

Fylde Biodiversity Supplementary Planning Document (Scoping)

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Consultation information

This document has been produced by the Council as part of the preparation of a Supplementary Planning Document (SPD) on Biodiversity. Councils are required to consult when preparing an SPD (Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012). The Council must then prepare a summary of the main issues raised and how those issues have been addressed in the SPD.

This consultation therefore invites representations on what the Biodiversity SPD should contain. The representations received will be considered, and will inform the content of the draft SPD. The draft SPD will then be subject to a further consultation (under Regulation 12b and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012).

How to Respond

Responses should address the questions in each section of the document, by reference to the question number. The Council's preference is for responses to be sent by email to PlanningPolicy@fylde.gov.uk. Alternatively they may be sent by post to Planning Policy, Fylde Council, Town Hall, St Annes Road West, Lytham St Annes, Lancashire FY8 1LW.

Introduction

Supplementary Planning Documents (SPDs) provide further detail and guidance in relation to policies and proposals within the Development Plan, in this case the Fylde Local Plan to 2032 which was adopted by the Council on 22nd October 2018. The main objective of this SPD is to provide greater detail with respect to Biodiversity and development sites and other issues relating to Biodiversity.

This SPD Scoping Report is intended to describe the proposed scope/content of the SPD. It includes questions about the proposed content and options for dealing with particular issues. The actual SPD will contain more detailed guidance relating to the issues and objectives. The Council will consider any additional issues raised by this consultation and will investigate the evidence and come to a conclusion as to whether or not the issue can be addressed by the Biodiversity SPD.

What is Biodiversity and why is it important?

Biodiversity is defined as 'the variety of plant and animal life on earth' in the Government's Biodiversity Strategy – 'Biodiversity 2020- A Strategy for England's wildlife and ecosystem services'. Natural Ecosystems provide us with a wide range of goods and services that support our economic and social wellbeing. These include essentials such as food, fresh water and clean air, and also services such as protection from natural disasters and regulation of our climate. Biodiversity is important for its own sake and Fylde supports species and habitats of international, national and local importance.

Starting Principles

The Council is interested in your views about what a Biodiversity SPD should cover and which issues it should address?

A benchmark for the approach to be taken is 'A Green Future' Environment White Paper January 2018

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/673203/25-year-environment-plan.pdf

It states that we will:

Embed an environmental 'net gain' principle for development, including housing and infrastructure.

Previously government policy stated that the planning system should provide biodiversity net gains where possible. Therefore, the new wording is a strengthening of the requirement to provide 'net gain'.

Biodiversity is covered in Chapter 14 of the Fylde Local Plan to 2032, Preserving and Enhancing the Natural, Historic and Built Environment, Policy ENV2 Biodiversity. The first part of the policy sets out the hierarchy of nature conservation sites and the strong level of protection that is given to them. It also defines the principles that must be adhered to if development is proposed within or affecting nature conservation sites and ecological networks. Where significant harm cannot be avoided the location of appropriate mitigation, replacement or other compensation is described using a sequential approach. The policy defines what constitutes damage to nature conservation sites and other ecological assets and this can be used to assess how development is likely to impact upon them. Finally Policy ENV2 states that the Policy applies to all presently designated nature conservation sites or ecological networks that may be designated in the future, and also details protection for Priority Species.

Biodiversity in Fylde

Virtually all of Fylde Council's coastal and estuarine boundaries are covered by an environmental or landscape designation. The most significant of these is the Ribble Estuary which has also been designated as a Special Protection Area (SPA) under the EU Directive on the Conservation of Wild Birds (79/409/EEC) and as a RAMSAR Wetland site in accordance with the International RAMSAR Treaty. These designations (International and European) recognise the importance of the Ribble Estuary as a habitat for migratory birds as it supports one of the biggest wintering and passage populations of wading birds in Britain. The Ribble Marshes are also designated as a National Nature Reserve, covering 4,520ha of intertidal and saltmarsh habitats at the mouth of the Ribble Estuary.

There are also five sites of Special Scientific Interest (SSSIs) in Fylde which are listed below:

Name of Area	Area (ha)
Ribble Estuary	9,120
Newton Marsh	66
Lytham and St Annes Dunes	25
Wyre Estuary	1,493
Lytham Coastal Changes	24

Local Nature Reserves (LNRs) include wildlife or geological features of special interest, Starr Hills Local Nature Reserve is the only LNR in the borough, it also forms part of the Lytham and St Annes Dunes SSSI. In addition to these locally protected sites Fylde also contains 34 Biological Heritage Sites (BHS) which were designated by Lancashire County Council.

Fylde also contains a wealth of other biodiversity, particularly in the rural areas. Rural Fylde was formerly divided into a number of extensive country estates each of which had a large house surrounded by woodlands which were often used for hunting and shooting. These estates have been broken up but many of the woodlands remain, although they are often in need of management. Also there are concentrations of field ponds in the area between Warton and Wrea Green and just inland of Lytham St Annes are extensive areas of mossland which are used as overwintering/feeding areas by migratory birds, in particular pink footed geese and swans. The Lancaster Canal provides a biodiverse corridor of habitats which runs along the eastern edge of Fylde. Finally, there is also the marine environment, the Fylde Off Shore Marine Conservation Zone lies just outside the Council's jurisdiction however, it is within the sphere of influence of development within the area. The quality of seawater is as important for marine life as it is for bathing and great improvements have been made in recent years. In the urban areas there are extensive semi natural areas dedicated to golf courses, public parks and allotments as well as gardens and street trees.

All of the biodiverse environments of Fylde are of value for their own sake in conserving rare species, habitats and landscapes of value. They also provide food, fresh water, bathing waters, clean air and areas which can be used for outdoor recreation, which is crucial to health and wellbeing. Mosslands just inland of Lytham St Annes absorb surface water runoff and release it slowly into local watercourses, helping to mitigate surface water flooding. Dune systems along the coast provide a natural sea defence which is crucial in relation to global warming and sea level rise.

Fylde Council is dependent on its visitor economy which in turn relies on the biodiverse natural environment to attract visitors. Fylde is also a popular area to work and live, in turn creating a demand for new housing and employment. This puts pressure on the biodiverse areas which must be assessed. The Development Strategy in the Fylde Local Plan to 2032 has been subject to

Sustainability Appraisal under the Environmental Assessment Regulations and Habitats Regulations Assessment under the Habitats Regulations.

If significant harm related to development cannot be avoided, appropriate mitigation or as a last resort, replacement or other compensation will be required. The main objective of the Biodiversity SPD will be to provide more detailed information on how sustainable development, with respect to net gains in Biodiversity can be achieved, particularly in relation to development affecting protected areas and also in relation to the planning application process. The SPD will also cover a number of other biodiversity issues, both local e.g. The Sand Dunes and national e.g. the decline in Swifts.

Do you agree that the Council should produce an SPD to provide detailed guidance on Biodiversity?

Vision, Issues and Objectives

Vision

There will be a 'net gain' in Biodiversity in Fylde, this will be achieved through all development and also by enhancing the biodiversity of existing areas, including those which are already protected for their value, and other areas which can be enhanced to provide additional areas of biodiversity.

Issues

The International and European Sites.

The Lancashire Ecological Network.

The methodology to be followed when assessing the impact of development on Biodiversity.

New Development – how can opportunities for increasing biodiversity within and around development sites be maximised.

New Housing – provision of information to residents about protected areas in their locality and how to help look after them.

Permitted Development e.g. Barn Conversions and the need to promote good practice with respect to bats and barn owls.

Prior Notification and/or Approvals for Demolition.

Nationally Significant Infrastructure Projects NSIPS.

The Sand Dunes and the continuation of developer funding for the Ranger Service.

Nature Improvement Areas.

Biological Heritage Site surveys are out of date.

Coast and Parks Design Code.

Levels of Maintenance/Manicuring of Open Space both Publicly and Privately Owned.

The Decline of Swifts, there has been a 47% decline in UK Swift numbers (1995-2014), mainly due to nesting sites in old buildings being lost as buildings are restored.

Objectives

To provide more detailed guidance on the International and European Sites (Ramsar and SPAs) and functionally linked land (which provides a support function for the qualifying species of the Ramsar Sites and Special Protection Areas), and the requirements for providing appropriate mitigation, replacement or other compensation.

To investigate the use of the Lancashire Ecological Framework to screen applications allowing better assessment of the impact on the wider ecological network.

To produce a clear and robust methodology for assessing the biodiversity implications (at all scales) of proposed development, and for maximising the creation of biodiversity opportunities of all new developments.

To provide advice on how information should be provided to new home owners about areas protected for their biodiversity in the local area

To provide guidance on best practice with respect to permitted development and protecting biodiversity, which applicants can refer to.

To require an Ecological Appraisal when applications are submitted for Prior Notification and/or prior Approval for demolition consents.

To clarify how Fylde Council will respond when they are consulted on Nationally Significant Infrastructure Projects.

To ensure that as the population of Lytham St Annes grows, and its popularity as a visitor destination grows, pressure on the sand dunes is managed, in particular through the continued funding of the ranger service.

To raise awareness of Nature Improvements Areas.

To highlight the lack of up to date surveys for Biological Heritage Sites.

To highlight the importance of adhering to the Parks and Coast Design Guide which will assist in adopting a coherent approach to species selection, maintenance and provision of infrastructure e.g. signage and furniture. This will ensure that public open spaces which are passed over to the Council for future maintenance have been established in a sustainable and biodiverse way.

To provide guidance on levels of maintenance for both publicly and privately owned public space, for example the Council has reduced the amount of formal bedding it plants by 40% in recent years as bedding plants are less sustainable than perennial planting.

To raise awareness of the decline of Swifts, and request that local businesses and home owners install Swift nest boxes as well as requesting that Swift bricks/boxes are provided as part of new development.

Q. Do you agree that the SPD should consider the issues above? Do you agree with the objectives as stated? Are there any issues/objectives that should not be included or should be amended? Are there any issues missing from the list, or additional objectives that the SPD should have? Please list them and any sources of evidence or examples of how they have been dealt with by other Local Authorities.

Policy and guidance review

Fylde Local Plan to 2032, adopted October 2018, together with the Joint Lancashire Minerals and Waste Core Strategy DPD 2009 and the Joint Lancashire Minerals and Waste Local Plan Site Allocations and Development Management Policies DPD form the statutory Development Plan for Fylde.

Local Plan Vision

This excerpt relates to Biodiversity:

The rural character and attractiveness of the countryside areas of the Fylde will have been retained and enhanced and the rural economy will thrive, in particular small and medium sized enterprises. The release of land within the countryside for development will have been minimised and the highest quality agricultural land will have been protected from inappropriate development. Biodiversity, including Fylde's Ecological Network, will have been enhanced and protected from inappropriate development.

Local Plan Objectives

Strategic Objective 2: To maintain, improve and enhance the environment by:

The following sub objectives are relevant:

- Protecting, restoring and enhancing the quality, character and distinctiveness of the biodiversity, landscape and countryside of Fylde.
- Expanding biodiversity resources, including improving habitat connectivity, particularly away from the coastal edge.
- Promoting the Green Infrastructure network through the Urban and Rural areas of Fylde.
- Minimising the risk of surface water flooding, coastal and pluvial flooding and groundwater flooding, to existing and new development and to agricultural land, and improving bathing water quality.
- Supporting the delivery of actions in the Coastal Strategy
- Ensuring that infrastructure is available to enable new development, whilst protecting and enhancing the natural and built environment.
- Working with the Marine Management Organisation to ensure clean, healthy, safe, productive and biologically diverse seas.

Fylde Local Plan to 2032 Relevant Policies

Policy M1 Masterplanning the Strategic Locations for Development in particular criteria o, p and q which outline requirements for Green Infrastructure, the conservation and enhancement of important environmental assets and natural resources, and appropriate ecological surveys.

GD7 Achieving Good Design in Development criterion l which outlines requirements for protecting and enhancing natural assets and providing linkages to the wider ecological networks.

Policy HW1 Health and Wellbeing criterion e safeguards and encourages the provision of allotments and garden plots within developments and small scale agriculture and farmers markets to provide access to healthy and affordable locally produced food options. This will increase the biodiversity of new development and maintain the biodiversity of existing development. Also criterion f Promoting improvements to healthy lifestyles and developing a network of cycling and pedestrian routes – linking key settlements and service centres, enabling the community to improve their health by

travelling by more sustainable modes of transport- integrated into a wider multi-functional green infrastructure network.

Policy INF2 criterion c Mitigate any environmental impacts of new development.

Policy INF2 Developer Contributions – Subject to viability, development will normally be expected to contribute towards the mitigation of its impact on the environment. Criterion g Enhancing the functionality, quality, connectivity and accessibility of the Green Infrastructure network – the network of natural environmental components and green and blue spaces (such as outdoor sports facilities, open space, including Fylde’s Coastal Change Management Areas stretching from Starr Hills to Savick Brook in the south and along the River Wyre in the north, Lancaster Canal, parks allotments, play areas, enhancing and conserving biodiversity and management of environmentally sensitive areas);

Policy CL1 Flood Alleviation, Water Quality and Water Efficiency, all new development is required to minimise flood risk impacts on the environment, retain water quality and water efficiency, and mitigate against the likely effects of climate change on present and future generations. Criterion f seeks to maximise the potential of the Green Infrastructure network within developments to reduce the risk of flooding. Also Criterion g ensuring that new development does not adversely affect the quality of surface and groundwater resources in Source Protection Zones and where possible contributes to improving it. Developer contributions will be required for the provision and maintenance of SUDS (Sustainable Urban Drainage Systems), where they are not provided as part of the development. Developer contributions will be required for the repair or replacement of the sea defences, coastal protection measures and the maintenance of the sand dunes system.

Policy ENV1 Landscape, criterion a requires a landscaped buffer of appropriate depth and species which will increase biodiversity. Existing landscape features must be conserved, maintained, protected and enhanced through increased tree and shrub cover. The impact of the loss of landscape features must be minimised by providing like for like replacements and measures must be put in place to manage these new features. New landscape planting should be of native species, future management should be agreed.

In the Coastal Change Management Areas development will only be permitted where it meets all of the criteria. Criterion 3 states that development must not adversely affect the nature conservation assets of the coastline, predominantly the Ribble and Alt Estuaries SPA/Ramsar. Project specific Habitats Regulations Assessments (HRAs) will be required for any tourism and coastal defence developments near to the Ribble and Alt Estuaries SPA/Ramsar. The HRAs will need to demonstrate that there will be no significant effect upon the European Sites before the tourism and coastal developments can be granted consent. Where development does occur in these areas, developer contributions will be sought for the conservation, management and enhancement of important wildlife habitats and the creation of new habitats.

Policy ENV2 sets out the hierarchy of nature conservation sites and the strong level of protection that is given to them. It also defines the principles that must be adhered to if development is proposed within or affecting nature conservation sites and ecological networks. Where significant harm cannot be avoided the location of appropriate mitigation, replacement or other compensation is described using a sequential approach. The policy defines what constitutes damage to nature conservation sites and other ecological assets and this can be used to assess how development is likely to impact upon them. Finally Policy ENV2 states that the Policy applies to all presently

designated nature conservation sites or ecological networks that may be designated in the future, and also details protection for Priority Species.

Policy ENV3 Protecting Existing Open Space (part of the Green Infrastructure Network), protects existing areas of public open space which are identified on the Policies Map from inappropriate development. This includes sports and playing pitches, parks, other areas of public open space, open spaces that make a positive contribution to the historic environment, allotments and Fylde's Public Rights of Way.

Policy ENV4 Provision of New Open Space (the Green Infrastructure network) sets out the amount of new amenity open space that will be required. Amenity Open Space usually, but not always, has biodiversity value. Where there is an identified over-provision of open space in close proximity to the application site, the monies generated from the development of the site and development in close proximity to it will be used to enhance the quality of, and accessibility to, the existing open space network. Opportunities to link open spaces to create a multi-functional Green Infrastructure network which will be of value for Biodiversity will be maximised.

Although these policies are being highlighted as being particularly relevant to Biodiversity the plan should be read as a whole and others policies and supporting text will be relevant.

Supplementary Planning Documents may not make policy, but must reflect policy that exists, then provide further explanatory detail. The Biodiversity SPD will therefore primarily reflect the Local Plan Policies ENV1, ENV2, ENV3 and ENV4, as they are the relevant statutory development plan policies for Fylde.

Neighbourhood Plans

St Annes on the Sea Neighbourhood Plan

The St Annes on the Sea Neighbourhood Plan highlights the following environmental issues:

- protecting the Lytham Moss area of open countryside and improving recreational use of it.
- making better use of the beach and sea
- improving gateways into the town
- improving existing parks
- provide new green infrastructure and improve environmental value of the spaces around and connecting areas of green infrastructure (including new green routes)

The objectives include to enjoy and utilise our natural landscape, green spaces and assets whilst protecting these for future generations.

Policy EN1: Sites of Biological and Geological Importance sets out the circumstances when development likely to result in harm to biodiversity or geodiversity could be permitted. The habitats and species of importance to biodiversity are listed. The policy also states that the level of protection and mitigation should be proportionate to the status of the habitat or species and should give appropriate weight to their importance, individually and as part of the contribution they make to the wider ecological network

Other relevant policies include:

EN2 Green Infrastructure;

EN3 Starr Hills Nature Reserve

EN4 Urban Trees Supply

EN5 Community Tree Planting

Appendix 1 provides a schedule of 7 Proposed Local Green Spaces, however, although some of them will have biodiversity value they are included for their recreational value.

Bryning with Warton Neighbourhood Plan

Section 6 of the Issues, Environment – Heritage and Areas of Open Spaces for Protection highlights the following issues:

- The Green Infrastructure of the area should be protected and enhanced.
- Concerns have been raised in relation to the lack of landscaping on the verges of the major transport routes.
- Encourage green buffer areas around new development to create soft boundaries and enhance biodiversity.
- Concerns were raised about protected species, especially when habitats are being destroyed.
- Create better access to our natural environment.
- There is a strong desire to preserve existing publicly accessible open spaces and green spaces surrounding the villages, to ensure that any new developments maintain public rights of way and also to protect footpath networks to provide access to surrounding countryside.
- To promote and protect existing allotment space.

Policy BWNE1- Protecting and Enhancing Local Wildlife and Habitats states that development proposals that impact on local wildlife and habitats should demonstrate how biodiversity will be protected and enhanced.

National Planning Policy Framework NPPF (July 2018)

The NPPF was published on 24th July 2018, it supersedes the previous version of the Framework which was published in 2012.

Chapter 15 of the NPPF is entitled conserving and enhancing the natural environment. In summary, planning policies should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services. They should also maintain the character of the undeveloped coast and access to it, minimise impacts on and provide **net gains** for biodiversity, including by establishing coherent ecological networks, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability and remediating and mitigating despoiled, degraded, derelict, contaminated land.

Paragraphs 171-177 describe in more detail how this will be achieved.

Planning Practice Guidance PPG (March 2014)

Natural Environment Biodiversity and Ecosystems

The Planning Practice Guidance sets out the statutory basis for minimising impacts on biodiversity and providing net gains where possible, it describes how Local Planning Authorities should plan for

Biodiversity and Geodiversity, provides guidance on ecological network, ecological evidence, legal obligations for European sites, guidance on local sites, ecosystem services and nature improvement areas. The Planning Process, enhancement of biodiversity, avoiding, mitigating and compensating for significant harm are also covered.

Fylde Coastal Strategy 2015 - 2032

This is a Fylde Council document and the Vision is;

“To create a unique, high quality destination for residents and visitors, which is based on the conservation and enhancement of the natural landscape and heritage assets of the coastal area of the Borough of Fylde”.

There are ten objectives and the first four relate to biodiversity:

- To create an interconnected corridor of green infrastructure along the Fylde Coast.
- To safeguard the coast from flooding, coastal erosion and the effects of climate change.
- To improve the quality of our bathing waters and beaches.
- To protect, enhance, regenerate and maintain the natural environment and the heritage assets of the Borough.

Theme 1 is Green Infrastructure and Landscape and Theme 4 covers Nature Conservation, Habitat Improvement and Landscape Enhancement.

Theme 4 sets out the issues, reviews policy and strategy, describes the role of Natural England, describes the local context and beaches, foreshore, sand dunes, Ribble Estuary and Ribble Coast and Wetlands Regional Park.

Key Actions:

- Integrate the nature reserve, SSSI and biological heritage sites to create a regionally significant nature reserve.
- Develop and Implement the Sand Dunes Management Action Plan
- Review the impact of sand extraction/winning
- Develop and implement Beach Management Plan.
- Establish strategic urban trails

Sand Dunes Management Action Plan

The Sand Dunes Management Plan was produced by a partnership including Fylde Council, Blackpool Council, Natural England, The Environment Agency, Lancashire Wildlife Trust, Lancashire County Council, Royal Society for the Protection of Birds and Sefton Metropolitan Council. The Sand Dune Management Plan is out of date, it has been agreed that an update will be provided.

The Sand Dunes Management Action Plan is a document which aims to:

- Enhance the nature conservation interest of the coastal habitats
- Improve the efficiency of the dunes and saltmarsh as a soft sea defence
- Enhance public appreciation and enjoyment of the dunes

Helping Swifts Soar Nature's Home The RSPB Magazine 2017

There isn't one specific document on Swifts, however this article provides a useful summary of the work carried out so far. Exeter Council have an adopted SPD that specifies that nest boxes should be

integrated into new developments. This guidance has been identified as an exemplar of good practice by the Town and Country Planning Association. Belfast has become the UK's first ever Swift City and has recruited dozens of volunteers to carry out Swift surveys. Tayside Swifts advises on Swift conservation in Angus, Perth and Kinross and Dundee.

Fylde Council will review current best practice with respect to swift conservation, in particular contacting councils that do require nest boxes via planning conditions in order to incorporate best practice into the SPD.

The **Good Design SPD** and the **Healthy Living SPD** which are being produced in tandem with this Biodiversity SPD will also provide information relating to Biodiversity. There will be implications relating to the Biodiversity SPD where design influences Biodiversity, and also with respect to how access to biodiverse areas improves health and well being.

Q. Do you agree that the SPD should have regard to all of the above documents? Are there other documents to which the SPD should refer or which inform the content of the SPD? In particular any documents which highlight Biodiversity issues that are of particular concern in Fylde?

Biodiversity Issues in Fylde

This section of this scoping document will provide more detail about the objectives and options for how the SPD intends to address them. It provides an opportunity to make comments on the proposed approach. Each objective is underlined and there is a question about each objective at the end of each section.

To provide more detailed guidance on the International and European Sites (Ramsar and SPAs) and functionally linked land (which provides a support function for the qualifying species of the Ramsar Sites and Special Protection Areas), and the requirements for providing appropriate mitigation, replacement or other compensation.

The SPD will set out in detail guidance on mitigation, compensation and enhancement of habitats for protected species including Pink Footed Geese. This will apply to both designated sites and habitats outside the designated sites that support species listed as being important in the designation of the International and European sites, known as functionally linked land.

Where it has been demonstrated that significant harm cannot be avoided appropriate mitigation or as a last resort, replacement or other compensation will be required. The location of appropriate mitigation, replacement or other compensation will be targeted, using a sequential approach with the priority being provision within the development site or the immediate locality.

A Biological Heritage site has been created on Lytham Moss north east of the Lytham St Annes. Part of this extensive area will be managed as a Farmland Conservation Area for migratory birds associated with the Ribble Estuary. This is mitigation for the adjacent Queensway Development site.

The Former Pontins Site between St Annes and Blackpool has been redeveloped for housing. It is across the road from a very important area of protected dune habitat which residents use to access the beach. Mitigation for the development includes developer contributions to a ranger service which raises awareness of the importance of the dunes and discourages trampling of vulnerable areas.

Examples of mitigation measures that can be used in association with International and European Sites with populations of 'passage and overwintering birds' include:

- Construction to take place from April – September.
- If outside April – September then include a Construction Environmental Plan to avoid noise and visual disturbance.
- The disturbance will affect the bird's ability to feed so more rigorous cold /freezing restrictions will apply.
- Additional measures may include provision of a suitable bird feeding area on site or in the immediate locality.

Where housing proposals create recreational pressure for International and European Sites examples of mitigation measures could include:

- Incorporation of public open space to encourage use of the public open space within the housing site.
- Design and management of public open space outside the proposed development boundary to encourage use away from the International and European Sites.
- Provision of information in sales packs informing residents of the protected sites and how they can help to preserve them.

- Contributions to improving and /or managing access to and /or within the International and European Sites e.g. rangers, signage, path management.
- Contributions towards enhancing and or managing existing public open space or countryside areas away from the coast and improving access to them.

Where holiday accommodation creates recreational pressure for International and European sites e.g. holiday chalets close to the Wyre Estuary, information packs can be provided to guests to raise awareness of the issues.

The SPD could set out which mitigation measures should be used for which locations and for which different types of development. The Council will consult Natural England on emerging best practice with respect to this objective. However, it may be that sites still have to be assessed on a site by site basis.

Q. Are you aware of any other mitigation measures that could be used in relation to the International and European Sites? Do you have any examples of best practice associated with their implementation? Do you think a methodology could be set out which describes the approach in different areas of Fylde, and for different types of development or do you think a site by site approach should be taken?

To investigate the use of the Lancashire Ecological Network to screen applications allowing better assessment of the impact on the wider ecological network.

The NPPF 2018 paragraph 171 states that plan should: take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale. Paragraph 174 states that to protect and enhance biodiversity and geodiversity, plans should:

Identify, map and safeguard components of local wildlife rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation and promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

Policy ENV2 Biodiversity of the Fylde Local Plan to 2032, section B Criterion iii states that consideration should be given to the impact of development proposals on the County wide Lancashire Ecological Network and, where possible, opportunities to support the network by incorporating biodiversity in and around development should be encouraged.

The Lancashire Network comprises separate habitat maps for three different broad habitat groups:

- Woodland and Scrub
- Grassland
- Wetland and Heath.

The elements of the Lancashire Ecological Network will be described in detail in the SPD.

A constraints mapping layer could be set up and planning officers would be able to assess the impact of proposals on the Network and advise applicants accordingly.

Q. Do you agree with this approach to assessing the impact of development on the Lancashire Ecological Network?

To produce a clear and robust methodology for assessing the biodiversity implications (at all scales) of proposed development, and for maximising the creation of biodiversity opportunities of all new developments.

Dealing with Ecological Issues in the Planning Process

Pre-application

Applicant to establish in consultation with the Council (at the very earliest stage) whether any biodiversity considerations apply, including opportunities for improvements and additions to the ecological network, and to commission a Biodiversity Survey and Report. Some surveys can only be carried out at certain times of the year so this may delay the process. Surveys are usually requested if there is:

A likely impact on:

A protected species

A Designated Area e.g Ramsar site or SPA

An Identified Functionally Linked Habitat

An Impact Risk Zone (a 2km zone around a SSSI)

Species surveys are requested if for example there is a pond within the site or within 500m of the site, this would be a survey for newts. For large sites on the edge of settlements a Phase 1 Habitat Survey is usually provided. These surveys are assessed by the Greater Manchester Ecology Unit who report back to the Council.

Natural England request a shadow Habitats Regulations Assessment (under the Habitats Regulations), if they deem there to be an impact on a Ramsar Site, Special Area of Conservation(SAC) or Special Protection Area(SPA) this is commissioned by the applicant and adopted by the Council.

Validation by the Local Planning Authority

Is the Biodiversity Survey and Report fit for purpose are further surveys needed and are they included? Once all the necessary information has been collected the application can be determined.

Determination of the Planning Application

Does the application demonstrate that harm to species/habitats can be avoided or mitigated, or as a last resort be compensated for. Approval may be granted with appropriate conditions and in some cases, subject to obligations under a legal agreement if appropriate.

Implementation

Applicant applies to discharge ecological conditions that they have complied with. Applicant implements mitigation/management regime if required.

The steps set out above provide a very brief description of the process that a planning application which has Biodiversity implications would go through. The SPD will set out in more detail the steps to be followed.

Q. Do you have any experience of the system for assessing the Biodiversity implications of development as it currently operates at Fylde? Do you have any suggestions for improvement that could be incorporated into the Biodiversity SPD?

To provide advice on how information should be provided to new home owners about areas protected for their biodiversity in the local area

This will be addressed in the earlier section on the European Sites and mitigation in relation to development proposals, where the mitigation may be required.

The Council also will encourage developers to provide a pack of guidance to new home owners where the residential development will create recreational pressure on any site of value for its biodiversity.

Q. Do you agree with this approach to managing recreational pressure?

To provide guidance on best practice with respect to permitted development and maximising opportunities for biodiversity, which members of the public and developers can refer to.

Permitted Development is development which does not require planning permission. Whether or not development is permitted depends on its size and how much development has already taken place, householders can usually undertake single story side or rear extensions, loft conversions, front porches, outbuildings, solar panels and skylights. Permitted development also includes Barn Conversions which can affect bats and owls.

The SPD will contain a section on best practice with respect to Biodiversity and Permitted Development which the person carrying out the development can be referred to. The development does not require planning permission so the SPD can only be used to raise awareness and encourage best practice.

Permitted Development rights do not override the need to comply with Habitats Regulations. Any permitted development (granted by the General Development Planning Order (permitted development order)) which is likely to have a significant effect on European Sites must not begin until the developer has received written notification of the approval from the Local Planning Authority, a screening opinion. The SPD will set out the process to be followed in these circumstances.

Q. Do you agree that the SPD should set out best practice with respect to permitted development?

To require a Biodiversity/Ecological Appraisal when applications are submitted for Prior Notification and/or prior Approval for demolition consents.

Applications for Prior Notification and/ or Prior Approval for demolition consents will require a Biodiversity/Ecological Appraisal. The scope of the survey will be limited to a survey for bats and breeding birds. Evidence of the use of the building by breeding birds such as barn swallow, house martin, barn owl or swift should be recorded. This type of survey can only be done in the breeding season. A demolition method statement should take the information from the surveys into account in scheduling the timing of demolition work, and the method of demolition.

Q. Do you agree that the SPD should set out best practice with respect to Prior Notification and/or prior approval for demolition consents?

To clarify how Fylde Council will respond when they are consulted on Nationally Significant Infrastructure Projects.

Fylde Council are consulted on Nationally Significant Infrastructure projects by the Planning Inspectorate. The content of the Biodiversity SPD will highlight Fylde specific, plus national and international biodiversity issues which will be used as a checklist to ensure the consultation response covers everything of relevance.

The approach will be to advise the Planning Inspectorate on the impact of the NSIP on Fylde's natural assets. It will also advise whether any proposed mitigation is acceptable in terms of quantity, quality and location, whether additional mitigation is required or whether compensatory provision is needed. The response will also include an assessment of the NSIP against the Local Plan policies and in consultation with Natural England whether a project level Habitats Regulations Assessment is required under the Habitat Regulations.

Q. Do you agree with the approach set out above? Is there anything else that should be included in the Council's response?

To ensure that as the population of Lytham St Annes grows, and its popularity as a visitor destination grows, pressure on the sand dunes is managed, in particular through the continued funding of the ranger service.

The recently adopted Fylde Local Plan to 2032 provides for the development of 8715 new homes by 2032. Similar amounts of new development are being provided by Preston and Wyre Councils, with slightly less development proposed in Blackpool.

Some of this new development e.g. the Former Pontins site is within walking distance of the dunes, other development is a short car ride away. Visitors to Lytham St Annes come from all over the north west for day trips or short visits and the resort is an all year round holiday destination in its own right.

All of this creates recreational pressure on the dunes. The dunes are a vulnerable resource as they are a very narrow strip which is less resilient than other more extensive areas of dunes in for example Sefton. Fylde Council's long term objectives are set out in the Sand Dunes Management Plan and include:

- Enhance the nature conservation interest of the coastal habitats
- Improve the efficiency of the dunes and saltmarsh as a soft sea defence
- Enhance public appreciation and enjoyment of the dunes

In particular the Council has recently expanded its team of Coastal and Countryside Rangers and part of their remit includes dune management. One of the main aims is to achieve an extension of the dunes seaward by promoting activities which result in accretion of embryonic dunes. This has involved fencing and signage to raise awareness of the vulnerability of the dunes, plus planting of 'used' Christmas Trees to trap sand and also planting of marram grass. Routes through the dunes are sign posted encouraging people to stick to them, as they walk through to the beach. So far the work has had promising results with new embryonic dunes forming. If the narrow strip of dunes can be extended seaward it will provide a more robust sea defence. This may be vital in the future as climate change will cause sea level rise making areas like Lytham St Annes more vulnerable. As the dune system expands in area its Biodiversity will increase and it will become less vulnerable.

Some of this work has been carried out by teams of volunteers organised by the Fylde Ranger Service. The Ranger Service is partly funded by the former Pontins Development as part of the mitigation associated with the redevelopment of this site for housing. The funding is limited, it funds 2 of the 3 rangers for 5 years. One of the objectives of the SPD will be to investigate the possibility of other new developments in the area contributing to the continuation of the Ranger service.

Q. Do you agree that new development in Lytham St Annes should make contributions to the Ranger Service, which will then promote dune management?

To raise awareness of nature improvements areas.

Nature Improvement Areas are large areas, (in the region of 10,000-50,000 ha) that by taking a landscape-scale approach, will deliver a step change in nature conservation, they are delivered by a local nature partnership that has a shared vision for the natural environment. The partnership will plan and deliver significant improvements for wildlife and people through the sustainable use of natural resources, restoring and creating wildlife habitats, connecting local sites and joining up local action. The partnership will be able to demonstrate measurable improvements – the ‘step change’ – and commit to sharing information about their improvements. Policy ENV2 Biodiversity of the Fylde Local Plan to 2032 states that the location of appropriate mitigation, replacement or other compensation will be targeted using a sequential approach, as follows:

- Within the development site;
- In the immediate locality;
- Within a Nature Improvement Area within the Borough;
- Elsewhere.

The Biodiversity SPD will provide more information about Nature Improvement Areas and investigate the potential for creating a Fylde Nature Improvement Area?

Q. Do you agree with the approach to Nature Improvement Areas as set out above?

To highlight the lack of up to date surveys for Biological Heritage Sites (BHS).

Biological Heritage Sites were originally designated in the 1990s and Fylde Council was provided with a schedule for each site which described the flora and fauna which had resulted in the designation.

<https://www.lancashire.gov.uk/lern/site-designations/local-sites/biological-heritage-sites>

However, the Council is not aware of any updates to this survey work. This is a resourcing issue with Lancashire County Council unable to carry out the necessary survey work. Fylde Council does not have an ecologist who could resurvey the BHS, or the resources to employ one. The SPD will highlight this as a significant issue and raise this awareness of this issue.

Q Do you have any ideas for achieving a resolution to this issue?

To highlight the importance of adhering to the Parks and Coast Design Guide which assists in adopting a coherent approach to species selection, maintenance and provision of infrastructure e.g. signage and furniture. This will ensure that public open spaces which are passed over to the Council for future maintenance have been established in a sustainable and biodiverse way.

Also to provide guidance on levels of maintenance for both publicly and privately owned public space, for example the Council has reduced the amount of formal bedding it plants by 40% in recent years as bedding plants are less sustainable than perennial planting.

The Parks, Leisure and Tourism Department of the Council has been working on a Parks and Coast Design Guide. This will set out what the Council expects with respect to the design, planting, infrastructure and maintenance regimes for new public open space created as a result of development.

This will ensure that the design maximises biodiversity by creating a mosaic of different habitats. Also the species planted (trees, shrubs, grasses etc) should be adapted to a coastal climate and will thrive as the climate changes. This will for example reduce the need for watering. Infrastructure could be made of robust, recycled materials. Maintenance regimes should be minimal to make areas more sustainable and reduce the cost to the Council and the environment.

The Biodiversity SPD will raise awareness of the Parks and Coast Design Guide and the Council's Planning Officers will refer developers to the guidance in it.

Q. Do you agree that the Council should have a Parks and Coast Design Guide and that developers of new public open space should be required to adhere to the prescribed standards?

To raise awareness of the decline of Swifts, and request that local businesses and home owners install Swift nest boxes as well as requesting that Swift bricks/boxes are provided as part of new development.

There has been a 47% decline in UK Swifts numbers (1995-2014) and this is attributed mainly to the loss of nesting sites. Nesting sites are lost when small cavities, usually just under the eaves of traditional buildings are lost as an historic building is restored.

The first step in halting the decline of swifts is to carry out summer surveys during the nesting season to find out which areas colonies are nesting in. Then existing nest sites need protecting and new nest boxes should be put up as close as possible to existing nest sites, in case something happens to this nest site in the future.

A lot of work has been done to conserve swifts throughout the UK. The SPD would summarise best practice and would conclude with recommendations for swift conservation in Fylde which is likely to include planning conditions which require developers to incorporate swift bricks and swift boxes in new developments, both housing and commercial developments.

Q Do you agree with this approach to Swift Conservation. Are you aware of any other species which are declining in Fylde and which could be assisted by provision of habitat?

This section of the scoping document has dealt with issues and objectives which were raised prior to this consultation. The Council expects that further issues will be raised by this consultation. The Council will consider any additional issues raised by this consultation and will investigate the evidence and come to a conclusion as to whether or not the issue can be addressed by the Biodiversity SPD.

