

Draft Habitats Regulations Assessment

**THE LANCASHIRE ADVANCED ENGINEERING AND
MANUFACTURING ENTERPRISE ZONE (WARTON) LOCAL
DEVELOPMENT ORDER NO.1 (2015) DRAFT**



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Summary

This is a record of the Habitats Regulations Assessment for Phase 1 of the proposed THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (WARTON) LOCAL DEVELOPMENT ORDER (LDO) No 1 (2015). This assessment is undertaken by Fylde Borough Council as the competent and determining authority.

The LDO would be located approximately 1.1 km from the Ribble & Alt Estuary Special Protection Area (SPA). It is also noted that the designated site is the subject of overlapping International, European (Natura 2000) and national designations: Ribble & Alt Estuaries Ramsar Site, Ribble & Alt Estuaries Special Protection Area, and Ribble Estuary Site of Special Scientific Interest (SSSI). To the east and south of the Ribble & Alt Estuaries SPA are the Liverpool Bay SPA and Sefton Coast SAC.

This assessment is undertaken in order to satisfy the requirements of the Habitats Directive (EC/92/42/EEC) and the Wild Birds Directive (ECn9/409/EEC). The purpose of the Appropriate Assessment is to determine that the proposal will not adversely affect the integrity of the relevant designated Natura 2000 sites in terms of their conservation objectives.

Given the distance of the site from the estuary and the intervening airfield uses which prevents direct access from the development site to the Estuary, it is not considered that there will be any direct impacts as a result of the development of the site or the future use of the site as a result of noise, disturbance and general activity.

The key concern identified is the potential for pollution to enter Pool Stream given the proximity of the proposed development to that water course which is a tributary of the Ribble Estuary which in turn flows into the Liverpool Bay SPA.

Having carried out the screening process under the Habitats Regulations, it is considered that, in the absence of any mitigation and taking a "worst case scenario" there is potential for the development covered by the proposed LDO to have a significant impact on the Ribble & Alt Estuaries SPA and Ramsar site as a result of potential contamination entering Pool Stream. It is considered that, due to the dilution effect, whilst there is potential for trace contamination to enter the adjacent Liverpool Bay SPA and Sefton Coast SAC, there would be no significant impact on the qualifying interest features of those areas.

Accordingly, an Appropriate Assessment of the potential impacts of the proposal on the integrity of the site has been carried out including the potential mitigation of those impacts.

It is considered that the imposition of conditions in order to a) control the foul and surface water discharges from the site and b) to secure a comprehensive scheme of remediation of any contamination found on the site will prevent contamination entering the aquifer and/or Pool Stream.

The proposed conditions are considered to provide suitable mitigation against potential contamination of the Ribble & Alt Estuaries Special Protection Area and so there will be no adverse impact on the integrity of the site.

As these conditions require the submission of adequate information to, and will be monitored by, Fylde Borough Council, the Council is able to guarantee the delivery of the proposed mitigation.

Accordingly, it is considered that the proposed Local Development Order may be authorised.

1. Background to the Assessment

1.1 Introduction

This is a record of the Habitats Regulations Assessment for Phase 1 of the proposed THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (WARTON) LOCAL DEVELOPMENT ORDER (LDO) No 1 (2015). This assessment is undertaken by Fylde Borough Council as the competent and determining authority.

The site which is proposed to be the subject of the Warton Phase 1 LDO is located approximately 1.1 km from the Ribble & Alt Estuary Special Protection Area (SPA).

It is also noted that the designated site is the subject of overlapping International, European (Natura 2000) and national designations: Ribble & Alt Estuaries Ramsar Site, Ribble & Alt Estuaries Special Protection Area, and Ribble Estuary Site of Special Scientific Interest (SSSI). The Ribble & Alt Estuary SPA is also located adjacent to the Sefton Coast SAC to the south and the Liverpool Bay SPA to the west.

1.2 Background to the Habitat Regulations Assessment Process

Article 6 of the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive), as transposed in to UK law under the Conservation of Habitats and Species Regulations 2010 as amended, requires an appropriate assessment to be carried out where a plan or project may give rise to significant effects upon a Natura 2000 site, where that project is not directly connected with or necessary to the management of the site.

Natura 2000 sites include Special Protection Areas (SPAs), Special Areas for Conservation (SAC), candidate SACs and proposed SPAs. European designated sites consisting of land covered continuously or intermittently by tidal waters, or any part of the sea, are also referred to as 'European Marine Sites'. Ramsar sites are also required to undergo an Appropriate Assessment when a plan or project is considered likely to have a significant effect upon a site (Defra, 2006). For the purposes of this assessment, Ramsar sites are also referred to as Natura 2000 sites.

The Local Planning Authority is considered a competent authority under Part 6 the Conservation of Habitats and Species Regulations 2010 as amended. Before deciding to undertake a plan or project that may give rise to significant effects upon a Natura 2000 site, a competent authority must make an assessment of the implications for the site in view of that site's conservation objectives if the plan or project is not directly connected with or necessary to the management of that site

The carrying out of works will be subject to the general obligation of protection under Article 6(2) of the Habitats Directive i.e. avoiding deterioration of natural habitats and species' habitats and significant disturbance that affect the species for which the site has been designated. The competent authority must also consult with the appropriate nature conservation body (i.e. Natural England) and have regard to any representations made by that body.

Each stage of the assessment determines whether a further stage in the process is required. If the conclusion of Stage 1 is that there will be no significant impacts on the Natura 2000 site, there is no requirement to undertake further stages. However, if Stage 1 identifies that there are likely

to be effects on the Natura 2000 site, an assessment of the implications of the plan or project for the conservation objectives of those features of the site likely to be affected must be undertaken. This element of the process is known as an Appropriate Assessment.

In making this assessment, it is important to recognise that it will need to be appropriate to the likely scale, importance and impact of the development. A key outcome of the Appropriate Assessment is to identify whether the integrity of the Natura 2000 site is likely to be significantly affected by the plan or project, and whether the conservation status of the primary interest features of the site could be impacted.

2 Scheme Description

2.1 Scheme Background & Proposals

In the coalition Government's Autumn 2011 financial statement to the House of Commons, the Chancellor of the Exchequer granted Enterprise Zone status to Lancashire on BAE Systems Samlesbury and Warton sites, which together form the company's Warton Unit.

Building on the resurgence of advanced manufacturing and Government's re-commitment to positioning the UK as a leading force in the global advanced engineering and manufacturing arena, the Lancashire Enterprise Zone will become a national focal point for the sector, helping to mitigate the impact of the potential job losses at the Warton Unit and the wider impact this will have on the Lancashire economy. Lancashire is one of the most important centres for high technology manufacturing in the UK, second only to the South East. Accounting for a quarter of local GVA, the sector directly and indirectly affects all aspects of Lancashire's £23.3bn economy.

The Enterprise Zone will support genuine additional growth, creating new businesses and new jobs through a combination of inward investment, specifically the introduction of new Tier 1 companies to the UK securing reinvestment, and the growth of SMEs through technology spin-out businesses and new business starts. The Enterprise Zone will aim to provide the opportunity to create 4,000 to 6,000 high value jobs in the long term and 1,200 jobs in the short to medium term, capitalising on new and emerging market opportunities in the advanced engineering and manufacturing sector. This will strengthen and grow local supply chains through modernisation of the sector in Lancashire and the UK, whilst providing a complementary offer to other national centres, including the Advanced Manufacturing and Research Centre in Sheffield. It is not the intention of the Enterprise Zone to displace existing companies that are already located in Lancashire.

The Enterprise Zone will help to deliver the Lancashire Enterprise Partnership's (LEP) ambitions to drive sustainable economic growth and prosperity in Lancashire by maintaining and increasing the tradition of providing world class products and services made in Lancashire, generating and securing high value jobs, through the supply chain tiers and the Small and Medium Enterprises (SME) base within the advanced engineering and manufacturing sector.

The LEP will manage and co-ordinate activities related to the Enterprise Zone through an Enterprise Zone Governing Body, in association with the Land Owner to assess each proposed development to ensure that the displacement of existing Lancashire based companies does not occur and that any development is genuine growth in, and support to, the Advance Engineering and Manufacture sector. Activity will focus on international inward investment. This will further strengthen the UK's advanced engineering and manufacturing capabilities, building upon BAE Systems significant operations in Lancashire as well as the aerospace capabilities in the North West and UK. The Enterprise Zone Governing Body in association with the Land Owner will co-ordinate and manage the development of surplus land and property at the Samlesbury and Warton sites, which will be achieved through a scaled development approach across the Warton Unit.

Key to Lancashire maximising the contribution of its advanced engineering and manufacturing workforce to both the Lancashire and national economy will be the availability of a flexible, agile and highly-skilled workforce. It is highly likely that during average working life the existing and new workforce will need to retrain and re-skill more than once to exploit emergent technologies

and markets. In support of this, BAE Systems and other partners will seek to establish a Regional Skills Academy at Samlesbury. This facility will provide and increase the existing provision of modern apprenticeships as well as ensuring a focus on life-long learning for individuals throughout their working life within the sector.

The purpose of the LDO is to authorise development within Class B of the Town and Country Planning (Use Classes) Order 1987 as amended in so far as it relates to advanced engineering and manufacturing.

Advanced engineering and manufacturing typical uses may include:

- Aerospace (30.3, 28.4)
- General Aviation Services (52.23)
- High-end automotive including motorsport, electric/alternative energy vehicles, (29.1, 29.3)
- Computing, systems engineering and autonomous systems (62.01, 72.1)
- Nuclear (35.1)¹
- Advanced flexible materials (13.96, 20.6)
- Renewable Energy (27.1).

Development for purposes falling within the above Standard Industrial Classification (SIC)² Codes is automatically within the scope of the LDO. However, advanced engineering or manufacturing purposes which fall outside of the above SIC Codes, or for complementary or supporting or ancillary uses, would potentially also be acceptable, and where such purposes are proposed the Local Planning Authority, following a recommendation of the Enterprise Zone Governing Body, will make an assessment of each such proposed development to ensure that they are within the permitted uses under the LDO.

Development outside the scope of the LDO will require the submission of a planning application. The Local Planning Authority will prioritise all proposals for development within the Enterprise Zone.

2.2 Site Location

The LDO relates to an area of land extending to 8.5 ha located to the north of the runway at the Warton Aerodrome and adjacent to the settlement of Warton. The developable area of the site is composed entirely of previously developed land, occupied by industrial and office buildings (some of which are vacant and some of which are still in use) and extensive areas of car parking. The southern boundary of the area covered by the LDO would be approximately 1.1 km from the Ribble & Alt Estuary Special Protection Area (SPA).

The eastern boundary of the LDO area is formed by Pool Stream, a "main river" which flows past the site in a north south direction before passing through a culvert beneath the runway and then into the Ribble Estuary at the south east corner of the airfield.

¹ The use of land for the production, enrichment, storage or disposal of nuclear fuel falls within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment Regulations) 2011 and would therefore fall outside the remit of this Local Development Order

² The Standard Industrial Classification (SIC) classifies business establishments and other statistical units by the type of economic activity in which they are engaged.

3. Description of Designated Site

3.1 Ribble & Alt Estuary SP

At its closest point, The Ribble & Alt Estuary SPA is located 1.1km to the south of the area covered by the proposed LDO. The Ribble & Alt Estuary is the subject of overlapping International, European (Natura 2000) and national designations: Ribble & Alt Estuaries Ramsar Site, Ribble & Alt Estuaries Special Protection Area, and Ribble Estuary Site of Special Scientific Interest (SSSI).

The Ribble and Alt Estuaries SPA qualifies under the Birds Directive and is of special importance within Britain and in Europe for supporting a range of wildfowl and wader species which use the site as a wintering area and as a staging post during spring and autumn migration. The capacity of the site to support these large numbers of birds comes from the rich food resources available in the tidal flats and the secure roost sites provided by the fringing salt marshes and sand dunes. No other UK site holds as many wintering waterfowl as the Ribble and Alt Estuaries. The SPA supports on average 340,000 waterfowl. The site also supports more species present in internationally important numbers than any other in the UK. Of these species bar-tailed godwit, wigeon, grey plover, knot and sanderling are present on the Ribble and Alt in greater numbers than anywhere else in the UK.

The areas of salt marsh provide important feeding habitat for pink-footed geese, teal, wigeon and pintail. Roost sites for waders and some wildfowl are also found on areas of sandflat, at various locations along the length of the coast.

3.2 Liverpool Bay SPA

The Liverpool Bay SPA was designated in August 2010. The site's eastern boundary is contiguous with the western boundary of the Ribble & Alt Estuary SPA. The Liverpool Bay SPA is located approximately 9 miles west of the site of the proposed local development order.

The qualifying features of the Liverpool Bay SPA are:

- Internationally important population of regularly occurring Annex 1 species: red-throated diver (*Gavia stellata*) (estimated 5.4% of GB's total estimated overwintering population.)
- Internationally important population of regularly occurring migratory species: common scoter (*Melanitta nigra*) (estimated 58% of the GB population)
- Area being used by over 20,000 waterfowl or 20,000 seabirds in any one season

It is considered that, whilst there may be potential for trace contamination to enter the adjacent Liverpool Bay SPA, due to the significant dilution effect of such a large expanse of water and the distance between the potential development site and the designated area, there would be no significant impact on the qualifying interest features of this area.

3.3 Sefton Coast SAC

The Sefton Coast SAC is located approximately 9 miles to the south west of the site of the proposed local development order and is adjacent to the Ribble & Alt Estuaries SPA.

The qualifying features of the Sefton Coast SPA are:

- Embryonic shifting dunes
- Shifting dunes along the shoreline with *Ammophila arenaria* (`white dunes`)
- Fixed dunes with herbaceous vegetation (`grey dunes`)
- Dunes with *Salix repens* ssp. *argentea* (*Salicion arenariae*)
- Humid dune slacks
- Atlantic decalcified fixed dunes (*Calluno-Ulicetea*)

Given the distance from the potential development site to the Sefton Coast SPA, it is considered that there would be no significant impact on the qualifying interest features of this area.

4 Identification of potential effects

4.1 Zone of Influence

It is recognised that plans and projects have the potential to impact on Natura 2000 sites beyond the confines of individual sites. The IEEM guidance on Ecological Impact Assessment states that the potential impacts should be investigated which occur within the zone of influence that arises during the whole lifespan of the proposed project or plan.

The potential zone of influence is defined as:

- Areas directly within the land take for the proposed development or plans;
- Areas which will be temporarily affected;
- Areas likely to be impacted by hydrological disruption, and;
- Areas where there is a risk of pollution and disturbance.

4.2 Potential Effects

In preparing the LDO, the LPA carried out a consultation exercise that included the Environment Agency and Natural England. No responses were received. However both organisations responded to the previous consultation, that relating to THE LANCASHIRE ADVANCED ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (WARTON) LOCAL DEVELOPMENT ORDER No 1 (2012), in so doing both organisations recognised that, given the previous and existing uses of the site, which utilised fuels, oils and other contaminants associated with the weapons industry, there is potential for the site to be contaminated and that any disturbance of contaminated land has the potential to negatively impact upon the quality of controlled waters.

The views of Natural England will be sought on this Draft Habitat Regulations Assessment (HRA) once a decision of the Development Management Committee of Fylde Borough Council has been reached.

Those previous responses also highlighted that the site is located on a major aquifer and adjacent to Pool Stream, which is a "main river" tributary to the Ribble Estuary. There is, therefore, potential for contamination to enter the water environment and pass into the Natura 2000 area.

Given the distance of the site from the estuary and the intervening airfield uses which prevent direct access from the development site to the Estuary, it is not considered that there will be any direct impacts on the interest features of the Natura 2000 site as a result of increased noise and disturbance from traffic and other human activity either during the construction or occupation of the development.

4.3 Site Assessment - Direct Effects

The proposed development is not directly connected with or necessary to the management of the adjacent European site. Therefore, before planning consent can be granted, Fylde Borough

Council needs to determine whether or not the proposed works are likely to have a significant effect on the internationally important interest features of the site, alone, or in combination with other plans and projects.

The likelihood of significant effect needs to be assessed in respect of each interest feature for which the site is classified. If all parties agree that there would be no likelihood of a significant effect, then there is no need for any further assessment.

If the proposal is likely to have a significant effect, then prior to approving the LDO, Fylde Borough Council will need to determine whether or not the proposals will adversely affect the integrity of the site. In addressing combined effects, Fylde Borough Council should consider likely and reasonably foreseeable effects.

If planning conditions can be applied to ensure that the proposal would not adversely affect the integrity of the Natura 2000 site, then the LDO may be approved with those conditions.

The qualifying interest features of the Ribble & Alt Estuaries SPA;

- A037 *Cygnus columbianus bewickii*; Bewick's swan (Non-breeding)
- A038 *Cygnus cygnus*; Whooper swan (Non-breeding)
- A040 *Anser brachyrhynchus*; Pink-footed goose (Non-breeding)
- A048 *Tadorna tadorna*; Common shelduck (Non-breeding)
- A050 *Anas penelope*; Eurasian wigeon (Non-breeding)
- A052 *Anas crecca*; Eurasian teal (Non-breeding)
- A054 *Anas acuta*; Northern pintail (Non-breeding)
- A130 *Haematopus ostralegus*; Eurasian oystercatcher (Non-breeding)
- A137 *Charadrius hiaticula*; Ringed plover (Non-breeding)
- A140 *Pluvialis apricaria*; European golden plover (Non-breeding)
- A141 *Pluvialis squatarola*; Grey plover (Non-breeding)
- A143 *Calidris canutus*; Red knot (Non-breeding)
- A144 *Calidris alba*; Sanderling (Non-breeding)
- A149 *Calidris alpina alpina*; Dunlin (Non-breeding)
- A151 *Philomachus pugnax*; Ruff (Breeding)
- A156 *Limosa limosa islandica*; Black-tailed godwit (Non-breeding)

- A157 *Limosa lapponica*; Bar-tailed godwit (Non-breeding)
- A162 *Tringa totanus*; Common redshank (Non-breeding)
- A183 *Larus fuscus*; Lesser black-backed gull (Breeding)
- A193 *Sterna hirundo*; Common tern (Breeding)
- Waterbird assemblage
- Seabird assemblage

Conservation Objectives for Ribble & Alt Estuaries SPA

With regard to the individual species and/or assemblage of species for which the site has been classified ("the Qualifying Features" listed below);

Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

Subject to natural change, to maintain or restore:

- 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 populations of the qualifying features;
- The distribution of the qualifying features within the site.

Potential hazards of the proposal and consequences for the European site

Removal of Habitat

There will be no removal of habitat – the LDO documents indicate that there will be no impingement on the SPA.

Physical damage to habitat

There will be no physical damage to habitat – LDO documents indicate that there will be no impingement on the SPA.

Disturbance

Disturbance of the bird assemblage and Annex 1 species associated with the SPA is unlikely due to the distance of the site from the assemblage areas and due to the controlled nature of the intervening airfield which prevents direct public access to the Natura 2000 site from the area that would be covered by the LDO. The area which is proposed to be covered by the LDO consists of developed or previously developed land and there are no areas of grassland, wetland areas or areas of open water within the boundary of the proposed LDO.

The site is not utilised by any of the qualifying species when they are away from the adjacent Natura 2000 Site or located on any flyways to and from the Natura 2000 site. Whilst part of Warton Aerodrome is included within the Sensitive Bird Area identified for Whooper Swan, that area is located to the southern part of the Aerodrome and is separated from the proposed area of the LDO by the operational runway.

Nutrient enrichment, changes to salinity & turbidity, contamination and pathogens

The likelihood of run-off and/or leachate from the site resulting in the above impacts will need to be addressed. Such impacts may affect food sources for bird populations associated with the SPA (e.g. plants and invertebrate populations).

Given the proximity of the proposed development to Pool Stream and the previous and current industrial uses of the site, there is potential for contamination to enter Pool Stream and transfer to the Natura 2000 site, particularly during construction.

There is also potential for additional nutrients to enter Pool Stream via surface water run off or discharge of foul water and transfer to the Natura 2000 site once the site is operational.

The probability and likely magnitude of impacts affecting the conservation objectives of the SPA.

Removal of Habitat

No impact

Physical Damage to Habitat

No impact

Disturbance

No Impact

Nutrient enrichment, changes to salinity & turbidity, contamination and pathogens

Consultation has been carried out with the Environment Agency as discussed above. The Environment Agency are satisfied that, subject to the imposition of conditions that will require the approval of a scheme for the disposal of foul and surface water and the undertaking of a remediation strategy to address the potential contaminated land, there will be no adverse impact on the Environment.

The control of surface water will ensure that there is no additional flow in Pool Stream that will affect the turbidity, salinity, geomorphology and sedimentation patterns of the estuary. The control of foul discharges will ensure that no additional nutrients will be allowed to enter the local ground water or Pool Stream.

The requirement to carry out a comprehensive site remediation programme will prevent any contamination of ground water or Pool Stream.

Recommended planning conditions

The following conditions have been included in the draft version of the LDO in order to address the potential impacts on the local environment, including the Natura 2000 site.

(11) A scheme for the disposal of foul and surface waters for each stage of the proposed development shall be submitted to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving the details of the drainage arrangements and if no response is received from the Local Planning Authority within this 28 day period the arrangements shall be deemed to be approved. The development shall be carried out in accordance with the approved scheme.

(14) Prior to commencement of any development permitted by this LDO:

(a) A remediation strategy shall be submitted to the Local Planning Authority for approval. The Local Planning Authority shall respond within 28 days of receiving such remediation strategy relating to the site of such development and if no response is received from the Local Planning Authority within this 28 day period the remediation strategy shall be deemed to be approved.

(b) The development works shall not commence until the remediation strategy has been approved and thereafter the relevant stage of the development shall be undertaken in accordance with the approved remediation strategy unless amended or varied with the prior written approval of the Local Planning Authority.

(c) Upon completion of the remediation works (as defined in the approved remediation strategy) a report shall be provided to the Local Planning Authority demonstrating that the remediation works have been carried out in compliance with the approved remediation strategy.

4.4 Site Assessment - Indirect Effects

As stated previously, the LDO is being formulated to exclude any developments that would have significant impacts on environmental assets in the vicinity, either directly or indirectly. The proposed LDO specifically excludes any development that would require the submission of an Environmental Statement pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended. All developments proposed in the LDO areas will be subject to Screening to ascertain whether this is the case, and those deemed not to have significant effects (and therefore included with the LDO, and hence this assessment) will be small-scale, low impact proposals that have little or no impact on the area in the context of the existing situation. For this reason, it is safe to assume that the LDO, and therefore any developments that fall within it, should have no potential adverse direct effects on the assessed Natura 2000 site.

Due to the physical separation of the development site from the Natura 2000, site, indirect effects associated with traffic levels are unlikely to be a significant issue; the context of the existing situation in and around the Warton Area should be borne in mind, whereby the existing traffic levels are already generally high, and are not likely to be exaggerated to any marked degree by developments covered by the LDO.

Similarly, changes in air quality and noise associated with traffic and general human activity are not likely to have significant impact on the Natura 2000 site and its qualifying features.

4.5 Site Assessment - In-Combination Effects

In addition to assessing the LDO as a stand-alone entity, it is necessary to assess it in combination with other proposed plans, policies and specific developments, to identify whether the LDO would act in combination with all or some of these additional factors to have significant impacts on the Natura 2000 sites.

The LDO has been assessed in combination with the proposed residential development of the adjacent former GEC/Marconi site. This adjacent site extends to an area of 7.82 ha and consists of previously developed industrial land. Like the LDO area, the development site is located adjacent to Pool Stream. The previous use of the site means that it is likely that there is contamination present.

The proposed residential site does not impinge on the Natura Site and there will be no removal of habitat as a result of that development. Being located to the north of the area of the proposed LDO, the proposed residential site is further away from the Natura 2000 site and given the intervening controlled airfield there will be no additional disturbance either during construction or on completion.

The potential impact on the Natura 2000 site is similar to that from the proposed LDO area and relates to the potential contamination of ground and surface water, particularly during construction, which in turn could enter the Natura 2000 site.

It is considered that the imposition of planning conditions on any planning permission granted of a similar nature to those proposed in the LDO, would address the potential for contamination of Pool Stream and the local aquifer and control foul and surface water run-off.

If development does not go ahead, any contamination will remain and may enter the ground and surface water environment over time.

Table 1 – Potential Impacts on European Site Integrity: Construction Impacts

Impact without mitigation	Proposed Mitigation	How Measure will avoid or reduce adverse effects on integrity	Evidence of how mitigation will be implemented	Degree of confidence in likely mitigation	Timescale relative to plan when mitigation will be implemented	Proposed monitoring scheme and how mitigation failure will be addressed
Contamination entering Pool Stream due to disturbance of contaminated land	Imposition of condition requiring remediation of contamination	Controlled removal of contamination will prevent discharge to Pool Stream	Condition 14 of LDO.	Compliance with conditions will require submission of scheme of remediation works to the local planning authority	Desk top risk assessment will take place prior to commencement of development. On site remediation will take place prior to commencement of building works.	Monitoring of compliance with conditions by LPA, including final sign off of completed works
Contamination entering ground water due to disturbance of contaminated land	Imposition of condition requiring remediation of contamination	Controlled removal of contamination will prevent discharge to ground water	Condition 14 of LDO	Compliance with conditions will require submission of scheme of remediation works to the local planning authority	Desk top risk assessment will take place prior to commencement of development. On site remediation will take place prior to commencement of building works.	Monitoring of compliance with conditions by LPA, including final sign off of completed works

Table 2 – Potential Impacts on European Site integrity: Operational Impacts

Impact without mitigation	Proposed Mitigation	How Measure will avoid or reduce adverse effects on integrity	Evidence of how mitigation will be implemented	Degree of confidence in likely mitigation	Timescale relative to plan when mitigation will be implemented	Proposed monitoring scheme and how mitigation failure will be addressed
Increased surface water flow to Pool Stream	Imposition of condition requiring approval of surface water discharges	Controlled discharge of surface water	Condition 11 of LDO	Compliance with condition will require submission of scheme of drainage works to the local planning authority	Submission of details prior to commencement of development. Implementation of works prior to occupation.	Monitoring of compliance with conditions by LPA.
Discharge of foul water to Pool Stream	Imposition of condition requiring approval of foul water discharges	Controlled discharge of foul water	Condition 11 of LDO	Compliance with condition will require submission of scheme of drainage works to the local planning authority	Submission of details prior to commencement of development. Implementation of works prior to occupation.	Monitoring of compliance with conditions by LPA.
Discharge of nutrients to Pool Stream	Imposition of condition requiring approval of surface water discharges	Controlled discharge of surface water	Condition 11 of LDO	Compliance with condition will require submission of scheme of drainage works to the local planning authority	Submission of details prior to commencement of development. Implementation of works prior to occupation.	Monitoring of compliance with conditions by LPA.

5. Conclusions and Assessment

Having carried out the screening process under the Habitats Regulations, it is considered that, in the absence of any mitigation and taking a "worst case scenario" there is potential for the development covered by the proposed LDO to have a significant impact on the Ribble & Alt Estuaries SPA and Ramsar site as a result of potential contamination entering Pool Stream.

It is considered that the distance from the site to the Liverpool Bay SPA and Sefton Coast SAC is such that, even were contamination to enter Pool Stream, there would be no significant impact on the conservation status of those areas. Notwithstanding this assessment, the mitigation measures proposed to protect the conservation status of the Ribble & Alt Estuaries SPA would be sufficient to ensure no significant impacts on those adjacent areas.

Accordingly, an Appropriate Assessment of the potential impacts of the proposal on the integrity of the Ribble & Alt Estuaries site has been carried out including the potential mitigation of those impacts.

It is considered that the imposition of conditions in order to a) control the foul and surface water discharges from the site and b) to secure a comprehensive scheme of remediation of any contamination found on the site, will prevent contamination entering the aquifer and/or Pool Stream.

The proposed conditions are considered to provide suitable mitigation against potential contamination of the Natura 2000 site and so there will be no adverse impact on the integrity of the site.

As these conditions require the submission of adequate information to, and will be monitored by, Fylde Borough Council, the Council is able to guarantee the delivery of the proposed mitigation

Accordingly, it is considered that the proposed LDO may be authorised.