

# HABITATS REGULATIONS ASSESSMENT

St. Anne's on the Sea Neighbourhood Plan Addendum to  
Screening Opinion

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Incorporating

**EC HARRIS**  
BUILT ASSET  
CONSULTANCY



# 1 INTRODUCTION

## 1.1 Introduction

1.1.1 This Addendum to the Habitats Regulations Assessment (HRA) Screening Opinion for the St. Anne's on the Sea Neighbourhood Plan, has been prepared by Arcadis Consulting UK (Ltd) on behalf of Fylde Borough Council as part of the statutory HRA of the St. Anne's on the Sea Neighbourhood Development Plan (hereafter referred to as the Plan). This Addendum should be read in conjunction with the Screening Opinion (Fylde Borough Council, 2015).

## 1.2 Purpose of this report

1.2.1 This Addendum provides additional information in relation to the proposed Settlement Boundary Amendment following completion of the Screening Opinion. The HRA Screening Opinion exercise was undertaken in 2015, during which it was concluded there would be no likely significant effects on the integrity of any European sites alone, or in-combination with any other plans or projects as a result of the Plan.

1.2.2 The boundary assessed for the HRA Screening Opinion is shown within Appendix 2 of the Screening Opinion (Fylde Borough Council, 2015). Subsequently, following the Examination of the St Anne's Neighbourhood Plan the examiner recommended a modification to amend the Settlement Boundary to include an additional field, as shown on Figure 1 below (hereafter referred to the 'site').

1.2.3 This Addendum, therefore, assesses the implications to the existing HRA Screening Opinion of amending the Settlement Boundary, to include this site within the Plan.

Figure 1: Settlement Boundary Extension Location



## 1.4 Consultation

1.4.1 Consultation with Natural England on the proposed Settlement Boundary Amendment has taken place in autumn 2016. The consultation responses from NE are shown in Table 1.

Table 1 Consultation responses from NE

Consultation	NE Comment
Email dated 30 <sup>th</sup> September 2016	<p><i>The final boundary issue which I have to address relates to land at Lytham Moss. Again I heard at the hearing that this land is being promoted for residential development on behalf of the landowner. In terms of the coherence of the settlement boundary, the arguments are just as compelling, as the previously referred to i.e. that it is the Green Belt boundary that should be the limit of the urban area. It could be argued that the logical urban edge will be the North House Lane to the east and the Green Belt to the north. However equally I am aware that there are ecological issues affecting Lytham Moss, as the land is used for grazing of overwintering birds, in this case the pink footed goose. It is identified as a Biological Heritage Site as well as being part of a wider network of linked sites of ecological importance. That, in itself, is not a reason to exclude it from changes to the settlement boundary and the consideration of any proposal would be required to have regard to the ecological impact on the site and protected species, at any application stage.</i></p> <p>This depends on the importance of the land. If the boundary is amended to incorporate the BHS in the settlement boundary, the HRA will need to be updated. The HRA will need to obtain data to determine the importance of the land as it is known to be utilised by pink footed geese; it may be possible to use data from the Queensway development. If the land supports significant numbers of SPA/ Ramsar birds, the local authority will need to determine whether this is possible to resolve and ultimately whether the land can be developed.</p> <p>The Farmland Conservation Area is legally required under the Habitats Regulations to offset the impacts of the Queensway development. It is Natural England's advice that it is not possible to allocate this land for other purposes and therefore the settlement boundary should not be amended as proposed.</p>
Email dated 15 <sup>th</sup> September 2016	Please add to my comments that Natural England does raise concern the regarding amendment to the settlement boundary and recommend that the Nature Reserve area be safeguarded.
Email dated 12 <sup>th</sup> September 2016	Thank you for the above consultation. Natural England has no further comment other than to reiterate our comments made via correspondence dated 30 March 2016, Reference: 178535 that any policy in the Neighbourhood Plan relating to the Nature Reserve would need to ensure absolute compliance with the conditions and planning obligations of the Queensway development

1.4.2 In order to address the comments raised by NE, this addendum has been produced to clarify the potential implications in terms of HRA of adding the additional site within the Settlement Boundary. The proposed nature reserve referred to in NE's response is no longer included within the Plan and therefore does not require further consideration.

### 3 SCREENING

3.1.1 A HRA Screening exercise of the St. Anne's on the Sea Neighbourhood Development Plan was undertaken in December 2015. This addendum should be read in conjunction with the Screening Opinion (Fylde Borough Council, 2015) relating to that exercise. The HRA Screening methodology is set out within the Screening Opinion and consequently will not be repeated here. This Addendum takes into account the requirements of the Habitats Directive, as well as relevant guidance produced by David Tyldesley Associates (Tyldesley, D. and Chapman, C., 2013).

3.1.2 In order to determine any potential impacts on European sites as a result of the inclusion of this additional site within the Plan, a range of data sources were reviewed. These comprised the following:

#### **Fylde Bird Club Records**

3.1.3 These data included almost 50,000 bird records across the Fylde peninsula from the most recent five years available (January 2010 to January 2015). The data set was searched for bird records within and adjacent to the site. Where records related to a tetrad, further interrogation of the data was carried out to determine if additional location information was available, and a review of the aerial photograph of the site was undertaken to provide further context to the record.

#### **Natural England pink-footed geese distribution<sup>1</sup>**

3.1.4 A five point scale has been used by NE to reflect the relative abundance of geese recorded in a 1 km square, called the 'Goose Index'. Each square, where geese have been recorded feeding, has been weighted according to how many times they have been recorded, as well as how many birds were actually counted.

#### **Information from the Queensway development**

3.1.5 Reports produced for the Queensway development (which lies directly west of the site) have also been reviewed (where available).

3.1.6 Table 1, below, provides a summary of the bird records identified within and adjacent to the site.

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<sup>1</sup> Pink-footed geese Ribble and Alt Estuary. A draft map showing the distribution of pink-footed geese records using the 'Goose index' produced by Natural England (21/07/2015).

Table 2 Review of bird data

European Sites Potentially Affected	Fylde Bird Club Records				Pink-footed goose index data square? (Y/N)	Site considered to be Functionally Linked / adjacent to Functionally Linked land?	Further planning information received from Council
	Records within site Y/N	SPA species records within 300m Y/N	Detail of records within the site (species number and year of record)	Detail of records within 300m (species number and year of record)			
Ribble and Alt Estuaries SPA/Ramsar	Y	Y	<p>Bewick's swan, five records, peak count 74 (2011)</p> <p>Oystercatcher, two records, peak count 2 (2014)</p> <p>Curlew, three records, peak count 50 birds (2010)</p> <p>Redshank, one record, peak count one bird (2014)</p>	<p><u>Field north of the site</u></p> <p>Pink-footed geese, three records, peak count 2,500 (2014)</p> <p>Whooper swan, two records, peak count 77 (2010, 2013)</p> <p>Lapwing, one record, peak count 43 (2014)</p> <p>Redshank two records, peak count 9 (2013, 2014)</p> <p><u>Field east of North Houses Lane</u></p> <p>Pink-footed geese, two records, peak count 5,000 (2013, 2012)</p> <p>Whooper swan, four records, peak count 30 (2010, 2012)</p>	Y (Goose Index 1)	Yes, the site itself and surrounding fields would be considered to be functionally linked land.	Currently no development planned at the site. However, the Queensway Development (which has planning consent) lies directly to the north and west of the site.

## 3.2 Screening Summary

- 3.2.1 The proposed site to be included within the Settlement Boundary includes a single field, approximately 18.7ha in size. The site currently lies adjacent to existing development to the south, and farmland to the north, east and west. The site forms part of a larger Biological Heritage Site (BHS) which covers 274.53ha of the surrounding farmland. The BHS is designated (in part) for supporting habitat used by pink-footed geese.
- 3.2.2 The review of bird data undertaken for this Addendum (refer to Table 2) confirms that the site lies within one of Natural England's pink-footed goose squares (Impact Risk Zone – Goose Index 1). Records from Fylde Bird Club also show that the site and surrounding fields support large numbers of geese, swans and other waterfowl and waders during the winter months. Based on this information it is considered that the site and surrounding fields would constitute functionally-linked land to the Ribble and Estuary Special Protection Area/Ramsar site.
- 3.2.3 The site lies directly adjacent to the proposed development, known as Queensway. This development would lead to the loss of the fields considered to constitute functionally linked land close to the site (although the site itself is outside of the Queensway Development). A project-specific HRA has been undertaken for the Queensway Development. The HRA concluded that mitigation would be required to offset the loss of functionally linked land habitat under the footprint of the development. Therefore, land to the north and east of the site has been allocated as 'Farmland Conservation Areas'. This land will be specifically managed for the benefit of over-wintering birds, in particular pink-footed geese. The site is not included within the Farmland Conservation Areas, however, the field directly to the north of the site would be re-developed into a new Nature Park and Playing Fields.
- 3.2.4 Given the size and scale of the Queensway Development, and its associated mitigation measures, it is considered likely that the development would lead to some degree of alteration of the movement/behaviour of over-wintering birds using the farmland in the surrounding area (including the site that this Addendum is considering). Therefore, the species and number of birds currently recorded (and which is presented in Table 2) is likely to change in the future (i.e. birds potentially preferring to use the new Farmland Conservation Areas which are to the north and east of the site). Additional bird data would therefore be required at the time of any future development of the site to take these potential changes into consideration.

## 4 CONCLUSION

- 4.1.1 This Addendum to the HRA Screening Opinion of the St. Anne's on the Sea Neighbourhood Plan has considered the potential implications of the amendment of the Settlement Boundary for the species associated with the Ribble and Alt Estuary SPA/Ramsar site.
- 4.1.2 Although relatively small, given the level of bird activity recorded within and adjacent to the site (based on the Fylde Bird Club data), any development at the site in its current conditions has the potential to have a significant effect on the populations of over-wintering birds associated with the Ribble Estuary SPA/Ramsar site, in particular pink-footed geese. Therefore, development of the site could lead to a likely significant effect on the Ribble Estuary SPA/Ramsar site alone, and hence the Neighbourhood Development Plan should be subject to Appropriate Assessment (just focussing on that site). However, it is likely that any potential development at the site would take place following the completion of the Queensway Development, as the Examiner for the St Anne's on the Sea Neighbourhood Plan considered this modification to the settlement boundary would offer the town the flexibility to be able to meet its housing needs over the next 15 years,. Given it is possible that birds could be displaced to the new Farmland Conservation Areas (which are to the north and east of the site), as Queensway is developed it is likely that the bird composition within and adjacent to the site would be different to that which is currently present at the site.
- 4.1.3 Consequently, it is considered that, whilst likely significant effects cannot be ruled out; there is little value in subjecting the Neighbourhood Development Plan to Appropriate Assessment at this stage. Instead, text within the Plan should make it clear that development on this site would only be consented subject to a) monitoring following the Queensway Development which takes into consideration the potential impact of the Queensway Development on the dynamics of the over-wintering bird populations within the wider area and b) a project-level HRA being undertaken.
- 4.1.4 Therefore, if the Plan is amended to include this additional text, then further HRA at the plan level can be screened out. As such, inclusion of the additional site would not affect the current conclusion of no likely significant effect presented within the HRA Screening Opinion of the current St Anne's on Sea Neighbourhood Development Plan.