

Information Note: Managing and mitigating the impact of recreation pressure on the Sefton Coast - Sefton's Interim Approach

DRAFT FOR CONSULTATION AND DEVELOPMENT MANAGEMENT PURPOSES

1. Introduction

Purpose of this Information Note

- 1.1 The purpose of this Information Note is to set out Sefton Council's Interim Approach (Interim Approach) to the mitigation and management of recreation pressure, arising from new housing development in Sefton, on the internationally important nature sites on the Sefton Coast. These include the Sefton Coast Special Area of Conservation, Ribble and Alt Estuaries Special Protection Area (SPA) and Ramsar Site, Mersey Narrows and North Wirral Foreshore SPA and Ramsar Site and Liverpool Bay SPA.
- 1.2 The Information Note sets out what applicants with proposals for new housing have to do to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations). New housing development includes (net) new build homes and residential conversions and larger Houses in Multiple Occupation, including those requiring planning permission and those granted by the 'prior approval' and 'permitted development rights'/ general development planning order processes. This housing development may be on allocated sites in the Sefton Local Plan and non-allocated sites (windfall). Residential care and nursing homes are excluded from the scope of this Information Note.
- 1.3 The Interim Approach Information Note is a material consideration for proposals for new housing in Sefton. It has been adopted for development management purposes. It replaces the previous Information Note (adopted March 2018) which has now been superseded.
- 1.4 While the Interim Approach has been prepared by Sefton Council, it reflects joint working with Natural England, Merseyside Environmental Advisory Service, the other Liverpool City Region local authorities, the Mayoral Combined Authority, West Lancashire Council and the National Trust and has been endorsed by Natural England. It is an Interim Approach for Sefton and shall be used pending collection of further evidence and future agreement of a Liverpool City Region Recreation Mitigation Strategy approach. The Interim Approach draws on collaborative work (including published supporting evidence) carried out so far and which has been examined independently by the Planning Inspectorate, for example for the Halton and Liverpool Local Plans.

Why the Interim Approach is needed?

- 1.5 The Interim Approach is needed to meet legal requirements set out in the Habitats Regulation. It should be read alongside [Sefton Local Plan](#) (2017) policies NH1 'Natural Assets' and NH2 'Nature' and Sefton's [Nature Conservation Supplementary Planning Document](#) (2017).
- 1.6 The [2015](#) and [2016](#) Habitats Regulations Assessment (HRA) Reports for the Sefton Local Plan identify the potential for new housing development in Sefton to increase recreation pressure

on the internationally important nature sites on the Sefton Coast; and the need to mitigate this pressure to less than significant. (Similar issues arise for neighbouring authorities, in relation to both the Sefton Coast and the coast elsewhere in the region). They also require applicants for new housing in Sefton to show how they have mitigated recreation pressure to less than significant on the Sefton Coast, so that the Council can carry out a Habitats Regulations Assessment (HRA) to confirm it. This Interim Approach Information Note sets out how applicants should do this via a strategic approach managed by Sefton Council.

Overview of the Interim Approach - mitigation of recreation pressure

1.7 The Interim Approach is an 'opt in' approach; applicants choose to opt into it. The requirements for those who do not wish to do this are set out below at paragraphs 2.8-2.10. The basis of the Interim Approach is that Sefton Council has considered, costed and assessed the likely:

- Scale of housing development in Sefton (and beyond)
- Levels of visitor pressure from different parts of Sefton, *and*
- Measures that will mitigate recreation pressure from this housing to less than significant on the Sefton Coast through the provision of an integrated set of measures both on the Coast and green and open spaces within the Borough (see [section 3](#) below) Measures on the Coast are called Site Access Management and Monitoring measures (SAMMs). Those on other green and open spaces are called Suitable Alternative Natural Greenspace measures (SANGs).

This has been achieved through [joint working and joint evidence](#), having regard to the [recreational activity and bird interaction document \(RP03020\)](#) published by Natural England. This Information Note provides signposts to the most relevant sections of this Liverpool City Region Recreation Management Strategy Evidence Report (the [evidence report](#)).

2. Opt-in mitigation measures – the Sefton Interim Approach

2.1 The opt in mitigation measures set out in the Interim Approach are based on commuted sum contributions plus information leaflets for new first time occupiers, as set out below.

Commuted sum contribution for each new home

2.2 **A contribution will be required for each new home (net new home) of:**

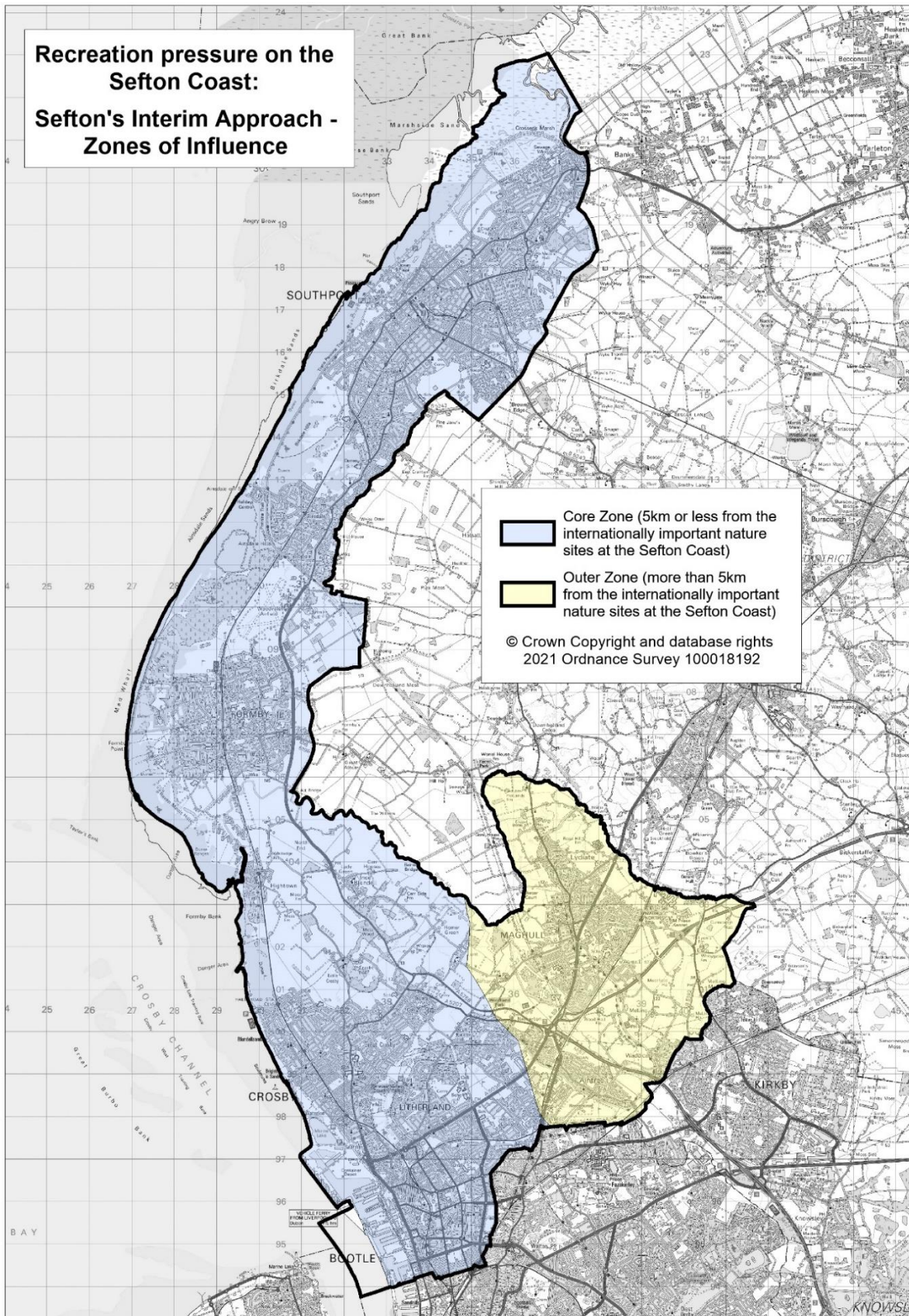
- **£314 per new home in the core zone** (closest to the Coast) shown on map 1
This includes Bootle, Crosby, Formby and Southport.
- **£66 per new home in the outer zone** (away from the Coast) shown on map 1
This includes most of Sefton East.

These amounts are 2022-23 prices. The amount is adjusted each year in line with inflation. As the sums relate to legal requirements under the Habitats Regulations, they are not subject to viability considerations. Appendix 8 of the [evidence report](#) shows how the contributions were determined.

Leaflets for new householders

2.3 **A colour copy of the [leaflet](#) setting out information about the Sefton Coast should be provided by the applicant to all first-time occupiers of new homes.** Applicants may also make this leaflet available in digital form to all first-time occupiers.

Map 1 Core zone and outer zone of influence, in relation to the Sefton Coast.



Which housing proposals does this apply to?

2.4 The above contributions and leaflets are only required for proposals for new homes (net new homes) which are:

- **Schemes of 10 new homes or more (net), for homes within Use Class C3 (Dwellinghouses).** Proposals for less than 10 new homes (net) are exempt, as set out in the [evidence report](#), especially Appendices 8 and 9.
- **Houses in multiple occupation (HMOs) within Use Class C4 (Houses in Multiple Occupation) designed for 18 or more residents.** This is based on the methodology and multiplier set out in paragraphs 6, 7 and 11 of the government's 2018 [Housing Delivery Test measurement rule book](#).

2.5 Applicants for planning permission should enter a s106 planning obligation to pay this 'commuted sum' contribution. Sefton Council also requires a small contribution towards monitoring of all necessary s106 obligations. This is equivalent to 15% of the planning application fee for full permission and 30% for outline permission. Similar legal arrangements for the transfer of monies to Sefton Council should be made by those carrying out development granted by the 'prior approval' and 'permitted development rights'/ general development planning order processes.

2.6 Most commuted sums (or sums paid under other legal arrangement as above) will be liable for payment on commencement of the development. However, for very large, phased development schemes (for example 100 homes or more), payment in instalments linked to the commencement of each phase and the number of dwellings in each phase is likely to be acceptable.

This is an opt-in scheme

2.8 The above 'opt in' solutions will not be compulsory, but provides Sefton Council and applicants with a potential solution which they may choose to use (opt-in to). For applicants this is likely to be more efficient, reducing time, costs and risks during the planning process compared to completing site-based impact assessments, consulting and agreeing mitigation packages on a bespoke basis, which would be the alternative. The applicant will need to consider their individual scheme and any 'in combination effects' and their own. The HRA is required prior to determination of a planning application.

2.9 If applicants do not wish to opt-in to this scheme, they must make sure that sufficient bespoke information is provided with their planning application, prior approval or permitted development scheme to enable the Council to make a Habitats Regulations Assessment (HRA). The HRA is required prior to determination of a planning application; or, for permitted development or 'prior approval' (granted by a general development planning order), written approval by the local planning authority. (For more information see paragraph 3.45 of the 2017 [Nature Conservation SPD](#)).

2.10 The applicant may choose to complete their own project-level HRA or provide sufficient information for the Council to complete an HRA. The project-level HRA would be reviewed by the Council's ecological advisors and potentially Natural England to confirm that it meets regulatory requirements, prior to being accepted. It is important that developers seek the necessary specialist, technical advice to do this and the scope of the project-level HRA should

be discussed at the pre-application stage with Sefton Planning. It is likely that this will need to include off-site measures which would also be secured through use of a 106 planning obligation and monitoring of effectiveness of the measures would also be necessary.

3. Overview of likely mitigation measures to funded through the opt-in scheme

3.1 The contributions that are secured towards mitigation measures on the Sefton Coast will be spent on the following:

At the Sefton Coast (Strategic Access Management and Monitoring (SAMMs))

- Enhancing visitor facilities especially in less sensitive areas (such as paths, boardwalks, signage, access for all, car parks and facilities)
- Temporary or long-term restrictions on visitors, allowing habitat enhancement (such as zoning, car park, vehicle and access restrictions)
- Increased warden /ranger presence, for increased education of and engagement with visitors, direct practical works, volunteering
- Codes of Conduct and associated licencing and zones
- Dog projects (to reduce damage and disturbance of species and habitats by dogs)
- Interpretation, signage, publicity, signage (including variable traffic signage more distant from the Coast)

On other green and open spaces away from the Sefton Coast (Suitable Accessible Natural Green Spaces (SANGs))

- Enhancing visitor facilities in SANGs (such as paths, circular walking and cycling routes, signage, access for all, car parks and facilities). SANG measures must be effective alternatives to visiting the coast. As such SANG sites must be appropriately located, of sufficient scale, and accessible to residents of existing and new development. In Sefton potential SANG sites include 'Main parks', the Leeds and Liverpool Canal; Marine Lake and Pier, Southport, Countryside areas away from internationally important nature sites including Rimrose Valley, Sefton Meadows and nearby sites, Trans Pennine Trail (including Cheshire Lines Path) and public rights of way which help link the above sites.

3.2 For more details see sections 8 and 9 and Appendices 7 and 8 of the [evidence report](#).

4. Monitoring

- 4.1 Sefton Council monitors the number, purpose, location, payment and spending of commuted sums linked to s106 planning obligation payments and reports annually. This will include commuted sums for measures which mitigate recreation pressure on the Sefton Coast.
- 4.2 Sefton Council and partners such as Merseyside Environmental Advisory Service and Natural England will monitor the condition of the internationally important nature sites on the Sefton Coast. This can then be used to assess the effectiveness of the mitigation measures and to identify priorities for action and changes to approaches where necessary.

5. References

Conservation of Habitats and Species Regulations 2017 (as amended) – see for example

<https://www.legislation.gov.uk/ukxi/2017/1012/contents>

Sefton Local Plan (2017) – see www.sefton.gov.uk/localplan

Nature Conservation Supplementary Planning Document (2017) – see

<https://www.sefton.gov.uk/media/2845/nature-spd-20170814.pdf>

Sefton Council Planning Service – pre-application advice – see <https://www.sefton.gov.uk/planning-building-control/apply-for-permission/pre-application-advice-on-development-proposals/>

Merseyside Environmental Advisory Service: Recreation Mitigation Strategy overview – see

<http://www.meas.org.uk/1364>

Towards a Liverpool City Region European Sites Recreation Mitigation & Avoidance Strategy – Evidence Report (Version 24) July 2021 – see

http://www.meas.org.uk/media/11039/LCR_RMS_EvidenceReport_v24_Optv2.pdf

Sefton Leaflet Respecting Nature in Sefton: A voluntary code for responsible recreation – see

http://www.meas.org.uk/media/11047/lcr_leaflet_sefton.pdf

Liley, D., Panter, C., Marsh, P. & Roberts, J. (2017) **Recreational activity and interactions with birds within the SSSIs on the North-West coast of England** – see [Recreational activity and interactions with birds within SSSIs on the North-West coast of England - RP03020 \(naturalengland.org.uk\)](https://publications.naturalengland.org.uk/publication/5473987963650048) /

<http://publications.naturalengland.org.uk/publication/5473987963650048>

Housing Delivery Test Measurement Rule Book Method for calculating the Housing Delivery Test result (DCLG 2018) – see

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1012931/HDT_Measurement_Rule_Book.pdf

Note: The commuted sums referred to in paragraph 2.2 above are shown at 2022-2023 rates (as agreed by the Council) rather than the original 2021-22 rates, which were £299 in the core zone and £63 in the outer zone. These rates rise annually, as agreed by the Council.