

**Land east of Maghull
Supplementary Planning
Document**

**Strategic Environmental
Assessment/Habitats
Regulations Assessment
Final Screening Statement**

September 2015

1. Introduction

- 1.1 This report has been produced to determine the need for a:
- I. **Strategic Environmental Assessment (SEA)** in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004
 - II. **Habitats Regulations Assessment (HRA)** in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 as amended (the habitats regulations)

For the proposed Land East of Maghull Supplementary Planning Document (SPD).

2. Policy context

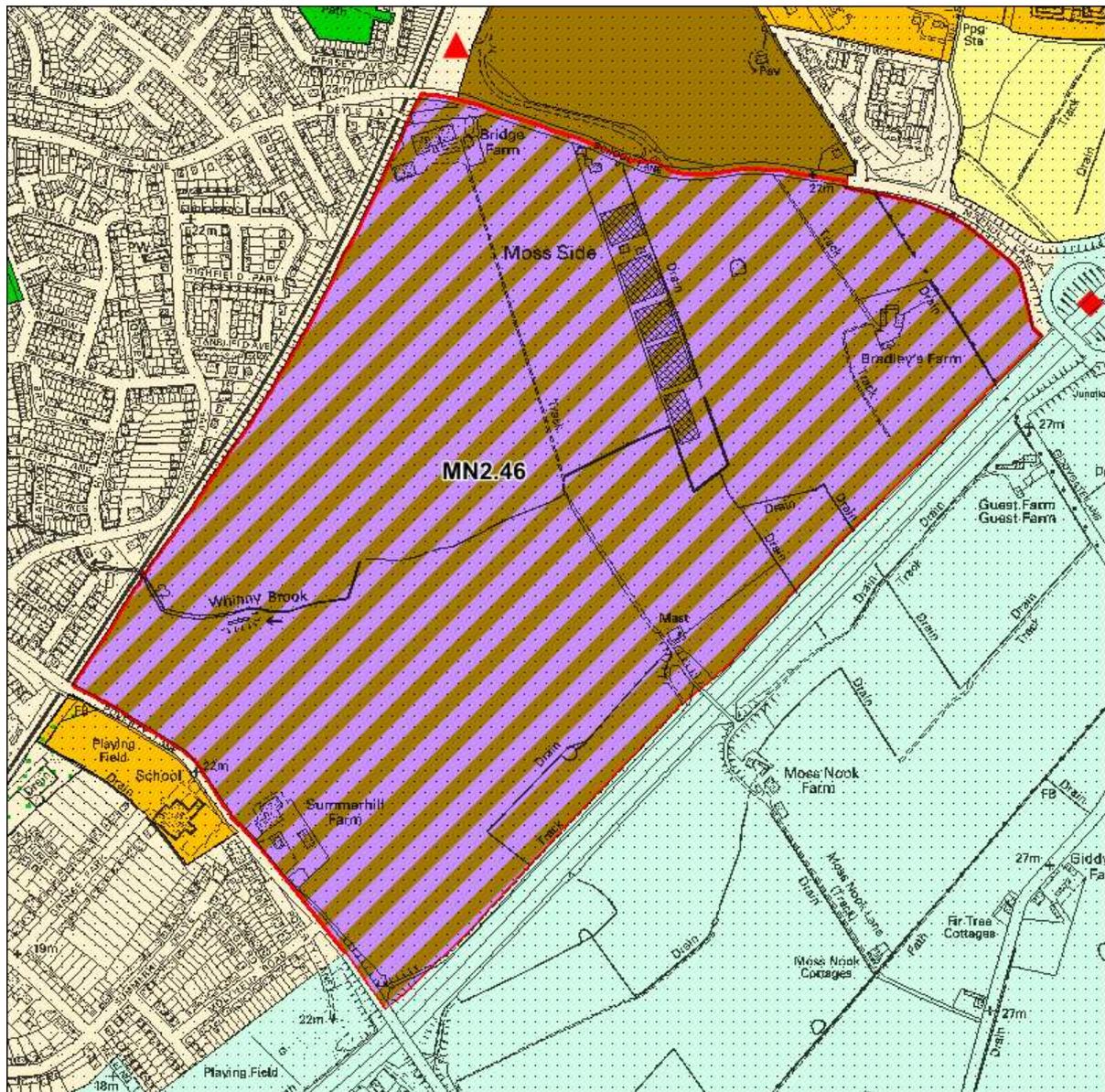
2.1 Government policies and the National Planning Policy Framework (The Framework) promote and recognise that having a choice of housing is important for balanced communities. The NPPF has as one of its key objectives delivering a wide choice of high quality homes (chapter 6). 1. In addition supporting economic growth is also a key objective (chapter 1 Building a strong, competitive economy.)

2.2 New housing development is essential to facilitate vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations. However new housing development has the potential if not properly designed to negatively impact on neighbouring properties and the character of the local area potentially resulting in poorer living conditions for neighbours. Due to the large size of the site, the site offers the opportunity for a high quality sustainable mixed use development incorporating other uses such as employment (supported by appropriate infrastructure).

2.3 The emerging Sefton Local Plan (2015) www.sefton.gov.uk/localplan includes policy MN3 – Strategic mixed use allocation- Land east of Maghull. This policy is area-specific, relating to the land covered by allocation MN2.46 Land East of Maghull. This area is shown in the map below.

2.4 The proposed Land east of Maghull SPD will expand upon policy MN3 of the emerging Sefton Local Plan. More details about the policy and the scope of the Land east of Maghull SPD are set out below. (The policy is shown in Appendix B.)

Map of Land East of Maghull site (area covered by SPD)



Introduction and context

2.5 This site is allocated for a mixed development in the emerging Sefton Local Plan (shown in the Plan as site MN2.46). Policy MN3 provides detail about how the site will be developed ('Strategic Mixed use Allocation – land East of Maghull').

2.6 The development of this site will provide a high-quality sustainable urban extension to Maghull. The site will provide a significant proportion of the Local Plan housing and employment requirements, and is suitably located to take advantage of both existing and proposed public transport and road infrastructure. The site is contained by the existing urban area, Ashworth Hospital complex, and M58 motorway to the east.

2.7 This site is capable of delivering a minimum of 1400 homes, a business park (minimum size of 20 hectares), a local centre, Neighbourhood Park and other local facilities during the plan period.

2.8 The SPD is being prepared jointly by Sefton Council and the consortia of developers who are proposing to develop the site.

2.9 Notwithstanding the preparation of the SPD, this site will be fully considered at the examination. The SPD is simply meant to provide more detail about how this site would be developed if it is approved following the examination into the Local Plan, and will assist in the detailed discussion of the site at examination.

Purpose and aims

2.10 The SPD will set out how the site can be developed in a comprehensive way, and provide a detailed approach to how development will be phased to ensure that all the required development is supported by necessary infrastructure. It will cover:

- 1) What the outline planning application would need to address, e.g. phasing, viability calculations in relation to affordable housing provision, and the mechanisms for securing contributions to the slip roads, station, school expansion, etc.
- 2) The locations of development and open space.
- 3) How flood risk on the site will be managed on site and downstream.
- 4) A timetable for the development of each part of the site, including the phasing of construction within the site, so that this can be linked to the provision of key infrastructure.
- 5) The location of the north-south spine road. This will separate the business park from the residential area, and will be a key bus route.
- 6) The locations of access arrangements including access into the site from School Lane and Poverty Lane.
- 7) The design code for development.
- 8) The phasing for the delivery of development and infrastructure at the site in line with the expectations of section 2 of Policy MN3i, namely:
 - a. The provision of homes, including affordable and special requirement homes
 - b. The proposed Maghull North train station
 - c. The M58 Junction 1 south-facing slip roads
 - d. Bus service provision

- e. Demonstration of how commercial and residential traffic will be separate within the site
 - f. Indication of walking and cycling routes through the site linking the new residential areas to the railway stations (including the proposed train station at Maghull north), bus services, the proposed local centre, open space and local schools.
 - g. Park and recreation provision
 - h. Local shopping provision on the site
 - i. Serviced plots for business development
- 9) Details of the financial contributions required to deliver development and infrastructure at the site, including contributions to each of the following and how these will be apportioned to each phase of the development.
- 10) How the areas of public open space, landscaping and sustainable drainage systems will be managed.

Part 1- SEA Screening

3. Screening

3.1 The requirement for a Strategic Environment Assessment (SEA) is set out in the “Environmental Assessment of Plans and Programmes Regulations 2004”. There is also practical guidance on applying European Directive 2001/42/EC produced by the ODPM (now DCLG)¹. These documents have been used as the basis for this screening report.

3.2 Previously all Development Plan Documents (DPDs) and Supplementary Planning Documents required Sustainability Appraisal. Sustainability Appraisal incorporated the requirements for SEA². However, the regulations were amended in 2009³. These amendments removed the requirement for the sustainability appraisal of supplementary planning documents. These changes were confirmed in the 2012 regulations⁴

3.3 Despite no longer requiring sustainability appraisal, SPDs may still require SEA. The ODPM practical guidance provides a checklist approach based on the SEA regulations to help determine whether SEA is required. This guide has been used as the basis on which to assess the need for SEA as set out below.

¹ A Practical Guide to the Strategic Environmental Assessment Directive (2005) (ODPM)

² The Town and Country Planning (Local Development) (England) Regulations 2004

³ The Town and Country Planning (Local Development) (England) (Amendment) Regulations

⁴ The Town and Country Planning (Local Planning) (England) Regulations 2012

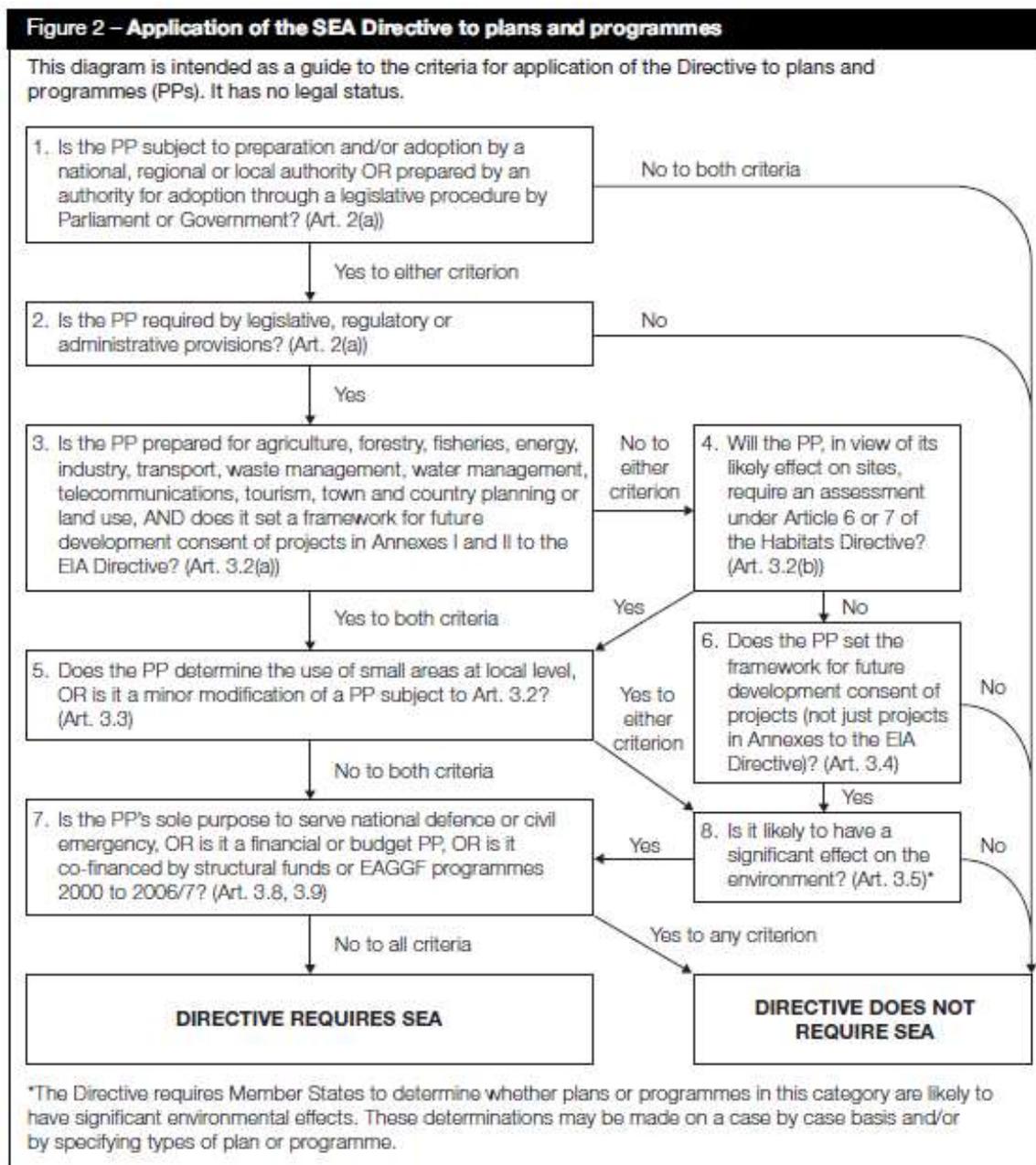


Table 1: Establishing the need for SEA

Stage [from the flowchart above]	Answer	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of Government? (Article 2(a))	Yes	SPD to be adopted by Sefton Council

Stage [from the flowchart above]	Answer	Reason
2. Is the SPD required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	The detail that the Council wish to provide to the emerging local plan policy can only be given due weight if it is contained in a Supplementary Planning Document.
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	No	The SPD is for town and country planning purposes but does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive.
4. Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	No	It is likely that a draft screening statement will conclude that an assessment under the Habitats Directive is not required. (<i>*see part 2</i>)
5. Does the SPD determine the use of small areas at local level, or is it a minor modification of a PP subject to article 3.2.	Yes	The SPD will guide the development of a large greenfield strategic site (86hectares) however the SPD will only relate the local area in the site boundary.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	Yes	'Table 2' below 'Determining the likely significance of effects'
7. Is the SPD's sole purpose to serve national defence or civil emergency. Or is it a financial or budget PP, or is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7 (art 3.8, 3.9)	No	The SPD does not relate to any of these.

Table 2: Determining the likely significance of effects on the environment

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
<i>The characteristics of plans and programmes, having regard, in particular, to:</i>	
1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	The SPD will be providing additional guidance on existing policies that set the broad framework. In particular the SPD will guide the location of different land uses within the site. E.g. Housing, employment, open space, flood alleviation measures.
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The SPD can only expand on existing policies and should not introduce new policies not contained in higher order plans.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD will promote sustainable development by encouraging a high quality sustainable mixed use extension to Maghull (if the site is allocated in the local plan) The SPD will guide the location of different land uses within the site.
1d) Environmental problems relevant to the plan or programme	The SPD will seek to ensure environmental issues are addressed in future development of the site. Part of the site is situated in an area of flood risk whilst part of the site could be used by wildlife. The SPD will take account of these issues and seek to minimise the impact of flooding and the impact on biodiversity from development by appropriately locating different land uses.
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The SPD is unlikely to be directly relevant in regard to this criterion.
<i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i>	
2a) The probability, duration, frequency and reversibility of the effects	The anticipated effects on the sustainability of the areas covered by the SPD are expected to be limited in

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
	area to the land in question and the surrounding area, the duration of impacts is likely to be long term as once a field is built on it is unlikely to revert to its previous use.
2b) The cumulative nature of the effects	The cumulative nature of effects on the environment is likely to be relatively positive as the SPD will seek to ensure environmental issues are addressed in future development. The principle of development at the site will be addressed in the local plan, however the layout of different uses within the site will be influenced by the SPD.
2c) The trans-boundary nature of the effects	None identified.
2d) The risks to human health or the environment (e.g. due to accidents)	The SPD will have a positive effect on human health by facilitating a layout that encourages walking and cycling.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will cover a limited area, ie the site itself, the impact of the SPD will be limited to a local level around the site.
2f) The value and vulnerability of the area likely to be affected due to: I. Special natural characteristics or cultural heritage, II. Exceeded environmental quality standards or limit values III. Intensive land-use	The SPD will apply to an area that is currently a greenfield site. Other guidance and policies related to environmental issues are covered in the emerging local plan and emerging SPD guidance.
2g) The effects on areas or landscapes which have a recognized national, Community or international protection status	None identified. This will be dealt with by other policies/guidance .

4. Consultation

4.1 The Council consulted with the three statutory environmental bodies [see below] on this screening report and the determination. The table below provides their responses.

Statutory Body	Comments
Environment Agency	We concur this SPD could have a significant effect on the environment, specifically related to flooding and impacts to Whinny Brook as a Water Framework Directive classified waterbody. We therefore concur with the report that SEA is required in this instance..
Historic England	In terms of our area of interest, we would concur with your assessment that the document is unlikely to result in any significant environmental effects on the historic environment and will simply provide additional guidance on existing policies which have already been subject to a Sustainability Appraisal. As a result, we would endorse the conclusions that it is not necessary to undertake a Strategic Environmental Assessment of the document.
Natural England	Natural England agrees with the conclusion that a Strategic Environmental Assessment (SEA) is required for the proposed Land east of Maghull Supplementary Planning Document.

5. Conclusion and statement of reasons

5.1 The SPD is supplementing and will provide further guidance on policy MN3 of the emerging Local Plan. The SPD seeks to create a high quality, sustainable mixed use development incorporating other uses such as employment (supported by appropriate infrastructure) whilst taking into account environmental issues. The principle of development at the site will be addressed in the local plan; however the layout of different uses within the site will be influenced by the SPD. The layout of the different uses e.g. employment, open space, residential could have environmental implications.

5.2 The views of the statutory consultees are set out above.

5.3 It is considered that the Land east of Maghull SPD is likely to give rise to significant environmental effects. Therefore, it is considered that a Strategic Environmental Assessment **is required** for the proposed Land east of Maghull Supplementary Planning Document.

Part 2- HRA Screening

6. HRA Screening

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

6.2 The Sefton Local Plan Publication version (2015) had was subject to HRA assessment produced by AECOM (formerly URS) (January 2015) that assessed in combination effects taking into account other plans and projects, Local Plan site allocations and policies. See:
<http://www.sefton.gov.uk/planning-building-control/planning-policy/evidence-and-studies/environmental.aspx>

6.3 In terms of the Land east of Maghull SPD, the “parent policies” in the Publication Draft Local Plan are MN2 ‘Housing, Employment and Mixed Use Allocations’ (where this site is allocated as ‘2.46 Land East of Maghull’) and policy MN3 ‘Strategic mixed use allocation – Land East of Maghull’, which is a more detailed policy setting out the requirements for development on the site.

6.4 In the HRA of the Publication Draft Local Plan, Policy MN3 was “screened in”. The HRA comments on policy MN3 ‘Strategic mixed use allocation – Land East of Maghull’ are shown below:

- *“HRA implications*
- *This sets out the policy for development within Land east of Maghull to include employment and residential development. This includes strategic site allocation MN2.46.*
- *Impact pathways include:*
- *Disturbance and recreational pressure*
- *Mechanical/abrasive damage and nutrient enrichment*
- *atmospheric pollution: local*
- *water resources;*
- *water quality*
- *loss of supporting habitat.*
- *See Appendix 1 for sites specific TOLSE [Test of Likely Significant Effects]. “*

6.5 The site specific Test of Likely Significant Effects for the site allocation MN2.46 Land East of Maghull, Appendix 1 of the HRA Report, ‘screened in’ the site. It noted that there could be some adverse impact on bird species for which the Special

Extract from Appendix 1 of Habitats Regulations Assessment of the Sefton Local Plan (Publication Version) (AECOM, formerly URS 2015) See <http://www.sefton.gov.uk/planning-building-control/planning-policy/evidence-and-studies/environmental.aspx>

Proposed Site Allocation Number	No of Houses/ Employment use	Recreational Pressure	Other forms of disturbance	Coastal Squeeze	Loss of land outside of SPA/Ramsar with value to designated species	Initial Test Of Likely Significant Effects (TOLSE) (stand-alone)
MN2.46 Land East of Maghull	Mixed use including Employment use (20ha)	Located 9km from SAC/SPA/Ramsar Unlikely, as this is an employment site and will not generate significant recreational activity	Bird species for which SPA and Ramsar are designated may be present and could be adversely affected/displaced if/when using the site which would be of importance for the SPA/Ramsar population if non-breeding season bird surveys confirmed that this parcel constituted a significant area of supporting habitat.	No – too far from the coast for this to be a realistic impact pathway	Located within an area of sensitivity for pink-footed goose, although the Lancashire Bird Atlas indicates that the main concentrations of the species in Sefton are further north-west. Aerial photographs indicate current land use is agriculture which is likely to be suitable habitat. Development in this area would require non-breeding season bird surveys to further inform impact assessment and mitigation.	Screened in.

Protection Area and Ramsar sites are designated, and notably on supporting habitat for pink footed geese. An extract from Appendix 1 of the HRA report of the Publication Draft Local Plan is shown on the previous page. The Conclusion of the HRA Report (Section 11.1) made clear that:

“Sites which have been ‘screened in’ will need to be covered by a site-specific HRA accompanying the planning application, and text included in the Local Plan setting out the requirement to provide appropriate protection to the integrity of the SPA/Ramsar site bird population.”

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

6.6 The SPD is supplementing and will provide further guidance on policy MN3 of the emerging Local Plan. The SPD seeks to create a high quality, sustainable mixed use development incorporating other uses such as employment (supported by appropriate infrastructure) whilst taking into account environmental issues. The principle of development at the site is addressed in the local plan; however the layout of different uses within the site (e.g. employment, infrastructure and open space, residential) will be influenced by the Land East of Maghull SPD.

6.7 Local Plan policy NH2 ‘Protection of nature sites, priority habitats and species’, which has also been subject to HRA, requires any development which may result in a likely significant effect on an internationally important site or supporting habitats to be accompanied by sufficient evidence to enable the Council to make a Habitats Regulations assessment. This will be relevant to development in the area covered by the Land East of Maghull SPD. Part 1 of the policy goes on to say that:

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

6.8 In line with the HRA report, paragraph 11.23 of the explanation to this policy makes clear that:

“The Habitats Regulations Assessment of the Local Plan (in its Appendix) identifies a number of allocated sites where a site-specific Habitats Regulations assessment will need to accompany any planning application. This is primarily to allow the Council to assess whether the sites support species listed as being important in the designations of Sefton’s Special

Protection Areas and Ramsar sites and if so to make sure that appropriate protection is given to the integrity of this bird population or to the amphibian populations of the Ramsar site”.

6.9 Section 3 of policy NH2 ‘Protection of nature sites, priority habitats and species’ sets out the approach to avoidance, mitigation, and, as a last resort, compensation. Paragraph 11.26 of its explanation commits the Council to preparing a Supplementary Planning Document (SPD) to provide more guidance on mitigation, compensation and enhancement, for Natura 2000 sites and supporting habitats. It will include guidance on how habitat for mitigation or compensation could be provided and managed. Preparation of the Nature SPD began in April 2015, and it is intended that an advanced draft be available before the Examination of the Local Plan.

6.10 Therefore, while the site area covered by the Land East of Maghull was ‘screened in’ in the HRA Report of the Local Plan, both the HRA Report and Local Plan make clear that any planning application for this area must be accompanied by a project level HRA site. In effect, the HRA of the Local Plan accepted that for this (and some other sites), HRA issues could be devolved to the planning application stage.

6.11 If a project level HRA were to find that development proposals would be likely to adversely affect supporting habitat, the Local Plan policy framework (notably policy NH2 ‘Protection of nature sites, priority habitats and species’) together with Nature SPD set out a robust, deliverable, framework which would secure mitigation, and, as a last resort, compensation.

6.12 The following Natura 2000 sites are located within Sefton:

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

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

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

6.14 Below is an assessment of potential pathways for impacts to the Natura 2000 site taking into account the HRA of the Publication version of the local plan.

Table 3: Assessment of likely significant effects (taking into account HRA Report for Publication Draft Local Plan (2015))

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
<p>Recreational pressure / disturbance</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA & Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site • Liverpool Bay SPA (in-combination disturbance of birds through increase in ship movements and recreational pressure) 	<p>No significant impacts.</p>	<p>SPD has no influence on location or number of new homes proposed (and hence on recreational pressure). SPD will include provision of public open space, which will help divert visitor pressure from the Sefton Coast.</p> <p>SPD has no influence on ship movements.</p> <p>SPD will have no additional impacts compared to its parent policies and MN3 'Strategic mixed use allocation – Land East of Maghull', and the site allocation MN2.46 'Land East of Maghull'. Although these policies were 'screened in', the HRA of the Local Plan accepted that assessment of HRA issues could be devolved to the planning application stage.</p>
<p>Disturbance to qualifying species</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	<p>No significant impacts.</p>	<p>SPD will have no additional impacts compared to its parent policies and MN3 'Strategic mixed use allocation – Land East of Maghull', and the site allocation MN2.46 'Land East of Maghull'. Although these policies were 'screened in', the HRA of the Local Plan accepted that assessment of HRA issues</p>

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
		could be devolved to the planning application stage.
<p>Coastal squeeze</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts.	SPD will have no additional impacts compared to its parent policies and MN3 'Strategic mixed use allocation – Land East of Maghull', and the site allocation MN2.46 'Land East of Maghull'. Although these policies were 'screened in', the HRA of the Local Plan accepted that assessment of HRA issues could be devolved to the planning application stage.
<p>Direct habitat loss through expansion of the Port at Seaforth</p> <ul style="list-style-type: none"> • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD has no influence on Port expansion.
<p>Direct habitat loss through mineral extraction</p> <ul style="list-style-type: none"> • Ribble and Alt Estuaries SPA and Ramsar site. 	No significant impacts	SPD has no influence on minerals expansion.
<p>Loss of habitat / supporting habitat outside the <i>Natura 2000</i> site boundary</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site 	No significant impacts	SPD will have no additional impacts compared to its parent policies and MN3 'Strategic mixed use allocation – Land East of Maghull', and the site allocation MN2.46 'Land East of Maghull'. Although these policies were 'screened in', the HRA of the Local Plan accepted that assessment of HRA issues could be devolved to the planning application stage.
<p>Reduction in water quality</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries 	No significant impacts	SPD will have no additional impacts compared to its parent policies.

Potential pathway and Natura 2000 sites affected	HRA assessment regarding likely significant effects	Further comments
<p>SPA and Ramsar site</p> <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site Liverpool Bay SPA - potential for 'in combination' effects with other plans and projects (through sewage effluent discharges). 		
<p>Reduction in air quality</p> <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD will have no additional impacts compared to its parent policies.
<p>Mineral extraction</p> <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD has no influence on minerals expansion.
<p>Dredging and disturbance of sediments/benthic habitats</p> <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site Liverpool Bay SPA (following Port expansion) 	No significant impacts	SPD has no influence on dredging or disturbance of benthic habitats, or on Port expansion.

6.15 The SPD is unlikely to have any significant effects on a SAC or SPA (Natura 2000 sites) above and beyond any significant effects of Policy MN3 'Strategic Mixed Use Allocation – Land East of Maghull', site allocation MN2.46 'Land East of Maghull' or the Local Plan as a whole, either individually or in combination with other plans and projects.

6.16 Therefore, while the site covered by the Land East of Maghull was 'screened in' in the HRA of the Local Plan, both the HRA Report and Local Plan make clear that any planning application for this area must be accompanied by a project level HRA site. In effect, the HRA of the Local Plan accepted that for this (and some other) sites, HRA issues could be devolved to the planning application stage.

6.17 If a project level HRA were to find that development proposals would be likely to adversely affect supporting habitat, the Local Plan policy framework (notably

policy NH2 ‘Protection of nature sites, priority habitats and species’) together with the Nature SPD set out a robust, deliverable, framework which would secure mitigation, and, as a last resort, compensation.

6.18 Taking all this into consideration, the Land East of Maghull SPD would be unlikely to have a significant effect on the Natura 2000 sites (including their supporting habitat).

7. Consultation

7.1 The Council consulted Natural England, the statutory body for the purposes of HRA. The table below provides their response.

Statutory Body	Comments
Natural England	The site area covered by the Land East of Maghull was ‘screened in’ in the Habitats Regulations Assessment (HRA) Report of the Local Plan, both the HRA Report and Local Plan make it clear that any planning application for this area must be accompanied by a project level, Natural England agree with this conclusion.”

8. Conclusion and statement of reasons

8.1 The Land East of Maghull SPD is supplementing and will provide further guidance on policy MN3 Strategic Mixed Use Allocation – Land East of Maghull’ and site allocation MN2.46 ‘Land East of Maghull’ of the emerging Local Plan.

8.2 The SPD seeks to create a high quality, sustainable mixed use development incorporating other uses such as employment (supported by appropriate infrastructure) whilst taking into account environmental issues. The principle of development at the site is addressed in the local plan; however the layout of different uses within the site (e.g. employment, infrastructure and open space, residential) will be influenced by the Land East of Maghull SPD.

8.3 While the site area covered by the Land East of Maghull was ‘screened in’ in the HRA Report of the Local Plan, both the HRA Report and Local Plan make clear that any planning application for this area must be accompanied by a project level HRA site. In effect, the HRA of the Local Plan accepted that for this (and some other sites), HRA issues could be devolved to the planning application stage.

8.4 If a project level HRA were to find that development proposals would be likely to adversely affect supporting habitat, the Local Plan policy framework (notably policy NH2 ‘Protection of nature sites, priority habitats and species’) together with Nature SPD set out a robust, deliverable, framework which would secure mitigation, and, as a last resort, compensation.

8.5 The comments of Natural England are set out above.

8.6 On the basis of the above information, Sefton Council is of the opinion and concludes that the proposed plan to which this screening opinion relates – the Land East of Maghull Supplementary Planning Document - :

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

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

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

either alone or in combination with other plans or projects.

PART 3

Appendix A- Contact details

Further information can be obtained from:

Andrew Hunt
Planning Officer
Local Plan Team
Sefton Council
Magdalen House
Trinity Road
Bootle L20 3NJ

Andrew.hunt@sefton.gov.uk
(0151) 934 3827

Appendix B- Extract from Sefton Publication Draft Local Plan (2015): Parent Policies text

SITE SPECIFIC POLICIES

- 6.33 A small number of the allocated sites identified in Policy MN2 require site-specific policy guidance. These sites are land to the east of Maghull (see policy MN3), land to the north and south of Formby Industrial Estate (policies MN4 and MN5) and land at Brackenway, Formby (policy MN6). The following policies set out the site specific issues that the development of these sites needs to address.
- 6.34 All of the sites have the potential to become well connected to the existing motorway network. Access to Land East of Maghull will be improved by the upgrading of Junction 1 of the M58 motorway, allowing vehicles to enter and exit the motorway in both directions. The provision of the Maghull North station will also improve accessibility to this site. Access to the sites both north and south of the Formby Industrial Estate will be improved by the new Broom's Cross Road (A5758).

Land east of Maghull

- 6.35 The development of this site will provide a high-quality sustainable urban extension to Maghull. The site will provide a significant proportion of the Local Plan housing (1400) and employment (20 ha net) requirements, and is suitably located to take advantage of both existing and proposed public transport and road infrastructure. Despite its size, the site is self-contained by both the existing urban area, Ashworth Hospital complex, and M58 motorway to the east.
- 6.36 This site is capable of providing a minimum of 1400 homes, a business park, a local centre, Neighbourhood Park and other local facilities during the plan period. There are no alternative sites of this size in the Borough to deliver mixed development of this scale, which also have the potential for excellent rail and motorway connections.
- 6.37 The following policy is intended to guide the development of this key strategic site to ensure that a high quality mixed use community is created.

MN3 STRATEGIC MIXED USE ALLOCATION - LAND EAST OF MAGHULL

- 1. Land East of Maghull (shown on the Policy Map) is identified as a Strategic Mixed Use Allocation. The development of this site will create a comprehensive high quality, well-designed phased sustainable urban extension containing integrated, distinctive, safe and secure residential neighbourhoods, a Business Park and improvements to local infrastructure.**
- 2. The development of the site must provide:**
 - a) A minimum of 1400 dwellings, including a range of housing types and tenures to meet identified housing needs. This will include the provision of affordable / special needs housing (policy HC1), and provision for older persons housing (policy HC2)**

- b) A 20 hectare (net) serviced Business Park for office and light industrial (class B1), general industrial, (B2), and storage and distribution (B8) uses to be located adjacent to the site's northern and eastern boundary
- c) Local shopping provision of an appropriate scale to serve the needs of the new community;
- d) Appropriate new public open space, incorporating a neighbourhood park, equipped play area, new habitat creation, and provision for outdoor sports
- e) A landscaping network including tree planting, buffer zones between employment and housing areas and to the M58 motorway and railway, the strategic paths and cycle routes network
- f) A layout that facilitates a bus route across the site from School Lane in the north to Poverty Lane in the south. The layout should also ensure an appropriate separation of commercial and residential traffic
- g) Walking and cycling routes within and beyond the site linking new residential areas and business park to the railway stations, bus services, new local centre, open space, and local schools
- h) Effective management of flood risk within the site, including use of sustainable drainage systems. Buildings should be sited away from areas at high risk of flooding, and
- i) The long-term management and maintenance of public open space, landscaping, and sustainable urban drainage systems, to be agreed by the Council.

3. The development of this site must be subject to a single outline planning application covering the whole of the site. The outline application must:

- Specify how the infrastructure contributions listed at part 5 of this policy will be phased and implemented
- Indicate the location of the business park
- Indicate the location of an internal bus route linking School Lane and Poverty Lane
- Indicate the location of access points to the business park and new residential areas from Poverty Lane and School Lane
- Indicate the location of the proposed public open space, and
- Provide a strategic landscaping framework.

4. Development of the site will be phased to ensure that the required infrastructure is provided alongside new development. The following timetable and restrictions will apply unless an alteration is agreed in writing with the Local Planning Authority:

- a) Maghull North station must be operational before completion of the 500th dwelling

- b) The southbound on slip and northbound off slip at Junction 1 of the M58 motorway must be constructed before completion of the 500th dwelling**
- c) The internal bus route linking School Lane and Poverty Lane must be provided before completion of the 500th dwelling**
- d) Serviced plots must be made available on 25% of the area of the business park before completion of the 500th dwelling**
- e) The proposed Business Park must not be occupied until the new slip roads are completed at Junction 1 of the M58**
- f) The local shopping provision must be constructed before completion of the 750th dwelling, and**
- g) The neighbourhood park and outdoor sports provision will be provided in a phased manner, so that it becomes available when the adjacent housing is completed**

5. The development of this site will secure the following benefits, including through the use of planning conditions, 'Section 106' or other legal agreements and a phasing/ implementation plan:

- a) A financial contribution to secure the provision of the new Maghull North station and associated park and ride facility**
- b) A financial contribution to secure the delivery of the new slip roads required at Junction 1 of the M58 motorway**
- c) A financial contribution to subsidise a bus service through the site for at least 3 years**
- d) Provision of other appropriate highways and public transport improvements**
- e) The provision of affordable / special needs housing and older persons housing (policies HC1 and HC2), and**
- f) Financial contributions to improve health care and education facilities, including expansion of Summerhill Primary School, and to provide appropriate community facilities within the local centre.**

Policy Links

- MN1 Housing and Employment Requirements
- MN2 Housing, Employment, and Mixed Use Allocations
- HC1 Affordable and Special Needs Housing
- HC2 Housing Type, Mix and Choice

Explanation

- 6.38 Land east of Maghull will provide a sustainable urban extension with major local benefits. These will include a contribution to a new Maghull North railway station, a new neighbourhood park, sports provision, a new local centre, and a 20 ha (net) business park. The site will also provide contributions to a range of local infrastructure and services. These will not only benefit the future residents of this site, but also people currently living and working in Maghull. These benefits will be secured through this policy, and through a site-specific Supplementary Planning Document that will be prepared alongside the Local Plan.
- 6.39 Developers of this site are expected to work with the Council and the local community in preparing plans for the development of the site. This should be prior to the submission of a planning application.
- 6.40 As part of the Liverpool City Region Local Enterprise Partnership (LEP) 'Growth Deal', £5.5m has been allocated in 2015 / 2016 for the provision of new slip roads at Junction 1 of the M58 motorway. These are required to be in place before the Business Park is occupied. In addition, a further £6.2m has been allocated for the provision of the Maghull North station.
- 6.41 The development of this site must provide a minimum 20 hectares (net) business park. The net area calculation includes the new employment units, internal roads and internal landscaping. It excludes the landscaped setting to the business park, any main spine road and access points (e.g. a roundabout facilitating access into the site).
- 6.42 It is intended that residential areas will be developed as a series of planned neighbourhoods in a phased manner, so as to ensure that the appropriate infrastructure is provided alongside the development at the right time. The intention is to create well-designed, accessible, safe and secure neighbourhoods incorporating high quality design standards. Phasing will assist in the integration of the development into the adjacent settlement.
- 6.43 The development will be served by new local shopping provision including community facilities that complements the provision in Maghull Town Centre. This may include provision of a health centre, doctor's surgery, and/or dentists.
- 6.44 New public open space should be provided taking into account the scale and location of the proposed development and policy EQ9 'Provision of public open space, strategic paths and trees in development'. The location of public open space (including facilities such as equipped play areas, outdoor sports provision, strategic landscaping, paths and cycle routes) should also take into account flood risk and its management within the site. It may be, for example, that some surface water or flood storage areas may be acceptable as natural public open space and enhanced habitat.
- 6.45 Proposals should take into account flood risk from all sources within the site and surrounding area, including downstream along Whinney Brook.
- 6.46 The policy sets out the requirements for improving accessibility through the site and to link to the nearby existing and proposed train stations. This will include routes for pedestrians and cyclists linking the residential neighbourhoods together, to the park and local centre, and to the train stations located beyond the site boundary.

- 6.47 A bus route is required through the residential areas to link the north and south of the site, which is capable of enabling the circular bus routes that operate in Maghull to be extended through this site.
- 6.48 The policy also sets out an overview of how the site will be phased, so as to ensure that the Business Park and key infrastructure are provided in a planned manner. As certain residential areas will be developed first, these requirements are linked to the development of specified numbers of houses.
- 6.49 The development will need to make a financial contribution to the enlarging of Summerhill Primary School by an additional form entry. Further guidance is provided in the Infrastructure Delivery Plan.

Appendix C – Natura 2000 sites in Sefton

