish of Maghull to the south, forms a distinct suburban settlement area surrounded by predominantly agricultural land. The main area of population is continuous with Maghull and the agricultural land which surrounds it extends to the borough boundary with West Lancashire on the remaining three sides. The Leeds and Liverpool Canal forms a distinct boundary to the sub-urban area in the west, while the eastern edge is largely contained by Sandy Lane and Kenyons Lane, with ribbon development along Liverpool Road to the north-east. The surrounding area is characterised by isolated clusters of dwellings and farms separated by agricultural land. The A59 dual carriageway runs on a north / south axis through the eastern corner of the parish.

3.2. The Neighbourhood Plan area is approximately 6.6 square kilometres, which is approximately 4.2% of the total area of Sefton and corresponds with the Parish Council area (see Figure 1). Around 74% of land in the Neighbourhood Plan area is designated as Green Belt.

Figure 1 Lydiate Neighbourhood Plan area and existing features



3.3. The residents of Lydiate largely depend on Maghull local centre located in the adjacent parish for shopping and services. However, there are small shopping parades in Lydiate on Liverpool Road and Southport Road / Moss Lane which provide local shops. There are a number of public houses and other commercial outlets including plant nurseries, farm shops and petrol stations scattered throughout the area. The suburban part of Lydiate is a patchwork of estates developed incrementally, mostly since WWI and smaller scale infill mainly along the older established routes such as Lamshear Lane and Southport Road.

3.4. The A59 dual carriageway, connecting Liverpool with Ormskirk, passes through the eastern quarter of the area. Liverpool Road and Southport Road form the main suburban arteries, while other road connections through the area are by a twisting network of narrow estate roads following former field boundaries and twisting rural roads. The nearest railway station is in Maghull, although the proposed station at Maghull North, due to open in late 2017 will be closer for the residents of Lydiate. There are bus links to both these stations as well as to Maghull, Southport, Bootle, Liverpool and other destinations outside the borough. The Leeds and Liverpool Canal, a strategic path and part of the Trans Pennine Trail runs through the west of the area, and a strategic path link to the Cheshire Lines Path which runs just beyond the western boundary of the area in West Lancashire District. A number of public footpaths across the agricultural land provide further connections to the strategic path network.

3.5. The mid 2013 population estimate for Lydiate was 6,870, about 3% of Sefton's total, living in 2,679 households. Lydiate has a higher proportion of older people (aged 65+) living in the parish than the borough as a whole, with one in four residents over the age of 65 (25%) compared with a Sefton figure of 22%. Consequently numbers of young people (aged 0 to 17) is lower at 18% compared to 20% in Sefton: at 58% the numbers of working age residents in Lydiate (aged 18 to 64) is similar to the Sefton figure.

3.6. Some 71% of the residents of working age were economically active. This is a higher rate than in Sefton as a whole (67%). There are more highly qualified people in Lydiate than in Sefton generally and more people are employed in higher managerial, administrative and professional occupations.¹ In 2016 8% of residents of working age in Park Ward (covering Lydiate and Maghull) were recorded as claiming benefits, much lower than the Sefton average of 15%.²

3.7. Across the area, 87% of homes are owner-occupied, higher than the Sefton average of 70%. The Strategic Market Housing Assessment for Sefton published in 2014 identified the need for affordable housing in the area was the highest in the Borough when measured as a proportion of existing households. The most common type of property is semi-detached (66%), followed by detached (18%) and few terraced properties and flats. The average property price in the area is around £160,000, just below the borough average of £185,000.³

3.8. Lydiate has three primary schools, although secondary school pupils have to travel outside the parish for their education, mostly to Maghull. Residents also need to travel to Maghull to access GP surgeries and dental practices.

3.9. Agricultural land is predominantly Grade 1 'best and most versatile' agricultural land in the Green Belt, some with Environmental Stewardship Agreements in place. The soils are deep and sandy, some with organic topsoil and with a water table controlled by pump drainage and

¹ 2011 Census figures

² www.sefton.gov.uk/media/1310393/park_ward_profile.pdf

³ Authority Monitoring Report 2015-16 www.sefton.gov.uk/media/1253388/FINAL-AMR-2015_6.pdf

land drains. The Landscape Character Assessment of Sefton (2014)⁴ classes it as 'settled farmland'.

3.10. The area is in the Alt-Crossens river catchment area. It is bounded by Maghull Brook to the south (including drainage links from the canal), and Lydiate Brook to the north and Sudell Brook to the north and east, all main rivers. Lydiate and Sudell Brooks are both surrounded by a corridor of land at medium or high risk of fluvial flooding that impacts mainly agricultural land, but some properties are affected at Jackson's Bridge and near the junction of the A59 (Northway) with Liverpool Road. There are a number of smaller watercourses and drainage ditches across the area, and some areas are at risk of surface water flooding, most notably an area west of the A59 at near Oakhill Road on the southern boundary, at the junction of Sandy Lane and Moss Lane of Lydiate and other more isolated pockets affecting mainly agricultural land. A narrow corridor on the western boundary of the area is also at risk of groundwater flooding, reservoir flooding and canal flooding. More information can be found in the Strategic Flood Risk Assessment (2013)⁵ and on the Environment Agency web-site.

3.11. Lydiate Hall and Chapel is the only Conservation Area situated in the north of the parish centred around the remains of the Domestic Chapel of St Katherine's (a Grade II* Listed Building and also a scheduled Ancient Monument). Other heritage assets include the Grade II* Scotch Piper public house and other Grade II Listed bridges, churches, cottages and other structures all (apart from the bridges) situated in the rural part of the area.

3.12. The Liverpool City Region Ecological Framework⁶ sets out ecological and biodiversity information about the City Region's natural assets. Its purpose is to identify opportunities to enable better protection and management of those natural assets and at the same time, describes opportunities to create new natural assets. This identifies the 'core biodiversity area' which in the Lydiate area includes 'Lydiate Woods' Local Wildlife Site, several areas of woodland Priority Habitat (mainly in the Green Belt), and a smaller number of areas of grassland and wetland Priority Habitat. Sefton's only Ancient semi-natural woodland is in Lydiate; it is included in the 'Lowland mixed deciduous woodland and Wet woodland Priority Habitats.'

3.13. The non-urban parts of the area are also important for farmland birds, especially corn bunting, grey partridge, lapwing and tree sparrow, and parts are potential 'supporting habitat' (or 'functionally linked habitat') for species for which the internationally important nature sites are designated, including pink-footed geese. These designated sites, habitats, supporting habitats, priority habitats and species and protected species are subject to specific planning policies, set out in the National Planning Policy Framework, and online Planning Policy Guidance and the Sefton Local Plan, and to the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations).

4. Developing the Lydiate Neighbourhood Plan

4.1. Lydiate Parish Council applied for the designation of their area as a Neighbourhood Area for the purpose of neighbourhood planning in July 2015 and consultation took place in July and August 2015. The application for the designation of Lydiate parish, as shown on the map in Figure

⁴ Available in the Examination Library (environmental evidence) <http://www.sefton.gov.uk/localplan>

⁵ Available in the Examination Library (environmental evidence) <http://www.sefton.gov.uk/localplan>

⁶ <http://www.activenaturalist.org.uk/lcren/>

1, as a Neighbourhood Area for the purpose of neighbourhood planning was approved on 28th September 2015.

4.2. The Parish Council engaged with the local community throughout the process and during the summer of 2016 carried out surveys of local residents, young people and businesses, to find out what they wanted for the future of the area and what was most important to them. The results were used to develop the vision and objectives for the Neighbourhood Plan. A Character Assessment is being prepared to support the proposed policies in the neighbourhood plan and this has also been made available for consultation.

4.3. The draft vision, aims and objectives for Lydiate are as follows:

Draft Vision

‘A parish that maintains a good quality of life in Lydiate with a high quality environment and with suitable facilities and where any new housing meets the needs of the people of Lydiate, is well designed and is in keeping with the surrounding area, maintaining its rural character.’

Aims and Objectives:

1. Ensuring that any new housing and its layout and infrastructure are of a high quality of design, environmentally friendly, encourage cycling and walking and are in keeping with the local housing stock.
2. Maintaining and enhancing the provision of facilities in the area such as retail, health, leisure, sports, social and youth facilities.
3. Ensuring that any new housing meets the needs of the local population including affordable housing to buy.
4. Protecting and enhancing the environment including canal, parks and gardens and maintaining the balance between the countryside and the built up area.
5. Protecting and enhancing the Parish’s heritage assets including listed buildings and other non-listed buildings of heritage value.

5. Screening for Strategic Environment Assessment

5.1. The requirement for a Strategic Environment Assessment (SEA) is set out in the “Environmental Assessment of Plans and Programmes Regulations 2004”. There is also practical guidance on applying European Directive 2001/42/EC produced by the ODPM (now DCLG). These documents have been used as the basis for this screening report.

5.2. Despite not requiring sustainability appraisal, Neighbourhood Plans may still require SEA. The ODPM practical guidance provides a checklist approach based on the SEA regulations to help determine whether SEA is required, see Figure 2. This guide has been used as the basis on which to assess the need for SEA as set out in Figure 3.

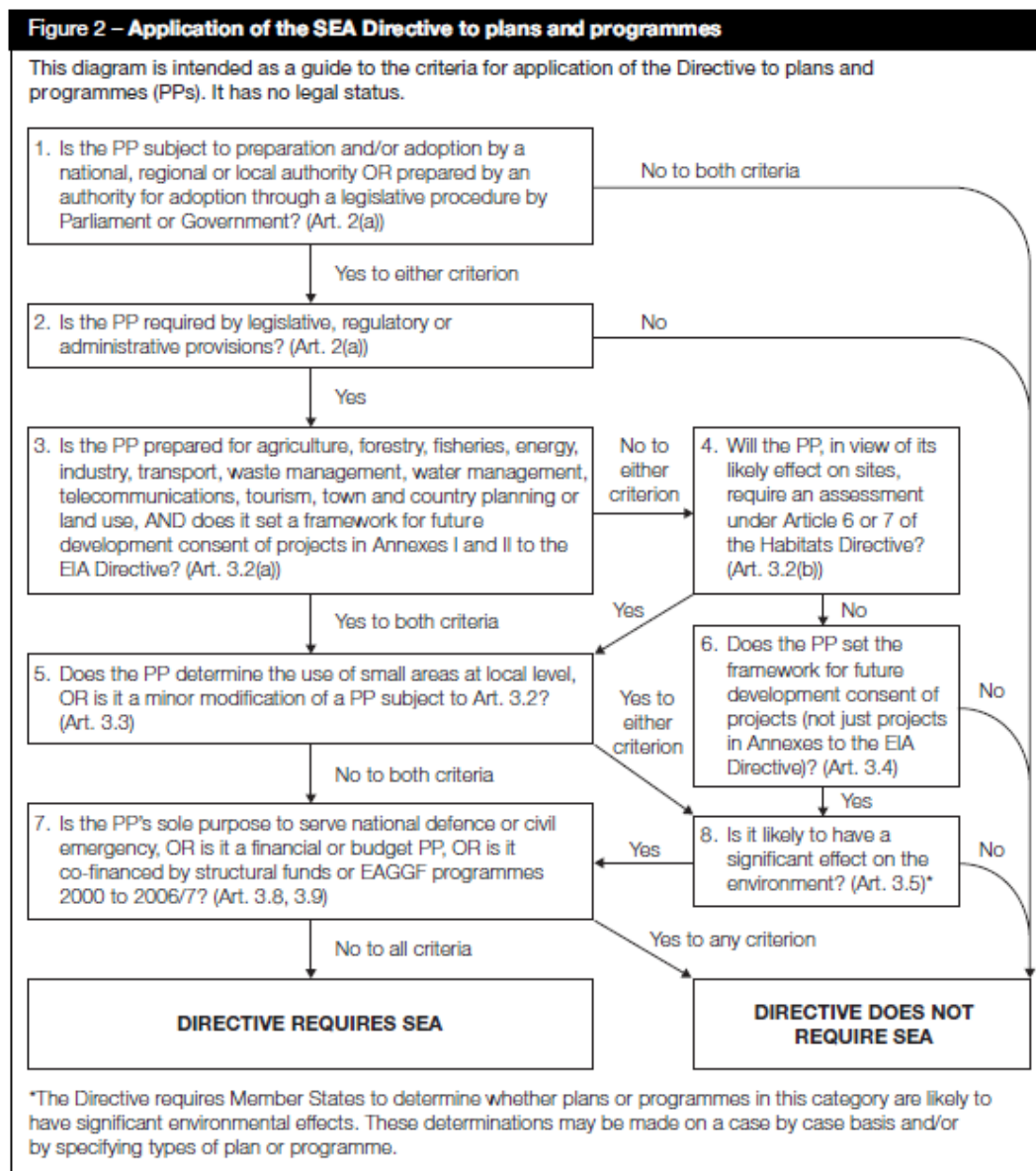


Figure 3: Establishing the need for SEA

Stage [from the flowchart above]	Answer	Reason
1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Article 2(a))	Yes	Neighbourhood Plan to be made [adopted] by Sefton Council following examination and referendum in accordance with the Localism Act 2011 and neighbourhood planning regulations.
2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	The Neighbourhood Plan process was introduced by the Localism Act 2011
3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport,	No	The Neighbourhood Plan is for town and country planning purposes but does not set a framework for future development

Stage [from the flowchart above]	Answer	Reason
waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))		consent of projects in Annexes I and II to the EIA Directive
4. Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	No	It is likely that a draft screening statement will conclude that an assessment under the Habitats Directive is not required (see section 7 below). This is because the parish is in the east of the borough around 7.5km away from the internationally sensitive areas on the Sefton Coast, although it does contain areas that are suitable for species for which the internationally important sites are designated.
6. Does the Neighbourhood Plan set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art.3.4)	Yes	Although the Local Plan will set the overall framework the Neighbourhood Plan will provide additional guidance on non-strategic policies, but will not alter the principle of development.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	The Neighbourhood Plan is unlikely to include any proposals that would have a significant impact on the environment. Please see paragraph 6.2 for further explanation.
The Neighbourhood Plan does not require a Strategic Environmental Assessment		

6. Conclusion and statement of reasons

6.1. The Neighbourhood Plan will provide additional detailed policies with a more local context than national guidance or the policies in the Local Plan, in broad conformity with national and local guidance/policies. In some cases, if there is evidence to support it, it is possible for a neighbourhood plan to replace a Local Plan policy.

6.2. The aims and objectives only cover elements related to issues at a local level, local facilities and design with impact over a small geographical area. The Neighbourhood Plan is not proposing any additional or alternative development allocations than the local plan and therefore it is considered that the Neighbourhood Plan will not have any significant environmental impacts. It is therefore considered that a Strategic Environmental Assessment **is not required** for the proposed Lydiate Neighbourhood Plan.

6.3. The Council consulted with the three statutory environmental bodies on this screening report and the determination and their responses are summarised in the table below. All three

are in broad agreement with the above conclusion, that a Strategic Environmental Assessment is not required for the proposed Lydiate Neighbourhood Plan.

Environment Agency	We have no comment to make at this time.
Natural England	It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.
Historic England	Although the neighbourhood area does contain a number of designated heritage assets, at this point we don't consider there is a need for Historic England to be involved in the development of the strategy for your area.

7. HRA Screening

7.1. The requirement for a Habitats Regulations Assessment (HRA) is in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations). An assessment of the “likely significant effects” of a plan or project on sites of international nature conservation importance (Natura 2000 sites) is required. This part of the document sets out Sefton Council’s screening of the Lydiate Neighborhood Plan in accordance with the Habitats Regulations.

7.2. The HRA report on the Publication Draft of the Sefton Local Plan (2015)⁷ was produced by AECOM (formerly URS) in January 2015 and assessed in combination effects taking into account other plans and projects, Local Plan site allocations and policies. This concluded that, with the changes recommended, the Sefton Local Plan would be compliant with the Habitats Regulations.

7.3. The Lydiate Neighbourhood Plan needs to be in general conformity with the Local Plan. The relevant “parent policies” in the Local Plan are MN2 ‘Housing, Employment and Mixed Use Allocations’, and MN8 ‘Safeguarded Land’. Two housing sites allocated under policy MN2 and one under policy MN8 are relevant (see Figure 1):

- MN2.27 (now MN2.28) Land at Turnbridge Road, Maghull (in Lydiate Parish area)
- MN2.28 (now MN2.29) Land north of Kenyons Lane, Lydiate
- MN8.1 Land at Lambshear Lane, Lydiate

7.4. The site at Turnbridge Road, Maghull was ‘Screened out’ in the Habitats Regulations Assessment (HRA) of the Local Plan Publication Draft (2015). The ‘Test of Likely Significant Effects’ (TOLSE) in Appendix 1 of the HRA Report indicates this is ‘Due to no realistic pathway being identified.’ This site now has planning permission for 39 homes (approved, subject to a s106 legal agreement, in July 2017). Plans for the proposed development include an ‘Ecology Management Area’ along the western boundary of the site and a contribution towards towpath improvements to the canal to provide mitigation for increased recreational pressure on the Sefton Coast.

7.5. The site at Land north of Kenyons Lane, Lydiate was ‘Screened in’ in the Habitats Regulations Assessment of the Local Plan Publication Draft (2015). Appendix 1 of the Local Plan makes clear that development of the site must “ensure that sufficient information is provided with the planning application to enable the Council to make a Habitats Regulations Assessment”. The safeguarded site MN8.1 ‘Land at Lambshear Lane, Lydiate’ would only come forward for permanent new development “following the adoption of a replacement Local Plan which allocates the development of any of these areas’ (policy MN8, part 3). This site was also ‘Screened in’. Paragraph 6.86 of the explanation to policy MN8 “requires a site-specific HRA for site MN8.1 ... in order to provide appropriate protection to the integrity of the Special Protection Areas/ Ramsar sites bird populations”.

7.6. The ‘Test of Likely Significant Effects’ (TOLSE) in Appendix 1 of the HRA Report indicates that the main impact pathways for both of these sites are disturbance, recreational pressure and loss of supporting habitat. An extract from Appendix 1 of the HRA report of the Publication Draft Local Plan is shown in Figure 4 below. The entries are the same for both sites so are not duplicated. The proposed modifications to the Local Plan⁸ have also been subject to HRA, also prepared by AECOM (June 2016). This report did not make a further assessment of these sites.

⁷ Available in the Examination Library (environmental evidence) <http://www.sefton.gov.uk/localplan>

⁸ see www.sefton.gov.uk/mods

- 7.7. The Conclusion of the HRA Report (Section 11.1) made clear that:
“Sites which have been ‘screened in’ will need to be covered by a site-specific HRA accompanying the planning application, and text included in the Local Plan setting out the requirement to provide appropriate protection to the integrity of the SPA/Ramsar site bird population.”

In effect therefore, the HRA of the Local Plan accepted that for these (and some other) sites, HRA issues could be devolved to the planning application stage.

7.8. The Nature Conservation Supplementary Planning Document (SPD) provides further guidance on HRA requirements for planning applications for housing in relation to recreational pressure on the Sefton Coast. The SPD sets out requirements for applicants to consider and include measures that will avoid and/or mitigate recreational pressure on the internationally important nature sites, and gives examples of such measures. These are recreational pressures either alone (individual proposals) and / or in combination (with the housing target set out in Policy MN1); the most relevant scenario for the Neighbourhood Plan area. A draft Information Note, approved for consultation and development management purposes on 31 October 2017, sets a threshold of 85 or more dwellings for this requirement to apply. The Liverpool City Region Combined Authority is proposing to prepare a sub-regional Visitor Management Strategy which takes a wider strategic approach to visitor and recreation pressure management for the internationally important nature sites in the Liverpool City Region (including on the Sefton Coast). The approach in the draft Information Note is intended as an interim approach until the approval of the Visitor Management Strategy and Delivery and Implementation Plan⁹.

7.9. Therefore a future planning application for site MN2.29 Land north of Kenyons Lane, Lydiate (indicative site capacity of 295 homes) would also be required to consider and include measures that will avoid and/or mitigate recreational pressure on the Sefton Coast, either in relation to the Information Note or the Combined Authority’s Visitor Management Strategy and Delivery and Implementation Plan. The timing of development of the future housing site MN8.1 Land at Lamshear Lane, Lydiate means it would also, in all likelihood, be required to consider and include measures that will avoid and/or mitigate recreational pressure on the Sefton Coast, in relation to the Combined Authority’s Visitor Management Strategy and Delivery and Implementation Plan.

- 7.10. The Neighbourhood Plan does not propose to allocate any further sites for development.

⁹ <http://modgov.sefton.gov.uk/moderngov/ieDecisionDetails.aspx?ID=10447>

Figure 4 Extract from Appendix 1 of Habitats Regulations Assessment of the Sefton Local Plan (Publication Version) (AECOM, formerly URS 2015)¹⁰

Proposed Site Allocation Number	No of Houses/ Employment use	Recreational Pressure	Other forms of disturbance	Coastal Squeeze	Loss of land outside of SPA/Ramsar with value to designated species	Initial Test Of Likely Significant Effects (TOLSE) (stand-alone)
MN2.28 (now MN2.29) Land north of Kenyons Lane, Lydiate	295 dwellings	Located 8km from SAC/SPA/Ramsar so only cumulative impact when all development sites are considered together	Bird species for which SPA and Ramsar are designated may be present and could be adversely affected /displaced if/ when using the site which would be of importance for the SPA/ Ramsar population if non-breeding season bird surveys confirmed that this parcel constituted a significant area of supporting habitat.	No – too far from the coast for this to be a realistic impact pathway	Located within an area of sensitivity for pink-footed goose, although with no records of the species according to the Lancashire Bird Atlas. Aerial photographs indicate current land use is agriculture (confirmed by surveys commissioned by the proponent in 2013) which is likely to be suitable habitat. Non breeding season bird surveys would be required to confirm their presence.	Screened in.
MN8.1 Land at Lamshear Lane, Lydiate	Reserve housing allocation					

7.11. If a project level HRA were to find that development proposals were likely to affect supporting habitat, it is considered that Local Plan policy NH2 ‘Protection of nature sites, priority habitats and species’ and its explanation, and the Nature Conservation Supplementary Planning Document (SPD)¹¹, set out a robust, deliverable framework which would secure mitigation, and as a last resort, compensation for any development affecting the sites.

7.12. Part 1 of policy NH2, which has been subject to HRA and assessed as having “no implications”, requires any development which may result in a likely significant effect on an internationally important site or supporting habitat to be accompanied by sufficient evidence to

¹⁰ Available in the Examination Library (environmental evidence) <http://www.sefton.gov.uk/localplan>

¹¹ www.sefton.gov.uk/spd

enable the Council to make a Habitats Regulations assessment. This will be relevant to development in the area covered by the Lydiate Neighbourhood Plan. Part 1 of policy NH2 says:

“Adverse effects should be avoided, or where this is not possible they should be mitigated, to make sure that the integrity of internationally important sites is protected. Development which may adversely affect the integrity of internationally important sites will only be permitted where there are no alternative solutions and there are imperative reasons of overriding public interest, and where suitable compensatory provision has been made. Such mitigation or compensation must be identified before development commences. Any mitigation or compensation must be functional before any likely adverse effect arises and should be accompanied by a dedicated project related Habitats Regulations Assessment. This also applies to sites and habitats outside the designated boundaries that support species listed as being important in the designations of the internationally important sites (i.e. supporting habitat)”.

7.13. Section 3 of policy NH2 sets out the approach to avoidance, mitigation, and as a last resort, compensation. The Nature Conservation SPD provides further guidance on mitigation, compensation and enhancement, for Natura 2000 sites and supporting habitats, including how habitat for mitigation or compensation could be provided and managed. NH2 was ‘screened out’ for HRA and SEA in 2015.

7.14. In addition, Local Plan policy EQ9 ‘Provision of public open space, strategic paths and trees’ requires the provision of open space for proposals of 150 or more new homes. Site MN2.29 ‘Land north of Kenyons Lane, Lydiate’ has an indicative capacity of 295 homes and open space will be required. The Open Space SPD sets out that this is likely to be in the form of on-site provision, but improvements to nearby existing public open spaces at Kenyons Lane playing field and playground or Ridgeway Park may also be considered and secured through planning obligations, other legal agreements or appropriate delivery mechanisms.

7.15. As a safeguarded site, MN8.1 ‘Land at Lambshear Lane, Lydiate’ would only come forward for permanent new development ‘following the adoption of a replacement Local Plan which allocates the development of any of these areas’. Only then would HRA issues, devolved to the planning application stage become applicable. It is not the intention of the Lydiate Neighbourhood Plan to bring forward this site any sooner than is necessary. A policy is only included for this site in the draft Neighbourhood Plan in order to set out the Parish Council’s long term aspirations for development on this site.

7.16. Further details on site specific requirements for open space on allocated sites are set out in the Open Space SPD¹² in conjunction with any draft policies in the emerging Lydiate Neighbourhood Plan. Providing new and improved open space helps offset the recreational pressure on the internationally important sites on the Sefton Coast. Sefton Council’s management of its parks and playing fields also encourages use of sites away from the Coast. This is acknowledged in the explanation to policy EQ9 (paragraph 10.74).

7.17. The following Natura 2000 sites (illustrated in Appendix A) are located within Sefton:

- Sefton Coast SAC
- Ribble and Alt Estuaries SPA and Ramsar site
- Mersey Narrows & North Wirral Foreshore SPA and Ramsar site (small part of site is at Seaforth Nature Reserve, the rest is approx. 1km+ away on Wirral).

¹² www.sefton.gov.uk/spd

7.18. In addition the following Natura 2000 sites are located outside of Sefton but were “screened in” to the HRA of the Local Plan publication draft.

- Liverpool Bay SPA
- Manchester Mosses SAC -

However, Sefton’s Local Plan HRA Report concluded that Sefton is not adjacent to the M62; that the Local Plan includes proportionate measures to minimise its contribution to M62 vehicle movements; and that Sefton’s effect on atmospheric nitrogen deposition on Manchester Mosses SAC is effectively inconsequential. These sites are therefore not considered further in this HRA screening document.

7.19. An assessment of potential pathways for impacts to the Natura 2000 site taking into account the HRA of the Publication version of the Local Plan is assessed below.

Figure 5: Assessment of likely significant effects (taking into account HRA Report for Publication Draft Local Plan (2015) and Local Plan Proposed Modifications (2016))

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
Recreational pressure / disturbance <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA & Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site • Liverpool Bay SPA (in-combination disturbance of birds through increase in ship movements and recreational pressure) 	No significant impacts.	The NP will have no additional impacts compared to its parent policies MN2 ‘Housing, employment and mixed use allocations’ which allocates two sites for housing development and MN8 ‘Safeguarded Land’ which safeguards a third. Although one of the allocated sites and the safeguarded site were ‘screened in’, the HRA of the Local Plan accepted that assessment of HRA issues could be devolved to the planning application stage. The Nature Conservation Supplementary Planning Document and the Information Note or the Combined Authority’s Visitor Management Strategy and Delivery and Implementation Plan reinforce this, and set out how planning applications should consider and mitigate for recreational disturbance. The NP has no influence on ship movements.
Disturbance to qualifying species <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA 	No significant impacts.	The NP will have no additional impacts compared to its parent policies MN2 ‘Housing,

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
<p>and Ramsar site</p> <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 		<p>employment and mixed use allocations' which allocates two sites for housing development and MN8 'Safeguarded Land' which safeguards a third. Although one of the allocated sites and the safeguarded site were 'screened in', the HRA of the Local Plan accepted that assessment of HRA issues could be devolved to the planning application stage. The HRA of the Local Plan 'screened out' the 'allocated site' MN2.28 'Land at Turnbridge Road, Maghull'. Recreational disturbance is covered specifically above.</p>
<p>Coastal squeeze</p> <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	<p>No significant impacts.</p>	<p>The NP will have no additional impacts compared to its parent policies MN2 'Housing, employment and mixed use allocations' which allocates two sites for housing development and MN8 'Safeguarded Land' which safeguards a third. Although one of the allocated sites and the safeguarded site were 'screened in', the HRA of the Local Plan accepted that assessment of HRA issues could be devolved to the planning application stage. The HRA of the Local Plan 'screened out' the 'allocated site' MN2.28 'Land at Turnbridge Road, Maghull'.</p>
<p>Direct habitat loss through expansion of the Port at Seaforth</p> <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	<p>No significant impacts</p>	<p>The NP has no influence on Port expansion.</p>
<p>Direct habitat loss through mineral extraction</p> <ul style="list-style-type: none"> Ribble and Alt Estuaries SPA and Ramsar site. 	<p>No significant impacts</p>	<p>The NP has no influence on minerals expansion.</p>
<p>Loss of habitat / supporting habitat</p>	<p>No significant impacts</p>	<p>The NP will have no additional</p>

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
<p>outside the <i>Natura 2000</i> site boundary</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site 		<p>impacts compared to its parent policies MN2 'Housing, employment and mixed use allocations' which allocates two sites for housing development and MN8 'Safeguarded Land' which safeguards a third. Although one of the allocated sites and the safeguarded site were 'screened in', the HRA of the Local Plan accepted that assessment of HRA issues could be devolved to the planning application stage. The HRA of the Local Plan 'screened out' the 'allocated site' MN2.28 'Land at Turnbridge Road, Maghull'.</p>
<p>Reduction in water quality</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site • Liverpool Bay SPA - potential for 'in combination' effects with other plans and projects (through sewage effluent discharges). 	No significant impacts	The NP will have no additional impacts compared to its parent policies.
<p>Reduction in air quality</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	The NP will have no additional impacts compared to its parent policies.
<p>Mineral extraction</p> <ul style="list-style-type: none"> • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	The NP has no influence on minerals expansion.
<p>Dredging and disturbance of sediments/benthic habitats</p> <ul style="list-style-type: none"> • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site • Liverpool Bay SPA (following 	No significant impacts	The NP has no influence on dredging or disturbance of benthic habitats, or on Port expansion.

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
Port expansion)		

7.20. The Neighbourhood Plan is unlikely to have any significant effects on a SAC or SPA (Natura 2000 sites) above and beyond any significant effects that the Local Plan is likely to have, either individually or in combination with other plans and projects. While one of the Local Plan land allocations for residential development and the safeguarded site in the Lydiate area were 'screened in' in the HRA of the Local Plan in effect, this HRA accepted that for these (and other) sites, HRA issues could be devolved to the planning application stage. The Local Plan makes clear that this is the case. The Nature Conservation Supplementary Planning Document and the Information Note or the Combined Authority's Visitor Management Strategy and Delivery and Implementation Plan reinforce this, and set out how planning applications should consider and mitigate for recreational disturbance either alone (individual proposals) and / or in combination (with the housing target set out in Policy MN1).

7.21. The Land north of Kenyons Lane housing site requires open space to be provided and this is fully detailed in the Open Space SPD. The Neighbourhood Plan may add further details but will not affect the requirement. It is intended this open space, away from sensitive coastal areas, will have the effect of reducing pressure on the more sensitive areas. It is therefore considered the Lydiate Neighbourhood Plan will not require a Habitats Regulations Assessment.

8. Conclusion and statement of reasons

8.1. The Lydiate Neighbourhood Plan will enable local people to help shape the communities in which they live. The policies within Neighbourhood Plans have to be in broad conformity to national and local authority planning policies. The Lydiate Neighbourhood Plan is not intending to allocate more land for development than is already identified in the Local Plan.

8.2. The Local Plan allocations have been subject to HRA at Publication Draft (January 2015) and Proposed Modifications (June 2016) stages. The HRA report on the the Publication Draft concluded that, with the changes recommended, the Sefton Local Plan would be compliant with the Habitats Regulations. The HRA report on the the Proposed Modifications led to a small number of clarifications and wording changes to the explanation of the policies in Local Plan. It concluded that, with these changes, the Proposed Modifications to the Sefton Local Plan are compliant with the Conservation of Habitats and Species Regulations 2010 as amended.

8.3. In effect, the HRA of the Local Plan accepted that for these (and other) sites, HRA issues could be devolved to the planning application stage. The Local Plan makes clear that this is the case, in policy NH2 and its explanation, in paragraph 6.86 of the explanation to policy MN8 and Appendix 1. In Appendix 1 the site at Land north of Kenyons Lane proposed for housing development in the Lydiate Neighbourhood Plan area requires sufficient information to be provided with the planning application to enable the Council to make a Habitats Regulations Assessment. The Neighbourhood Plan proposes to keep the safeguarded site as such, until a review of the Local Plan brings it forward for development and does not propose to allocate any further sites and there are no significant effects on Natura 2000 sites in Sefton. The Nature Conservation Supplementary Planning Document and the Information Note or the Combined Authority's Visitor Management Strategy and Delivery and Implementation Plan reinforce this, and set out how planning applications should consider and mitigate for recreational disturbance.

8.4. On the basis of the above information, Sefton Council is of the opinion and concludes that the proposed plan to which this screening opinion relates – the Lydiate Neighbourhood Plan - :

a) is not directly connected with or necessary to the management of the site,

b) is not likely to have a significant effect on each of the following sites:

- Ribble and Alt Estuaries Ramsar site
- Ribble and Alt Estuaries Special Protection Area (SPA)
- Sefton Coast Special Area of Conservation (SAC)
- Mersey Narrows and North Wirral Foreshore Ramsar site
- Mersey Narrows and North Wirral Foreshore Special Protection Area (SPA)
- Liverpool Bay SPA
- Manchester Mosses SPA

either alone or in combination with other plans or projects.

8.5. Accordingly, **“appropriate assessment” is not required** to be made under Regulations 61, 62 and 63 of the Conservation (Natural Habitats &c) Regulations (as amended) before the Council decides to undertake, or give any consent, permission or other authorisation for this plan.

9. Consultation

9.1. The Council consulted with Natural England, the statutory body for the purposes of HRA Screening. Their response is provided in the table below and concluded that Habitat Regulations Assessment is not required.

Statutory Body	Comments
Natural England	Natural England agrees with the report’s conclusions that the Lydiate Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.

Appendix A: Natura 2000 sites in and adjacent to Sefton

