

Appendix 3.2

ECOLOGICAL ASSESSMENT



Appendix 3.2

Goodison Park Legacy Project: Ecological Impact Assessment

Including: Ecological Appraisal; and

Report to Inform Habitats Regulations Assessment Stage 1



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1.0 Biodiversity

1.1 Introduction

- 1.1.1 This appendix of the Environmental Statement (ES) assesses the likely impacts on biodiversity from the proposed re-development at Goodison Park football stadium (the application site) as undertaken with regard to the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Ecological Impact Assessment (2018)ⁱ.
- 1.1.2 The Ecological Impact Assessment (EcIA) presents the baseline ecology and nature conservation aspects of the application site, assesses the likely significant effects of the proposed re-development upon ecological receptors, outlines mitigation measures proposed to reduce adverse impacts and promote biodiversity gains; and summarises the overall predicted ecological effects (i.e. the residual effects) of the proposed development.
- 1.1.3 This has been prepared to support an outline planning application for a mixed-use development.
- 1.1.4 The proposed development involves the demolition of the existing stadium and associated structures, site clearance and ground preparation works; including the removal of hardstanding areas.
- 1.1.5 The development proposals also include the construction of up to 173 residential units, and up to 21,373 square metres of floorspace for community, residential institutions, retail and commercial uses. Car parking, public realm / landscaping and the creation of green spaces are also planned.
- 1.1.6 For the purposes of this assessment it is assumed that site preparation and enabling works will commence in 2024 and it is anticipated that all phases of development will be operational by 2028.
- 1.1.7 The EcIA assesses the Proposed Re-Development in relation to the proposals under the above outline planning application.

1.2 Study Extent

Application Site

- 1.2.1 The application site is in the Walton area of Liverpool and is approximately 4 km north-east of Liverpool City Centre. The site is 3.39 ha in size and is centred at Ordnance Survey National Grid Reference SJ 35897 93976.
- 1.2.2 The application site comprises a football stadium with a capacity to seat up to 39,572 people, ancillary buildings (including turnstile entrances, ticket offices and storage containers) and an area of hard standing in the southern section of the site. The hard standing includes vehicle parking areas which are in part used as a fan zone on match days.
- 1.2.3 The site is bordered by Goodison Road to the west, Spellow Lane to the south-west, Walton Lane to the south, Bullens Road to the east, Gwladys Street to the north and Goodison Place and the Church of St Luke the Evangelist to the north-west.
- 1.2.4 The area surrounding the site is characterised primarily by residential properties. Stanley Park is situated immediately south of the site but is separated from it by Walton Lane. Anfield Cemetery adjoins Stanley Park to the north-east and is separated from the site boundary by 150 metres.

Study Area

- 1.2.5 The area of search for the desk study incorporates the application site plus a 2 km search area around the application site.
- 1.2.6 The desk study area was extended to 10 km for Natura 2000 and Ramsar sites (only) to incorporate internationally designated sites, as recommended in pre-application consultation advice received from Natural England (NE) 29th June 2017 and Merseyside Environmental Advisory Service (MEAS) 23rd June 2017, 21st August 2019 (MEAS) and 2nd September 2019 (NE) – see Appendix 1. It should be noted that in 2017, Natural England stated in their consultation response that the following sites should be included in this assessment:
- Sefton Coast Special Area of Conservation (SAC)
 - Mersey Narrows & North Wirral Foreshore Special Protection Area (SPA) & Ramsar
 - Mersey Estuary SPA
 - Liverpool Bay SPA
 - Ribble & Alt Estuaries SPA & Ramsar
 - Mersey Narrows Site of Special Scientific Interest (SSSI)
 - North Wirral Foreshore SSSI
- 1.2.7 Advice provided by NE in 2017 indicated that Dee Estuary SAC/SPA should be considered. However, this advice was revisited during a meeting with NE on 19th September 2019, and given the distance of these Natura 2000 sites from the application site, it was agreed that it was unlikely that potential impact pathways would affect these designated sites since the Dee estuary SAC/SPA is 2.8 km north-west from the development site and largely isolated from any impacts by the Wirral Peninsula.
- 1.2.8 It was therefore agreed with NE and MEAS that Dee Estuary SAC/SPA could be excluded from consideration within this report.
- 1.2.9 The extended Phase 1 habitat survey was undertaken within the red line of the application site (as shown within Technical Appendix 1) as well as a badger check within a 50m buffer of the boundary and a pond check, within 500m of the boundary.
- 1.2.10 No other detailed ecological surveys were required to inform this assessment.

1.3 Previous Planning Consent

- 1.3.1 There have been no recent planning applications for the application site which are of note for this assessment.

1.4 Planning Policy and Legislation

- 1.4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990 require planning applications to be determined in accordance with the statutory development plan, unless material considerations indicate otherwise. The statutory development plan for the City of Liverpool currently comprises the Unitary Development Plan (adopted 2002).
- 1.4.2 A summary of the statutory development plan policies relevant to the application proposal is set out below. The following policies and guidance are material considerations which also inform the assessment:
- Draft Liverpool Local Plan (2018); and



- National Planning Policy Framework (revised February 2019).

National Policy

1.4.3 A revised National Planning Policy Framework (NPPF, Ministry of Housing Communities & Local Government, 2019)ⁱⁱ was issued on 19th February 2019 and currently supplements government Circular 06/2005, Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning Systemⁱⁱⁱ.

1.4.4 Circular 06/2005 states that the presence of protected species is a material consideration in the planning process. Paragraph 170 of the NPPF also states that:

"Planning policies and decisions should contribute to and enhance the natural environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- 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. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and,*
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

1.4.5 Paragraph 175 then goes on to confirm that:

When determining planning applications, local planning authorities should apply the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- development on land within or outside a Site of Special Scientific Interest (SSSI), and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*

- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and,*
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*

1.4.6 Regarding EcIAs and Habitat Regulations Assessments (HRAs) – any sites identified, or required, as compensatory measures for adverse effects on any Natura 2000/habitats site should also be given the same level as protection as the pSPA's (Potential Special Protection Area) and cSAC's (Candidate Special Area of Conservation) themselves. In addition, when an application is being determined, Paragraph 177 clarifies that:

"The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site."

1.4.7 Paragraph 180 is also relevant as:

"Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:...

c) Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."

Local Policy

1.4.8 The application site is located within the Primarily Residential Area. Policy OE5 "Protection of nature conservation sites and features" within the saved Liverpool Unitary Development Plan: A Plan for Liverpool (2002) (3) states:

"The City Council will seek to protect the nature conservation interest of open land and the water environment in the City by not permitting development which would:

- destroy, fragment or adversely affect directly or indirectly a designated or proposed Special Protection Area (SPA), Ramsar site, or Site of Specific Scientific Interest (SSSI), unless the City Council is satisfied that there is no alternative solution and there are imperative reasons of overriding public interest;*
- destroy, fragment or adversely directly or indirectly affect a Site of Nature Conservation Value as identified by the City Council unless it can be clearly demonstrated that there are reasons for the*



proposal including benefits to the community, which outweigh the need to safeguard the substantive nature conservation value of the site;

iii. destroy, fragment or adversely affect, directly or indirectly, a Regionally Important Geological /Geomorphological Site (RIGS) unless it can be demonstrated that the benefits of the proposal to the community outweigh the need to safeguard the geological value of the site;

iv. have an adverse effect on legally protected wildlife species; or

v. destroy, fragment or adversely affect, indirectly or directly, sites with known conservation value in a neighbouring authority area.

2. In assessing criteria ii to iv full account will be taken of proposed mitigation measures."

1.4.9 In addition policy GI5 'Protection of Biodiversity and Geodiversity' of the emerging Liverpool Local Plan (2018) states:

"Development which may result in a likely significant effect on an internationally important site must be accompanied by sufficient evidence to enable the Council to make a Habitats Regulations Assessment. Adverse effects should be avoided and/or mitigated to ensure 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 suitable compensatory provision is secured. 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. [Emphasis added]

Development which may cause direct or indirect significant harm to other designated sites of nature or geological conservation importance, Priority Habitats, legally protected species and / or Priority Species will only be permitted on:

- National sites (Mersey Estuary Ramsar site/Mersey Estuary Site of Special Scientific Interest (SSSI)): where there are no alternatives and where the benefits of development clearly outweigh the impact on the features of the site that make it of special scientific interest and its broader contribution to the national network;*
- Local Sites (Local Nature Reserves (LNRs), Local Wildlife Site (LWS) and Regionally Important Geological/Geomorphological Sites (RIGS): where the reasons for and the benefits of development clearly outweigh the impact on the nature conservation value of the site and its broader contribution to the Liverpool City Region (LCR) Ecological Network;*
- Sites including Priority Habitats/ Irreplaceable habitats (including ancient woodlands and aged or veteran trees) where there are wholly exceptional reasons and a suitable compensation strategy exists having regard to...' (amended policy wording incomplete)*

Where it has been demonstrated that significant harm cannot be avoided, appropriate mitigation, replacement or other compensatory provision may be required, to accord with the hierarchy of

sites. The location of appropriate mitigation, replacement or other compensatory measures will be targeted, using a sequential approach as follows:

- On site;*
- Immediate locality and / or within the Core Biodiversity Area;*
- LCR Nature Improvement Area within the City; and lastly*
- LCR Nature Improvement Area outside the City.*

Where significant harm resulting from development cannot be avoided, adequately mitigated or, as a last resort, compensated, then planning permission will be refused.

Development proposals which affect sites of nature conservation importance, priority habitats, legally protected species or priority species must be supported by an Ecological Appraisal and include details of avoidance, mitigation and /or compensation where appropriate.

The policy applies where development proposals in Liverpool may directly or indirectly affect sites with known conservation value in a neighbouring authority area.

This policy will apply to other sites recognised during the Plan period as being of nature conservation importance, including land provided as compensation."

This appendix of the ES addresses relevant planning policy and local policy and plans by presenting the biodiversity baseline, assessing the likely impacts and addressing these through the mitigation hierarchy, in accordance with BS 42020.

Biodiversity 2020: A Strategy for England's Wildlife & Ecosystem Services

1.4.10 Biodiversity 2020 replaces the previous UK Biodiversity Action Plan (BAP) and sets national targets to be achieved. The intent of Biodiversity 2020, however, is much broader than the protection and enhancement of less common species and is meant to embrace the wider countryside as a whole. The priority species and habitats considered under Biodiversity 2020 are the Species of Principal Importance (SPI) & Habitats of Principal Importance (HPI) detailed under Natural Environment and Rural Communities (NERC) Act 2006.

The Merseyside Biodiversity Group

1.4.11 The Merseyside Biodiversity Group was formed in 1997 to progress biodiversity action within Merseyside. It is a partnership of local authorities, statutory agencies, conservation organisations, higher education institutions and local people. The group is formed of a range of partners across Liverpool City Region working together to put forward a submission to Government to form a Local Nature Partnership. Local Nature Partnerships (LNPs) were introduced in Defra's Natural Environment White Paper *The Natural Choice: securing the value of nature*, published in 2011, recognising that partnership working is essential to deliver strategic ambitions for the natural environment at a local level. The Merseyside Biodiversity Group are the lead for the North Merseyside Biodiversity Action Plan incorporating a total of 44 species and habitat action plans for the local area.



Key Legislation

- 1.4.12 This assessment has been considered in the context of relevant UK, EU and international biodiversity and conservation legislation including:
- The Convention on Wetlands of International Importance especially as Waterfowl Habitat 1972 (the Ramsar or Wetlands Convention).
 - The European Commission (EC) Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC).
 - The Conservation of Habitats and Species Regulations 2017 (as amended) represents the UK's implementation of the Directive (the Habitats Regs).
 - The Convention on the Conservation of European Wildlife and Natural Habitats 1979 (the Bern Convention) - which carries an obligation to protect and conserve over 500 wild plant species and more than 1,000 wild animal species.
 - The EC Council Directive on the Conservation of Wild Birds (79/409/EEC) - which provides a framework for the conservation and management of, and human interactions with, wild birds in Europe.
 - The Wildlife and Countryside Act (WCA) 1981 (as amended).
 - The Countryside and Rights of Way (CROW) Act 2000.
 - The Natural Environment and Rural Communities (NERC) Act 2006.

1.4.13 Methodology and Scope

Scoping Assessment Stage

- 1.4.14 A formal scoping report in relation to the application site was submitted to statutory consultees in 2017 (CBRE 2017), as provided in ES Volume III, Appendix 2.1, and responses were received in relation to ecology from MEAS (June 2017).
- 1.4.15 A meeting was held between WYG, NE and MEAS on Monday the 9th of August 2019 in order to confirm requirements of both consultees in relation to this assessment. Written correspondence from both NE and MEAS following this meeting are presented within Appendix 1. In summary it was agreed that this EcIA should include an assessment based on the findings of the updated extended Phase 1 habitat survey and desk study.
- 1.4.16 In addition to the above, although not highlighted by NE as a site to be considered, we have also elected to include the Mersey Estuary Ramsar site within this assessment. This is due to the fact that this Ramsar shares the same boundary as the Mersey Estuary SPA.
- 1.4.17 A Shadow Habitats Regulations Assessment (sHRA) has been produced which provides both an Assessment of Likely Significant Effects (ALSE) and an Appropriate Assessment (AA) – the sHRA has been produced separately to the EcIA but is referred to in the relevant sections of this report.
- 1.4.18 The planning application for this project was submitted in April 2020, Natural England and MEAS both subsequently issued comments in relation to ecological documents submitted in support of this application (NE June 2020, MEAS May 2020). Comments made by both consultees are noted below as follows:

Natural England comments:

"Our concerns regarding the potential impacts upon the Mersey Narrows SSSI coincide with our concerns regarding the potential impacts upon the international designated sites." This comment relates to inclusion of additional

cumulative projects. However, upon discussion with Natural England in November 2020 it was agreed that as Liverpool City Council and Sefton Council had been consulted when determining relevant cumulative projects that no further assessment was required.

MEAS comments:

"An Ecological Appraisal is also included within Volume 3.2, Appendix III of the ES (WYG, January 2020, A100795-1, version 1). I advise that the Ecological Appraisal is acceptable, subject to further information on bats being provided (see below).

Buildings and structures were assessed on the site for potential bat roosting features and all were considered to provide negligible potential for roosting bats. Gaps and crevices were noted upon the East Stand and several buildings (e.g. B1, B3 and B7) on the site, although the potential presence of roosting bats was discounted due to noise and light disturbance effects.

However, roosting bats are known to have been recorded previously in similar settings, including at the Anfield Stadium, as revealed by the consultant's desktop study. It is not therefore possible to discount the potential presence of bats based on noise and lighting effects, particularly when the site is not subject to these effects on a continuous basis. I therefore advise that further assessment of the impacts of the proposals on roosting bats is required prior to determination. As a part of this, the desktop study should be updated to find whether any records of bats have emerged from the vicinity of the site since 2017."

1.4.19 This comment is addressed in section 1.6.

Assessment Methodology

1.4.20 The impact assessment for biodiversity has been carried out with reference to the Chartered Institute of Ecology and Environmental Management's (CIEEM) Guidelines for Ecological Impact Assessment in the UK and Ireland (CIEEM, 2018 v1.1), hereafter referred to as the 'CIEEM Guidelines'. The impact assessment process involves:

- Identifying and characterising impacts;
- Incorporating measures to avoid or mitigate (reduce) these impacts;
- Assessing the significance of any residual effects after mitigation;
- Identifying appropriate compensation measures to offset significant residual effects; and
- Identifying opportunities for ecological enhancement.

1.4.21 The starting point for any assessment of impacts is to determine which ecological features are important and should be subject to detailed assessment. Ecological features can be important for a variety of reasons, for example, the quality or extent of designated sites or habitats, habitat/species rarity, the extent to which they are threatened throughout their range, or their rate of decline (CIEEM, 2018).

Determining Importance

1.4.22 The CIEEM Guidelines recommend that the importance of ecological features is considered within a defined geographical context. For the purpose of this assessment, the following levels have been used:

- **International** – SPAs, SACs, Ramsar Sites;
- **National** – Sites designated at UK level, e.g. SSSI;
- **Regional** – Habitats or populations of species of importance at a regional (i.e. north-west of England) level;



- **County** – Designated Sites, such as Site of Importance for Nature Conservation (SINC) or habitats / species populations of importance at a county (i.e. Merseyside) level;
- **Local** – Habitats or species populations of importance in a local (e.g. North Liverpool) context; and
- **Negligible** – Habitats or species populations were either:
 - not detected on site;
 - the potential for them to be present is negligible; or
 - the habitat / species is present, but its presence is considered insignificant in relation to the application site and wider environment.

Habitats

- 1.4.23 With reference to the CIEEM Guidelines, the importance of habitats is measured against published selection criteria where available. Habitat types of European (international) conservation importance are listed on Annex I of the Habitats Directive. Habitats that are considered a priority for conservation in England are listed as HPis under Section 41 of the NERC Act 2006. Reference is also made to the local Habitat Action Plans (LHAPs).
- 1.4.24 Where important habitat types are affected but are currently in a degraded or unfavourable condition, their potential importance is considered, including the potential to contribute to conservation objectives. In accordance with the guidance, the assessor can use their informed professional judgment to assign certain features a greater importance if there is a reasonable chance that they can be restored to that higher importance in the future.

Species

- 1.4.25 Species of European (international) conservation importance are listed in Annexes II, IV and V of the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC) and Annex I of the EC Council Directive on the Conservation of Wild Birds (79/409/EEC). Species that are considered to be priorities for conservation in England are listed under Section 41 of the NERC Act 2006.
- 1.4.26 In accordance with the CIEEM Guidelines, the importance of species populations is measured using existing criteria where available. Contextual information about distribution and abundance is considered, including trends based on any historical records available.

Predicting and Characterising Ecological Impacts

- 1.4.27 With regards to the CIEEM Guidelines, when describing impacts, the following characteristics are considered – noting that not all these are relevant to every impact:
- **Positive or negative** – if an impact will improve or reduce the quality of the environment;
 - **Extent** – the spatial or geographical area over which the impact/effect may occur;
 - **Magnitude** – refers to size, amount, intensity and volume. If an impact is deemed to be significant then its magnitude, in quantitative terms, should be assessed;
 - **Duration** – the time for which an impact is expected to last;
 - **Timing and frequency** – whether impacts occur during critical life-stages or seasons; and,
 - **Reversibility** – an irreversible effect is one from which recovery is not possible within a reasonable timescale or there is no reasonable chance of action being taken to reverse it. A reversible effect is one from which spontaneous recovery is possible or which may be counteracted by mitigation.

Direct and Indirect Ecological Impacts

- 1.4.28 Both direct and indirect impacts are considered within this assessment. A direct impact is directly attributable to a defined action such as the physical loss of a habitat or the immediate mortality of an individual of a particular species. Indirect impacts are attributable to an action, but which affect ecological resources through effects on an intermediary ecosystem, process or ecological feature. An example of an indirect effect would be the loss of an important prey species for a predator.

Effect Significance

- 1.4.29 In accordance with the CIEEM Guidelines, the assessment will only describe those characteristics relevant to understanding the ecological effects and determining significance. A significant effect, in ecological terms, is defined as an effect that either supports or undermines biodiversity conservation objectives for 'important ecological features' or for biodiversity in general. Effects can be considered significant at a wide range of scales from international to local.
- 1.4.30 As noted above, impacts are only assessed in detail for features of recognised importance, such that impacts upon them may be significant, or where a legal offence is predicted to occur. Therefore, for the purposes of this assessment, impacts are assessed in detail only for those ecological features that are of at least **local** importance or are subject to some form of **legal protection**. Impacts on any features of lower importance would, by definition, have no significant effect on the wider ecology / population of that feature.
- 1.4.31 After assessing the effects of the proposal, all reasonable attempts are made to avoid and mitigate adverse ecological impacts. Once measures to avoid and mitigate adverse ecological impacts have been finalised, assessment of the residual impacts that will result in effects that are significant, and proposed compensatory measures, will be the factors considered against ecological objectives (legislation and policy) in determining the outcome of the application (CIEEM, 2018).

Limitations of the Assessment

- 1.4.32 There are no significant overall limitations that are considered to compromise the overall validity and robustness of this EcIA, however any qualifications or limitations that are specifically relevant to a particular floral or faunal survey are provided in the associated Technical Appendix.

1.5 Baseline Environment

Existing baseline

- 1.5.1 The application site has been subject to various ecological assessments undertaken by WYG between 2016 and 2019. Key findings are summarised in this section, to illustrate the level of importance assigned to each of the receptors identified. Detailed studies are presented as Technical Appendices 1 & 2 as follows:
- Technical Appendix 1 – WYG, (2019a), Goodison Park Legacy: Ecological Appraisal, Report on behalf of Everton Stadium Development Limited, Project Number A100795-1.
 - Technical Appendix 2 – WYG, (2019b), Goodison Park Legacy: Shadow Habitats Regulations Assessment Stage 1 and Stage 2, Report on behalf of Everton Stadium Development Limited, A100795-1.

Statutory Sites

- 1.5.2 A total of eight internationally designated sites (SPA and Ramsar) are recorded within the area of search, the closest of which is Liverpool Bay SPA (approximately 2.7 km west of the application site).



- 1.5.3 In addition, two nationally designated SSSI's are recorded within the area of search, the closest of which is Mersey Narrows SSSI (approximately 4.18 km west of the application site).
- 1.5.4 There are also three Local Wildlife Sites recorded within the area of search, the closest is the Melrose Cutting which is located 0.8 km south-west of the application site.
- 1.5.5 Details regarding each designated site and their qualifying/notifiable features are presented in Table 10.1 – they are also mapped on Figure 3 in Technical Appendix 1.

Table 10.1 Summary of designated sites.

| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|---|------------------------|---|----------------------|
| SAC | Sefton Coast (JNCC, 2015) | 5.62 km north-west | <p>Annex I habitats that are a primary reason for selection of this site:</p> <p>Embryonic Shifting Dunes</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes')</p> <p>Fixed dunes with herbaceous vegetation ('grey dunes')</p> <p>Dunes with creeping willow <i>Salix repens</i> ssp. <i>Argentea Salicion arenariae</i></p> <p>Humid dune slacks</p> <p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</p> <p>Atlantic decalcified fixed dunes <i>Calluno-Ulicetia</i></p> <p>Annex II species that are a primary reason for selection of this site:</p> <p>Petalwort <i>Petalophyllum ralfsi</i></p> <p>Annex II species present as a qualifying feature, but not a primary reason for site selection:</p> <p>Great crested newt <i>Triturus cristatus</i></p> | International |
| SPA | Mersey Narrows and North Wirral Foreshore (Natural England, 2013) | 4.04 km west | <p>Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:</p> <p><u>Over winter:</u></p> <p>Redshank <i>Tringa totanus</i>, 1,981 individuals representing at least 1.3% of the wintering eastern Atlantic - wintering population (5-year peak mean 1991/2 - 1995/6).</p> <p>Turnstone <i>Arenaria interpres</i>, 1,138 individuals representing at least 1.6% of the wintering western Palearctic - wintering population (5-year peak mean 1991/2 - 1995/6).</p> | International |

| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|--|------------------------|---|----------------------|
| | | | <p>Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl.</p> <p>Over winter, the area regularly supports 20,269 individual waterfowl (5-year peak mean 1991/2 - 1995/6) including: dunlin <i>Calidris alpina alpina</i>, knot <i>Calidris canutus</i>, grey plover <i>Pluvialis squatarola</i>, oystercatcher <i>Haematopus ostralegus</i>, cormorant <i>Phalacrocorax carbo</i>, turnstone, redshank.</p> | |
| Ramsar | Mersey Narrows and North Wirral Foreshore (JNCC, 1995) | 4.04 km west | <p>Criterion 4 because it regularly supports plant and/or animal species at a critical stage in their life cycles or provides refuge during adverse conditions: during 2004/05 - 2008/09 the site supported important numbers of non-breeding little gulls and common terns <i>Sterna hirundo</i>.</p> <p>Criterion 5 because it regularly supports 20,000 or more waterbirds: during the winters 2004/05-2008/09, the site supported an average peak of 32,402 individual waterbirds.</p> <p>Criterion 6 because it regularly supports 1% of the individuals in the populations of the following species or subspecies of waterbird in any season: during the winters 2004/05 - 2008/09, the site supported 2.4% of the islandica subspecies, western Europe/Waddensea/ Britain/Ireland (non-breeding) population of knot and 2.8% of the lapponica subspecies west Europe/north-west Africa (non-breeding) population of bar-tailed godwits <i>Limosa lapponica</i>.</p> | International |
| SPA | Ribble and Alt Estuaries (Natural England, 2002) | 5.62 km north-west | <p>Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:</p> <p><u>During the breeding season:</u></p> <p>Common Tern, 182 pairs representing at least 1.5% of the breeding population in Great Britain (Count, as at 1996)</p> <p>Ruff <i>Philomachus pugnax</i>, 1 pair representing at least 9.1% of the breeding population in Great Britain (Count as at late 1980's)</p> <p><u>Over winter:</u></p> | International |



| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|-----------|------------------------|--|------------|
| | | | <p>Bar-tailed Godwit, 18,958 individuals representing at least 35.8% of the wintering population in Great Britain (5-year peak mean 1991/2 - 1995/6)</p> <p>Bewick's Swan <i>Cygnus columbianus bewickii</i>, 229 individuals representing at least 3.3% of the wintering population in Great Britain (5-year peak mean 1991/2 - 1995/6)</p> <p>Golden Plover <i>Pluvialis apricaria</i>, 4,277 individuals representing at least 1.7% of the wintering population in Great Britain (5-year peak mean 1991/2 - 1995/6)</p> <p>Whooper Swan <i>Cygnus cygnus</i>, 159 individuals representing at least 2.9% of the wintering population in Great Britain (5-year peak mean 1991/2 - 1995/6)</p> <p>Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species: <u>During the breeding season:</u></p> <p>Lesser Black-backed Gull <i>Larus fuscus</i>, 1,800 pairs representing at least 1.5% of the breeding western Europe/Mediterranean/west Africa population (Count, as at 1993)</p> <p>On passage:</p> <p>Ringed Plover <i>Charadrius hiaticula</i>, 995 individuals representing at least 2.0% of the Europe/north Africa - wintering population (5-year peak mean 1991/2 - 1995/6)</p> <p>Sanderling <i>Calidris alba</i>, 6,172 individuals representing at least 6.2% of the eastern Atlantic/western & southern Africa - wintering population (3-year mean May 1993 - 1995)</p> <p><u>Over winter:</u></p> <p>Black-tailed Godwit, 819 individuals representing at least 1.2% of the wintering Iceland - breeding population (5-year peak mean 1991/2 - 1995/6)</p> <p>Dunlin, 39,952 individuals representing at least 2.9% of the wintering northern Siberia/Europe/</p> | |

| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|-----------|------------------------|--|------------|
| | | | <p>western Africa population (5-year peak mean 1991/2 - 1995/6)</p> <p>Grey Plover, 6,073 individuals representing at least 4.0% of the wintering eastern Atlantic - wintering population (5-year peak mean 1991/2 - 1995/6)</p> <p>Knot, 57,865 individuals representing at least 16.5% of the wintering north-eastern Canada/Greenland/Iceland/north-western Europe population (5-year peak mean 1991/2 - 1995/6)</p> <p>Oystercatcher, 16,159 individuals representing at least 1.8% of the wintering Europe & northern/western Africa population (5-year peak mean 1991/2 - 1995/6)</p> <p>Pink-footed Goose <i>Anser brachyrhynchus</i>, 23,860 individuals representing at least 10.6% of the wintering eastern Greenland/Iceland/UK population (5-year peak mean 1991/2 - 1995/6)</p> <p>Pintail <i>Anas acuta</i>, 3,333 individuals representing at least 5.6% of the wintering north-western Europe population (5-year peak mean 1991/2 - 1995/6)</p> <p>Redshank, 2,708 individuals representing at least 1.8% of the wintering eastern Atlantic - wintering population (5-year peak mean 1991/2 - 1995/6)</p> <p>Sanderling <i>Calidris alba</i>, 2,859 individuals representing at least 2.9% of the wintering eastern Atlantic/western & southern Africa - wintering population (5-year peak mean 1991/2 - 1995/6)</p> <p>Shelduck <i>Tadorna tadorna</i>, 4,103 individuals representing at least 1.4% of the wintering north-western Europe population (5-year peak mean 1991/2 - 1995/6)</p> <p>Teal <i>Anas crecca</i>, 7,641 individuals representing at least 1.9% of the wintering north-western Europe population (5-year peak mean 1991/2 - 1995/6)</p> <p>Wigeon <i>Anas penelope</i>, 84,699 individuals representing at least 6.8% of the wintering western Siberia/north-western/north-eastern Europe population (5-year peak mean 1991/2 - 1995/6)</p> | |



| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|---|------------------------|--|----------------------|
| | | | <p>Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 seabirds</p> <p>During the breeding season, the area regularly supports 29,236 individual seabirds including: black-headed gull <i>Larus ridibundus</i>, lesser black-backed gull, common tern</p> <p>Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl</p> <p>Over winter, the area regularly supports 301,449 individual waterfowl (5 year peak mean 1991/2 - 1995/6) including: grey plover, whooper swan, golden plover, bar-tailed godwit, pink-footed goose, shelduck, wigeon, teal, Bewick's Swan, oystercatcher, curlew <i>Numenius arquata</i>, knot, sanderling, dunlin, black-tailed godwit, redshank, cormorant, common scoter <i>Melanitta nigra</i>, lapwing <i>Vanellus vanellus</i> and pintail.</p> | |
| SPA | Liverpool Bay (Lawson <i>et al.</i> 2016) | 2.7 km west | <p>Article 4.1 qualification (79/409/EEC)</p> <p><u>Over winter:</u></p> <p>Red-throated diver, <i>Gavia stellata</i>, 6.89% of the GB population (5-year peak mean 2004/05 - 2010/11), 1,171 individuals</p> <p>Little gull, <i>Hydrocoloeus minutus</i>, (wintering) (5-year peak mean 2004/05 - 2010/11), 319 individuals</p> <p>Little tern, <i>Sternula albifrons</i>, (breeding) 6.84% of the GB population 5-year mean 2010 – 2014), 130 pairs (260 individuals)</p> <p>Common tern, (breeding) 1.80% of the GB population 5-year mean 2011 – 2015), 180 pairs (360 individuals)</p> <p>Article 4.2 qualification (79/409/EEC)</p> <p><u>Over winter:</u></p> <p>Common scoter, 10.31% of the north-west European population regularly occurring migrant (5-year mean of peaks 2004/05 - 2010/11), 56,679 individuals</p> <p>Article 4.2 qualification (79/409/EEC) an internationally important assemblage of birds.</p> <p>Over winter the area regularly supports: 69,687 water birds (5-year peak mean 2004/05 -</p> | International |

| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|---------------------------------------|------------------------|---|----------------------|
| | | | 2010/11) including: (over 1% GB or 2000 individuals) red-throated diver, little gull, red-breasted merganser <i>Mergus serrator</i> , cormorant; (less than 1% GB or less than 2000 individuals) black-headed gull, common gull <i>Larus canus</i> , common eider <i>Somateria mollissima</i> , northern fulmar <i>Fulmarus glacialis</i> , great black-backed gull <i>Larus marinus</i> , great crested grebe <i>Podiceps cristatus</i> , common murre <i>Uria aalge</i> , northern gannet <i>Morus bassanus</i> , Atlantic puffin <i>Fratercula arctica</i> , herring gull <i>Larus argentatus</i> , black-legged kittiwake <i>Rissa tridactyla</i> , lesser black-backed gull, common loon <i>Gavia immer</i> , European shag <i>Phalacrocorax aristotelis</i> , razorbill <i>Alca torda</i> and velvet scoter <i>Melanitta fusca</i> . | |
| Ramsar | Ribble and Alt Estuaries (JNCC, 2005) | 5.62 km west | <p>Ramsar criterion 2 This site supports up to 40% of the Great Britain population of natterjack toads <i>Bufo calamita</i>.</p> <p>As plant species: petalwort (Conservation status: European Red List: Vulnerable; EC Habitats Directive: Annex II)</p> <p>Ramsar criterion 5 Assemblages of international importance:</p> <p>Species with peak counts in winter: 222,038 waterfowl (5-year peak mean 1998/99-2002/2003)</p> <p>Ramsar criterion 6 Species/populations occurring at levels of international importance.</p> <p>Qualifying species with peak counts in spring/autumn:</p> <p>Black-tailed godwit, Iceland/western Europe 3323 individuals, representing an average of 7% of the population (5-year peak mean 1998/92002/3)</p> <p>Redshank, 4465 individuals, representing an average of 1.7% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Dunlin, western Siberia/western Europe 38,196 individuals, representing an average of 2.8% of the population (5-year peak mean 1998/9-2002/3 - spring peak)</p> <p>Grey plover, eastern Atlantic/western Africa - wintering 11,021 individuals, representing an</p> | International |



| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|-----------|------------------------|---|------------|
| | | | <p>average of 4.4% of the population (5-year peak mean 1998/9-2002/3 - spring peak)</p> <p>Red knot, <i>Calidris canutus islandica</i>, western & southern Africa (wintering) 42,692 individuals, representing an average of 9.4% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Ringed plover, Europe/north-western Africa 3761 individuals, representing an average of 5.1% of the population (5-year peak mean 1998/9-2002/3 - spring peak)</p> <p>Sanderling, eastern Atlantic 7401 individuals, representing an average of 6% of the population (5-year peak mean 1998/9-2002/3 - spring peak)</p> <p>Species with peak counts in winter:</p> <p>Bar-tailed godwit, western Palearctic 13,935 individuals, representing an average of 11.6% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Oystercatcher, Europe & north-west Africa - wintering 18,926 individuals, representing an average of 1.8% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Teal, north-west Europe 5107 individuals, representing an average of 1% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Wigeon, north-west Europe 69,841 individuals, representing an average of 4.6% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Pintail, north-west Europe 1,497 individuals, representing an average of 2.5% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Pink-footed goose, Greenland, Iceland/UK 6,552 individuals, representing an average of 2.42% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Tundra swan, <i>Cygnus columbianus bewickii</i>, north-west Europe 230 individuals, representing an average of 1.1% of the GB population (5-year peak mean 1998/9-2002/3)</p> <p>Whooper swan, Iceland / UK / Ireland 211 individuals, representing an average of 1% of the population (5-year peak mean 1998/9-2002/3)</p> | |

| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|--|------------------------|--|---------------|
| Ramsar | Mersey Estuary (JNCC, 1995) | 7.6 km south | <p>Criterion 5 assemblages of international importance Species with peak counts in winter: 89576 waterfowl (5-year peak mean 1998/99-2002/2003)</p> <p>Criterion 6 species/populations occurring at levels of international importance. Qualifying Species/populations in spring/autumn:</p> <p>Common shelduck, north-west Europe 12,676 individuals, representing an average of 4.2% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Black-tailed godwit, Iceland/western Europe 2,011 individuals, representing an average of 5.7% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Common redshank, 6,651 individuals, representing an average of 2.6% of the population (5-year peak mean 1998/9-2002/3)</p> <p><u>Species with peak counts in winter:</u></p> <p>Teal, north-west Europe 10,613 individuals, representing an average of 2.6% of the population (5-year peak mean 1998/9-2002/3)</p> <p>Northern pintail, north-west Europe 565 individuals, representing an average of 2% of the GB population (5-year peak mean 1998/9-2002/3)</p> <p>Dunlin, western Siberia/western Europe 48,364 individuals, representing an average of 3.6% of the population (5-year peak mean 1998/9-2002/3)</p> | International |
| SPA | Mersey Estuary (Natural England, 2004) | 7.6 km south | <p>Article 4.1 qualification (79/409/EEC)</p> <p><u>Over winter the area regularly supports:</u></p> <p>Golden plover north-western Europe – breeding, 3,040 individuals, 1.2% of the GB population 5-year peak mean, 1993/94 -1997/98</p> <p>Article 4.2 qualification (79/409/EEC)</p> <p><u>Over winter the area regularly supports:</u></p> <p>Northern pintail north-western Europe, 1,169 individuals, 1.9% of the population 5-year peak mean, 1993/94 - 1997/98</p> <p>Teal north-western Europe, 11,723 individuals, 2.9% of the population 5-year peak mean, 1993/94 - 1997/98</p> | International |



| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|--------------------------|------------------------|--|-----------------|
| | | | <p>Wigeon, western Siberia/north-western/north-eastern Europe, 11,886 individuals, 4.2% of the population in Great Britain 5-year peak mean, 1993/94-1997/98</p> <p>Dunlin, northern Siberia/Europe/western Africa, 48,789 individuals 3.6% of the Population 5-year peak mean, 1993/94 -1997/98</p> <p>Black-tailed godwit, (Iceland - breeding, 976 individuals, 1.6% of the population 5-year peak mean, 1993/94 -1997/98</p> <p>Curlew, Europe - breeding, 1,300 individuals, 1.1% of the population in Great Britain 5-year peak mean, 1993/94 -1997/98</p> <p>Grey plover, eastern Atlantic - wintering, 3,040 individuals, 2.3% of the population in Great Britain 5-year peak mean, 1993/94 - 1997/98</p> <p>Great crested grebe north-western Europe - wintering, 136 individuals, 1.4% of the population in Great Britain 5-year peak mean, 1993/94 - 1997/98</p> <p>Shelduck, north-western Europe, 6,476 individuals, 2.2% of the population 5-year peak mean, 1993/94 - 1997/98</p> <p>Redshank, eastern Atlantic - wintering, 4,513 individuals, 2.8% of the population 5-year peak mean, 1993/94 - 1997/98</p> <p>Lapwing, Europe - breeding, 10,544 individuals, 0.7% of the population in Great Britain 5-year peak mean, 1993/94 - 1997/98</p> <p><u>On passage the area regularly supports:</u></p> <p>Ringed plover, Europe/northern Africa - wintering, 505 individuals, 1.7% of the population in Great Britain 5-year peak mean, 1993 - 1997</p> <p>Redshank, eastern Atlantic - wintering, 4,513 individuals, 3.8% of the population 5-year peak mean, 1993-1997</p> | |
| SSSI | Mersey Narrows (Natural) | 4.18 km west | <p>Notified features for this SSSI are:</p> <p>Aggregations of non-breeding birds – cormorant, redshank and turnstone.</p> <p>Isolated saline lagoons</p> | National |

| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|---|------------------------|---|-----------------|
| | England, 2000) | | <p>Moderately exposed sandy shores (with polychaetes and bivalves).</p> <p>Sheltered muddy shores (including estuarine muds).</p> <p>SM9 - <i>Suaeda maritima</i> saltmarsh</p> | |
| SSSI | North Wirral foreshore (Natural England, no date) | 14 km west | <p>Notified features for this SSSI are:</p> <p>Aggregations of non-breeding birds - bar-tailed godwit, dunlin, knot and turnstone</p> <p>Sheltered muddy shores (including estuarine muds).</p> <p>SM10 - Transitional low marsh vegetation with <i>Puccinellia maritima</i>, annual <i>Salicornia</i> species and <i>Suaeda maritima</i>.</p> <p>SM6 - <i>Spartina anglica</i> saltmarsh</p> <p>Wave exposed sandy shores (with burrowing crustaceans and polychaetes).</p> | National |
| SSSI | Sefton Coast | 5.62km north west | <p>Notified features for this SSSI are:</p> <p>Aggregations of non-breeding birds - Cormorant, <i>Phalacrocorax carbo</i></p> <p>Aggregations of non-breeding birds - Redshank, <i>Tringa tetanus</i></p> <p>Aggregations of non-breeding birds - Turnstone, <i>Arenaria interpres</i></p> <p>solated saline lagoons</p> <p>Moderately exposed sandy shores (with polychaetes and bivalves)</p> <p>Sheltered muddy shores (including estuarine muds)</p> <p>SM9 - <i>Suaeda maritima</i> saltmarsh</p> | National |
| LWS | Melrose Cutting | 0.8 km south-west | <p>This is a mosaic of habitats along an ~750m section of old railway cutting. Locally rare plant species include wall rue <i>Asplenium ruta-muraria</i>, common boomrape <i>Orobancha minor</i>, hare's-foot clover <i>Trifolium arvense</i>, heath woodrush <i>Luzula multiflora</i> and yellow-wort <i>Blackstonia perfoliata</i>.</p> | County |
| LWS | Everton Park and | 1.5 km | <p>A diversity of habitats including two small lakes, a grassland meadow, woodland and exposed rock. The regionally important plant species burnet rose, maidenhair spleenwort, and nettle-leaved bellflower are present; and a breeding assemblage</p> | County |



| Designation | Site Name | Distance and Direction | Summary of Features | Evaluation |
|-------------|------------------------------|------------------------|--|------------|
| | Nature Garden | | of 13 qualifying butterfly species has been recorded. | |
| LWS | Leeds-Liverpool Canal Rivers | 1.4 km west | <p>The canal connects with the River Mersey via the Stanley Dock to Pier Head Link and supports a variety of plant species, including nine locally rare species, these being common mallow <i>Malva neglecta</i>, hemp agrimony <i>Eupatorium cannabinum</i>, marsh woundwort <i>Stachys palustris</i>, reed sweet-grass <i>Glyceria maxima</i>, sheep's fescue <i>Festuca ovina</i>, wavy hair grass <i>Deschampsia flexuosa</i>, wild carrot <i>Daucus carota</i>, wood sage <i>Teucrium scorodonia</i> and yellow water-lily <i>Nuphar lutea</i>.</p> <p>Many waterbirds breed along the canal, including mute swan <i>Cygnus olo</i>, mallard <i>Anas platyrhynchos</i>, coot <i>Fulica atra</i>, moorhen <i>Gallinula chloropus</i> and grey wagtail <i>Motacilla cinerea</i>. The canal is also important for wintering birds, including kingfisher <i>Alcedo atthi</i>, great crested grebe <i>Podiceps cristatus</i> and goldeneye <i>Bucephala clangula</i>.</p> | County |
| LWS | Loop line | 1.8 km north-east | <p>The longest wildlife corridor in Liverpool, an old disused railway stretching for 11km and containing a diverse mosaic of habitats, including secondary broadleaf woodland, with developing understorey and scrub. The ground flora includes bluebell <i>Hyacinthoides non-scripta</i>, lords and ladies <i>Arum maculatum</i>, wood dock <i>Rumex sanguineus</i> and black bryony <i>Dioscorea communis</i>.</p> <p>Acid and neutral unimproved grasslands also occur along the Loop Line and include locally notable plant species such as bee orchid <i>Ophrys apifera</i>, creeping willow, meadow barley <i>Hordeum brachyantherum</i>, smooth tare <i>Vicia tetrasperma</i> and wild carrot.</p> <p>Partly vegetated sandstone cliffs on the Loop Line contain locally notable plant species such as harts-tongue <i>Asplenium scolopendrium</i>, hard ferns <i>Blechnum spicant</i> and royal ferns <i>Osmunda regalis</i>, black and maidenhair spleenwort <i>Asplenium trichomanes</i>, pellitory-of-the-wall <i>Parietaria judaica</i> and various liverworts <i>Marchantiophyta</i>.</p> | County |



Habitats

- 1.5.6 The application site predominantly consists of hard standing. Habitats recorded on site are presented within Technical Appendix 1, in summary these were:

- Hard standing
- Amenity Grassland
- Buildings

- 1.5.7 A detailed description of these habitats is provided below, as identified during the site surveys.

Hard standing

- 1.5.8 There was a large area of hard standing on the south side of the application site. This is mostly used for car parking and was completely devoid of vegetation. Hard standing areas on site are therefore considered to be of **negligible** importance.

Amenity Grassland

- 1.5.9 The playing surface of the football pitch itself constituted amenity grassland. It is understood to be 50% grass and 50% synthetic. The grass species were not identifiable due to regular mowing, but this is considered to be of negligible ecological significance, because the playing surface is frequently disturbed and subjected to regular maintenance and is therefore considered extremely unlikely to support any notable plant species. This habitat was therefore assessed as having **negligible** importance.

Buildings

- 1.5.10 The largest building on the application site is comprised of four large main stands which make up the stadium. The stadium was well maintained and offered no features that could be used by roosting bats.
- 1.5.11 Additionally, nine ancillary buildings were present on the application site all of which were of sound construction and well maintained. The buildings were not considered to offer any ecological value and are therefore assessed as having **negligible** importance.

Protected and Notable Species

Birds

- 1.5.12 The desk study returned one notable bird species, namely for breeding house sparrow *Passer domesticus* (a BoCC red-listed and LBAP species), 1.7km north of the site in 2012.
- 1.5.13 During the site survey, only two bird species were observed resting on the stands, these being feral pigeon *Columba livia* and Magpie *Pica pica*, both of which are considered common and widespread.
- 1.5.14 It is considered unlikely that the site offers nesting opportunities for most species of wild bird because of a lack of suitable habitat. Although feral pigeon are known to use structures and features present within the site and could potentially nest on site in the future, especially if the site became disused.
- 1.5.15 It is thought unlikely that peregrine falcon or any other bird species recorded within 2 km of the site would breed on the site. Although peregrines breed on high buildings, disturbance levels on the site are considered to be too high (especially on match days) to support nesting of this species. As such, the breeding bird assemblage within the application site is assessed as having **negligible** importance.

Water vole

- 1.5.16 The desk study returned five records of water vole within 2km of the site, most recently in 2015. The closest record was 1.5km west of the site, near the Liverpool canal in 2015. However, no suitable habitat for water voles was recorded on the application site, nor are there any hydrological links with potentially suitable water vole habitat. It is therefore considered that the application site is of **negligible** importance for water voles.

Bats

- 1.5.17 The desk study returned 22 records of bats within 2km of the site in the past ten years. Of the 22 records, 12 were of common pipistrelle *Pipistrellus pipistrellus*; three were soprano pipistrelle *Pipistrellus pygmaeus*; five were of unspecified pipistrelles *Pipistrellus* spp., one was a noctule bat *Nyctalus noctula* and one was of an unspecified bat species.
- 1.5.18 Two unidentified bat records were returned from May 2019 (the two records were on the same date and are therefore likely to be a duplicate). The bat was seen flying along Gwladys Street at around 15 minutes prior to sunset.
- 1.5.19 No records of bat roosts were returned from Merseyside BioBank within 2km of the site in the past ten years.
- 1.5.20 A search on MAGIC revealed that one European Protected Species Licence (EPSL) for bats had been granted within 2km of the application site. This was located 1km to the south-west to allow the destruction of a common pipistrelle roost between 2013 and 2015.
- 1.5.21 No bat roosts were recorded within the application site and all buildings were assessed as forming negligible bat roost potential. Therefore, it is not considered likely that the bat recorded flying 15 minutes prior to sunset roosts within buildings present at the application site.
- 1.5.22 The site showed a complete lack of vegetation, apart from the pitch itself, and additionally the surrounding environment provides no natural vegetation. The stadium and car park are also well lit and so consequently, it is considered that the application site offers no foraging and commuting potential for bats. It is therefore considered that the application site is of **negligible** importance for bats.

Amphibians, Reptiles, Mammals, Invertebrates and plants

- 1.5.23 No protected / notable mammals (other than those discussed above), reptiles or amphibian records were returned during the desk study and the application site contains no suitable habitats for these species.
- 1.5.24 The desk study returned three records of rare and notable invertebrate species within 2km of the site in the past ten years. These were SPI moth species buff ermine *Spilosoma lutea*, sawfly *Cirrhia icteritia* and shoulder-striped wainscot *Leucania comma*.
- 1.5.25 The data search also returned records of four notable flora species from within 2km of the application site. These were bluebell *Hyacinthoides non-scripta*, shore dock *Rumex rupestris*, cornflower *Centaurea cyanus* and purple ramping-fumitory *Fumaria purpurea*. However, there is no suitable habitat within the application site for these notable plant species.
- 1.5.26 The application site's importance for all the features detailed above is therefore considered to be **negligible**.

1.6 Mitigation within the Submitted Design

- 1.6.1 This section summarises the key features that have been incorporated into this project via the Construction Strategy outlined in Chapter 4 of this ES.



Source Noise Control

1.6.2 Wherever possible noise will be controlled at source.

- a) avoid unnecessary revving of engines and switch off equipment when not required;
- b) keep internal haul routes well maintained and avoid steep gradients;
- c) use rubber linings in, for example, chutes and dumpers to reduce impact noise;
- d) minimize drop height of materials;
- e) start-up plant and vehicles sequentially rather than all together.

1.6.3 As far as reasonably practicable, sources of significant noise will be enclosed or screened. The extent to which this can be done depends on the nature of the machine or process to be enclosed and their ventilation requirements. For maximum benefit, screens will be close to the source of noise.

Plant Location

1.6.4 The plant and activities to be employed on that site will be reviewed to ensure that they are the quietest available for the required purpose; this is in accordance with best practicable means. For an existing operational site, where reasonably practicable, noisy plant or activities will be replaced by less noisy alternatives if noise problems are occurring. Noise from existing plant and equipment can often be reduced by modification or by the application of improved sound reduction methods, but this will only be carried out after consultation with the manufacturer. Suppliers of plant will often have ready-made kits available and will often have experience of reducing noise from their plant.

Working Methods

1.6.5 Where reasonably practicable, quiet working methods will be employed, including use of the most suitable plant, reasonable hours of working for noisy operations, and economy and speed of operations.

Scheduling of Works

1.6.6 It is proposed that the scheduling of any construction works at the site be within daytime hours. The following hours of construction working are proposed;

- a) Monday to Friday: 07:00 – 19:00
- b) Saturday: 07:00 – 13:00
- c) Sundays and Bank Holidays: No Working

1.6.7 Where practicable, percussive piling activities will be scheduled to avoid migration/mating periods of sensitive ecological species as advised by the project ecologist.

Maintenance

1.6.8 Regular and effective maintenance by trained personnel is essential and will do much to reduce noise from plant and machinery. Increases in plant noise are often indicative of future mechanical failure.

Training

1.6.9 Operatives will be trained to employ appropriate techniques to keep site noise to a minimum and will be effectively supervised to ensure that best working practice in respect of noise reduction is followed. All employees will be advised regularly of the following, as part of their training:

- a) the proper use and maintenance of tools and equipment;

- b) the positioning of machinery on site to reduce the emission of noise to the neighbourhood and to site personnel;
- c) the avoidance of unnecessary noise when carrying out manual operations and when operating plant and equipment;
- d) the protection of persons against noise;
- e) the operation of sound measuring equipment (selected personnel).

1.6.10 Special attention will be given to the use and maintenance of sound-reduction equipment fitted to power tools and machines.

Community Relations

1.6.11 Good relations with people living and working in the vicinity of site operations are of paramount importance. Early establishment and maintenance of these relations throughout the duration of site operations, will go some way towards allaying people's fears. It is suggested that good relations can be developed by keeping people informed of progress and by treating complaints fairly and expeditiously. The person, company or organization carrying out work on site will appoint a responsible person to liaise with the public. In general, the longer the duration of activities on a site, the more likely it is that noise from the site will prove to be an issue. In this context, good public relations and communication are important. The hours of working will be planned in advance and disseminated. There will be a need to adhere strictly to the stated schedule and ensure that the community is informed of their likely durations.

Noise Monitoring

1.6.12 On-site noise levels will be monitored regularly, particularly if changes in machinery or project designs are introduced, by a suitably qualified person appointed specifically for the purpose. The following monitoring scheme is proposed.

1.6.13 Noise monitoring during the construction phase will be undertaken in accordance with the guidance presented in Annex G of BS 5228-1:2009 which states that the following information will be recorded:

- a) the measured values of LAeq and, where appropriate, LpA(max) or LA01, together with details of the appropriate time periods;
- b) details of the instrumentation and measurement methods used, including details of any sampling techniques, position of microphone(s) in relation to the site and system calibration data;
- c) any factors that might have adversely affected the reliability or accuracy of the measurements;
- d) plans of the site and neighbourhood showing the position of plant, associated buildings and notes of site activities during monitoring period(s);
- e) notes on weather conditions, including where relevant, wind speed/direction, temperature, presence of precipitation, etc.;
- f) time, date and name of person carrying out the measurement.

1.6.14 Proposed construction noise monitoring locations are shown on the accompanying Appendix C. It is proposed that noise levels will be routinely monitored and reported at these locations for 4 hours during construction activities on a monthly basis. Additional measurements will be undertaken to establish whether specific equipment or practices will be capable of achieving the Noise Emission Limits as set out below or in light of any complaints.

Vibration Monitoring



- 1.6.15 Vibration monitoring will be undertaken during the construction phase; monitoring will record ppv, max displacement, VDV and acceleration. Measurement will generally be undertaken in accordance with the procedure described in BS ISO 4866:2010: Guidelines for the measurement of vibrations and evaluation of their effects on structures. Baseline monitoring to be undertaken prior to works starting on site to establish appropriate monitoring trigger levels for vibration and displacement.
- 1.6.16 Works will stop and alternative methods employed if vibration exceeds the established thresholds.
- 1.6.17 Records of the monitoring will be consistent with the requirements of BS7385:1990 and will include:
- Description of the vibration source
 - Type and condition of the building
 - Purpose of the measurement
 - Reference to BS7385
 - Position of transducer and manner of coupling type and make of transducer
 - Frequency range and linearity
 - Assessment of the sources of error
 - PPV recorded and associated frequency

Dust Management

- 1.6.18 Develop and implement a Dust Management Plan (DMP), which may include measures to control other emissions, approved by the Local Authority. The level of detail will depend on the risk and should include as a minimum the highly recommended measures in this document. The desirable measures should be included as appropriate for the site.
- 1.6.19 Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.
- 1.6.20 Make the complaints log available to the local authority when asked.
- 1.6.21 Record any exceptional incidents that cause dust and/or air emissions, either on- or offsite, and the action taken to resolve the situation in the logbook.
- 1.6.22 Hold regular liaison meetings with other high-risk construction sites within 500m of the site boundary, to ensure plans are co-ordinated and dust and particulate matter emissions are minimised. It is important to understand the interactions of the off-site transport/deliveries which might be using the same strategic road network routes.
- 1.6.23 Undertake daily on-site and off-site inspection, where receptors (including roads) are nearby, to monitor dust, record inspection results, and make the log available to the local authority when asked. This should include regular dust soiling checks of surfaces such as street furniture, cars and windowsills within 100m of site boundary, with cleaning to be provided if necessary.
- 1.6.24 Carry out regular site inspections to monitor compliance with the DMP, record inspection results, and make an inspection log available to the local authority when asked
- 1.6.25 Increase the frequency of site inspections by the person accountable for air quality and dust issues on site when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions.

- 1.6.26 Plan site layout so that machinery and dust causing activities are located away from receptors, as far as is possible.
- 1.6.27 Erect solid screens or barriers around dusty activities or the site boundary that are at least as high as any stockpiles on site.
- 1.6.28 Fully enclose site or specific operations where there is a high potential for dust production and the site is active for an extensive period
- 1.6.29 Avoid site runoff of water or mud.
- 1.6.30 Keep site fencing, barriers and scaffolding clean using wet methods.
- 1.6.31 Remove materials that have a potential to produce dust from site as soon as possible, unless being re-used on site. If they are being re-used on-site cover as described below.
- 1.6.32 Cover, seed or fence stockpiles to prevent wind whipping.
- 1.6.33 Planning and controlling the orientation, shape and locations of stockpiles, to minimise the risk of dust rising through wind action.
- 1.6.34 Ensure all vehicles switch off engines when stationary - no idling vehicles.
- 1.6.35 Avoid the use of diesel- or petrol-powered generators and use mains electricity or battery powered equipment where practicable.
- 1.6.36 Impose and signpost a maximum-speed-limit of 15 mph on surfaced and 10 mph on un-surfaced haul roads and work areas (if long haul routes are required these speeds may be increased with suitable additional control measures provided, subject to the approval of the nominated undertaker and with the agreement of the local authority, where appropriate)
- 1.6.37 Produce a Construction Logistics Plan to manage the sustainable delivery of goods and materials.
- 1.6.38 Implement a Travel Plan that supports and encourages sustainable travel (public transport, cycling, walking, and car-sharing)
- 1.6.39 Only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems
- 1.6.40 Control measures and dust suppression techniques including reuse of site won water to minimise resource use on the project
- 1.6.41 Ensure an adequate water supply on the site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate.
- 1.6.42 Ensure a dampening water bowser will be utilised to keep the dust on the site to a minimum. This can be towed behind various site vehicles to dampen down the site.
- 1.6.43 Use enclosed chutes and conveyors and covered skips
- 1.6.44 Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate.
- 1.6.45 Ensure equipment is readily available on site to clean any dry spillages, and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods
- 1.6.46 Avoid bonfires and burning of waste materials.



- 1.6.47 Internally to the building, we will utilise vacs of different sizes to remove any dust that is generated by the construction works, brushes will not be used.
- 1.6.48 Skips will be emptied regularly and all skips that are removed from site will be sheeted over prior to leaving the site boundary.
- 1.6.49 Ensuring appropriate selection and maintenance of construction vehicles, plant and equipment (i.e. vehicle and plant which produce less emissions and are regularly serviced).
- 1.6.50 Ensuring plant and equipment is not left running for long periods when not directly in use.

Demolition

- 1.6.51 Ensure effective water suppression is used during demolition operations. Handheld sprays are more effective than hoses attached to equipment as the water can be directed to where it is needed. In addition, high volume water suppression systems, manually controlled, can produce fine water droplets that effectively bring the dust particles to the ground.
- 1.6.52 Ensure water suppression will be used on the demolition machines to give dampening down at the point of source. This will also be enhanced with mist cannons dampening down areas where the materials are stacked prior to being removed from site.
- 1.6.53 Avoid explosive blasting, using appropriate manual or mechanical alternatives.
- 1.6.54 Bag and remove any biological debris or damp down such material before demolition.

Earthworks

- 1.6.55 Re-vegetate earthworks and exposed areas/soil stockpiles to stabilise surfaces as soon as practicable.
- 1.6.56 Use Hessian, mulches or tackifiers where it is not possible to re-vegetate or cover with topsoil, as soon as practicable.
- 1.6.57 Only remove the cover in small areas during work and not all at once.

Construction

- 1.6.58 Avoid scabbling (roughening of concrete surfaces) if possible.
- 1.6.59 Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place.
- 1.6.60 Ensure bulk cement and other fine powder materials are delivered in enclosed tankers and stored in silos with suitable emission control systems to prevent escape of material and overfilling during delivery.

Trackout

- 1.6.61 Use water-assisted dust sweeper(s) on the access and local roads, to remove, as necessary, any material tracked out of the site. This may require the sweeper being continuously in use.
- 1.6.62 Avoid dry sweeping of large areas.
- 1.6.63 Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport.
- 1.6.64 Inspect on-site haul routes for integrity and instigate necessary repairs to the surface as soon as reasonably practicable.
- 1.6.65 Record all inspections of haul routes and any subsequent action in a site logbook.

- 1.6.66 Install hard surfaced haul routes, which are regularly damped down with fixed or mobile sprinkler systems, or mobile water bowzers and regularly cleaned.
- 1.6.67 Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site where reasonably practicable).
- 1.6.68 A jet wash pull along bowser will be used to clean the wheels of vehicles as they exit site, this will minimise and reduce the risk of dust emissions and deposition of material on the public highway.
- 1.6.69 Ensure there is an adequate area of hard surfaced road between the wheel wash facility and the site exit, wherever site size and layout permits.
- 1.6.70 Access gates to be located at least 10m from receptors where possible.

1.7 Likely Significant Environmental Effects of the Scheme

- 1.7.1 As stated in the assessment methodology section, impacts are only assessed in detail for valuable ecological features potentially vulnerable to significant impacts arising from the development that would be significant in EIA terms. Consequently, impacts have only been assessed in detail for those receptors that are of at least **Local** value or are subject to **legal protection**.
- 1.7.2 Therefore, our detailed impact assessment only considers the following features:
 - Mersey Narrows and North Wirral Foreshore SPA & Ramsar, Mersey Estuary SPA, Liverpool Bay SPA, Ribble and Alt Estuaries SPA & Ramsar and Sefton Coast SAC (Collectively referred to as Natura 2000 and Ramsar sites);
 - Mersey Narrows SSSI and North Wirral SSSI;
 - Melrose Cutting LWS, Leeds-Liverpool Canal LWS and Loop Line LWS;
 - Where possible, ecological receptors have been assessed together in order to facilitate understanding and avoid repetition of identical impacts.

Construction Phase Effects

Natura 2000 & Ramsar sites

- 1.7.3 The Shadow Habitats Regulations Assessment (sHRA) (Technical Appendix 2) has assessed the potential effects of the following impact pathways associated with the application site:
 - Habitat Loss within the designated sites
 - Habitat loss within functional habitat beyond the boundary of the designated sites
 - Habitat degradation – Air quality and dust deposition
 - Habitat degradation - Water quality impacts as a result of pollution events
 - Disturbance of qualifying features – Visual and auditory disturbance
- 1.7.4 The conclusion of the sHRA determined that no Likely Significant Effects are anticipated in relation to relevant qualifying features of the designated sites. Therefore, construction phase effects of the application Site are considered to be **not significant**.

SSSI's

- 1.7.5 The application site is located beyond the impact risk zone for both the North Wirral Foreshore and Mersey Narrows SSSI.



- 1.7.6 In addition, these sites are both located in excess of 5 km from the application site and no known habitat or hydrological connections exist between each SSSI or the application site (both SSSI's are isolated from the application site by existing urban development and the North Wirral Foreshore is located on the opposite side of the River Mersey). Therefore, construction phase effects upon these designated sites are considered to be highly unlikely and therefore **not significant**.

LWS

- 1.7.7 The closest of the three LWS is Melrose Cutting, located 0.8 km west. Therefore, construction activities (which will not extend beyond the red line boundary of the application site) will not result in the direct loss or damage of habitats which form or support features of the non-statutory designated sites.
- 1.7.8 Everton Park and Nature Garden, Melrose cutting and loop line LWS' are designated for their botanical/invertebrate interest. Therefore, any visual or auditory disturbance can be screened out for both of these sites.
- 1.7.9 In addition, although the Leeds – Liverpool Canal is of value to bird species it is considered that this LWS is sufficiently isolated from the application site to avoid any disturbance effects on the local bird interest from the construction phase.
- 1.7.10 As with statutory designated sites, all LWS lie beyond 50m of the site (and 50 m of the route(s) used by construction vehicles on the public highway, up to 500 m from the site entrance(s)) and lack any hydrological connection with the site. Therefore, no indirect negative effects upon LWS as a result of airborne and/or waterborne pollution are considered likely during the construction phase of this project. Therefore, construction phase effects upon these designated sites are considered highly unlikely and are therefore considered to be **not significant**.

Operational Phase Effects

Natura 2000 & Ramsar sites

- 1.7.11 The sHRA (Technical Appendix 2) has assessed the potential effects of the following impact pathways associated with the application site:
- Habitat degradation - as a result of increased visitor numbers causing trampling effects;
 - Disturbance to qualifying bird species – Visual/human presence;
 - Disturbance of qualifying features –Auditory disturbance;
 - Disturbance of qualifying features – Lighting effects;
 - Habitat degradation – Air pollution;
 - Loss of qualifying features - Potential bird strike.
- 1.7.12 The conclusion of the Shadow HRA determined that Likely Significant Effects are not anticipated in relation to relevant qualifying features of the designated sites during the operational phase. Therefore, operation phase effects of the application site are considered to be **not significant**.

SSSI

- 1.7.13 The application site is located beyond the impact risk zone for both the North Wirral Foreshore and Mersey Narrows SSSI.
- 1.7.14 In addition, these sites are both located in excess of 5 km from the application site and no known habitat or hydrological connections exist between each SSSI or the application site (both SSSI's are isolated from the application site by existing urban development and the North Wirral Foreshore is located on the opposite

side of the River Mersey). Therefore, operation phase effects such as air quality, disturbance from lighting and noise, air and water pollution are unlikely to affect features of these designated sites.

- 1.7.15 It is noted that residents of the operational application site have the potential to cause an increase in habitat degradation from trampling and disturbance to qualifying features of these designated sites. However, visitor survey information presented within "*Recreational activity and interactions with birds within the SSSIs on the north-west coast of England*" (Liley *et al.* 2017) indicates that visitors to the relevant designated sites travel a maximum of 5.2 km from home. Mersey Narrows is located approximately 7 km from the application site by road and North Wirral Foreshore SSSI is located 14 km by road (there are no shorter routes that can be accessed by foot). It is therefore considered highly unlikely that residents of the application site will significantly contribute to recreational pressure at these designated sites.
- 1.7.16 The Sefton Coast is located 5.62km from the application site. As highlighted by MEAS in their consultation response dated 20th May 2020, the application site lies within the Impact Risk Zone (IRZ) for this SSSI. The proposed development falls under the category of '*residential development in this area should consider recreational disturbance impacts*' within the IRZ. As such Natural England should be consulted in relation to impacts., Natural England have not referred to recreational disturbance impacts within their consultation document dated 22nd June 2020. However, in order to ensure potential impacts upon the Sefton Coast SSSI are considered appropriately, the following assessment has been undertaken.
- 1.7.17 Assuming an occupation of 2.4 people (Office for National Statistics 2017) per residential property (total number of properties = 173 units) within the operational application site, the potential local population will increase by 415 people. This assumes that all residents occupying the new development will migrate into the local area from surrounding regions. The office for National Statistics (<https://www.nomisweb.co.uk/reports/lmp/lep/1925185554/report.aspx#tabrespop>) indicates that the population of the Liverpool City Region is comprised of approximately 1,551,500 people. Therefore, based on the above it is anticipated that the population will increase by 0.03%. It is recognised, however, that occupancy of the application site is highly unlikely to comprise entirely of new residents to the Liverpool City Region and will partially comprise residents that move to this area from within Liverpool City Region. In reality, therefore, occupation of this development may not significantly contribute to population rise in the Liverpool City Region. In addition, the Department for Transport statistics document (DfT 2017) indicates that approximately 48% of the UK population walk for leisure purposes. Applying this statistic to the potential population of the application site indicates that an average of approximately 199 residents of the application site (0.01% of the population of the Liverpool City Region) are likely to visit outdoor spaces for leisure and recreation purposes.
- 1.7.18 Visitor survey information presented within "Recreational activity and interactions with birds within the SSSIs on the North-West coast of England" (Liley *et al.* 2017) indicates that visitors to the relevant designated sites travel a maximum of 5.2km from home. It is recognised that the SSSI boundary is located beyond the maximum travel distance from the application site. However, Sefton Coast SSSI can be accessed by foot from Crosby Lakeside Car Park which is located 4.3km from the application site (leaving approximately 900m to travel on foot to reach the SSSI). The combined "road and foot" distance is beyond the maximum however as the car park provides a convenient stop off point within this maximum it may be possible for residents of the application site to visit this SSSI via this car park.
- 1.7.19 However, there are approximately 534 areas of public open space within 10km of the application site providing a total of 2,298ha of land available for recreational purposes.
- 1.7.20 In addition to this, the illustrative masterplan for the application site incorporates an area of open green space within the redline boundary of the site that can be used for local recreational purposes such as dog walking.



1.7.21 It is also noted that there are a number of other attractions associated with Crosby lake Car Park (Crosby coastal park, a boating lake, Crosby Lakeside Adventure Centre and the Marine Garden (with associated walkways) which visitors to this car park may visit in preference to the SSSI. It is also noted that the SAC is within the maximum likely distance for visitors to travel, this does not mean that all residents of the application site will regularly visit the Sefton Coast SSSI. Given the likely % population rise associated with the application site along with the above alternative public open spaces it is considered unlikely that increases in recreational pressure upon the Sefton Coast SSSI as a result of the operational application site will adversely affect the conservation status of notifiable features of the Sefton Coast SSSI.

1.7.22 Therefore, effects upon SSSI's as a result of the operational phase are considered to be **not significant**.

LWS

1.7.23 The closest of the three LWS is 0.8 km to the south-east (Melrose Cutting). The operational activities will not result in the direct loss or damage of habitats which form or support features of any of the non-statutory designated sites.

1.7.24 In addition, due to the distance of the application site from any LWS along with its location within a residential area in North Liverpool (which lacks habitat and hydrological connectivity to these non-statutory designated sites) any visual or auditory disturbance during the operational phase can be screened out for these sites.

1.7.25 Although the Leeds – Liverpool Canal is of value to bird species it is considered that this LWS is sufficiently isolated from the application site to avoid any visual and auditory disturbance effects on the local bird interest as a result of the operational phase of this project. It is noted that the LWS is within 5.2 km of the application site. However, there is approximately 2,000ha of open space within 10 km of the application site (refer to technical Appendix 2 for location mapping of such open space) which may be available for recreational purposes by the residents of the proposed re-development. In addition, the operational application site will incorporate open green space for recreational use. It is therefore considered that residents of the application site are likely to visit a wide range of areas for recreational purposes and recreational pressure within Leeds-Liverpool Canal is unlikely to cause a significant increase in disturbance to bird species associated with this LWS.

1.7.26 Therefore, effects upon LWS as a result of the operational application site are considered to be **not significant**.

1.8 Cumulative Effects

1.8.1 The following key developments have been identified as being relevant to the cumulative impact assessment (see Chapters 2 and 16 of Environmental Statement, Volume II for further details of these developments):

- Bramley Moore Dock Stadium: proposals for a new stadium for Everton Football Club at Bramley Moore Dock;
- The Peel Liverpool Waters permission (Ref. 100/2424) as varied by the non-material amendments to the original permission, the most recent of which was approved on 18th September 2020 (reference 20NM/1801), and any subsequent reserved matters applications (e.g. Application Ref: 18RM/1554; 19RM/1817) and the Central Docks masterplan, submitted under a discharge of conditions application (Discharge of Condition 11 application ref. 19DIS/1315), which were discharged on 12th November 2019.;
- Standalone applications for schemes at Liverpool Waters (e.g. Hive City (A06) - Application Ref: 20F/1203), Plaza 1821 (A05 - Application Ref: 17F/0913), The Lexington (A04 - Application Ref:

16F/1370 and 17F/2056), Cruise Liner Terminal: Application Ref: 17O/3230 and Application Ref:19RM/1037; Isle of Man Ferry Terminal: Application Refs: 18F/3231 & 18L/3232;

- Clock Tower Drive, off Rice Lane, Walton (former Walton Hospital Site) (Ref: 15F/1129);
- The Parks – Phase 5 (Ref: 08F/0247);
- Land at Commercial Road (Planning application awaited following press announcement);
- Claremont Gardens, Westminster Road, Sellar Street, Easby Road (Ref: 11F/1146);
- Walton Lane (Ref. 18F/1316); and
- Cemex UK Ltd, Regent Road (Ref. 16F/2999).

1.8.2 However, as no significant effects upon ecological receptors are anticipated as a result of construction and operation phases of the application site it is considered highly unlikely that the application site will interact with other developments in the wider area. Therefore, cumulative effects are considered to be **not significant**.

1.9 Additional Mitigation, Compensation and Enhancement Measures

1.9.1 The following mitigation, compensation and enhancement recommendations are made in relation to the ecological receptors that will be affected during construction and/or operational phases of the project.

Construction Phase

Habitats

1.9.2 Terrestrial habitats have been valued as forming negligible ecological value and have not been discussed above in terms of potential effects of the application site during construction and operation phases. However, proposed habitat creation works proposed within the illustrative masterplan show that the application site will include a number of semi-natural habitats. Landscaping details are a reserved matter and are not applied for within this application; however, the illustrative masterplan indicates that these habitats could include:

- Broad-leaved scattered trees (species to be confirmed through subsequent reserved matters submissions);
- Dense scrub; and,
- Semi-improved neutral grassland.

1.9.3 Inclusion of the above habitats within the application site would result in local enhancement to habitats on site. Such habitat enhancements may also provide a beneficial effect for bird, bat and invertebrate species in the local area by providing additional ecological resources which may be used for foraging, resting and commuting/migrating purposes.

Breeding birds

1.9.4 Although the application site is considered to be of negligible value for breeding birds it is noted that low numbers of common and widespread species (feral pigeons) may nest on site. It is therefore, recommended that vegetation clearance, demolition and construction works should be scheduled to take place outside of the bird nesting season (March – September) in order to avoid causing an offence under the Wildlife & Countryside Act, 1981 (as amended).



- 1.9.5 Where works need to be conducted within the application site during the nesting season period, nesting bird checks will be required to be undertaken by a suitably qualified Ecological Clerk of Works (ECoW) in advance of those works being commenced.
- 1.9.6 If nesting birds are identified, the ECoW will advise on suitable working methods and establish exclusion zones to avoid damage to the nest and disturbance to the breeding birds. The measures recommended would depend on the nature of the works in the area close to the nest, as well the nesting bird species, and could result in delays to undertaking works within specific areas of the application site until all the chicks have fledged.
- 1.9.7 If works cease for longer than 72 hours within the March to September period, then nesting bird checks should be repeated prior to the recommencement of those works.
- 1.9.8 Where demolition and construction take place during the bird breeding season, the routes taken by demolition and construction traffic in relation to the location of any bird nests identified by the ECoW will also have to be considered. The distance that construction traffic would be required to keep from the nest would depend on the nesting bird species and would therefore be advised by the ECoW following the checks.
- 1.9.9 In order to compensate for the potential loss of nesting habitat and enhance the application site for future nesting it is recommended that additional nesting habitats are provided. Such habitat in the form of scrub and trees within open green space on site is indicated within the illustrative masterplan presented within the Design Access Statement. In addition, it is recommended that six bird boxes are positioned on trees within soft landscaping on site.

Bats

- 1.9.10 Although the application site is considered to be of negligible value for roosting and foraging bats, in accordance with NPPF the following enhancement measures are recommended. Such measures are designed to enhance the foraging and roosting value of the operational application site and include:
- Provision of six artificial bat roosts within new build properties at a minimum height of 9 m from ground level and facing various aspects. Artificial roosts could include (but are not limited to) six Schwegler 2F on the walls of new properties or "bat access slates" on the roofs.
 - Provision of wildflower grassland along with the provision of nectar producing shrubs to enhance value for invertebrates within greenspaces which subsequently enhances foraging value for bat species.
- 1.9.11 An experienced ecologist should advise on an appropriate location of these features, i.e. avoiding direct illumination, as far as practicable.

1.10 Climate Change

- 1.10.1 All habitats are likely to be affected by the long-term effects of climate change. This can present itself in terms of the species likely to be present e.g. increases in survival of introduced non-native plants and animals in the UK, or by affecting the biogeography of species already here.
- 1.10.2 In the context of the application site, it is predicted that the effects of climate change would **not be significant**. This is based on the low sensitivity of habitats and species present on site and the fact that the species present are predominantly common, widespread and are not at the edge of their range.
- 1.10.3 It is considered that climate change may adversely affect habitats located within the relevant national and international designated sites and may result in an adverse effect upon qualifying features.

- 1.10.4 While climate change may result in a reduction in the availability of habitats which support qualifying and notifiable features (e.g. via sea level rise) it is considered unlikely that construction and operation phases of the application site will contribute to such adverse effects.

1.11 Assessment Summary and Likely Significant Residual Effects

- 1.11.1 Implementation of the embedded mitigation (detailed in Section 1.7) and additional enhancement measures will act to prevent any likely significant adverse effects from the application site clearance, construction and operational phases of the proposed development.

Table 10.2 Assessment Summary and Residual Environmental Effects (Biodiversity)

| Summary description of the identified effect | Sensitivity of Receptor | Significance and Nature of Effect | Additional Mitigation | Residual Significance and Nature of Effect |
|--|-------------------------|-----------------------------------|--|--|
| Construction | | | | |
| International Designated Sites (SPA/Ramsar) | International | Not significant | N/A | Not significant |
| Nationally Designated Sites (SSSI) | National | Not significant | N/A | Not significant |
| Non statutory designated site | County | Not significant | N/A | Not significant |
| Habitats Habitat loss | Negligible | Not significant | Biodiversity enhancement recommendations address the loss of terrestrial habitats within the application site. | Not significant |
| Species | Negligible | N/A | <i>Enhancement:</i> Provision of six bat and six bird boxes | Beneficial, not significant |
| Operation | | | | |



| Summary description of the identified effect | Sensitivity of Receptor | Significance and Nature of Effect | Additional Mitigation | Residual Significance and Nature of Effect |
|--|-------------------------|-----------------------------------|-----------------------|--|
| International Designated Sites (SPA/Ramsar) | International | Not significant | N/A | Not significant |
| Nationally Designated Sites (SSSI) | National | Not significant | N/A | Not significant |

| Summary description of the identified effect | Sensitivity of Receptor | Significance and Nature of Effect | Additional Mitigation | Residual Significance and Nature of Effect |
|--|-------------------------|-----------------------------------|-----------------------|--|
| Non statutory designated site | County | Not significant | N/A | Not significant |



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1.13 Glossary

| Term | Definition |
|----------|---|
| AA | Appropriate Assessment |
| ALSE | Assessment of Likely Significant Effects |
| BAP | Biodiversity Action Plan |
| BCT | Bat Conservation Trust |
| BoCC | Birds of Conservation Concern |
| CEMP | Construction Environmental Management Plan |
| CIEEM | Chartered Institute of Ecology and Environmental Management |
| CROW Act | Countryside and Rights of Way Act 2000 |
| EcIA | Ecological Impact Assessment |
| EPSL | European Protected Species Licence |
| ES | Environment Statement |
| HPI | Habitat of Principal Importance |
| HRA | Habitat Regulation Assessment |
| LCR | Liverpool City Region |
| LPA | Local Planning Authority |



| Term | Definition |
|------|--|
| LWS | Local Wildlife Site |
| MEAS | Merseyside Environmental Advisory Service |
| NERC | Natural Environment and Rural Communities |
| NPPF | National Planning Policy Framework |
| SAC | Special Area of Conservation |
| SINC | Site of Importance for Nature Conservation |

ⁱ Chartered Institute of Ecology and Environmental Management (2018, v1.1) Guidelines for Ecological Impact Assessment in the UK and Ireland.
ⁱⁱ Ministry of Housing, Communities & Local Government (2018) National Planning Policy Framework

| Term | Definition |
|------|--|
| SPA | Special Protection Area |
| SPI | Species of Principal Importance |
| SSSI | Site of Special Scientific Interest |
| WCA | The Wildlife and Countryside Act 1981 (as amended) |

ⁱⁱⁱ ODPM, (2005), Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System, [online] Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf, Accessed May 2019.



Appendix 1 - Goodison Park Legacy Project: Ecological Appraisal



Goodison Park Legacy Project

Ecological Appraisal



Everton Stadium Development Limited

January 2020 (Updated December 2020)

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Executive Summary

| Contents | Summary |
|----------------------------------|---|
| Site Location | The site is situated in the Walton district of Liverpool and is centred at Ordnance Survey Grid Reference SJ 35897 93976. The site currently consists of a football stadium, ancillary buildings and areas of hard standing. |
| Proposals | The development proposals involve the demolition of the existing stadium and associated structures, site clearance and ground preparation works; including removal of hardstanding areas. It is proposed to construct up to 173 residential units, and up to 21,373 square metres of floorspace for community, residential institution, retail/commercial uses. Car parking, access roads, public realm improvement works and the creation of green spaces are also planned. |
| Existing Site Information | Ecological Appraisal completed in September 2017 by WYG. |
| Scope of this Survey(s) | Extended Phase 1 Habitat Survey and Desk Study to determine likelihood of protected sites, habitats and species being affected by proposed works. Also, an assessment of the presence of any invasive species. |
| Results | <ul style="list-style-type: none"> No impact on protected sites considered likely as a result of the proposed development. No protected or notable habitats or species recorded on site. No invasive species recorded on site. |
| Recommendations | <p>Further work</p> <ul style="list-style-type: none"> Stage 1 Habitat Regulations Assessment: to assess impact of development on Natura 2000 sites. <p>Mitigation</p> <ul style="list-style-type: none"> Birds: Site demolition and clearance works should be timed to take place outside of the bird nesting season (March to September inclusive). Where this is not possible, an Ecological Clerk of Works (ECoW) should perform a check of the site for nesting birds prior to any works taking place and demarcate temporary exclusion areas in the event of birds' nests being located. <p>Enhancements</p> <ul style="list-style-type: none"> Bats: a minimum of five bat boxes are recommended to be installed post-construction. Birds: a minimum of five bird boxes (with varying sized entrance holes) are recommended to be installed post-construction. Landscaping: proposals should include beneficial planting to attract wildlife. |



Glossary

| | |
|----------------------|---|
| BCT | Bat Conservation Trust |
| BoCC | Bird(s) of Conservation Concern |
| BSI | British Standard Institute |
| BTO | British Trust for Ornithology |
| CEnv | Chartered Environmentalist |
| CIEEM | Chartered Institute of Ecology & Environmental Management |
| CRoW Act | Countryside and Rights of Way Act 2000 |
| Csac | Candidate Special Area of Conservation |
| DEFRA | Department for the Environment, Food and Rural Affairs |
| EcIA | Ecological Impact Assessment |
| ECoW | Ecological Clerk of Works |
| EPSL | European Protected Species Licence |
| GCN | Great Crested Newt |
| Habitat Regulations | Conservation of Habitats and Species Regulations 2017 (as amended) |
| HAP | Habitat Action Plan |
| Hedgerow Regulations | Hedgerow Regulations 1997 |
| HPI | Habitat(s) of Principal Importance |
| HRA | Habitats Regulations Assessment |
| JNCC | Join Nature Conservation Committee |
| LBAP | Local Biodiversity Action Plan |
| LNR | Local Nature Reserve |
| LWS | Local Wildlife Site |
| MCIEEM | Member of Chartered Institute of Ecology & Environmental Management |
| Natura 2000 site | A European site designated for its nature conservation value |
| NERC Act | Natural Environment and Rural Communities Act 2006 |
| NNR | National Nature Reserve |
| NPPF | National Planning Policy Framework |
| PRFS | Potential Roost Features |
| pSPA | Potential Species Protection Area |
| RSPB | Royal Society for the Protection of Birds |
| SAC | Special Area of Conservation |
| SAP | Species Action Plan |
| SPA | Special Protection Area |
| SPI | Species of Principal Importance |
| SSSI | Site(s) of Special Scientific Interest |
| W&CA | Wildlife & Countryside Act 1981 (as amended) |
| W&CA sch8 | Wildlife & Countryside Act 1981 (as amended), Schedule 8 |



1.0 Introduction

1.1 Background

WYG was commissioned by Everton Stadium Development Limited in May 2019 to undertake an Ecological Appraisal of the site known as Goodison Park, currently used as Everton Football Club's home stadium.

This report has been prepared by Assistant Ecologist Grace Bishop and the conditions pertinent to it are provided in Appendix A.

1.1.1 Updates for the Revised December 2020 Submission

In response to the revised December 2020 design, and following a number of consultation comments received on the March 2020 submission, this technical report has been reviewed and updated where required as part of the December 2020 planning submission.

Consultation comments from Merseyside Environmental Advisory Service in May 2020 (MEAS, 2020) recommended an update desk study, which has been undertaken and the Ecological Appraisal updated accordingly.

1.2 Site Location

The 'site' is located in the Walton District of Liverpool and is approximately 4km north-east of Liverpool City Centre. The site is centred at Ordnance Survey National Grid Reference SJ 35897 93976.

The redline boundary of the site is shown on Figure 1. It comprises a football stadium with a capacity to seat up to 39,572 people, ancillary buildings (including turnstile entrances, ticket offices and storage containers) and an area of hard standing in the southern section of the site. The hard standing includes vehicle parking areas, a match day fan zone and a small vehicle access road, off Goodison Road.

The site is bordered by Goodison Road to the west, Spellow Lane to the south-west, Walton Lane to the south, Bullens Road to the east, Gwladys Street to the north and Goodison Place and the Church of St Luke the Evangelist to the north-west.

The area surrounding the site is characterised primarily by residential properties. Stanley Park is situated immediately south of the site but is separated from it by Walton Lane. Anfield Cemetery adjoins Stanley Park to the north-east and is separated from the site boundary by a distance of 150 metres.

1.3 Development Proposals

The development proposals involve the demolition of the existing stadium and associated structures, site clearance and ground preparation work; including the removal of hardstanding areas. The development proposals also include the construction of up to 173 residential units, and up to 21,373 square metres of floorspace for community, residential institutions, retail and commercial uses. Car parking, access roads, public realm improvement works, and the creation of green spaces are also planned.



1.4 Purpose of the Report

The purpose of this report is to complete:

- Review previous desk study data to understand existing information on statutory and non-statutory sites of nature conservation interest and relevant records of protected/notable species within the site and its zone of influence;
- An extended Phase 1 habitat survey, involving a walkover of the site to record habitat types and dominant vegetation, including any invasive species, and a reconnaissance survey for evidence of protected fauna or habitats capable of supporting such species;
- An assessment of the potential ecological receptors present on site, identify any constraints they pose to future development and (if possible) any recommendations for any further surveys, avoidance, mitigation or enhancement measures that are needed (as appropriate).

Note that scientific names are provided at the first mention of each species and common names (where appropriate) are then used throughout the rest of the report for ease of reading.

A summary of the key legislation is also provided in Appendix B.



2.0 Methodology

2.1 Desk Study

2.1.1 Previous Reports

An Ecological Appraisal was completed in September 2017 by WYG.

2.1.2 Local Ecological Records Centre

Information was received from the Merseyside BioBank on 24th November 2020 for information on any nature conservation designations and protected or notable species records in proximity to the site.

The data search covers:

- A desk study to obtain existing information on statutory and non-statutory sites of nature conservation interest and relevant records of protected/notable species within the site and its zone of influence;
- Non-statutory designated sites for nature conservation, namely LWS;
- Legally protected species, such as great crested newts *Triturus cristatus*, badger *Meles meles* and bats;
- Notable habitats and species, such as those listed as Habitats or Species of Principal Importance (HPIs or SPIs); and,
- Priority habitats or species within the North Merseyside LBAP.

The data search did not cover:

- Tree Preservation Orders (TPOs); or
- Conservation Areas designated for their special architectural and historic interest.

2.1.3 Local Species Recorders

The following local species recorder group was also contacted (in September 2017) for any relevant records that they held (this data was not updated as part of the 2020 updated desk study):

- North Merseyside Amphibian and Reptile Group

2.1.4 Online Resources

A search for relevant information was also made on the following website in November 2020:

- MAGIC www.magic.gov.uk - DEFRA's interactive, web-based database for statutory designations and information on any EPSL applications that have been granted in the local area since 2015.

2.2 Field Surveys

The following methodologies have been used to identify the ecological receptors present on or near the site, which are relevant to the proposed development.



2.2.1 Habitats

An extended Phase 1 habitat survey was undertaken on the site on 31st May 2019 by Consultant Ecologist Jessica Yorke and Assistant Ecologist Grace Bishop. The weather conditions were dry and cloudy, with light winds and an air temperature of 17°C.

The vegetation and broad habitat types within the site were noted during the survey in accordance with the categories specified for an Ecological Appraisal (JNCC, 2010). Dominant plant species were recorded for each habitat present using nomenclature according to Stace (2019). The site was also appraised for its suitability to support notable flora, with regard to the *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017).

2.2.2 Protected & Notable Species

The site was inspected for evidence of, and its potential to support, protected or notable species, especially those listed under the Schedule 2 of the Habitat Regulations, Schedule 5 of the W&CA, the CRoW Act, those given extra protection under the NERC Act, and species included in the Merseyside LBAP.

Great Crested Newt

The site was appraised for its suitability to support GCN. The assessment was based on Guidance outlined in the *Herpetofauna Workers' Manual* (Gent & Gibson, 2003) and the *Great Crested Newt Conservation Handbook* (Langton, Becket & Foster, 2001).

Bats

Roosting Bats – Buildings / Structures / Trees

Any suitable buildings, structures or trees on site were assessed from the ground for their suitability to support breeding, resting and hibernating bats using survey methods based on the BCT *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2016) – hereafter referred to as the 'BCT Guidelines'. The following system has therefore been used to categorise the bat roost suitability of any features found:

Table 1 Categories of Bat Roost Suitability (BCT Guidelines)

| Suitability | Typical Roosting Features |
|-------------------|---|
| Negligible | Negligible habitat feature on site likely to be used by roosting bats. |
| Low | A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain potential roost features but with none seen from the ground or features seen with only very limited roosting potential. |
| Moderate | A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed). |

| Suitability | Typical Roosting Features |
|-------------|---|
| High | A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis & potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. |

Foraging/commuting Bats

The BCT Guidelines use the following criteria to categorise the potential value of habitats and features for use by foraging and commuting bats and these have been used to characterise the value of this site:

Table 2 Categories of Habitat Suitability (BCT Guidelines)

| Suitability | Typical Foraging & Commuting Features |
|-------------------|---|
| Negligible | Negligible habitat features on site likely to be used by commuting or foraging bats. |
| Low | Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub. |
| Moderate | Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water. |
| High | Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts. |

Reptiles

The site was appraised for its suitability to support reptiles. The assessment was based on guidance outlined in the *Herpetofauna Workers' Manual* (Gent & Gibson, 2003).

Badgers

The site was surveyed for evidence of badger setts or other badger activity such as paths, latrines or signs of foraging. Methodologies used and any setts recorded were classified according to guidance held within Surveying badgers (Harris, Cresswell & Jefferies, 1989).

Hazel Dormice

The site was surveyed for its suitability to support hazel dormice. The assessment was based on guidance outlined in Dormouse Conservation Handbook (Bright, Morris and Mitchell-Jones 2006).



Other Species

The site was also appraised for its suitability to support other protected or notable fauna including mammals, amphibians, birds and invertebrates with regard to the *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017) and *BS42020:2013 Biodiversity – Code of Practice for Planning and Development* (BSI, 2013). Evidence of any current or historical presence of such species was recorded.

2.2.3 Invasive Species

The site was searched for evidence of invasive plant species, such as Japanese knotweed *Reynoutria japonica* (formerly *Fallopia japonica*), Indian (Himalayan) balsam *Impatiens glandulifera*, giant hogweed *Heracleum mantegazzianum*, wall cotoneaster *Cotoneaster horizontalis* and rhododendron *Rhododendron ponticum* × *Rhododendron maximum*. A full list of all invasive plant species is provided in Appendix B.

2.3 Limitations

The optimal period to undertake an extended Phase 1 habitat survey is April-September. The survey was completed in May which is in the optimal survey window. As such this is not considered to be a limitation to the accurate assessment of the habitats and the dominant species of the respective vegetation types were visible and identifiable.

The majority of the site was accessed during the site visit. The football stadium and stands could easily be viewed from the amenity grassland (football pitch), with the aid of binoculars and all the ancillary buildings could be externally inspected.

To determine presence or likely absence of protected species usually requires multiple visits at suitable times of the year. As a result, this survey focuses on assessing the potential of the site to support species of note, which are considered to be of principal importance for the conservation of biodiversity with reference to those given protection under UK or European wildlife legislation. This report cannot therefore be considered a comprehensive assessment of the ecological interest of the site. However, it does provide an assessment of the ecological interest present on the day the site was visited and highlights areas where further survey work may be recommended.

The details of this report will remain valid for a period of **two years** from the date of the survey (i.e. until May 2021), after which the validity of this assessment should be reviewed to determine whether further updates are necessary. Note that the recommendations within this report should be reviewed (and reassessed if necessary) should there be any changes to the red line boundary or development proposals which this report was based on.

3.0 Baseline Conditions

3.1 Statutory Designated Sites

No statutory designated sites were found within 2 km of the site, although the site falls within SSSI Impact Risk Zones (IRZ). These IRZs are not relevant for the type of development proposed (i.e. residential), however the documentation does state that new residential developments in this area should consider recreational disturbance impacts on the coastal designated sites.

The following Natura 2000 sites have been identified within 5 km of the site (Figure 2):

Table 3 Designated Sites Within 5 km

| Designation | Site Name | Distance & Direction | Summary of features |
|----------------|---|----------------------|---|
| SPA | Liverpool Bay / Bae Lerpwl | 2.7 km W | A marine habitat and estuary designated for an internationally-important assemblage of birds over winter. Over-wintering species include red-throated diver, little gull and common scoter. The site is also designated for its breeding little tern and common tern. |
| SPA and Ramsar | Mersey Narrows and North Wirral Foreshore | 4.0 km W | Comprises extensive intertidal mud and sandflats, distinct areas of rocky shore and small areas of saltmarsh, located at the mouths of the Mersey and Dee Estuaries. An important foraging habitat for birds, especially wading birds in winter, including turnstone, redshank, bar-tailed godwit, dunlin, sanderling, knot, grey plover, oystercatcher and cormorant. Important also for little gull and common tern on passage, the latter also as a breeding bird. |
| SSSI | Mersey Narrows SSSI | 4.18 km W | Notified features for this SSSI are: Aggregations of non-breeding birds – cormorant, redshank and turnstone. Isolated saline lagoons Moderately exposed sandy shores (with polychaetes and bivalves). Sheltered muddy shores (including estuarine muds). SM9 - <i>Suaeda maritima</i> saltmarsh |

The site is not hydrologically linked to the Statutory Designated Sites named in Table 3, and is not linked through a green corridor.

3.2 Non-Statutory Designated Sites

The following non-statutory designated sites of nature conservation importance have been identified within 2km of the site (Table 4 and Figure 2).

Table 4 Non-Statutory Designated Sites within 2km

| Designation | Site Name | Distance (km) & Direction | Summary of features |
|-------------|--|---------------------------|--|
| LWS | Melrose Cutting | 0.8 W | This is a mosaic of habitats along an ~750m section of old railway cutting. Locally rare plant species include wall rue, common boomrape, hare's-foot clover, heath woodrush and yellow-wort. |
| LWS | Leeds-Liverpool Canal and adjacent sites | 1.4 W | <p>The canal connects with the River Mersey via the Stanley Dock to Pier Head Link and supports a variety of plant species, including nine locally rare species, these being common mallow, hemp agrimony, marsh woundwort, reed sweet-grass, sheep's fescue, wavy hair-grass, wild carrot, wood sage and yellow water-lily.</p> <p>Many waterbirds breed along the canal, including mute swan, mallard, coot, moorhen and grey wagtail. The canal is also important for wintering birds, including kingfisher, great crested grebe and goldeneye.</p> |
| LWS | Everton Park and Nature garden | 1.5 S | A diversity of habitats including two small lakes, a grassland meadow, woodland and exposed rock. The regionally important plant species burnet rose, maidenhair spleenwort, and nettle-leaved bellflower are present; and a breeding assemblage of 13 qualifying butterfly species has been recorded. |
| LWS | Loopline and adjacent sites | 1.8 NE | <p>The longest wildlife corridor in Liverpool, an old disused railway stretching for 11km and containing a diverse mosaic of habitats, including secondary broadleaf woodland, with developing understorey and scrub. The ground flora includes bluebell, lords and ladies, wood dock and black bryony.</p> <p>Acid and neutral unimproved grasslands also occur along the Loop Line, and include locally notable plant species such as bee orchid, creeping willow, meadow barley, smooth tare and wild carrot.</p> <p>Partly vegetated sandstone cliffs on the Loop Line contain locally notable plant species such as harts-tongue, hard and royal ferns,</p> |

| Designation | Site Name | Distance (km) & Direction | Summary of features |
|-------------|-----------|---------------------------|--|
| | | | black and maidenhair spleenwort, pellitory-of-the-wall and various liverworts. |

The site is not hydrologically linked to the sites listed in Table 4, and is not linked through green corridors.

3.3 Habitats of Principal Importance and Ancient Woodland

The online desk study using MAGIC provided the following records of HPis within 2km of the site:

- Eight parcels of Broadleaved Woodland, with the nearest located 20m south;
- Two parcels of Woodpasture and Parkland, with the nearest located 20m south;
- One Traditional Orchard located 1.3km north; and
- Five parcels of Open Mosaic Habitat (draft), with the nearest located 0.8km south.

No parcels of ancient woodland were located within 2km of the site.

The site is not hydrologically linked or linked via green corridors to any HPis, with the A580 road separating the site with the Broadleaved Woodland and Woodpasture and Parkland habitats at Stanley Park.

3.4 Habitats

The following habitats have been identified through our assessment:

3.4.1 Amenity Grassland

The playing surface of the football pitch itself constituted amenity grassland (Photograph 1). It is understood to be 50% grass and 50% synthetic. The grass species were not identifiable due to regular mowing, but this is considered to be of negligible ecological significance, because the playing surface is regularly disturbed and subjected to regular maintenance and is therefore considered extremely unlikely to support any rare or notable plant species.

Photograph 1: Playing surface of the current Everton Football ground



3.4.2 Hard Standing

There was a large area of hard standing on the south side of the site. This is mostly used for car parking and was completely devoid of vegetation (Photograph 2).

Photograph 2: Hard standing



3.4.3 Buildings

Four large main stands make up the stadium, which was the largest building on site. The Main (west) Stand, shown in Photograph 3, is the largest and the only stand to have an internal roof space. This roof space appeared to be well sealed with no signs of cracks or crevices.

Photograph 3: Main stand with internal roof space



The west, east and north facing stands all have brick work at the back of the stands (Photograph 4), which is adjacent to corrugated metal that forms the exterior of the stadium. The brickwork had no cracks or damaged bricks and was well sealed.

Photograph 4: Example stand with brick work, east stand



The west stand has a small brick building built into the seating, comprising UPV windows and a felt roof (Photograph 5). The building was well sealed, with no cracks or crevices present.

Photograph 5: Brick building within west stand



On three sides of the ground, the rear sides of the stands directly border the surrounding roads (Photograph 6).

Photograph 6: Rear of west stand, bordering Goodison Road



Additionally, nine ancillary buildings were present on site (see Figure 3 for locations) and are described below.

Building 1 (B1)

This is a small single-storey brick building, located within the hard-standing area on the south side of the site. The building was in good condition, with only a small crack alongside the door frame. (Photograph 7).

Photograph 7: Building B1



Building 2 (B2)

This is a small metal building located on the south-eastern edge of the stadium. The building is in regular use by maintenance staff for storage purposes. The building was constructed from corrugated panels and has a sloping roof. It was in good condition (Photograph 8).

Photograph 8: Building B2



Building 3 (B3)

This is a single-storey painted brick building, located at the south-eastern edge of the site. It was in good condition, with a small area of damaged brick near a ventilation pipe at the front of the building (Photograph 9).

Photograph 9: Building B3



Building 4 (B4)

This is a painted ancillary brick and block constructed building, located at the north-western edge of the site. It was in good condition, with some construction work taking place at the time of the survey (Photograph 10).

Photograph 10: Building B4



Building 5 (B5)

This is a small painted metal building, located within the hard standing area at the south-western edge of the site. It is used as a club shop (Photograph 11) and was found to be in good condition, with no signs of cracks or crevices.

Photograph 11: Building B5



Building 6 (B6)

This is a small metal portacabin, located at the south-western edge of the site. It was found to be in good condition, with no cracks or crevices (Photograph 12).

Photograph 12: Building B6



Building 7 (B7)

This is a small brick-built painted building, located at the western edge of the stadium. The building had wooden facades beneath the guttering and metal guards along the edges of the felt roof, which had been damaged in certain places, creating cracks and gaps. (Photograph 13).

Photograph 13: Building B7



Building 8 (B8)

This is a small metal portacabin, currently being used as additional toilet facilities, located at the south-western edge of the site. It was found to be in good condition, with no cracks or crevices (Photograph 14).

Photograph 14: Building B8



Building 9 (B9)

A small metal cabin, used as a newspaper stand. It was in good condition with no cracks or crevices (Photograph 15).

Photograph 15: Building B9



3.5 Protected & Notable Species

3.5.1 Great Crested Newts

The desk study returned no records of GCN on or within 2 km of the site. A search on MAGIC revealed that no EPSLs for GCN have been granted within 2 km of the site.

During the site visit, no water bodies were observed on site. A review of aerial imagery revealed the presence of one water body within 500 m of the site, this being a lake in Stanley Park 50 m south of the site. There are no records of GCN from this lake, and it is also separated from the site by a busy main road (A580 Walton Lane) which would present a major barrier to GCN dispersal.

The site contains no terrestrial habitat suitable for foraging or sheltering GCN. Consequently, **GCN are not considered to be a potential constraint to the proposed development and are not discussed further in this report.**

3.5.2 Reptiles

The desk study returned no records of reptiles either on site or within 2km of the site.

No reptiles were observed on site during the site visit and no suitable habitat to support foraging, resting and commuting reptiles was recorded. The predominantly urban surroundings to the site are also unsuitable for reptiles. Parkland to the south of the site may have the potential to support reptile species, however this is isolated from the site by a busy main road. Consequently, **reptiles are not considered to be a potential constraint to the proposed development and are not discussed further in this report.**

3.5.3 Bats

The desk study returned 22 records of bats within 2km of the site in the past ten years. Of the 22 records, 12 were of common pipistrelle *Pipistrellus pipistrellus*, three were soprano pipistrelle *Pipistrellus pygmaeus*, five were of unspecified pipistrelles *Pipistrellus* spp., one was a noctule bat *Nyctalus noctula* and one was of an unspecified bat species.

Two unidentified bat records were returned on site from May 2019 (the two records were on the same date and are therefore likely to be a duplicate record). This record indicates that a bat was seen flying at around 15 minutes prior to sunset along Gwladys Street, north of the site.

No records of bat roosts were returned from Merseyside BioBank within 2km of the site in the past ten years.

A search on MAGIC revealed that one EPSL for bats had been granted within 2km of the site. This was located 1km to the south-west to allow the destruction of a common pipistrelle roost between 2013 and 2015.

Roosting Potential

There are no trees on site. Buildings on site were assessed for their potential to support roosting bats, the findings of which have been summarised below.

The four stands of the stadium are all open on at least one side and therefore very exposed to high winds and cold temperatures. Consequently, the stands were considered to have negligible suitability for roosting bats, as bats prefer to roost in well sheltered places. There are examples of cracks and crevices both internally and externally, see photographs 17 and 18.

Photograph 17: Gaps in eastern wall of supporter access area in East Stand



Photograph 18: Cracked wooden façade on the front of building 7.



Although cracks and crevices are present, it is considered unlikely that bats would utilise these gaps and crevices to gain access to possible roosting areas, as regular use of the stadium for football matches would result in high levels of light and noise disturbance.

The ancillary buildings and stands were also assessed for bat roosting potential and the results are given in Table 5.

Table 5 Summary of bat roost suitability for onsite ancillary buildings and stands

| Building reference | Assessed internally or externally | Description of potential roost features (PRFS) | Bat roost suitability |
|--------------------|-----------------------------------|--|-----------------------|
| North stand | Externally only | Brickwork present – no suitable holes, cracks or voids. | Negligible |
| East stand | Externally & Internal | External brickwork present – no suitable holes, cracks or voids. Internal gaps and crevices in the walls and ceilings – Unlikely to be used by bats due to disturbance by noise and light | Negligible |
| South stand | Externally only | Brickwork present – no suitable holes, cracks or voids. | Negligible |
| West stand | Externally only | Stand with a roof void - no suitable holes, cracks or voids. | Negligible |
| Building B1 | Externally only | Small crack alongside the door frame - Unlikely to be used by bats due to disturbance by noise and light | Negligible |
| Building B2 | Externally only | None – no suitable holes, cracks or voids. | Negligible |
| Building B3 | Externally only | Cracks near ventilation hole – Unlikely to be used by bats due to disturbance by noise and light | Negligible |



| Building reference | Assessed internally or externally | Description of potential roost features (PRFS) | Bat roost suitability |
|--------------------|-----------------------------------|--|-----------------------|
| Building B4 | Externally only | None – no suitable holes, cracks or voids. | Negligible |
| Building B4 | Externally only | None – no suitable holes, cracks or voids. | Negligible |
| Building B5 | Externally only | None – no suitable holes, cracks or voids. | Negligible |
| Building B6 | Externally only | None – no suitable holes, cracks or voids. | Negligible |
| Building B7 | Externally only | Cracks and gaps in the wood façade and metal roof guards – Unlikely to be used by bats due to disturbance by noise and light | Negligible |
| Building B8 | Externally only | None – no suitable holes, cracks or voids. | Negligible |
| Building B9 | Externally only | None – no suitable holes, cracks or voids. | Negligible |

No signs of bats, such as droppings, were recorded during the survey. Consequently, **the four stands and ancillary buildings are considered to have negligible potential for roosting bats**, based on a lack of suitable features and the high level of current usage of the site for sporting events.

Foraging and Commuting Potential

The site showed a complete lack of vegetation, apart from the pitch itself, additionally the surrounding environment provides no natural vegetation in the shape of street trees or hedgerows. The stadium and car park are also well lit and consequently, it is considered that **the site offers negligible foraging and commuting potential for bats**.

Consequently, **bats are not considered to be a constraint to the proposed development of the site and are not considered further in this report**.

3.5.4 Badger

The desk study returned no records of badger on or within 2km of the site.

No evidence of badgers or their field signs was observed on site during the survey and the site is considered to offer no potential for badgers. Suitable habitat for foraging and sett creation is located 50m South of the site in Stanley Park. However due to the presence of a main road and high brick wall between the site and suitable habitat, it is considered unlikely that badgers will commute to the application site. Consequently, **badgers are not considered to be a constraint to the proposed development of the site and are not considered further in this report**.

3.5.5 Otter & Water Vole

The desk study returned no records of otter *Lutra lutra* within 2km of the site. A search on MAGIC revealed that no European Protected Species Licences for otters have been granted within 2km of the site.



The desk study returned five records of water vole *Arvicola amphibius* within 2km of the site, most recently in 2015. The closest record was 1.5km west of the site, near the Liverpool canal in 2015.

No evidence of otters or water voles was observed during the survey and the site completely lacked suitable habitat for these species. The lakes in Stanley Park are 50 metres from the site boundary and offer potential habitat for water voles. However, the site is situated between a considerable barrier, a main road and high brick wall, as well as a sufficient distance from these water bodies to avoid causing any impact to any water vole population or this species' habitat.

Consequently, **otter and water vole are not considered to be a constraint to the proposed development and are not considered further in this report.**

3.5.6 Birds

The desk study returned one notable bird species, namely for breeding house sparrow *Passer domesticus* (a BoCC red-listed and LBAP species), 1.7km north of the site in 2012.

During the site survey, only two bird species were observed resting on the stands, these being feral pigeon *Columba livia* and Magpie *Pica pica* both of which are considered common and widespread.

Although the survey was undertaken outside of the bird nesting season for most species, it is considered unlikely that the site would offer nesting opportunities for most species of wild bird because of a lack of suitable habitat. Furthermore disturbance from regular crowds watching football matches is considered likely to deter nesting birds. Feral pigeon could potentially nest on site, especially if the site became disused.

3.5.7 Invertebrates

The desk study returned three records of rare and notable invertebrate species within 2km of the site in the past ten years. These were SPI moth species buff ermine *Spilosoma lutea*, sallow *Cirrhia icteritia* and shoulder-striped wainscot *Leucania comma*.

No rare or notable invertebrates were recorded during the survey and the site has no potential to support rare or notable invertebrates due to the lack of suitable habitat. Therefore, **invertebrates are not considered a constraint to the proposed development and are not discussed further in this report.**

3.5.8 Other Notable Fauna

The desk study returned multiple records of other notable fauna within 2km of the site, namely hedgehog *Erinaceus europaeus* and red squirrel *Sciurus vulgaris*. However, no signs of the presence of those species were observed during the survey and the site offers no suitable habitat to support either species. Consequently, **neither hedgehog nor red squirrel are considered a constraint to the proposed development and are not discussed further in this report.**

3.5.9 Notable Flora

The desk study returned one plant species protected under Schedule 8 of the W&CA; namely bluebell *Hyacinthoides non-scripta*. One record of cornflower *Centaurea cyanus* was also returned, which is an SPI.

3.5.10 Invasive Non-Native Species

The desk study returned four species of invasive non-native plants (as listed in Schedule 9 of the W&CA) within 2km of the site. These were Himalayan balsam, Japanese knotweed, Japanese rose *Rosa rugosa* and *Rhododendron ponticum*. The nearest record of invasive non-native plants was for *Rhododendron ponticum*, located 360m south of the site in 2016.

No invasive species of plant were recorded on site. **Invasive Non-native Species are therefore not considered to be a potential constraint to the proposed development and are not discussed further in this report.**

3.6 Importance of Ecological Features

In line with the CIEEM Guidelines for Preliminary Ecological Appraisal, (2017), and based on the above baseline information, each ecological feature recorded within the study area is considered to have the following importance, using the Methodology as defined in Section 4 of the CIEEM Guidelines for Ecological Impact Assessment (2018):

Table 6 Importance of Ecological Features

| Feature | Importance | Rationale |
|---|---------------|--|
| Mersey Narrows and North Wirral Foreshore SPA and Ramsar, Liverpool Bay / Bae Lerpwl, | International | A designated Natura 2000 site for birds, especially for foraging wading birds in winter. |
| Mersey Narrows SSSI | National | Important habitats for birds, especially wading birds and cormorants. |
| Melrose Cutting LWS | County | A mosaic of habitats with locally rare plant species. |
| Leeds-Liverpool Canal LWS | County | Supports aquatic vegetation and aquatic bird species that are of importance within the local area. |
| Loop Line LWS | County | Wildlife corridor with a mosaic of habitats and locally notable plant species. |
| Amenity grassland | Negligible | Highly disturbed/managed habitat considered unlikely to support rare or notable floral species. |
| Hard standing | Negligible | No natural habitat or habitat features supported. |
| Nesting birds | Negligible | Potential for very limited nesting of common and widespread bird species. |
| Either: International (incl. European) / National / Regional / County / Local / Negligible Or: Unknown (i.e. further surveys/information needed) | | |

The potential for the proposals to have adverse or beneficial impacts on features assessed as having local importance or above, along with the need for any mitigation or enhancement measures are discussed in detail below.



4.0 Relevant Planning Policy & Legislation

4.1 National Planning Policy Framework

An updated NPPF was issued on 19th February 2019 (Ministry of Housing Communities and Local Government, 2019) and currently supplements government Circular 06/2005, *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System* (Office of the Deputy Prime Minister, 2005).

Circular 06/2005 states that the presence of protected species is a material consideration in the planning process. Paragraph 170 of the NPPF also states that:

'Planning policies and decisions should contribute to and enhance the natural environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*
- e) 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. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

The conservation and enhancement of wildlife is also specifically referenced regarding development within the National Parks or the Broads.

Paragraph 175 then goes on to confirmed that:

When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*



- c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*

Regarding EcIA's and HRA's – any sites identified, or required, as compensatory measures for adverse effects on any Natura 2000/habitats site should also be given the same level as protection as the pSPA's and cSAC's themselves. In addition, when an application is being determined, Paragraph 177 clarifies that:

"The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site."

Paragraph 180 is also relevant as;

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:...

- c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

4.2 Biodiversity 2020: A strategy for England's Wildlife & Ecosystem Services

Biodiversity 2020 (DEFRA, 2011) replaces the previous UK Biodiversity Action Plan and sets national targets to be achieved. The intent of Biodiversity 2020, however, is much broader than the protection and enhancement of less common species, and is meant to embrace the wider countryside as a whole.

The priority species and habitats considered under Biodiversity 2020 are the SPI & HPI detailed under NERC Act (see Appendix B for further details).

4.3 Local Biodiversity Action Plan

Local Biodiversity Action Plans (LBAPs) identify habitat and species conservation priorities at a local level (typically County by County) and are usually drawn up by a consortium of local Government organisations and conservation charities. Although they are no-longer managed at a national level many are still reviewed and updated at a local level.

The Merseyside LBAP is the relevant document for this site and it contains the following Habitat & Species Action Plans:

Table 7 LBAP SAPs

| Species Action Plans | |
|--|---|
| Corn bunting <i>Emberiza calandra</i> | Dark green fritillary <i>Argynnis aglaja</i> |
| Grey partridge <i>Perdix perdix</i> | Dragonflies <i>Anisoptera</i> |
| Lapwing <i>Vanellus vanellus</i> | Grayling butterfly <i>Hipparchia semele</i> |
| Skylark | Vernal mining-bee <i>Colletes cunicularius</i> |
| Song thrush | Northern dune tiger beetle <i>Cicindela hybrida</i> |
| Urban birds (including house sparrows, house martins <i>Delichon urbicum</i> and swifts <i>Apus apus</i>) | Sandhill rustic moth <i>Luperina nickerlii</i> |
| Bats <i>Chiroptera</i> | Bluebell |
| Brown Hare <i>Lepus europaeus</i> | Dune helleborine <i>Epipactis dunensis</i> |
| Red squirrel | Purple ramping-fumitory <i>Fumaria purpurea</i> |
| Water vole | Isle of Man cabbage <i>Coincya monensis subsp. monensis</i> |
| Common lizard <i>Zootoca vivipara</i> | Petalwort <i>Petalophyllum ralfsii</i> |
| Sand lizard <i>Lacerta agilis</i> | Sand-grass <i>Leymus arenarius</i> |
| Great crested newt | Stoneworts <i>Charales</i> |
| Natterjack toad <i>Epidalea calamita</i> | |

Table 8 LBAP HAPs

| Habitats Action Plans | |
|-----------------------------------|----------------------------|
| Conifer Woodland | Lowland raised bog |
| Lowland mixed broad-leaf woodland | Canals |
| Wet woodland | Ponds |
| Lowland wood pasture and parkland | Reedbeds |
| Urban trees | Coastal saltmarsh |
| Lowland acid grassland | Coastal sand dunes |
| Lowland heathland | Field boundaries |
| Urban grassland | Urban green infrastructure |

It should be noted that the existence of a SAP or HAP does not always infer an elevated level of importance for those features. These plans may be designed to encourage an increase in these habitats/species, rather than to protect a county-scarce feature (for example).

4.4 Local Plan

Liverpool City Council's statutory development plan comprises the **Unitary Development Plan, adopted in 2002**. Policies relevant to the development are listed below;



OE5 - protection of nature conservation sites and features

1. *The City Council will seek to protect the nature conservation interest of open land and the water environment in the City by not permitting development which would:*
 - i. *destroy, fragment or adversely affect directly or indirectly a designated or proposed Special Protection Area (SPA), Ramsar site, or Site of Specific Scientific Interest (SSSI), unless the City Council is satisfied that there is no alternative solution and there are imperative reasons of overriding public interest;*
 - ii. *destroy, fragment or adversely directly or indirectly affect a Site of Nature Conservation Value as identified by the City Council unless it can be clearly demonstrated that there are reasons for the proposal including benefits to the community, which outweigh the need to safeguard the substantive nature conservation value of the site;*
 - iii. *destroy, fragment or adversely affect, directly or indirectly, a Regionally Important Geological /Geomorphological Site (RIGS) unless it can be demonstrated that the benefits of the proposal to the community outweigh the need to safeguard the geological value of the site*
 - iv. *have an adverse effect on legally protected wildlife species; or*
 - v. *destroy, fragment or adversely affect, indirectly or directly, sites with known conservation value in a neighbouring authority area.*
2. *In assessing criteria ii to iv full account will be taken of proposed mitigation measures.*

OE6 - development and nature conservation

In the circumstances where development is permitted on or adjacent to any sites covered by policy OE5, which in the case of the Mersey Estuary will be subject to the most rigorous examination, the City Council will seek to minimise potential damage by:

- i. *requiring developers to undertake a site investigation to identify the nature conservation interest of the site;*
- ii. *requiring developers to set out proposals for the protection and management of the nature conservation value of the site; and*
- iii. *considering the use of conditions and/or planning obligations to safeguard the nature conservation interest and/or provide compensatory measures for any nature conservation interest damaged or destroyed during the development process.*

OE7 - habitat creation and enhancement

1. *The City Council will seek to enhance the nature conservation interest of open land and water courses in the City by:*
 - i. *supporting and initiating proposals for habitat creation and enhancement particularly within Sites of Nature Conservation Value and those other sites which, although do not meet the criteria required to be designated as an SNCV, are considered to be of value for nature conservation;*
 - ii. *supporting proposals which strengthen and enhance wildlife corridors in the City;*
 - iii. *managing its own land, and particularly the City's parks, in a manner more positively beneficial to wildlife and encouraging other landowners to do the same where appropriate;*
 - iv. *encouraging the reopening of culverted water courses where opportunities arise and supporting the Alt 2000 initiative;*
 - v. *encouraging developers to undertake landscaping in an ecologically sensitive manner; and*



- vi. *encouraging and supporting community groups, schools and other organisations to work in partnership with the City Council on habitat creation and enhancement initiatives.*
2. *In addition to the designation of Mull Wood Local Nature Reserve at Croxteth Park, the City Council will seek to designate further Local Nature Reserves (LNRs) in the City and secure appropriate management regimes with initial consideration being given to:*
 - a) *Mill Wood*
 - b) *Otterspool Gorge*
 - c) *Childwall Woods and Fields*
 - d) *Land adjacent to Garston Gas Works*
 - e) *Hillfoot Road and Simpsons Pavilion*
 - f) *Melrose Cutting*
 - g) *Mersey Estuary*
 - h) *Croxteth Country Park (extension to existing Local Nature Reserve)*

At the time of writing the report the **Draft Liverpool Local Plan (2018)** was available to view online and therefore has also been included, with detailed policies listed below. The plan has recently undergone examination by the Secretary of State but the plan has not yet been adopted and therefore full weight cannot be given to these emerging policies, in accordance with paragraph 48 of the NPPF.

Chapter 12 of this local plan focuses on 'Green Infrastructure.' This is defined as *'the network of green and blue spaces that lies within the City and provides multiple social, economic and environmental functions.'* (pg. 283). This 'network' includes land in both public and private ownership, comprising the city's 'green wedges', parks, local wildlife sites, allotments, street trees, hedges, cemeteries, private gardens, water spaces (including the River Mersey, Leeds-Liverpool Canal), park lakes and water courses.

Policy GI1 states that *'the recreational function, visual amenity, historic and structural quality and value of the city's green infrastructure resource will be protected and enhanced.'* Specifically, protection will be afforded to:

- a. The green belt, green wedges and the Mersey Estuary SSSI/SPA/Ramsar Site.
- b. The network of city, district, neighbourhood and local parks.
- c. Biodiversity assets, including Local Wildlife Sites (LWS) and Local Nature Reserved (LNR)
- d. Regionally important Geological/Geomorphological Sites (RIGS).
- e. Locally important open spaces and water courses, including amenity spaces and allotments.
- f. Playing fields and pitches.
- g. Recreational routes and the Public Rights of Way network.

Item 2 of Policy G15 states that *'development which may cause direct or indirect significant harm to other designated sites of nature or geological conservation importance, priority habitats, legally protected species and / or priority species will only be permitted on:*

Development which may cause significant harm will only be permitted for:

- **National sites** (Mersey Estuary Ramsar site / Mersey Estuary Site of Special Scientific Interest (SSSI)): where there are no alternatives and where the benefits of development clearly outweigh the impact on the features of the site that make it of special scientific interest and its broader contribution to the national network.
- **Local sites** (i.e. LNR, LWS and RIGS); where the reasons for and the benefits of development clearly outweigh the impact on the nature conservation value of the site and its broader contribution to the Liverpool City Region (LCR) Ecological Network; and



- **Priority habitats / irreplaceable habitats:** where there are wholly exceptional reasons and a suitable compensation strategy exists.

Item 5 of Policy G15 states that '*development proposals which affect sites of nature conservation importance, priority habitats, legally protected species or priority species must be supported by an Ecological Appraisal and include details of avoidance, mitigation and / or compensation where appropriate.*'

Lastly, strategic policy STP3 relates to protecting environmentally sensitive areas, such as Natura 2000 and RAMSAR sites. It states that '*Development proposals which may have an adverse impact will be subject to a Habitat Regulations Assessment at the project level to ensure that any likely significant effects have been assessed, and measures to avoid or mitigate these effects have been identified and are deliverable.*'

4.5 Legislation

Full details of the UK legislation and offences which are relevant to the ecological receptors identified are included in Appendix B. However, based on the findings of our assessment, it is considered that the proposals will need to consider the following legal provisions:

- Harm to a Natura 2000 site
- Disturbance of nesting wild birds



5.0 Discussion

5.1 Designated Sites

Natura 2000 Sites

The Mersey Narrows and North Wirral Foreshore SPA and Ramsar Site and Liverpool Bay SPA are situated within 5km of the application site. However these designated sites are considered sufficiently distant that the proposed construction of the development will have limited impact on the designated site. Furthermore, there are no hydrological connections to the site.

It is also considered unlikely that the important populations of bird species which the SPA and Ramsar designated areas protect would utilise the site for foraging, roosting or breeding, as there are no suitable habitats available on site to support such species.

However, due to the increase in human population as a result of the proposed development there is potential for significant effects on the RAMSAR and SPA through an increase in public pressure from recreation. Therefore, to assess the potential impact a **Stage 1 Habitats Regulations Assessment (HRA) will be required** and a report to inform HRA Stage 1 has been provided as part of this planning application.

Sites of Special Scientific Interest

The Mersey Narrows SSSI is also situated approximately 4km west of the site and the proposed development is within the Impact Risk Zone. However, the development is sufficiently distant that the proposed development will have no impact on this SSSI, to which it is not connected hydrologically. Although the site is within the Impact risk zone the development does not qualify for further consultation with Natural England. This is due to the proposed development not corresponding to the described relevant developments listed in the impact risk zone citation.

It is considered unlikely that the important bird species protected by the SSSI would utilise the site for foraging, roosting or breeding, as there are no suitable habitats available on site. Therefore, no further actions are required regarding SSSIs.

Local Wildlife Sites

The Melrose Cutting LWS is situated 0.8km west of the site at its closest point and is separated from the site by almost continuous urban development. It is considered likely that the proposed development could impact on the LWS, due to an increase in visitor pressure as a result of the increase in population. To offset this pressure the development should include open green spaces within the site to provide a greater supply of recreational space on site. Additionally, there is a total 2,298 hectares of open space within a 10km radius of the application site, that will help relieve recreational pressure further.

The Leeds-Liverpool Canal is situated 1.4km south-west of the site at its closest point and is not connected to it hydrologically. Consequently, it is considered very unlikely that the proposed development would impact on that LWS.



Everton Park and Nature garden LWS is located 1.5km south of the site and is not hydrologically connected. Consequently, it is considered very unlikely that the proposed development would impact on that LWS.

The Liverpool Loop Line LWS is situated 1.8km north-east of the site at its closest point and is separated from the site by a considerable amount of urban development. Consequently, it is considered very unlikely that the proposed development would impact on that linear LWS site.

5.2 Habitats

There are no Habitats of Principal Importance or Priority Habitats present on site.

5.3 Protected & Notable Species

Bats

The site was identified as having negligible potential for roosting and foraging bats therefore no further survey or mitigation is required in relation to this project. Although a single bat was recorded outside the site along a residential street it is considered unlikely that this bat is roosting within the site.

Birds

The site was identified as having low potential to support nesting birds, because of the lack of suitable habitat and the high level of disturbance when football matches take place. However, it is considered possible that common and locally widespread species (such as feral pigeon) may from time to time utilise the stadium for nesting purposes.

All breeding birds, their nests and eggs are protected by the W&CA against intentional disturbance, damage and destruction during the nesting season (generally considered to be March to September inclusive). Therefore, it is recommended that demolition, site clearance and the commencement of construction work should take place outside of the bird nesting season. If this is not possible, then it is strongly recommended that an ECoW conducts a check of the whole site for active bird nesting immediately prior (no more than 24-hours) to the commencement of demolition, clearance, and construction activities. Once this check is complete, a 24-hour window will allow for site works to commence, should no active nests be identified. Should works cease for more than 24 hours, then an additional check for breeding birds may be required.

If a nesting bird is identified, the ECoW will advise on suitable working methods and exclusion zones to restrict works on site. Measures recommended will depend on the nature of the works in that area, as well as the individual bird species identified to be nesting. The suitable working methods advised may result in delays to undertaking site works within specific areas of the site, until the ECoW has advised that all of the chicks have fledged.

Other Fauna

No other protected and notable species of fauna were considered likely to be occur on site. However, it is recommended that, for demolition and construction phases of works, site induction includes the following recommendations to reduce the possible risk of harming or disturbing any protected or notable species during these works:



- Emergency procedure: In the unlikely event that a protected/notable species, evidence of these or its resting place is located during site clearance, then works in that area must cease until further advice has been sought from an ECoW;
- If injured or sickly animals are found then the animal should be admitted to a wildlife hospital or centre for relocation by an ECoW. If the injured or sickly animal is a protected species (e.g. bat) works in this area should cease immediately and an ecologist should be contacted for further advice.

5.4 Enhancements

Opportunities should be sought where possible for nature conservation enhancement of the site in line with current policy guidance (NPPF, para. 175, 2019).

Bats

It is recommended that at least **five bat boxes** be erected on the site after construction has been completed, in order to enhance the value of the site for bats. It is recommended that at least two boxes are installed on trees planted in the planned shared green space areas and that the remainder are placed on the sides of the new buildings.

Bat boxes should be sited 3-4 metres high to avoid disturbance by cats, the public or roads. The boxes should also be positioned so as to be high enough to avoid direct illumination, placed out of the way of strong winds and positioned where they can get sun for part of the day. Bats can use boxes as hibernation roosts in winter and as maternity roosts in the summer. Therefore, to create a range of temperature variations the boxes should be installed facing different directions.

Birds

As part of the completed development of the site, it is recommended that a minimum of **five bird boxes** (with varying sized entrance holes) are installed on planted trees and on buildings on site, in order to attract a range of species. These should be sited in separate locations at 4-6m high and where they are not visible or accessible to domestic cats or the general public. The nest boxes could be placed in the planned shared green space areas.

Landscaping

Landscaping is a reserved matter and therefore details are not provided with this outline application. However, recommendations regarding planting include planting of new areas of soft landscaping with insect-attracting, native species of local provenance, wherever possible, to enhance the site's ecology. This approach should apply to any tree/scrub species planted, as well as the ground flora/grass mixes sown and will create valuable habitats for invertebrates. Planting woody species that produce fruit and berries and nectar-producing herbaceous plants that flower at different times of the year would have the greatest benefits for local wildlife, see Appendix C for suitable planting list.

Green open space

Incorporate green open space into the proposed development, encouraging areas for recreation in the form of an amenity grassland for the public to use.



6.0 Summary

6.1 Designated Sites

There are potential impacts on the SPA and RAMSAR due to an increase in public pressure therefore a Stage 1 Habitat Regulations assessment should be carried out.

6.2 Habitats

No protected or notable habitats are present on site.

6.3 Protected & Notable Species

Bats

It is recommended that a minimum of five bat boxes are placed within the site post-construction, ideally in the shared green space areas.

Birds

It is recommended that demolition and site clearance work should be timed to take place outside of the bird nesting season (March to September inclusive). Where this is not possible, an ECoW should attend site to perform a check for nesting birds prior to clearance and the commencement of construction taking place. If nesting birds are identified, the ECoW will advise on suitable working practices in order to protect the birds until the breeding season is over.

As part of the future development of the site, it is recommended that a minimum of five bird boxes (with varying sized entrance holes) are installed on planted trees and buildings on site, in order to attract a range of species. Ideally, they could be placed within the shared green space areas and sited in separate locations at 4-6m high.

Other Fauna

No further surveys for other protected species of fauna are recommended.

Landscaping

It is recommended that the proposed development plant beneficial species that will attract a variety of wildlife to the site.



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Please note that the legislation which is relevant to this report is not included in the list above, but details are included in Appendix B below.

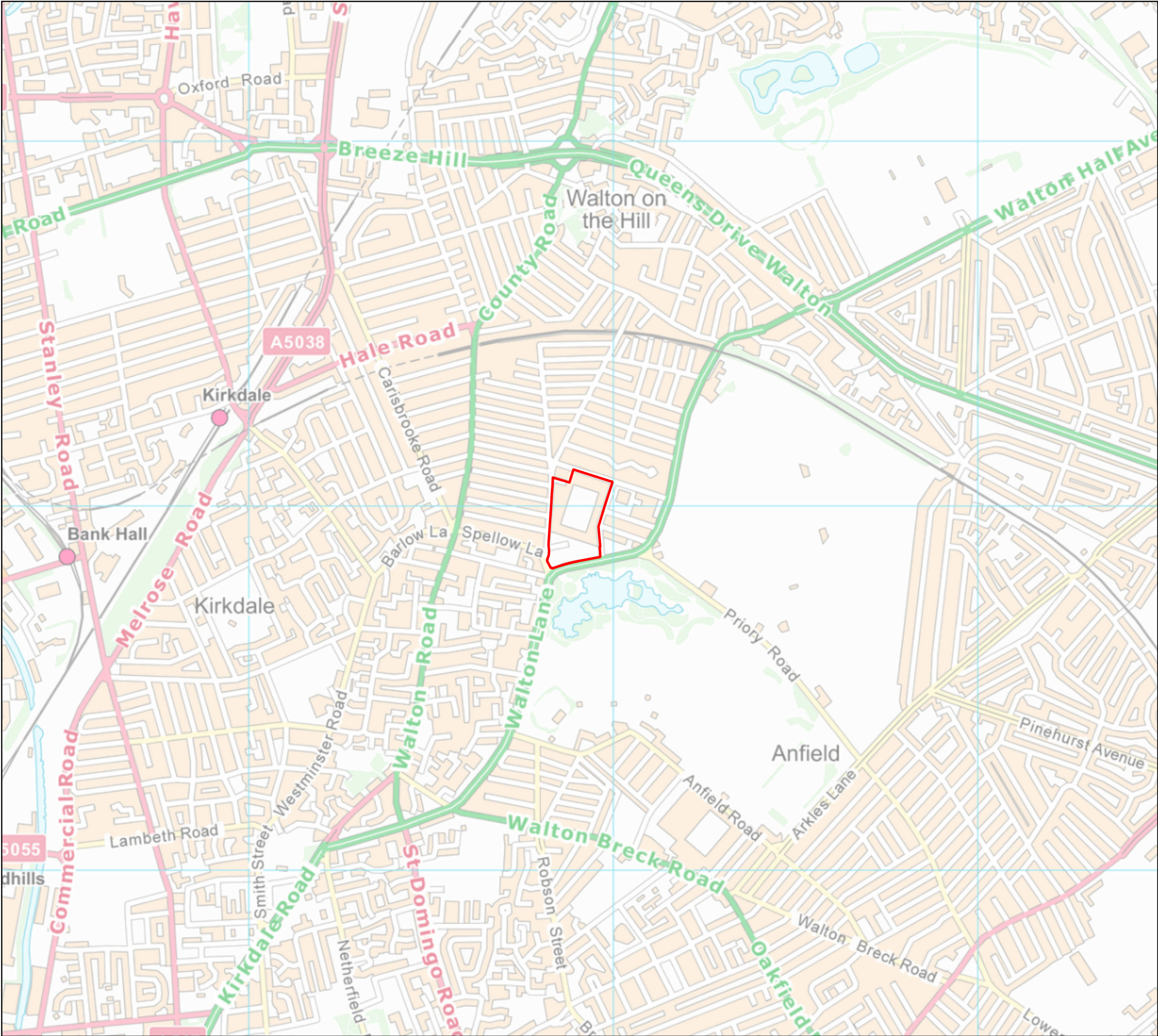


FIGURES

Figure 1 – Site Location Plan

Figure 2 – Designated Sites

Figure 3 – Phase 1 Habitat Plan



| Rev | Date | Notes |
|-----|----------|------------------------|
| A | 12/02/20 | Initial map production |

Legend

Site boundary

0 100 200 400 Metres



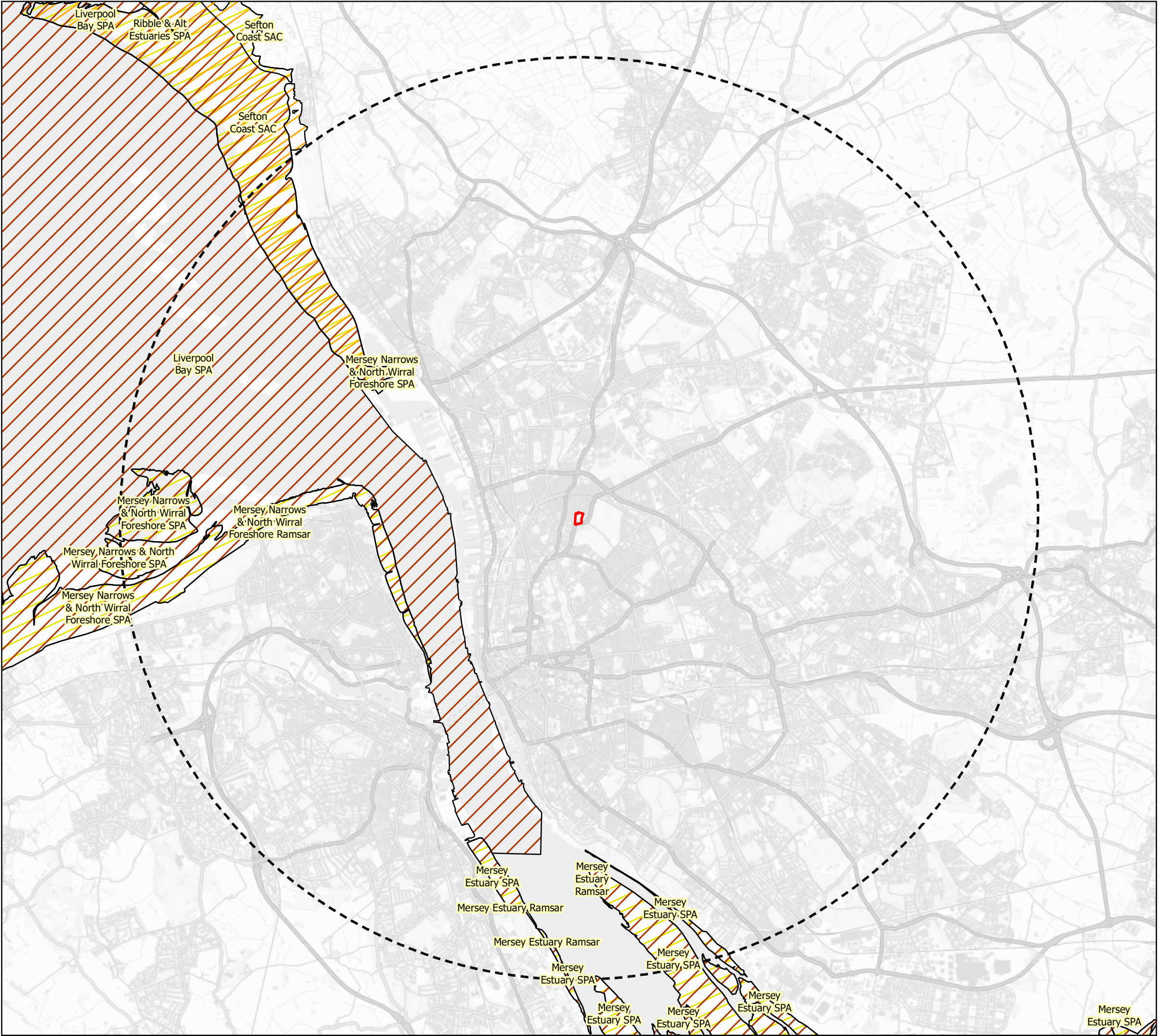
Site Location Plan

**Goodison Park
Everton Stadium Development Limited**

| | | | |
|--------------------------|--------------------------|-------------------------|----------------|
| Scale at A3: 1:10,000 | Project No: A100795-1 | Drawing No: Figure 1 | Revision: A |
|--------------------------|--------------------------|-------------------------|----------------|

| | | |
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| Drawn by: Maddie Errington | Drawn date: 12/02/2020 | Approved by: Grace Bishop |
|-------------------------------|---------------------------|------------------------------|

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| Rev | Date | Notes |
|-----|----------|------------------------|
| A | 13/02/20 | Initial map production |

Legend

- Site boundary
- Site boundary 10km buffer
- Special Areas of Conservation (SAC)
- Special Protection Areas (SPA)
- Ramsar

0 1,000 2,000 4,000 Metres



Designated Sites within 10km
of Site Boundary

Goodison Park
Everton Stadium Development Limited

| | | | |
|--------------------------|--------------------------|-------------------------|----------------|
| Scale at A3: 1:80,000 | Project No: A100795-1 | Drawing No: Figure 2 | Revision: A |
|--------------------------|--------------------------|-------------------------|----------------|

| | | |
|-------------------------------|---------------------------|------------------------------|
| Drawn by: Maddie Errington | Drawn date: 13/02/2020 | Approved by: Grace Bishop |
|-------------------------------|---------------------------|------------------------------|

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Appendix A – Report Conditions

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The report refers, within the limitations stated, to the environment of the site in the context of the surrounding area at the time of the inspections'. Environmental conditions can vary and no warranty is given as to the possibility of changes in the environment of the site and surrounding area at differing times. No investigative method can eliminate the possibility of obtaining partially imprecise, incomplete or not fully representative information. Any monitoring or survey work undertaken as part of the commission will have been subject to limitations, including for example timescale, seasonal and weather-related conditions. Actual environmental conditions are typically more complex and variable than the investigative, predictive and modelling approaches indicate in practice, and the output of such approaches cannot be relied upon as a comprehensive or accurate indicator of future conditions. The "shelf life" of the Report will be determined by a number of factors including; its original purpose, the Client's instructions, passage of time, advances in technology and techniques, changes in legislation etc. and therefore may require future re-assessment.

The whole of the report must be read as other sections of the report may contain information which puts into context the findings in any executive summary.

The performance of environmental protection measures and of buildings and other structures in relation to acoustics, vibration, noise mitigation and other environmental issues is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. WYG accept no liability for issues with performance arising from such factors.



Appendix B – Key Legislation

Bern Convention

The *Convention on the Conservation of European Wildlife and Natural Habitats* (the *Bern Convention*) was adopted in Bern, Switzerland in 1979, and was ratified in 1982. Its aims are to protect wild plants and animals and their habitats listed in Appendices 1 and 2 of the Convention, and regulate the exploitation of species listed in Appendix 3. The regulation imposes legal obligations on participating countries to protect over 500 plant species and more than 1000 animals.

To meet its obligations imposed by the Convention, the European Community adopted the *EC Birds Directive* (1979) and the *EC Habitats Directive* (1992 – see below). Since the Lisbon Treaty, in force since 1st December 2009, European legislation has been adopted by the European Union.

Bonn Convention

The Convention on the Conservation of Migratory Species of Wild Animals or 'Bonn Convention' was adopted in Bonn, Germany in 1979 and came into force in 1985. Participating states agree to work together to preserve migratory species and their habitats by providing strict protection to species listed in Appendix I of the Convention. It also establishes agreements for the conservation and management of migratory species listed in Appendix II.

In the UK, the requirements of the convention are implemented via the Wildlife & Countryside Act 1981 (as amended), Wildlife (Northern Ireland) Order 1985 (as amended), Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 and the Countryside and Rights of Way Act 2000 (CRoW).

Habitats Directive

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, or the 'Habitats Directive', is a European Union directive adopted in 1992 in response to the Bern Convention. Its aims are to protect approximately 220 habitats and 1,000 species listed in its several Annexes.

In the UK, the Habitats Directive is transposed into national law via the Conservation of Habitats and Species Regulations 2017 (as amended) in England and Wales, and via the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) in Northern Ireland.

Birds Directive

The EC Directive on the Conservation of Wild Birds (79/409/EEC) or 'Birds Directive' was introduced to achieve favourable conservation status of all wild bird species across their distribution range. In this context, the most important provision is the identification and classification of Special Protection Areas (SPAs) for rare or vulnerable species listed in Annex 1 of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance.

Conservation of Habitats and Species Regulations 2017 (as amended)

Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I or II of the Habitats Directive respectively) to the European Commission. These sites, if ratified by the European Commission, are then designated as Special Protection Areas (SPAs) within six years. Public bodies must also help preserve, maintain and re-establish habitats for wild birds.

The 2018 amendments mainly related to the impact of the *People Over Wind* decision and some implications arising for neighbourhood plan development and a range of other planning tools including Local Development Orders and Permission in Principle – see here for full details:

<https://www.legislation.gov.uk/uksi/2018/1307/note/made>

The Regulations make it an offence to deliberately capture, kill, disturb or trade in the animals listed in Schedule 2, or pick, uproot, destroy, or trade in the plants listed in Schedule 5 - see below:

| Schedule 2 – European Protected Species of Animals | Schedule 5 – European Protected Species of Plants |
|--|---|
| Horseshoe bats <i>Rhinolophidae</i> - all species | Shore dock <i>Rumex rupestris</i> |
| Common bats <i>Vespertilionidae</i> - all species | Killarney fern <i>Trichomanes speciosum</i> |
| Large Blue Butterfly <i>Maculinea arion</i> | Early gentian <i>Gentianella anglica</i> |
| Wild cat <i>Felis sylvestris</i> | Lady's-slipper <i>Cypripedium calceolus</i> |
| Dolphins, porpoises and whales <i>Cetacea</i> – all sp. | Creeping marsh-wort <i>Apium repens</i> |
| Dormouse <i>Muscardinus avellanarius</i> | Slender naiad <i>Najas flexilis</i> |
| Pool frog <i>Rana lessonae</i> | Fen orchid <i>Liparis loeselii</i> |
| Sand lizard <i>Lacerta agilis</i> | Floating-leaved water plantain <i>Luronium natans</i> |
| Fisher's estuarine moth <i>Gortyna borelii lunata</i> | Yellow marsh saxifrage <i>Saxifraga hirculus</i> |
| Great crested newt <i>Triturus cristatus</i> | |
| Otter <i>Lutra lutra</i> | |
| Lesser whirlpool ram's-horn snail <i>Anisus vorticulus</i> | |
| Smooth snake <i>Coronella austriaca</i> | |
| Sturgeon <i>Acipenser sturio</i> | |
| Natterjack toad <i>Epidalea calamita</i> | |
| Marine turtles <i>Caretta caretta</i> , <i>Chelonia mydas</i> , <i>Lepidochelys kempii</i> , <i>Eretmochelys imbricata</i> , <i>Dermochelys coriacea</i> | |

Wildlife & Countryside Act 1981 (as amended)

This is the principal mechanism for the legislative protection of wildlife in the UK. This legislation is the chief means by which the 'Bern Convention' and the Birds Directive are implemented in the UK. Since it was first introduced, the Act has been amended several times.

The Act makes it an offence to (with exception to species listed in Schedule 2) intentionally:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use; or
- take or destroy an egg of any wild bird.

Or to intentionally do the following to a wild bird listed in Schedule 1:

- disturbs any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturbs dependent young of such a bird.

In addition, the Act makes it an offence (subject to exceptions) to:

- intentionally or recklessly kill, injure or take any wild animal listed on Schedule 5;
- interfere with places used for shelter or protection, or intentionally disturbing animals occupying such places; and
- The Act also prohibits certain methods of killing, injuring, or taking wild animals.

Finally, the Act also makes it an offence (subject to exceptions) to:

- intentionally pick, uproot or destroy any wild plant listed in Schedule 8, or any seed or spore attached to any such wild plant;
- unless an authorised person, intentionally uproot any wild plant not included in Schedule 8; or
- sell, offer or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.

Following all amendments to the Act, Schedule 5 'Animals which are Protected' contains a total of 154 species of animal, including several mammals, reptiles, amphibians, fish and invertebrates. Schedule 8 'Plants which are Protected' of the Act, contains 185 species, including higher plants, bryophytes and fungi and lichens. A comprehensive and up-to-date list of these species can be obtained from the JNCC website.

Part 14 of the Act makes unlawful to plant or otherwise cause to grow in the wild any plant which is listed in Part II of Schedule 9.

It is recommended that plant material of these species is disposed of as bio-hazardous waste, and these plants should not be used in planting schemes.

Schedule 1 - Birds which are protected by special penalties

| | | | |
|--------------------------|---------------------------------|-----------------------|--------------------------------|
| Avocet | <i>Recurvirostra avosetta</i> | Osprey | <i>Pandion haliaetus</i> |
| Bee-eater | <i>Merops apiaster</i> | Owl, Barn | <i>Tyto alba</i> |
| Bittern | <i>Botaurus stellaris</i> | Owl, Snowy | <i>Nyctea scandiaca</i> |
| Bittern, Little | <i>Ixobrychus minutus</i> | Peregrine | <i>Falco peregrinus</i> |
| Bluethroat | <i>Luscinia svecica</i> | Petrel, Leach's | <i>Oceanodroma leucorhoa</i> |
| Brambling | <i>Fringilla montifringilla</i> | Phalarope, Red-necked | <i>Phalaropus lobatus</i> |
| Bunting, Cirl | <i>Emberiza cirlus</i> | Plover, Kentish | <i>Charadrius alexandrinus</i> |
| Bunting, Lapland | <i>Calcarius lapponicus</i> | Plover, Little Ringed | <i>Charadrius dubius</i> |
| Bunting, Snow | <i>Plectrophenax nivalis</i> | Quail, Common | <i>Coturnix coturnix</i> |
| Buzzard, Honey | <i>Pernis apivorus</i> | Redstart, Black | <i>Phoenicurus ochruros</i> |
| Capercaillie | <i>Tetrao urogallus</i> | Redwing | <i>Turdus iliacus</i> |
| Chough | <i>Pyrrhocorax pyrrhocorax</i> | Rosefinch, Scarlet | <i>Carpodacus erythrinus</i> |
| Corncrake | <i>Crex crex</i> | Ruff | <i>Philomachus pugnax</i> |
| Crake, Spotted | <i>Porzana porzana</i> | Sandpiper, Green | <i>Tringa ochropus</i> |
| Crossbills (all species) | <i>Loxia</i> | Sandpiper, Purple | <i>Calidris maritima</i> |
| Curlew, Stone | <i>Burhinus oedecnemus</i> | Sandpiper, Wood | <i>Tringa glareola</i> |
| Divers (all species) | <i>Gavia</i> | Scaup | <i>Aythya marila</i> |
| Dotterel | <i>Charadrius morinellus</i> | Scoter, Common | <i>Melanitta nigra</i> |
| Duck, Long-tailed | <i>Clangula hyemalis</i> | Scoter, Velvet | <i>Melanitta fusca</i> |
| Eagle, Golden | <i>Aquila chrysaetos</i> | Serim | <i>Serinus serinus</i> |
| Eagle, White-tailed | <i>Haliaetus albicilla</i> | Shorelark | <i>Eremophila alpestris</i> |
| Falcon, Gyr | <i>Falco rusticolus</i> | Shrike, Red-backed | <i>Lanius collurio</i> |
| Fieldfare | <i>Turdus pilaris</i> | Spoonbill | <i>Platalea leucorodia</i> |
| Firecrest | <i>Regulus ignicapillus</i> | Stilt, Black-winged | <i>Himantopus himantopus</i> |
| Garganey | <i>Anas querquedula</i> | Stint, Temminck's | <i>Calidris temminckii</i> |



| | | | |
|---|------------------------------------|---------------------------------------|--|
| Godwit, Black-tailed | <i>Limosa limosa</i> | Swan, Bewick's | <i>Cygnus bewickii</i> |
| Goshawk | <i>Accipiter gentilis</i> | Swan, Whooper | <i>Cygnus cygnus</i> |
| Grebe, Black-necked | <i>Podiceps nigricollis</i> | Tern, Black | <i>Chlidonias niger</i> |
| Grebe, Slavonian | <i>Podiceps auritus</i> | Tern, Little | <i>Sterna albifrons</i> |
| Greenshank | <i>Tringa nebularia</i> | Tern, Roseate | <i>Sterna dougallii</i> |
| Gull, Little | <i>Larus minutus</i> | Tit, Bearded | <i>Parus biarmicus</i> |
| Gull, Mediterranean | <i>Larus melanocephalus</i> | Tit, Crested | <i>Parus cristatus</i> |
| Harriers (all species) | <i>Circus</i> | Tree-creeper, Short-toed | <i>Certhia brachydactyla</i> |
| Heron, Purple | <i>Ardea purpurea</i> | Warbler, Cetti's | <i>Cettia cetti</i> |
| Hobby | <i>Falco subbuteo</i> | Warbler, Dartford | <i>Sylvia undata</i> |
| Hoopoe | <i>Upupa epops</i> | Warbler, Marsh | <i>Acrocephalus palustris</i> |
| Kingfisher | <i>Alcedo atthis</i> | Warbler, Savi's | <i>Locustella luscinioides</i> |
| Kite, Red | <i>Milvus milvus</i> | Whimbrel | <i>Numenius phaeopus</i> |
| Merlin | <i>Falco columbarius</i> | Woodlark | <i>Lullula arborea</i> |
| Oriole, Golden | <i>Oriolus oriolus</i> | Wryneck | <i>Jynx torquilla</i> |
| Animal (Vertebrate) Species Listed in Schedule 5 (full legal protection at all times) | | | |
| Horseshoe Bats (all species) | <i>Rhinolophidae</i> | Newt – Great Crested | <i>Triturus cristatus</i> |
| Typical Bats (all species) | <i>Vespertilionidae</i> | Snake – Smooth | <i>Coronella austriaca</i> |
| Dolphin – Bottle-nosed | <i>Tursiops truncatus (tursio)</i> | Toad, Natterjack | <i>Epidalea calamita</i> |
| Dolphin – Common | <i>Delphinus delphis</i> | Turtles – All Species | <i>Cheloniidae</i> & <i>Dermochelyidae</i> |
| Dormouse – Hazel | <i>Muscardinus avellanarius</i> | Basking Shark | <i>Cetorhinus maximus</i> |
| Pine Marten | <i>Martes martes</i> | Burbot | <i>Lota lota</i> |
| Porpoise – Harbour | <i>Phocaena phocaena</i> | Goby – Giant | <i>Gobius cobitis</i> |
| Otter – Eurasian | <i>Lutra lutra</i> | Goby – Couch's | <i>Gobius couchii</i> |
| Squirrel – Red | <i>Sciurus vulgaris</i> | Seahorse – Short-snouted ¹ | <i>Hippocampus hippocampus</i> |
| Walrus | <i>Odobenus rosmarus</i> | Seahorse – Spiny | <i>Hippocampus guttulatus</i> |
| Water Vole | <i>Arvicola amphibius</i> | Sturgeon | <i>Acipenser sturio</i> |
| Whales – All Species | <i>Cetacea</i> | Vendace | <i>Coregonus albula</i> |
| Wildcat | <i>Felis sylvestris</i> | Whitefish | <i>Coregonus lavaretus</i> |
| Lizard – Sand | <i>Lacerta agilis</i> | | |
| Animal (Vertebrate) Species Protected under Section 9 (1) part: Killing and Injuring & Section 9 (5) Sale | | | |
| Adder | <i>Vipera berus</i> | Slow-worm | <i>Anguis fragilis</i> |
| Lizard – Viviparous | <i>Zootoca vivipara</i> | Snake – Grass | <i>Natrix helvetica (natrix)</i> |
| Animals (Vertebrate) Species Protected under Section 9 (5) Sale only | | | |
| Frog – common | <i>Rana temporaria</i> | Newt – Smooth | <i>Lissotriton vulgaris</i> |
| Newt – Palmate | <i>Lissotriton helvetica</i> | Toad – Common | <i>Bufo bufo</i> |
| Animals (Vertebrate) Species Protected under Section 9 (1) (4)(a): Killing, Injuring & Taking and Damage / Destruction of place of shelter / protection only | | | |
| Allis Shad | <i>Alosa alosa</i> | Shark – Angel | <i>Squatina squatina</i> |
| Twaite Shad | <i>Alosa fallax</i> | | |
| Butterflies & Moths – Full Protection under Schedule 5² at all times | | | |
| High brown fritillary | <i>Argynnis adippe</i> | Fisher's Estuarine Moth | <i>Gortyna borelii</i> |
| Large Blue | <i>Maculinea arion</i> | Barberry Carpet | <i>Pareulype berberata</i> |

¹ Both sea horse species are protected in England only.

² Viper's Bugloss Moth *Hadena irregularis* was removed from Schedule 5 in 1996 as it is believed to be extinct.



| | | | |
|---|------------------------------------|---|--|
| Heath Fritillary | <i>Mellicta athalea</i> | Black-veined Moth | <i>Siona lineata</i> |
| Marsh Fritillary | <i>Eurodryas aurinia</i> | Sussex Emerald | <i>Thalera fimbrialis</i> |
| Swallowtail | <i>Papilio machaon britannicus</i> | Essex Emerald | <i>Thetidia smaragdalis</i> |
| Large Copper | <i>Lycaena dispar</i> | Fiery Clearwing | <i>Bembecia chrysidiformis</i> |
| Reddish-buff Moth | <i>Acosmetia caliginosa</i> | New-Forest Burnet | <i>Zygaena viciae</i> |
| Butterflies – Protected under Section 9 (5) Sale Only | | | |
| Purple Emperor | <i>Apatura iris</i> | Adonis Blue | <i>Lysandra bellargus</i> |
| Northern Brown Argus | <i>Aricia artaxerxes</i> | Chalkhill Blue | <i>Lysandra coridon</i> |
| Pearl-bordered Fritillary | <i>Boloria euphrosyne</i> | Glanville Fritillary | <i>Melitaea cinxia</i> |
| Chequered Skipper | <i>Carterocephalus palaemon</i> | Large Tortoiseshell | <i>Nymphalis polychloros</i> |
| Large Heath | <i>Coenonympha tullia</i> | Silver-studded Blue | <i>Plebejus argus</i> |
| Small Blue | <i>Cupido minimus</i> | Black Hairstreak | <i>Strymonidia pruni</i> |
| Mountain Ringlet | <i>Erebia epiphron</i> | White-letter Hairstreak | <i>Strymonidia w-album</i> |
| Duke of Burgundy | <i>Hamearis lucina</i> | Brown Hairstreak | <i>Thecla betulae</i> |
| Silver-spotted Skipper | <i>Hesperia comma</i> | Lulworth Skipper | <i>Thymelicus acteon</i> |
| Wood White | <i>Leptidea sinapis</i> | | |
| Other Invertebrates – Full Protection under Schedule 5 at all times | | | |
| Rainbow Leaf-beetle | <i>Chrysolina cerealis</i> | Tadpole Shrimp | <i>Triops cancriformis</i> |
| Spangled Diving-beetle | <i>Graphopterus zonatus</i> | Trembling Sea-mat | <i>Victorella pavidia</i> |
| Lesser Silver Water-beetle | <i>Hydrochara caraboides</i> | De Folin's Lagoon Snail | <i>Caecum armoricum</i> |
| Moccas Beetle | <i>Hypebaeus flavipes</i> | Sandbowl Snail | <i>Catinella arenaria</i> |
| Violet Click-beetle | <i>Limoniscus violaceus</i> | Freshwater Pearl Mussel | <i>Margaritifera margaritifera</i> |
| Bembridge Beetle | <i>Parcymus aeneus</i> | Glutinous Snail | <i>Myxas glutinosa</i> |
| New Forest Cicada | <i>Cicadetta montana</i> | Lagoon Snail | <i>Paludinella littorina</i> |
| Wart-Biter | <i>Decticus verrucivorus</i> | Lagoon Sea Slug | <i>Tenellia adspersa</i> |
| Mole-Cricket | <i>Gryllotalpa gryllotalpa</i> | Northern Hatchet-shell | <i>Thyasira gouldi</i> |
| Field-Cricket | <i>Gryllus campestris</i> | Tentacled Lagoon-worm | <i>Alkmaria romijni</i> |
| Norfolk Hawker Dragonfly | <i>Aeshna isosceles</i> | Lagoon Sand-worm | <i>Armandia cirrhosa</i> |
| Southern Damselfly | <i>Coenagrion mercuriale</i> | Medicinal Leech | <i>Hirudo medicinalis</i> |
| Fen Raft Spider | <i>Dolomedes fimbriatus</i> | Marine Hydroid | <i>Clavopsella navis</i> |
| Ladybird Spider | <i>Eresus niger (cinaberinus)</i> | Ivell's Sea Anemone | <i>Edwardsia ivelli</i> |
| Fairy Shrimp | <i>Chirocephalus diaphanus</i> | Starlet Sea Anemone | <i>Nematosella vectensis</i> |
| Lagoon Sand Shrimp | <i>Gammarus insensibilis</i> | Atlantic Stream (White-clawed) Crayfish | <i>Austropotamobius pallipes</i> |
| Other Invertebrates Protected under Section 9 (1) Possession & 9 (2) (5) Sale only | | | |
| Stag Beetle | <i>Lucanus cervus</i> | Roman Snail ³ | <i>Helix pomatia</i> |
| Fan Mussel | <i>Atrina fragilis</i> | Pink Sea-fan | <i>Eunicella verrucosa</i> |
| Other Invertebrates Protected under Section 9 (4) (a) Damage / Destruction of Place of Shelter / Protection only | | | |
| Mire Pill Beetle | <i>Curimopsis nigrita</i> | | |
| Vascular Plant Species - Full Protection under Schedule 8 at all times (previous Scientific name in brackets) | | | |
| Adder's-tongue Least | <i>Ophioglossum lusitanicum</i> | Lily – Snowdon | <i>Gagea serotina (Lloydia serotina)</i> |
| Alison- Small | <i>Alyssum alyssoides</i> | Marsh-mallow – Rough | <i>Malva setigera (Althaea hirsuta)</i> |

³ England only

| | | | |
|-------------------------|---|-----------------------------|---|
| Broomrape – Bedstraw | <i>Orobanche caryophyllacea</i> | Milk-parsley – Cambridge | <i>Selinum carvifolia</i> |
| Broomrape – Oxtongue | <i>Orobanche picridis</i> | Mudwort – Welsh | <i>Limosella aquatica</i> |
| Broomrape – Thistle | <i>Orobanche reticulata</i> ⁴ | Naiad – Holly-leaved | <i>Najas marina</i> |
| Cabbage – Lundy | <i>Coincya wrightii</i> (<i>Rhynchosinapis wrightii</i>) | Orache – Stalked | <i>Atriplex pedunculata</i> (<i>Halimione pedunculata</i>) |
| Calamint – Wood | <i>Clinopodium menthifolium</i> (<i>Calamintha sylvatica</i>) | Orchid – Early Spider | <i>Ophrys sphegodes</i> |
| Catchfly – Alpine | <i>Silene suecica</i> (<i>Lychnis alpina</i>) | Orchid – Ghost | <i>Epipogium aphyllum</i> |
| Centaury – Slender | <i>Centaureum tenuiflorum</i> | Orchid – Lapland Marsh | <i>Dactylorhiza lapponica</i> |
| Cinquefoil – Rock | <i>Potentilla rupestris</i> | Orchid – Late Spider | <i>Ophrys fuciflora</i> |
| Clary – Meadow | <i>Salvia pratensis</i> | Orchid – Lizard | <i>Himantoglossum hircinum</i> |
| Club-rush – Triangular | <i>Schoenoplectus triqueter</i> (<i>Scirpus triqueter</i>) | Orchid – Military | <i>Orchis militaris</i> |
| Colt's-foot – Purple | <i>Homogyne alpina</i> | Orchid – Monkey | <i>Orchis simia</i> |
| Cotoneaster – Wild | <i>Cotoneaster cambricus</i> (<i>C. integerrimus</i>) | Pear – Plymouth | <i>Pyrus cordata</i> |
| Cotton-grass – Slender | <i>Eriophorum gracile</i> | Pennycress – Perfoliate | <i>Microthlaspi perfoliatum</i> (<i>Thlaspi perfoliatum</i>) |
| Cow-wheat – Field | <i>Melampyrum arvense</i> | Pennyroyal | <i>Mentha pulegium</i> |
| Crocus – Sand | <i>Romulus columnae</i> | Pigmyweed | <i>Crassula aquatica</i> |
| Cudweed – Broad-leaved | <i>Filago pyramidata</i> | Pine - Ground | <i>Ajuga chamaepitys</i> |
| Cudweed – Jersey | <i>Gnaphalium luteoalbum</i> | Pink – Cheddar | <i>Dianthus gratianopolitanus</i> |
| Cudweed – Red-tipped | <i>Filago lutescens</i> | Pink – Childing | <i>Petrorhagia nanteuillii</i> |
| Cut-grass | <i>Leersia oryzoides</i> | Ragwort – Fen | <i>Jacobaea paludosa</i> (<i>Senecio paludosa</i>) |
| Deptford Pink | <i>Dianthus armeria</i> | Ramping-fumitory – Martin's | <i>Fumaria reuteri</i> (<i>F. martinii</i>) |
| Diapensia | <i>Diapensia lapponica</i> | Rampion – Spiked | <i>Phyteuma spicata</i> |
| Eryngo – Field | <i>Eryngium campestre</i> | Restharrow – Small | <i>Ononis reclinata</i> |
| Fern – Dickie's-bladder | <i>Cystopteris dickieana</i> | Rock-cress – Alpine | <i>Arabis alpina</i> |
| Fleabane – Alpine | <i>Erigeron borealis</i> | Rock-cress – Bristol | <i>Arabis scabra</i> |
| Fleabane – Small | <i>Pulicaria vulgaris</i> | Sandwort – Norwegian | <i>Arenaria norvegica</i> ⁵ |
| Galingale – Brown | <i>Cyperus fuscus</i> | Sandwort – Teesdale | <i>Minuartia stricta</i> |
| Gentian – Alpine | <i>Gentiana nivalis</i> | Saxifrage – Drooping | <i>Saxifraga cernua</i> |
| Gentian - Dune | <i>Gentianella amarella</i> subsp. <i>occidentalis</i> (<i>Gentianella uliginosa</i>) | Saxifrage – Tufted | <i>Saxifraga cespitosa</i> |
| Gentian – Fringed | <i>Gentianopsis ciliata</i> (<i>Gentianella ciliata</i>) | Solomon's-seal – Whorled | <i>Polygonatum verticillatum</i> |
| Gentian - Spring | <i>Gentiana verna</i> | Sow-thistle – Alpine | <i>Cicerbita alpina</i> |
| Germander – Cut-leaved | <i>Teucrium botrys</i> | Spearwort – Adder's-tongue | <i>Ranunculus ophioglossifolius</i> |
| Germander – Water | <i>Teucrium scordium</i> | Speedwell – Fingered | <i>Veronica triphyllos</i> |
| Gladiolus – Wild | <i>Gladiolus illyricus</i> | Speedwell – Spiked | <i>Veronica spicata</i> ⁶ |
| Goosefoot – Stinking | <i>Chenopodium vulvaria</i> | Spike-rush – Dwarf | <i>Eleocharis parvula</i> |

⁴ The Weeds Act 1959 does not apply to thistles *Cirsium* & *Carduus* species supporting this broomrape.

⁵ All subspecies occurring in the UK

⁶ Both subspecies: *spicata* & *hybrida*



| | | | |
|--|--|------------------------------------|---|
| Grass-poly | <i>Lythrum hyssopifolia</i> | South-stack Fleawort | <i>Tephrosia integrifolia</i> <i>ssp. maritima</i> |
| Hare's-ear – Sick- leaved | <i>Bupleurum falcatum</i> | Star-of-Bethlehem – Early | <i>Gagea bohemica</i> |
| Hare's-ear – Small | <i>Bupleurum baldense</i> | Starfruit | <i>Damasonium alisma</i> |
| Hawk's-beard – Stinking | <i>Crepis foetida</i> | Strapwort | <i>Corrigiola littoralis</i> |
| Hawkweed – Northroe | <i>Hieracium northroense</i> | Violet – Fen | <i>Viola persicifolia</i> |
| Hawkweed – Shetland | <i>Hieracium zetlandicum</i> | Viper's-grass | <i>Scorzonera humilis</i> |
| Hawkweed – Weak- leaved | <i>Hieracium attenuatifolium</i> | Water-plantain – Ribbon- leaved | <i>Alisma gramineum</i> |
| Heath – Blue | <i>Phyllodoce caerulea</i> | Wood-sedge – Starved | <i>Carex depauperata</i> |
| Helleborine – Red | <i>Cephalanthera rubra</i> | Woodsia – Alpine | <i>Woodsia alpina</i> |
| Horsetail – Branched | <i>Equisetum ramosissimum</i> | Woodsia – Oblong | <i>Woodsia ilvensis</i> |
| Hound's-tongue – Green | <i>Cynoglossum germanicum</i> | Wormwood – Field | <i>Artemisia campestris</i> |
| Knawel – Perennial | <i>Scleranthus perennis</i> ⁷ | Woundwort - Downy | <i>Stachys germanica</i> |
| Knot-grass – Sea | <i>Polygonum maritimum</i> | Woundwort – Limestone | <i>Stachys alpina</i> |
| Leek – Round-headed | <i>Allium sphaerocephalon</i> | Yellow-rattle – Greater | <i>Rhinanthus angustifolius</i> |
| Lettuce – Least | <i>Lactuca saligna</i> | | |
| Vascular Plant Species – Partial Protection under Section 13 (2) Protection from commercial exploitation and sale | | | |
| Bluebell | <i>Hyacinthoides non-scripta</i> | | |
| Bryophytes – Full Protection under Schedule 8 at all times | | | |
| Anamodon – Long- leaved | <i>Anomodon langifolius</i> | Flamingo Moss | <i>Desmatodon cernuus</i> |
| Blackwort | <i>Southbya nigrella</i> | Frostwort | <i>Gymnomitrium apiculatum</i> |
| Crystalwort – Lizard | <i>Riccia bifurca</i> | Glaucous Beard Moss | <i>Barbula glauca</i> |
| Earwort – Marsh | <i>Jamesoniella undulifolia</i> | Green Shield Moss | <i>Buxbaumia viridis</i> |
| Feathermoss – Polar | <i>Hygrohypnum polare</i> | Hair Silk Moss | <i>Plagiothecium piliferum</i> |
| Flapwort – Norfolk | <i>Leiocolea rutheana</i> | Knothole Moss | <i>Zygodon forsteri</i> |
| Grimmia – Blunt-leaved | <i>Grimmia unicolor</i> | Large Yellow Feather Moss | <i>Scorpidium turgescens</i> |
| Petalwort | <i>Petalophyllum ralfsii</i> | Millimetre Moss | <i>Micromitrium tenerum</i> |
| Lindenberg's Leafy- Liverwort | <i>Adelanthus lindenbergianus</i> | Multi-fruited River Moss | <i>Cryphaea lamyana</i> |
| Feather-moss Slender Green | <i>Drepanocladus vernicosus</i> | Nowell's Limestone Moss | <i>Zygodon gracilis</i> |
| Alpine Copper-Moss | <i>Mielichhoferia melichhoferia</i> | Rigid Apple Moss | <i>Bartramia stricta</i> |
| Baltic Bog-Moss | <i>Sphagnum balticum</i> | Round-leaved feather Moss | <i>Rhynchostegium rotundifolium</i> |
| Blue Dew-Moss | <i>Saelania glaucescens</i> | Schleicher's Thread Moss | <i>Bryum schleicheri</i> |
| Blunt-leaved bristle- Moss | <i>Orthotrichum obtusifolium</i> | Triangular Pygmy Moss | <i>Acaulon triquetrum</i> |
| Bright-Green Cave-Moss | <i>Cyclodictyon laetevirens</i> | Turpswort | <i>Geocalyx graveolens</i> |
| Cordate Beard Moss | <i>Barbula cordata</i> | Vaucher's Feather Moss | <i>Hypnum vaucheri</i> |
| Cornish Path Moss | <i>Ditrichum cornubicum</i> | Western Rustwort | <i>Marsupella profunda</i> |
| Derbyshire Feather Moss | <i>Thamnobryum angustifolium</i> | | |
| Stoneworts – Full Protection under Schedule 8 at all times | | | |
| Bearded Stonewort | <i>Chara canescens</i> | Foxtail Stonewort | <i>Lamprothamnium papulosum</i> |

⁷ Includes both subspecies: *perennis* & *prostratus*

| Lichens – Full Protection under Schedule 8 at all times | | | | | |
|---|----------|-----------------------------------|--|--|----------------------------|
| New Forest Lichen | Beech | <i>Enterographa elaborata</i> | Forked Hair Lichen | <i>Bryoria furcellata</i> | |
| Snow Caloplaca | | <i>Caloplaca nivalis</i> | Golden Hair Lichen | <i>Teloschistes flavicans</i> | |
| Tree Catapyrenium | | <i>Catapyrenium psoromoides</i> | Orange-fruited Lichen | Elm | <i>Caloplaca luteoalba</i> |
| Laurer’s Catillaria | | <i>Catillaria laurei</i> | River Jelly Lichen | <i>Collema dichotomum</i> | |
| Convolutd Cladonia | | <i>Cladonia convoluta</i> | Starry Breck Lichen | <i>Buellia asterella</i> | |
| Upright Cladonia | Mountain | <i>Cladonia stricta</i> | Caledonia Pannaria | <i>Pannaria ignobilis</i> | |
| Goblin Lights | | <i>Catolechia wahlenbergii</i> | New Forest Parmelia | <i>Parmelia minarum</i> | |
| Elm Gyalecta | | <i>Gyalecta ulmi</i> | Oil Stain Parmentaria | <i>Parmentaria chilensis</i> | |
| Tarn Lecanora | | <i>Lecanora archariana</i> | Southern Grey Physcia | <i>Physcia tribacioides</i> | |
| Copper Lecidea | | <i>Lecidea inops</i> | Ragged Pseudo-cyphellaria | <i>Pseudocyphellaria lacerata</i> | |
| Arctic Kidney Lichen | | <i>Nephroma arcticum</i> | Rusty Alpine Psora | <i>Psora rubiformis</i> | |
| Ciliate Strap Lichen | | <i>Heterodermia leucomelos</i> | Rock Nail | <i>Calicium corynellum</i> | |
| Coralloid Rosette Lichen | | <i>Heterodermia propagulifera</i> | Serpentine Selanopsora | <i>Selanopsora liparina</i> | |
| Ear-lobed Dog Lichen | | <i>Peltigera lepidophora</i> | Sulphur Tresses | <i>Alectoria ochroleuca</i> | |
| Lichens – Partial Protection under Section 13 (2) Commercial Exploitation and Sale Only | | | | | |
| Tree Lungwort | | <i>Lobaria pulmonaria</i> | | | |
| Fungi – Full Protection under Schedule 8 at all times | | | | | |
| Royal Bolete | | <i>Boletus regius</i> | Oak Polypore | <i>Buglossosporus pulvinus</i> | |
| Hedgehog Fungus | | <i>Hericium erinaceum</i> | Sandy Stilt Ball | <i>Battaria phalloides</i> | |
| Invasive plant species listed in Schedule 9 | | | | | |
| Australian swamp stonecrop or New Zealand pygmyweed | | <i>Crassula helmsii</i> | Japanese rose | <i>Rosa rugosa</i> | |
| Californian red seaweed | | <i>Pikea californica</i> | Japanese seaweed | <i>Sargassum muticum</i> | |
| Curly waterweed | | <i>Lagarosiphon major</i> | Laver seaweeds (except native species) | <i>Porphyra</i> spp | |
| Duck potato | | <i>Sagittaria latifolia</i> | Parrot’s-feather | <i>Myriophyllum aquaticum</i> | |
| Entire-leaved cotoneaster | | <i>Cotoneaster integrifolius</i> | Perfoliate alexanders | <i>Smyrniium perfoliatum</i> | |
| False Virginia creeper | | <i>Parthenocissus inserta</i> | Pontic rhododendron | <i>Rhododendron ponticum</i> | |
| Fanwort or Carolina water-shield | | <i>Cabomba caroliniana</i> | Purple dewplant | <i>Disphyma crassifolium</i> | |
| Few-flowered garlic | | <i>Allium paradoxum</i> | Red algae | <i>Grateloupia luxurians</i> | |
| Floating pennywort | | <i>Hydrocotyle ranunculoides</i> | Rhododendron | <i>Rhododendron ponticum</i> × <i>Rhododendron maximum</i> | |
| Floating water primrose | | <i>Ludwigia peploides</i> | Small-leaved cotoneaster | <i>Cotoneaster microphyllus</i> | |
| Giant hogweed | | <i>Heracleum mantegazzianum</i> | Three-cornered garlic | <i>Allium triquetrum</i> | |
| Giant kelp | | <i>Macrocystis</i> spp. | Variegated yellow archangel | <i>Lamiastrum galeobdolon</i> subsp. <i>argentatum</i> | |
| Giant knotweed | | <i>Fallopia sachalinensis</i> | Virginia creeper | <i>Parthenocissus quinquefolia</i> | |
| Giant rhubarb | | <i>Gunnera tinctoria</i> | Wakame | <i>Undaria pinnatifida</i> | |
| Giant salvinia | | <i>Salvinia molesta</i> | Wall cotoneaster | <i>Cotoneaster horizontalis</i> | |
| Green seafingers | | <i>Codium fragile</i> | Water fern | <i>Azolla filiculoides</i> | |
| Himalayan cotoneaster | | <i>Cotoneaster simonsii</i> | Water hyacinth | <i>Eichhornia crassipes</i> | |
| Hollyberry cotoneaster | | <i>Cotoneaster bullatus</i> | Water lettuce | <i>Pistia stratiotes</i> | |



| | | | | |
|---------------------------|-----------|--|----------------|------------------------------|
| Hooked seaweed | asparagus | <i>Asparagopsis armata</i> | Water primrose | <i>Ludwigia grandiflora</i> |
| Hottentot fig | | <i>Carpobrotus edulis</i> | Water primrose | <i>Ludwigia uruguayensis</i> |
| Hybrid knotweed | | <i>Fallopia japonica</i> × <i>Fallopia sachalinensis</i> | Waterweeds | <i>Elodea</i> spp. |
| Indian (Himalayan) balsam | | <i>Impatiens glandulifera</i> | Yellow azalea | <i>Rhododendron luteum</i> |
| Japanese knotweed | | <i>Reynoutria japonica</i> | | |

Protection of Badgers Act 1992

The main legislation protecting badgers in England and Wales is the Protection of Badgers Act 1992 (the 1992 Act). Under the 1992 Act it is an offence to: wilfully kill, injure, take or attempt to kill, injure or take a badger; dig for a badger; interfere with a badger sett by, damaging a sett or any part thereof, destroying a sett, obstructing access to a sett, causing a dog to enter a sett or disturbing a badger while occupying a sett.

The 1992 Act defines a badger sett as: "any structure or place which displays signs indicating current use by a badger"

Natural Environment and Rural Communities Act 2006

Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) of Habitats and Species which are of Principal Importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies including local and regional authorities, in implementing their duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal (e.g. planning) functions. The S41 list includes 65 Habitats of Principal Importance and 1,150 Species of Principal Importance.

Hedgerow Regulations 1997

The Hedgerow Regulations were made under Section 97 of the Environment Act 1995 and came into force in 1997. They introduced new arrangements for local planning authorities in England and Wales to protect important hedgerows in the countryside, by controlling their removal through a system of notification. Important hedgerows are defined by complex assessment criteria, which draw on biodiversity features, historical context and the landscape value of the hedgerow.



Birds of Conservation Concern

This is a review of the status of all birds occurring regularly in the United Kingdom. It is regularly updated and is prepared by leading bird conservation organisations, including the British Trust for Ornithology (BTO), Joint Nature Conservation Committee (JNCC) and The Royal Society for the Protection of Birds (RSPB).

The latest report was produced in 2015 (Eaton *et al*, 2015) and identified 67 red list species, 96 amber species, and 81 green species. The criteria are complex, but generally:

- **Red list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of more than 50% in the last 25 years.
- **Amber list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of between 25% and 50% in the last 25 years. Species that have a UK breeding population of less than 300 or a non-breeding population of less than 900 individuals are also included, together with those whose 50% of the population is localised in 10 sites or fewer and those whose 20% of the European population is found in the UK.
- **Green list** species are all regularly occurring species that do not qualify under any of the red or amber criteria are green listed

Global IUCN Red List

The International Union for Conservation of Nature (IUCN) Threatened Species was devised to provide a list of those species that are most at risk of becoming extinct globally. It provides taxonomic, conservation status and distribution information about threatened taxa around the globe.

The system catalogues threatened species into groups of varying levels of threat, which are: Extinct (EX), Extinct in the Wild (EW), Critically Endangered (CE), Endangered (EN), Vulnerable (VU), Near Threatened (NT), Least Concern (LC), Data Deficient (DD), Not Evaluated (NE). Criteria for designation into each of the categories is complex, and consider several principles.

Local Biodiversity Action Plan (LBAP)

Local Biodiversity Action Plans (LBAP) identify habitat and species conservation priorities at a local level (typically at the County level), and are usually drawn up by a consortium of local Government organisations and conservation charities.

Some LBAP's may also include Habitat Action Plans (HAP) and/or Species Action Plans (SAP), which are used to guide and inform the local decision making process.

Wild Mammals (Protection) Act 1996

This Act offers protects a form of protection to all wild species of mammals, irrespective of other legislation, and focussed on animal welfare, rather than conservation.

Unless covered by one of the exceptions, a person is guilty of an offence if he mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering.

It's application is typically restricted to preventing deliberate harm to wildlife (in general) during construction works etc.

Appendix C – Wildlife Attracting Plant Species

Table D1: Trees, shrubs and climbers

| Common name | Scientific name |
|--------------|------------------------------|
| Bramble | <i>Rubus fruticosus</i> |
| Buddleia | <i>Buddleja sp.</i> |
| Common alder | <i>Alnus glutinosa</i> |
| Dog rose | <i>Rosa canina</i> |
| Elder | <i>Sambucus sp.</i> |
| English oak | <i>Quercus robur</i> |
| Gorse | <i>Ulex sp.</i> |
| Guelder rose | <i>Viburnum opulus</i> |
| Hawthorn | <i>Crataegus sp.</i> |
| Hazel | <i>Corylus sp.</i> |
| Honeysuckle | <i>Lonicera periclymenum</i> |
| Hornbeam | <i>Carpinus sp.</i> |
| Ivy | <i>Hedera sp.</i> |
| Jasmine | <i>Jasminum sp.</i> |
| Rowan | <i>Sorbus sp.</i> |
| Silver birch | <i>Betula pendula</i> |

Table D2: Flowers for borders

| Common name | Scientific name |
|------------------------|----------------------------------|
| Aubretia* | <i>Aubrieta sp.</i> |
| Candytuft* | <i>Iberis sp.</i> |
| Cherry pie* | <i>Heliotropium arborescens</i> |
| Corncockle | <i>Agrostemma githago</i> |
| Cornflower | <i>Centaurea cyanus</i> |
| Corn marigold | <i>Glebionis segetum</i> |
| Corn poppy | <i>Papaver rhoeas</i> |
| Echinacea* | <i>Echinacea sp.</i> |
| English Bluebell | <i>Hyacinthoides non-scripta</i> |
| Evening primrose* | <i>Oenothera sp.</i> |
| Field poppies | <i>Papaver rhoeas</i> |
| Honesty* | <i>Lunaria annua</i> |
| Ice plant 'Pink lady'* | <i>sedum spectabile</i> |
| Knapweed | <i>Centaurea sp.</i> |
| Mallow | <i>Malva sp.</i> |
| Mexican aster* | <i>Cosmos bipinnatus</i> |
| Michaelmas daisy* | <i>Aster novi-belgii</i> |
| Night-scented stock* | <i>Matthiola longipetala</i> |
| Ox-eye daisy | <i>Leucanthemum vulgare</i> |
| Phacelia* | <i>Phacelia tanacetifolia</i> |
| Poached egg plant* | <i>Limnanthes douglasii</i> |

| Common name | Scientific name |
|--------------------|-----------------------------|
| Primrose | <i>Primula vulgaris</i> |
| Red campion | <i>Silene dioica</i> |
| Red valerian* | <i>Centranthus ruber</i> |
| Scabious | <i>Scabiosa sp.</i> |
| St John's wort | <i>Hypericum perforatum</i> |
| Sweet William* | <i>Dianthus barbatus</i> |
| Tobacco plant* | <i>Nicotiana</i> |
| Verbena* | <i>Verbena sp.</i> |
| Wallflowers* | <i>Erysimum sp.</i> |
| Wood forget-me-not | <i>Myosotis sylvatica</i> |
| Yarrow | <i>Achillea millefolium</i> |

Plants marked * are hybrids or exotics

Table D3: Herbs

| Common name | Scientific name |
|-------------------|-------------------------------|
| Angelica | <i>Angelica sp.</i> |
| Bergamot | <i>Monarda sp.</i> |
| Borage | <i>Borago officinalis</i> |
| Coriander | <i>Caroiandrum sp.</i> |
| English marigolds | <i>Calendula officinalis</i> |
| Fennel | <i>Foenicululm sp.</i> |
| Feverfew | <i>Tanacetum parthenium</i> |
| Hyssop | <i>Hyssopus officinalis</i> |
| Lavenders | <i>Lavandula</i> |
| Lemon balm | <i>Melissa officinalis</i> |
| Marjoram | <i>Origanum majorana</i> |
| Rosemary | <i>Rosmarinus officinalis</i> |
| Sweet cicely | <i>Myrrhis odorata</i> |
| Thyme | <i>Thymus vulgaris</i> |

Table D4: Wildflowers for pond edges and marshy areas

| Common name | Scientific name |
|---------------------|------------------------------|
| Bog bean | <i>Menyanthes sp.</i> |
| Bugle | <i>Ajuga sp.</i> |
| Creeping Jenny | <i>Lysimachia nummularia</i> |
| Flag iris | <i>Iris pseudacorus</i> |
| Hemp agrimony | <i>Eupatorium cannabinum</i> |
| Lady's smock | <i>Cardamine pratensis</i> |
| Marsh mallow | <i>Althaea officinalis</i> |
| Marsh marigold | <i>Caltha palustris</i> |
| Marsh woundwort | <i>Stachys palustris</i> |
| Meadowsweet | <i>Filipendula ulmaria</i> |
| Purple loosestrife | <i>Lythrum salicaria</i> |
| Water avens | <i>Geum rivale</i> |
| Water forget-me-not | <i>Myosotis scorpioides</i> |
| Water mint | <i>Mentha citrata</i> |

(Source: 'Encouraging bats – Gardening for bats', Bat Conservation Trust, 2015)



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Appendix 2 - Report to Inform Habitats Regulations Assessment Stage 1



Goodison Park Legacy Project

Report to Inform Habitats Regulations Assessment Stage 1

**For Everton Stadium Development
Limited**

December 2020

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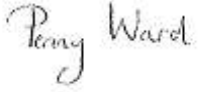

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Appendix C – Consultation

Appendix D – Map Showing Statutory Designated Sites within 10 km

Appendix E – Map Showing Public Open Space within 10km of application site



Glossary

| | |
|---------------------|--|
| ALSE | Assessment of Likely Significant Effects |
| AA | Appropriate Assessment |
| BMD | Bramley-Moore Dock |
| DAS | Discretionary Advice Service |
| Habitat Regulations | Conservation of Habitats and Species Regulations 2017 |
| HRA | Habitats Regulations Assessment |
| JNCC | Joint Nature Conservation Committee |
| LSE(s) | Likely Significant Effect(s) |
| MCIEEM | Member of the Chartered Institute of Ecology & Environmental Management |
| MEAS | Merseyside Environmental Advisory Service |
| Natura 2000 site | A European site designated for its nature conservation value |
| NE | Natural England |
| IAQM | Institute of Air Quality Management |
| PEA | Preliminary Ecological Appraisal |
| SSSI | Site of Special Scientific Interest |
| SAC | Special Area of Conservation |
| SIP | Site Improvement Plan |
| SPA | Special Protection Area |



| Contents | Summary |
|--------------------------------------|--|
| Site Location | <p>The site is situated in the Walton district of Liverpool and is centred at Ordnance Survey Grid Reference SJ 35897 93976.</p> <p>The site currently consists of a football stadium, ancillary buildings and areas of hard standing.</p> |
| Proposals | <p>The development proposals involve the demolition of the existing stadium and associated structures, site clearance and ground preparation works, including removal of hardstanding areas.</p> <p>It is proposed to construct up to 173 residential units, and up to 21,373 square metres of floorspace for community, residential institutions, retail/commercial uses. Car parking, access roads, public realm improvement works and the creation of green spaces are also planned.</p> |
| Existing Site Information | <p>Natural England have provided advice under their Discretionary Advice Service (DAS) which has been reviewed in order to inform this report.</p> |
| Scope of this Assessment | <p>This report assesses the Likely Significant Effects (HRA Stage 1) of the proposed development upon relevant designated Natura 2000 sites, which are:</p> <ul style="list-style-type: none"> • Sefton Coast SAC; • Mersey Narrows & North Wirral Foreshore SPA; • Mersey Estuary SPA; • Liverpool Bay SPA; • Ribble & Alt Estuaries SPA; • Mersey Narrows & North Wirral Foreshore Ramsar; and • Ribble & Alt Estuaries Ramsar. |
| Results of Stage 1: Screening | <p>Stage 1 concluded that likely significant effects upon qualifying features of designated sites, as a result of the construction and operation of the application site, are not anticipated when considered alone and in-combination with other plans and projects.</p> |
| Conclusions | <p>As such, the 'Competent Authority' is considered unlikely to require any further assessment under the Habitats Regulations, and construction and operational phases of the application site for this project will be able to proceed without any adverse effects on the integrity of the internationally designated sites in the wider area.</p> |



1.0 Introduction

1.1 Background

WYG was commissioned by Everton Stadium Development Limited in September 2019 to prepare a report to inform a Habitats Regulations Assessment (HRA), of the site known as Goodison Park, currently used as Everton Football Club's home stadium, hereby referred to as "the application site".

This report has been prepared by WYG Principal Ecologist Phil Preston BSc (Hons) MSc MCIEEM. The conditions pertinent to the report are provided in Appendix A.

1.1.1 Updates for the Revised December 2020 Submission

In response to the revised December 2020 design, and following a number of consultation comments received on the April 2020 submission, this technical report has been reviewed and updated where required as part of the December 2020 planning submission.

Natural England's comments:

"The projects that have been considered within the HRA are set out in Table 13 'Summary of relevant planning applications', and we note that the list of projects relates to those within the Liverpool Waters development scheme area, however wider development projects with the same potential impacts as this development should also be included."

"We note that Liverpool Local Plan (5.2.1) and Wirral Local Plan (5.2.2) have been included within section 5.2 of the assessment however it is not clear how any in-combination impacts associated with these plans have been ruled out, therefore further justification is required."

These comments have been addressed in section 5.1 & 5.2

MEAS comments:

"The shadow HRA concludes that likely significant effects upon qualifying features of designated sites, as a result of the construction and operation of the application site, are not anticipated when considered alone and in-combination with other projects.

Before this conclusion can be accepted and the shadow HRA accepted as the Council's own assessment, I advise that an amendment to the shadow HRA is required.

The shadow HRA states that the application site is located beyond the mean distance travelled from home to the relevant European sites (Liley et al (2017) indicates that this is 5.2km). However, the nearest accessible European sites (Sefton Coast SAC and Ribble and Alt Estuaries SPA and Ramsar sites) can be accessed from the Crosby Lakeside car park (GR 331907, 397371) which is 4.3km from the application site on the road network.



The shadow HRA should therefore be revised prior to determination to take this into account. However, I advise that it is unlikely to affect the overall conclusions of the assessment. "

This comment is addressed in section 4.1

1.2 Site Location

The 'application site' is in the Walton District of Liverpool and is approximately 4km north-east of Liverpool City Centre. The site is centred at Ordnance Survey National Grid Reference SJ 35897 93976.

The application site comprises a football stadium with a capacity to seat up to 39,572 people, ancillary buildings (including turnstile entrances, ticket offices and storage containers) and an area of hard standing in the southern section of the site. The hard standing includes vehicle parking areas, a match day fan zone and a small vehicle access road, off Goodison Road.

The site is bordered by Goodison Road to the west, Spellow Lane to the south-west, Walton Lane to the south, Bullens Road to the east, Gwladys Street to the north and Goodison Place and the Church of St Luke the Evangelist to the north-west.

The area surrounding the site is characterised primarily by residential properties. Stanley Park is situated immediately south of the site but is separated from it by Walton Lane. Anfield Cemetery adjoins Stanley Park to the north-east and is separated from the site boundary by 150 metres.

1.3 Development Proposals

The development proposals involve the demolition of the existing stadium and associated structures, site clearance and ground preparation works, including the removal of hardstanding areas.

They include the construction of up to 173 residential units, and up to 21,373square metres of floorspace for community, residential institutions, retail/commercial uses. Car parking, access roads, public realm improvement works, and the creation of green spaces are also planned.

The redline boundary for the application site and proposed development layout is presented within Appendix B.

Site preparation and enabling works will commence in 2024, and it is anticipated that all phases of development will be operational by 2028.

1.4 Planning status

The application is for outline planning permission, with all matters reserved (Access, Appearance, Layout, Landscaping and Scale).

Everton has submitted an application for full planning permission for a new stadium at Bramley-Moore Dock. Together, the two schemes (redevelopment of Goodison Park and the development of a new stadium at Bramley-Moore Dock) are referred to as 'The People's Project'.



1.5 Requirements for the Habitats Regulations Assessment

The requirement for a Habitats Regulations Assessment (HRA) is established through Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora, hereby referred to as the 'Habitats Directive', in Articles 6(3) and 6(4). The Habitats Directive is transposed into national legislation by the Conservation of Habitats and Species Regulations 2017. These are hereafter referred to as the 'Habitats Regulations'.

Under Regulation 63, any project which is anticipated to have a likely significant effect (LSE) on a European site (either alone or in-combination with other projects) and is not directly connected with, or necessary for the management of the site, must be subject to an HRA to determine the implications for the site in view of its conservation objectives. This LSE is determined during the Stage 1: Screening Assessment of an HRA (see below).

A Stage 2: Appropriate Assessment then needs to be carried out in respect of any plan or project which:

- either alone or in combination with other plans or projects would be likely to have a significant effect on a site designated within the European network; and
- is not directly connected with the management of the site for nature conservation.

The term European site is defined fully in Regulation 8 of the Habitats Regulations and includes:

- Special Areas of Conservation (SACs);
- possible SACs;
- Special Protection Areas (SPAs);
- potential SPAs;
- Wetlands of International Importance designated or proposed for their wetland features under the auspices of the Convention of Wetlands of International Importance (commonly referred to as 'Ramsar sites'); and
- sites identified for Natura 2000 compensatory measures.

The final two categories are afforded the same level of protection as SACs and SPAs as a matter of Government policy, and the assessment provisions of the Habitats Regulations are applied to them (Natural England, 2017).

1.6 Consultation

Natural England (NE), under their Discretionary Advice Service (DAS), provided advice on the 17th June 2017 regarding designated sites in the wider area which should be considered within this assessment.

A second meeting with Natural England and Merseyside Environmental Advisory Service (MEAS) in 2019 confirmed which designated sites to include along with information on potential pathways to LSE.



A third stage of consultation was received from Natural England on 2nd September 2019. This advice note referred to sources of information to assist with the production of this report along with providing guidance on plans to consider in terms of in combination assessment (Liverpool Local Plan (Liverpool City Council, 2018)) and Wirral Core Strategy (Wirral Council, 2012).

In addition, MEAS was consulted in December 2019 in relation to the draft Visitor Management Strategy referred to in their consultation response issued in September 2019 in order to assist with assessing LSEs related to public pressure impacts.

Following submission of the planning application for this project in April 2020 subsequent comments from Natural England and MEAS were received in June 2020.

All consultation received from NE and MEAS is presented within Appendix C.

1.7 Site Selection

In accordance with the DAS provided by NE in 2017 the following designated sites were selected for inclusion in this assessment:

- Sefton Coast SAC;
- Mersey Narrows & North Wirral Foreshore SPA;
- Mersey Estuary SPA;
- Liverpool Bay SPA;
- Ribble & Alt Estuaries SPA;
- Mersey Narrows & North Wirral Foreshore Ramsar; and
- Ribble & Alt Estuaries Ramsar.

In addition to the above, the Mersey Estuary Ramsar site has been included in this assessment because it shares the same boundary as the Mersey Estuary SPA. Advice provided by NE in 2017 indicated that the Dee Estuary SAC and SPA should be considered. However, given the distance of these designated sites from the application site, it was considered unlikely that potential impact pathways would affect these designated sites, reasons for this are summarised as follows; the Dee Estuary SAC / SPA is 16.4 km west from the application site and largely isolated from any impacts by the Wirral Peninsula. It was therefore agreed with consultees that Dee Estuary SAC / SPA could be excluded from consideration within this report due to the absence of functionally linked habitats for the SPA qualifying species.

1.8 Information Used in this Assessment

The potential pathways to LSE were identified following a review of the following documents that are referred to if relevant in the report:

- The qualifying features of SACs and SPAs;
- The conservation objectives for SACs and SPAs;
- The threats to SPAs;
- The Ramsar criteria; and
- Site Improvement Plans for SACs and SPAs.



2.0 Assessment Methodology

The Habitats Directive and Regulations do not specify how assessment should be undertaken. In undertaking this HRA, the process we have adopted is that recommended in official European Council (EC) guidance (EC, 2001). The stages of the HRA process are described below:

- **Stage 1: Screening** – the process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans and considers whether these impacts are likely to be significant. This is also known as an 'assessment of likely significant affects (ALSE)';
- **Stage 2: Appropriate assessment** – the consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in-combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts (in accordance with guidance following the recent decision by the CJEU; *People Over Wind and Sweetman v Coillte Teoranta (C-323/17)* regarding application of embedded mitigation at Stage 1 or Stage 2 of an HRA (Freeths, 2018));
- **Stage 3: Assessment of alternative solutions** – the process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site; and
- **Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain** – an assessment of compensatory measures where, in the light of an assessment of Imperative Reasons of Over-riding Public Interest (IROPI), it is deemed that the project or plan should proceed (it is important to note that this guidance does not deal with the assessment of IROPI).

The Stage 1 Screening Assessment comprises four steps, as described below:

- **Step 1.** Determining whether the project or plan is directly connected with or necessary to the management of the Natura 2000 site(s);
- **Step 2.** Describing the project or plan and the description and characterisation of other projects or plans that in-combination have the potential for having significant effects on the Natura 2000 site(s);
- **Step 3.** Identifying the potential effects on the Natura 2000 site(s); and
- **Step 4.** Assessing the significance of any effects on the Natura 2000 site(s).

3.0 Scope of the Assessment

Projects can cause effects that lead to impacts on sites outside of the development footprint. These can be influenced by site variables such as prevailing wind conditions, surface and groundwater flow direction, which will all have an influence on the relative distance at which an impact can occur.

Additionally, the mobile nature of qualifying species must also be considered. This is because adverse effects on the qualifying species of a site can occur even if they are not present within the site. For

instance, birds may forage in one area but roost at another, but both may not be within a site for which they are designated.

Following consultation with Natural England, six sites were screened into Stage 1 of this report. The details of these sites are provided in Table 1. The locations of these sites in relation to the proposed development site are shown in Appendix D. The details of the sites in Table 1 are provided in Section 3.2 to 3.8.

Table 1: Summary of European Sites Screened in to this Report

| Natura 2000 Site | Area (ha) | Distance (Linear) and direction from site |
|--|-----------|---|
| Sefton Coast SAC | 4591.59 | The application site is located approximately 5.62 km south-east the designated site at its closest point. |
| Liverpool Bay SPA | 252757.73 | The application site is located approximately 2.7 km east from the designated site at its closest point. |
| Mersey Narrows & North Wirral Foreshore SPA & Ramsar | 2078.63 | The application site is located approximately 4.04 km east from the designated site at its closest point. |
| Mersey Estuary SPA & Ramsar | 5023.35 | The application site is located approximately 7.60 km north from the designated site at its closest point. |
| Ribble & Alt Estuaries SPA | 12447.14 | The application site is located approximately 5.62 km south-east from the designated site at its closest point. |
| Ribble & Alt Estuaries Ramsar | 13488.48 | The application site is located approximately 5.62 km south-east from the designated site at its closest point. |

3.1 Sefton Coast SAC

The Sefton Coast SAC lies 5.62km north-west of the application site on the coast of Lancashire and Sefton in northwest England. The SAC encompasses all or parts of Ribble Estuary SSSI and Sefton Coast SSSI. It comprises two estuaries, of which the Ribble is by far the larger, together with an extensive area of sandy foreshore along the Sefton Coast, and forms part of the chain of west coast SPAs that fringe the Irish Sea.

The qualifying species for the site are shown in Table 2, which presents information on the qualifying features.

Table 2: Summary of Qualifying Features of the Designated Site (JNCC, 2005).

| Reason for selection | Qualifying feature |
|---|---|
| Annex I habitats that are a primary reason for selection of this site | Embryonic Shifting Dunes Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes') |

| | |
|--|--|
| | Fixed dunes with herbaceous vegetation ('grey dunes') Dunes with <i>Salix repens ssp. argentea</i> <i>Salicion arenariae</i> Humid dune slacks |
| Annex I habitats, present as a qualifying feature, but not a primary reason for selection of this site | Atlantic decalcified fixed dunes <i>Calluno-Ulicetea</i> |
| Annex II species that are a primary reason for selection of this site | Petalwort <i>Petalophyllum ralfsi</i> |
| Annex II species, present as a qualifying feature, but not a primary reason for site selection | Great crested newt <i>Triturus cristatus</i> |

The conservation objectives of the Sefton Coast SAC are as follows (Natural England, 2019c):

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- *The extent and distribution of qualifying natural habitats and habitats of qualifying species*
- *The structure and function (including typical species) of qualifying natural habitats*
- *The structure and function of the habitats of qualifying species*
- *The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely*
- *The populations of qualifying species, and,*
- *The distribution of qualifying species within the site.*

A list of relevant pressures and threats to Sefton Coast SAC as presented within the SIP (Natural England, 2014b) for the designated site is presented in table 3.

Table 3: Summary of Pressures and Threats Associated with Ribble and Alt Estuaries SPA

| Description | Pressure / Threat |
|--|-------------------|
| Coastal squeeze | Threat |
| Air Pollution: Impact of atmospheric nitrogen deposition | Threat |
| Inappropriate scrub control | Pressure / Threat |
| Invasive species | Threat |
| Hydrological changes | Threat |
| Public Access/Disturbance | Threat |

| Description | Pressure / Threat |
|---|-------------------|
| Inappropriate coastal management | Pressure |
| Shooting / scaring | Pressure |
| Invasive species | Pressure / Threat |
| Feature location / extent / condition unknown | Pressure |

3.2 Liverpool Bay SPA

Liverpool Bay is located 2.7 km west of the application site, on the northwest coast of England stretching from the east coast of Anglesey along the coastline up to Morecambe Bay. The site comprises marine areas, sea inlets, tidal rivers, estuaries, mud flats, sand flats and lagoons.

The qualifying species for the site are shown in Table 4, which presents information on the qualifying features.

Table 4: Summary of Qualifying Features of the Designated Site (Lawson et al. 2016)

| Qualifying feature | Description |
|--|---|
| It is used regularly by 1% or more of the Great Britain populations of a number of species listed in Annex I in any season. | <p>Red-throated diver, <i>Gavia stellata</i>, 6.89% of the GB population (5-year peak mean 2004/05 - 2010/11), 1,171 individuals</p> <p>Little gull, <i>Hydrocoloeus minutus</i>, (wintering) (5-year peak mean 2004/05 - 2010/11), 319 individuals</p> <p>Little tern, <i>Sternula albifrons</i>, (breeding) 6.84% of the GB population 5-year mean 2010 – 2014), 130 pairs (260 individuals)</p> <p>Common tern, <i>Sterna hirundo</i>, (breeding) 1.80% of the GB population 5-year mean 2011 – 2015), 180 pairs (360 individuals)</p> |
| It is used regularly by 1% or more of the biogeographical populations of a number of regularly occurring migratory species (other than those listed in Annex I) in any season. | Common scoter, <i>Melanitta nigra</i> , 10.31% of the NW European population regularly occurring migrant (5-year mean of peaks 2004/05 - 2010/11), 56,679 individuals |
| An internationally important assemblage of birds in the non-breeding season. | Over winter the area regularly supports: 69,687 water birds (5-year peak mean 2004/05 - 2010/11) |

The conservation objectives of the Liverpool Bay SPA are as follows (Natural England, 2019c):

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- *The extent and distribution of the habitats of the qualifying features*
- *The structure and function of the habitats of the qualifying features*
- *The supporting processes on which the habitats of the qualifying features rely*
- *The population of each of the qualifying features, and,*
- *The distribution of the qualifying features within the site.*

A list of relevant pressures and threats to the Liverpool Bay SPA as presented within the Site Improvement Plan (SIP) (Natural England, 2015a) for the designated site is presented in Table 5.

Table 5: Summary of Pressures and Threats Associated with Liverpool Bay SPA

| Description | Pressure / Threat or? |
|--|-----------------------|
| Fisheries: Commercial marine and estuarine | Pressure |
| Transportation and service corridors | Threat |
| Fisheries: Recreational marine and estuarine | Threat |
| Extraction: Non-living resources | Threat |
| Siltation | Threat |
| Water Pollution | Threat |

3.3 Mersey Narrows & North Wirral Foreshore SPA

Mersey Narrows and North Wirral Foreshore is located 4.04 km west of the application site, on the northwest coast of England at the mouths of the Mersey and Dee estuaries. The site comprises intertidal habitats at Egremont foreshore, man-made lagoons at Seaforth and the extensive intertidal flats at North Wirral Foreshore.

Egremont is most important as a feeding habitat for waders at low tide whilst Seaforth is primarily a high tide roost site, as well as a nesting site for terns. North Wirral Foreshore supports large numbers of feeding waders at low tide and also includes important high tide roost sites. The qualifying species for the site are shown in table 6, which presents information on the qualifying features.

Table 6: Summary of Qualifying Features of the Designated Site (JNCC, 2015)

| Qualifying feature | Description |
|--|---|
| It is used regularly by 1% or more of the Great Britain populations of a number of species listed in Annex I in any season. | <p>Bar-tailed godwit <i>Limosa lapponica</i>, (5.5% of the GB population 5-year peak mean 2004/05 - 2008/09), 3,344 individuals</p> <p>Common tern, 213 individuals – non-breeding (2004/05 – 2008/09)</p> <p>On passage the area regularly supports:</p> <p>Little gull: 213 individuals (no national population estimate)</p> <p>Common tern: 1,475 individuals (no national population estimate)</p> <p>In the breeding season the area regularly supports:</p> <p>Common tern: 1.8% of the GB population (2005-2009), 177 pairs (354 individuals)</p> |
| It is used regularly by 1% or more of the biogeographical populations of a number of regularly occurring migratory species (other than those listed in Annex I) in any season. | <p>Red knot <i>Calidris canutus islandica</i> (2.4% W Europe/Waddensea/Britain/Ireland population 5-year peak mean (2004/05 - 2008/09)), 10,655 individuals</p> |
| An internationally important assemblage of birds in the non-breeding season. | <p>32,366 individual waterbirds (5-year peak mean 2004/05 - 2008/09)</p> |

The conservation objectives of the Mersey Narrows & North Wirral Foreshore SPA are as follows (Natural England, 2014a):

“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features*
- The structure and function of the habitats of the qualifying features*
- The supporting processes on which the habitats of the qualifying features rely*
- The population of each of the qualifying features, and,*
- The distribution of the qualifying features within the site.”*

A list of relevant pressures and threats to the Mersey Narrows and North Wirral Foreshore SPA as presented within the Site Improvement Plan (SIP) (Natural England, 2015b) for the designated site is presented in table 7.



Table 7: Summary of Pressures and Threats Associated with Mersey Narrows and North Wirral Foreshore SPA

| Description | Pressure / Threat or? |
|--|-----------------------|
| Public Access / Disturbance | Pressure / Threat |
| Changes in species distributions | Pressure |
| Invasive species | Pressure / Threat |
| Climate change | Pressure / Threat |
| Coastal squeeze | Pressure / Threat |
| Inappropriate scrub control | Pressure |
| Water Pollution | Pressure / Threat |
| Fisheries: Commercial marine and estuarine | Pressure / Threat |
| Inappropriate coastal management | Pressure / Threat |
| Overgrazing | Pressure / Threat |
| Direct impact from third party | Threat |
| Marine litter | Pressure / Threat |
| Predation | Threat |
| Planning Permission: General | Threat |
| Marine consents and permits | Threat |
| Wildfire/ arson | Threat |
| Air Pollution: impact of atmospheric nitrogen deposition | Pressure |
| Transportation and service corridors | Threat |
| Physical modification | Pressure / Threat |

3.4 Ribble & Alt Estuaries SPA

The Ribble and Alt Estuaries SPA lies 5.62 km north-west of the application site, on the coast of Lancashire and Sefton in northwest England. The SPA encompasses all or parts of Ribble Estuary SSSI and Sefton Coast SSSI. It comprises two estuaries, of which the Ribble is by far the larger, together with an extensive area of sandy foreshore along the Sefton Coast, and forms part of the chain of west coast SPAs that fringe the Irish Sea. There is considerable interchange in the movements of birds between this site and Morecambe Bay, Mersey Estuary, Dee Estuary and Martin Mere.

A large proportion of the SPA is within the Ribble Estuary National Nature Reserve. The site consists of extensive areas of sand and mudflats and, particularly in the Ribble, large areas of saltmarsh. There are also areas of coastal grazing marsh. The intertidal flats are rich in invertebrates on which waders and some wildfowl feed. The highest densities of feeding birds are on the muddier substrates of the Ribble, though sandy shores throughout are also used. Saltmarshes and coastal grazing

marshes support high densities of wildfowl and these, together with intertidal sand and mudflats throughout, are used as high tide roosts.

The site supports internationally important populations of waterbirds in winter, including swans, geese, ducks and waders. It is also of major importance during migration periods, especially for wader populations moving along the west coast of Britain. The larger expanses of saltmarsh and areas of coastal grazing marsh support breeding birds, including large concentrations of gulls and terns. These seabirds feed both offshore and inland, outside the SPA. Several species of waterfowl (notably Pink-footed Goose *Anser brachyrhynchus*) use feeding areas on agricultural land outside the SPA boundary.

Table 8 presents information on the qualifying features.

Table 8: Summary of qualifying features of the designated site (Programme Officer, 2015)

| Qualifying feature | Description |
|---|--|
| It is used regularly by 1% or more of the Great Britain populations of a number of species listed in Annex I in any season. | <p>Ruff <i>Philomachus pugnax</i> (Western Africa - wintering), 1 nest, 9.1% of the GB breeding population Count as at late 1980s</p> <p>Common tern (Northern/Eastern Europe - breeding), 182 pairs (264 individuals), 1.5% of the GB breeding population Count as at 1996</p> <p>Tundra swan <i>Cygnus columbianus bewickii</i> (Western Siberia/North-eastern & North-western Europe), 276 individuals, 3.9% of the GB population 5-year peak mean 1993/94 - 1997/98</p> <p>Whooper swan <i>Cygnus cygnus</i> (Iceland/UK/Ireland), 182 individuals, 3.3% of the GB population 5-year peak mean 1993/94 - 1997/98</p> <p>Bar-tailed godwit (Western Palearctic - wintering), 20,086 individuals, 37.9% of the GB population 5-year peak mean 1993/94 - 1997/98</p> <p>Golden plover <i>Pluvialis apricaria</i> [North-western Europe - breeding], 3,598 individuals, 1.4% of the GB population 5-year peak mean 1993/94 - 1997/98</p> |
| It is used regularly by 1% or more of the biogeographical populations of a number of regularly occurring migratory species (other than those listed in Annex I) in any season | <p>Lesser black-backed gull (Western Europe/Mediterranean/Western Africa), 1,800 pairs (3,600 individuals), 1.5% of the breeding population Count as at 1993</p> <p>Over winter the area regularly supports:</p> <p>Northern pintail <i>Anas acuta</i> (North-western Europe), 2,731 individuals 4.6% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>Teal <i>Anas crecca</i> (North-western Europe), 7,157 individuals, 1.8% of the population 5-year peak mean 1993/94 - 1997/98</p> |



| Qualifying feature | Description |
|--|---|
| | <p>Teal <i>Anas penelope</i> (Western Siberia/North-western/North-eastern Europe), 85,259 individuals, 6.8% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>Pink-footed goose <i>Anser brachyrhynchus</i> (Eastern Greenland/Iceland/UK), 11,764 individuals, 5.2% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>Sanderling <i>Calidris alba</i> (Eastern Atlantic/Western & Southern Africa - wintering), 2,882 individuals, 2.9% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>Dunlin (Northern Siberia/Europe/Western Africa), 39,376 individuals, 2.8% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>Red knot (North-eastern Canada/Greenland/Iceland/North-western Europe), 68,922 individuals, 19.7% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>Oystercatcher (Europe & Northern/Western Africa), 18,535 individuals, 2.1% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>Black-tailed godwit (Iceland - breeding), 1,273 individuals, 1.8% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>Grey plover (Eastern Atlantic - wintering), 9,355 individuals, 6.2% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>Common shelduck <i>Tadorna tadorna</i> (North-western Europe), 4,925 individuals, 1.6% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>Common redshank <i>Tringa totanus</i> (Eastern Atlantic - wintering), 2,505 individuals, 1.7% of the population 5-year peak mean 1993/94 - 1997/98</p> <p>On passage the area regularly supports:</p> <p>Sanderling (Eastern Atlantic/Western & Southern Africa - wintering), 6,535 individuals, 6.5% of the population 5-year peak mean 1993 - 1997</p> <p>Ringed plover <i>Charadrius hiaticula</i> (Europe/Northern Africa - wintering), 1,657 individuals, 3.3% of the population 5-year peak mean 1993 - 1997</p> |
| An internationally important assemblage of birds in the non-breeding season. | 323,861 individual waterbirds (5 year peak mean 1993/94 - 1997/98) |
| It is used regularly by over 20,000 seabirds in any season | 29,236 individual seabirds (count period ongoing) |

The conservation objectives of the Ribble & Alt Estuaries SPA are as follows (Natural England, 2019a):

“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- *The extent and distribution of the habitats of the qualifying features*
- *The structure and function of the habitats of the qualifying features*
- *The supporting processes on which the habitats of the qualifying features rely*
- *The population of each of the qualifying features, and,*
- *The distribution of the qualifying features within the site.”*

A list of relevant pressures and threats to the Ribble and Alt Estuaries SPA as presented within the SIP (Natural England, 2014b) for the designated site is presented in table 9.

Table 9: Summary of Pressures and Threats Associated with Ribble and Alt Estuaries SPA

| Description | Pressure / Threat |
|--|-------------------|
| Coastal squeeze | Threat |
| Air Pollution: impact of atmospheric nitrogen deposition | Threat |
| Inappropriate scrub control | Pressure / Threat |
| Invasive species | Threat |
| Hydrological changes | Threat |
| Public Access/Disturbance | Threat |
| Inappropriate coastal management | Pressure |
| Shooting / scaring | Pressure |
| Invasive species | Pressure / Threat |
| Feature location / extent / condition unknown | Pressure |

3.5 Mersey Estuary SPA

The Mersey Estuary is 7.6 km south of the application site, on the Irish Sea coast of north-west England. The SPA encompasses all or parts of Mersey Estuary SSSI and New Ferry SSSI. It is a large, sheltered estuary which comprises large areas of saltmarsh and extensive intertidal sand and mudflats, with limited areas of brackish marsh, rocky shoreline and boulder clay cliffs, within a rural and industrial environment. The intertidal flats and saltmarshes provide feeding and roosting sites for large and internationally important populations of waterfowl. During the winter, the site is of major importance for duck and waders. The site is also important during spring and autumn migration periods, particularly for wader populations moving along the west coast of Britain.

Table 10 presents information on the qualifying features.

Table 10: Summary of qualifying features of the designated site

| Qualifying feature | Description |
|---|---|
| It is used regularly by 1% or more of the Great Britain populations of a number of species listed in Annex I in any season. | Golden plover (North-western Europe – breeding), 3,040 individuals , 1.2% of the GB population 5-year peak mean, 1993/94 -1997/98 |
| It is used regularly by 1% or more of the biogeographical populations of a number of regularly occurring migratory species (other than those listed in Annex I) in any season | <p>Northern pintail (North-western Europe), 1,169 individuals, 1.9% of the population 5-year peak mean, 1993/94 -1997/98</p> <p>Teal (North-western Europe), 11,723 individuals, 2.9% of the population 5-year peak mean, 1993/94 -1997/98</p> <p>Wigeon, (Western Siberia/North-western/North-eastern Europe), 11,886 individuals, 4.2% of the population in Great Britain 5-year peak mean, 1993/94- 1997/98</p> <p>Dunlin, (Northern Siberia/Europe/Western Africa), 48,789 individuals 3.6% of the Population 5-year peak mean, 1993/94-1997/98</p> <p>Black-tailed godwit, (Iceland - breeding), 976 individuals, 1.6% of the population 5-year peak mean, 1993/94-1997/98</p> <p>Curlew, (Europe - breeding), 1,300 individuals, 1.1% of the population in Great Britain 5-year peak mean, 1993/94-1997/98</p> <p>Grey plover, (Eastern Atlantic - wintering), 3,040 individuals, 2.3% of the population in Great Britain 5-year peak mean, 1993/94-1997/98</p> <p>Great crested grebe (North-western Europe - wintering), 136 individuals, 1.4% of the population in Great Britain 5-year peak mean, 1993/94-1997/98</p> <p>Shelduck, (North-western Europe), 6,476 individuals, 2.2% of the population 5-year peak mean, 1993/94-1997/98</p> <p>Redshank, (Eastern Atlantic - wintering), 4,513 individuals, 2.8% of the population 5-year peak mean, 1993/94-1997/98</p> <p>Lapwing, (Europe - breeding), 10,544 individuals, 0.7% of the population in Great Britain 5-year peak mean, 1993/94-1997/98</p> <p>On passage the area regularly supports:</p> <p>Ringed plover, (Europe/Northern Africa - wintering), 505 individuals, 1.7% of the population in Great Britain 5-year peak mean, 1993-1997</p> <p>Redshank, (Eastern Atlantic - wintering), 4,513 individuals, 3.8% of the population 5-year peak mean, 1993-1997</p> |

The conservation objectives of the Mersey Estuary SPA are as follows (NE, 2019b):

“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- *The extent and distribution of the habitats of the qualifying features*
- *The structure and function of the habitats of the qualifying features*
- *The supporting processes on which the habitats of the qualifying features rely*
- *The population of each of the qualifying features, and,*
- *The distribution of the qualifying features within the site.”*

A list of relevant pressures and threats to the Mersey Estuary SPA as presented within the SIP for the designated site are presented in table 11.

Table 11: Summary of Pressures and Threats Associated with Mersey Estuary SPA

| Description | Pressure / Threat |
|--------------------------------------|-------------------|
| Changes in species distributions | Pressure |
| Invasive species | Pressure / Threat |
| Public Pressure Access / Disturbance | Pressure |

3.6 Mersey Narrows & North Wirral Ramsar

The site located 4.04 km west of the application site, comprises intertidal habitats at Egremont foreshore on the south bank of the Mersey, man-made saline and freshwater lagoons at Seaforth on the north bank and the extensive intertidal flats at North Wirral Foreshore. Egremont is most important as a feeding habitat for waders at low tide whilst Seaforth is primarily a high tide roost site. The two areas are separated by approximately 2 km and have a constant exchange of bird populations. North Wirral Foreshore supports large numbers of feeding waders at low tide and includes important high tide roost sites, it is an area of intertidal sands and mudflats with embryonic saltmarsh.

The Mersey Narrows & North Wirral Ramsar site fulfils three criteria that identify it as a wetland of international importance (JNCC, 2013). These are:

- **Criterion 4** – It regularly supports plant and / or animal species at a critical stage in their life cycles or provides refuge during adverse conditions.
- **Criterion 5** – It regularly supports 20,000 or more waterbirds: During the winters 2004/05 - 2008/09, the Mersey Narrows and North Wirral Foreshore Ramsar site supported an average peak of 32,402 individual waterbirds.
- **Criterion 6** – It regularly supports 1% of the individuals in the populations of the following species waterbird in any season: knot and bar-tailed godwits



3.7 Ribble & Alt Estuaries Ramsar

A large area located 5.62 km north-west of the application site, including two estuaries which form part of the chain of west coast sites which fringe the Irish Sea. The site is formed by extensive sand and mudflats backed, in the north, by the saltmarsh of the Ribble Estuary and, to the south, the sand dunes of the Sefton Coast. The tidal flats and saltmarsh support internationally important populations of waterfowl in winter and the sand dunes support vegetation communities and amphibian populations of international importance.

The Ribble & Alt Estuaries Ramsar site fulfils three criteria that identify it as a wetland of international importance (JNCC, 2008a), these are:

- **Criterion 2** – Site supports up to 40% of the Great Britain population of natterjack toads *Bufo calamita* and plant species: petalwort *Petalophyllum ralfsii* (Conservation status: European Red List: Vulnerable; EC Habitats Directive: Annex II)
- **Criterion 5** – Assemblages of international importance: Species with peak counts in winter: 222,038 waterfowl (5-year peak mean 1998/99-2002/2003)
- **Criterion 6** – Species / populations occurring at levels of international importance. Qualifying Species/populations (as identified at designation): black-tailed godwit, common redshank, dunlin, grey plover, red knot, ringed plover, sanderling, bar-tailed godwit, oystercatcher, teal, wigeon, northern pintail, pink-footed goose, tundra swan and whooper swan.

3.8 Mersey Estuary Ramsar

The Mersey is a large, sheltered estuary located 7.60 km south of the application site, which comprises large areas of saltmarsh and extensive intertidal sand and mudflats, with limited areas of brackish marsh, rocky shoreline and boulder clay cliffs, within a rural and industrial environment. The intertidal flats and saltmarshes provide feeding and roosting sites for large and internationally important populations of waterfowl. During the winter, the site is of major importance for duck and waders. The site is also important during spring and autumn migration periods, particularly for wader populations moving along the west coast of Britain.

The Mersey Estuary Ramsar site fulfils two criteria that identify it as a wetland of international importance (JNCC, 2008b). These are:

- **Criterion 5** – Assemblages of international importance. Species with peak counts in winter: 89,576 waterfowl (5-year peak mean 1998/99-2002/2003)
- **Criterion 6** – Species / populations occurring at levels of international importance. These species include common shelduck, black-tailed godwit, common redshank, teal, northern pintail and dunlin.



4.0 Stage 1: Screening

4.1 Identification of Potential Pathways to LSE on European Site(s)

This section identifies potential pathways to LSE as a result of the construction and operation of the proposed development. These were identified following a review of the Conservation Objectives, Supplementary Advice Documents and Site Improvement Plans (SIPs) for each of the European sites screened into Stage 1. Based on this review, the following pathways were identified:

Construction Phase

- Habitat loss within the designated sites;
- Habitat loss within functional habitat beyond the boundary of the designated sites;
- Habitat degradation – air quality and dust deposition;
- Habitat degradation - water quality impacts as a result of pollution events;
- Disturbance of qualifying features – visual and auditory disturbance.

Operation Phase

- Habitat degradation - as a result of increased visitor numbers causing trampling effects;
- Disturbance to qualifying bird species – visual/human presence;
- Disturbance of qualifying features – auditory disturbance;
- Disturbance of qualifying features – lighting effects;
- Habitat degradation – air pollution;
- Loss of qualifying features - potential bird strike.

The European sites that these potential pathways could act upon and the mechanisms by which they could occur are provided in Table 12. This includes whether these require Appropriate Assessment at Stage 2.

4.1.1 Assessment of Likely Significant Effects

Table 12 indicates the aspects of the proposed development that could in theory create adverse effects on the qualifying features of the above designated sites in isolation. In addition, to direct and indirect effects of the proposed development upon qualifying features of relevant designated sites, potential effects upon habitats which support qualifying features are also discussed in this assessment.

Table 12: Assessment of Likely Significant Effects

| Impact Pathway | Assessment | Appropriate Assessment Required at Stage 2 |
|--|--|--|
| Construction phase (enabling and construction works) | | |
| Habitat loss within the designated sites | The application site lies a minimum of 2.7 km from designated site boundaries. Construction works will therefore not result in a direct loss of habitat associated with these designated sites. Therefore, no LSE is anticipated as a result of this impact pathway. | No |
| Habitat loss within functional habitat beyond the boundary of the designated sites | The application site currently consists of an operational football stadium comprising hard standing, intensively managed amenity grassland (the existing pitch) and built structures (WYG 2019) within the urban context of North Liverpool. Habitats associated with the application site are therefore not considered to form functionally linked habitat for qualifying features supported by the above designated sites. Construction works will therefore not result in a loss of functionally linked habitat associated with these designated sites. Therefore, no LSE is anticipated as a result of this impact pathway. | No |
| Habitat degradation – air quality & dust deposition | Guidance on the Assessment of the Impacts of Construction on Air Quality and the Determination of their Significance December 2011 (IAQM, 2011) has been produced in relation to ecological receptors. This states that the effects of construction related air pollution only require detailed assessment when sensitive receptors (such as the designated site included within this assessment) are located within a maximum of 500 m from construction works. In addition, guidance provided by IAQM (2014) states that the effects of fugitive dust would be limited to within 50 m of sources. All designated sites are located beyond the buffer zones from the application site as depicted by the above IAQM guidance documents. As a result, no adverse effects upon such sites as a result of construction phase of works are considered likely. Therefore, no LSE is anticipated as a result of this impact pathway. | No |
| Habitat degradation - as a result of pollution events | The application site lies a minimum of 2.7km from designated site boundaries. In addition, OS mapping indicates that there are no known hydrological links connecting the application site and designated sites. It is therefore considered that the construction phase of the application site will not result in degradation of habitats as a result of pollution events. Therefore, no LSE is anticipated as a result of this impact pathway. | No |
| Disturbance of qualifying features – visual and auditory disturbance. | Construction is anticipated to take place from the third quarter of 2024 until 2028. Such works will coincide with times of year when bird species which form qualifying features of designated sites are likely to be present. However, given the lack of suitable habitat within the application site and the distance from the application site to designated sites combined with the urban context of the application site within North Liverpool, it is considered that the construction phase will not result in any auditory or visual disturbance to qualifying features associated with the designated sites. Therefore, no LSE is anticipated as a result of this impact pathway. | No |
| Operational phase | | |
| Habitat degradation as a result of <ul style="list-style-type: none"> increased visitor numbers causing trampling effects; and disturbance to bird species, (including walking of dogs). | The SIP for Liverpool Bay indicates that this designated site is not susceptible to public recreational pressure. This is because this site is a marine SPA and therefore not subject to public access. It is noted that the Liverpool Docks area may form functionally linked habitat for qualifying species of the designated sites (NEBS, WYG 2018). However, terrestrial areas of the docks are comprised of hard standing which is not susceptible to trampling. It is considered that occasional visits to localised tourist attractions within the dock may increase visitor numbers to areas utilised by qualifying features. However, species most likely to be encountered in such areas (cormorant) are relatively tolerant of disturbance and are likely to be accustomed to the presence of the public. It is therefore considered unlikely that the effects of increased public pressure will adversely affect the favourable conservation status of qualifying features of this designated site. Therefore, although the application site is located within 10km of this designated site this impact pathway is screened out as LSEs are not anticipated. Public access/disturbance is listed as a pressure within SIPs for the Ribble & Alt Estuaries SPA, Mersey Estuary SPA and Mersey Narrows and North Wirral Foreshore SPA and Sefton Coast SAC. Such pressures are considered to also apply to the corresponding Ramsar site for each of the above, this pressure is discussed further in relation to these sites. Assuming an occupation of 2.4 people (Office for National Statistics 2017) per residential property (total number of properties = 173 units) within the operational application site, the potential local population will increase by 415 people. This assumes that all residents occupying the new development will migrate into the local area from surrounding regions. | No |



| | | |
|--|---|--|
| | <p>The office for National Statistics (https://www.nomisweb.co.uk/reports/lmp/lep/1925185554/report.aspx#tabrespop) indicates that the population of the Liverpool City Region is comprised of approximately 1,551,500 people. Therefore, based on the above it is anticipated that the population will increase by 0.03%. It is recognised, however, that occupancy of the application site is highly unlikely to comprise entirely of new residents to the Liverpool City Region and will partially comprise residents that move to this area from within Liverpool City Region. In reality, therefore, that occupation of this development may not significantly contribute to population rise in the Liverpool City Region. In addition, the Department for Transport statistics document (DfT 2017) indicates that approximately 48% of the UK population walk for leisure purposes. Applying this statistic to the potential population of the application site indicates that an average of approximately 199 residents of the application site (0.01% of the population of the Liverpool City Region) are likely to visit outdoor spaces for leisure and recreation purposes.</p> <p>Natural England's Accessible Natural Greenspace Standard (Natural England 2018) (http://webarchive.nationalarchives.gov.uk/20140605111422/http://www.naturalengland.org.uk/regions/east_of_england/ourwork/gi/accessiblenaturalgreenspacestandardangst.aspx), indicates that people are prepared to travel the following distances to accessible natural greenspace of differing sizes:</p> <ul style="list-style-type: none"> • At least 2ha in size, no more than 300m (5 minute walk) • At least 20 ha in size, no more than 2 km • At least 100ha in size, no more than 5 km • At least 500ha in size, no more than 10 km <p>However, visitor survey information presented within "<i>Recreational activity and interactions with birds within the SSSIs on the North-West coast of England</i>" (Liley et al 2017) indicates that visitors to the relevant designated sites travel a maximum of 5.2km from home.</p> <p>All of the designated sites included within this assessment exceed 500ha and are within 10km of the application site, although all extend a significant distance beyond this. It should however be noted that there are no public rights of way connecting the application site to designated sites and at a minimum distance of 4.3km (by road) from the application site, it is considered unlikely that these sites would be accessed by foot. Access by car is most likely. The closest car parks for relevant designated sites are located at Crosby Lakeside car park (located approximately 625m from Sefton Coast SAC and 4.3km from the application site). The next closest accessible car parks are located approximately 7km from the application site through the local road network and are therefore considered to be the only relevant access points (as all other car parks recorded on OS mapping are located over 10km from the application site). However, a total of 534 public open spaces (including playing fields, play spaces country parks and Local Wildlife Parks are present within 10km of the application site providing a total of 2,298ha of land available for recreational purposes (Location of all public spaces and distances for all from the application site are presented in Appendix E). Of the 534 public open spaces the following are present between the application site and Ribble & Alt estuaries SPA/Ramsar, Mersey Narrows and foreshore SPA/Ramsar, Mersey Estuary SPA/Ramsar and Sefton coast SAC (location in relation to the application site is shown in Appendix E):</p> <ul style="list-style-type: none"> • Stanley Park (35ha) – Adjacent site • Melrose Cutting Local Wildlife Site (4.37ha) – 0.8km west • Walton Hall park (52.1ha) - distance via road/footpath – 1.2km northeast • Leeds and Liverpool Canal Local Wildlife Site (8.59ha) – 1.4km southwest • Loop Line Local Wildlife Site (47.16ha) – 1.8km north east • Everton park (5ha)- distance via road/footpath – 2.4km southwest • Bootle South recreational ground (9.6ha), distance via road/footpath – 2.4km northwest • Rupert Lane Recreational Grid (15.9ha) - distance via road/footpath – 2.7km south • North park (7.5ha) - distance via road/footpath – 3.5km northwest • Chavase Park (1ha)- distance via road/footpath – 4.5km southwest • Hatton Hill Park (4.2ha) - distance via road/footpath – 4.9km northwest • Rimrose Valley Country Park (106ha) – distance via road/footpath – 5.4km northwest • Brookvale recreational ground (6.5ha)– distance via road/footpath – 5.7km northwest • Croxteth Hall and Country Park (221ha) - distance via road/footpath – 5.7km east • Wood Henge Princes Park (19.7ha) – distance via road/footpath - 6.2km south • Sefton Park (94.4ha)– distance via road/footpath – 6.7km south • Marine Lake water body (and paths) (56.9ha) distance via road/footpath – 7.2km northwest • Festival Gardens (32.5ha) - distance via road/footpath – 7.5km (closest car park) south <p>There is no known use of the above parks by qualifying features of the aforementioned designated sites. Furthermore, the parks form unsuitable habitat for qualifying features.</p> <p>In addition to this, the illustrative masterplan for the application site incorporates an area of open green space within the redline boundary of the site that can be used for local recreational purposes such as dog walking.</p> | |
|--|---|--|



| | | |
|--|---|----|
| | <p>The application site is located beyond the mean distance travelled from home to relevant designated sites (with the exception of Sefton Coast) by visitors, combined with numerous areas of existing alternative natural green space (i.e. public open space within 10km of the application site) it is considered unlikely that the potential population increase associated with the application site would result in significant increase in visitor numbers to designated sites. It is noted that Sefton Coast SAC is accessible via Crosby Lake Car Park (located 4.3km from the application site). However, the distance from the car park to the designated site is approximately 625m making the total distance to travel from the application site 4.925km which is within (but very close to) the maximum distance travelled by visitors. It is however, noted that there are a number of other attractions associated with Crosby lake Car Park (Crosby coastal park, a boating lake, Crosby Lakeside Adventure Centre and the Marine Garden (with associated walkways) which visitors to this car park may visit in preference to the SAC. It is also noted that the SAC is within the maximum likely distance for visitors to travel, this does not mean that all residents of the application site will regularly visit the Sefton Coast SAC. Given the likely percentage population rise associated with the proposed development along with the presence of the above alternative public open spaces it is considered unlikely that the operational application site will adversely affect the conservation status of qualifying features of the Sefton Coast SAC.</p> <p>It is therefore considered that operation of the application site is unlikely to result in degradation of habitats (which form or support qualifying features) as a result of visitor pressure, or cause disturbance to species which form qualifying features of the designated sites (either within or outside the designated sites).</p> <p>Therefore, no LSE is anticipated as a result of this impact pathway</p> | |
| Disturbance of qualifying features – visual (including lighting) and auditory disturbance. | <p>The operational site will involve an increase in the local population and by default an increase in local activities (i.e. people commuting to/from the site). However, given the distance from the application site to designated sites combined with the urban context of the application site within North Liverpool it is considered that the operational phase will not result in any auditory or visual disturbance to qualifying features associated with the designated sites.</p> <p>Therefore, no LSE is anticipated as a result of this impact pathway.</p> | No |
| Disturbance of qualifying features – lighting effects. | <p>The operational site will involve the use of external lighting. However, the application site is largely screened from designated sites by existing housing development. While it is recognised that the operational site will feature buildings of greater height than the surrounding terraced houses it is considered that these features of the application site will not feature any significant external lighting.</p> <p>Any light omitted from taller buildings is considered unlikely to cause disturbance to qualifying features of the designated sites given the distance (min 2.7km, max 7.6km) to the application site. Furthermore, there is no functionally linked habitat between the application site and designated sites, and it is therefore unlikely that qualifying features are present within the locality of the application site. It is therefore highly unlikely that the operational site will cause any disturbance to bird species which form qualifying features of the designated sites.</p> <p>Therefore, no LSE is anticipated as a result of this impact pathway.</p> | No |
| Habitat degradation – air pollution | <p>The air quality chapter produced for the Environmental Statement (ES) for the proposed development at Goodison Park application site (WYG, 2019) has concluded that the effects of air pollution upon Natura 2000/Ramsar sites can be screened out as the application site is located beyond 2km from any of the relevant designated sites. In addition, it is noted that the operational development will result in an increase in traffic within Liverpool and this will result in air quality impacts of designated sites within 200m of such roads in accordance with "A guide to the assessment of air quality impacts on designated nature conservation sites" (IAQM 2019). The closest roads (excluding residential streets) to each designated site are:</p> <ul style="list-style-type: none"> • Ribble & Alt Estuaries SPA and Ramsar – A565; 1,208m east of site • Sefton Coast SAC – A565; 1,208m east of site • Mersey Narrows and North Wirral Foreshore SPA – A565; 670m east of site • Liverpool Bay SPA – A5036; 141m east at its closest point (SJ335 909) but in excess of 200m north and south of this point • Mersey Estuary SPA & Ramsar; Riverside Drive; 191m north west at its closest point but in excess of 200m further northwest and south east. <p>Based on the above, air quality impacts as a result of increased traffic on roads close to designated sites as a result of the operation of the application site can be screened out for Ribble & Alt Estuaries SPA/Ramsar, Sefton Coast SAC and Mersey Narrows and North Wirral Foreshore SPA and Ramsar.</p> <p>Liverpool Bay SPA and Mersey Estuary SPA/Ramsar are within 200m of A5036. However, a review of information presented by Air Pollution Information System (APIS - http://www.apis.ac.uk/src/select-a-feature?site=UK9005131&SiteType=SPA&submit=Next) indicates that qualifying features of Liverpool Bay and Mersey Estuary are not directly sensitive to the critical loads associated with traffic related air pollution. APIS also states, in relation to exceedance of critical load level for Ammonia (NH₃), Nutrient Nitrogen and Nitrogen oxides (NO_x), that the impacts of exceedance are either unlikely to affect these qualifying features, or provide a positive effect due to a potential increase in food supply as a result of increased nutrient loading.</p> | No |



| | | |
|---|---|----|
| | <p>It is noted that APIS highlights a likely effect as a result of exceedance of critical load for NO_x and nitrogen upon broad habitats associated with qualifying features of the designated sites, such broad habitats include:</p> <ul style="list-style-type: none"> • Littoral sediment • Neutral grassland • Open water <p>None of the above habitats are recorded within Liverpool Bay SPA within 200m of the A5036. However, littoral sediment is recorded within Mersey Estuary within 200m of Riverside Drive (total area likely to be affected is 0.2ha equal to 0.003% of the designated site). APIS indicates potential negative effects upon this habitat could occur as a result of deposition of NO_x, likely to result in a change in vegetation growth structure, vigour or species composition. However, APIS also indicates that deposition of NO_x exceeding the critical load threshold may result in a positive impact upon qualifying features via an increase in food supply. Increase in deposition of nutrient nitrogen from use of the Riverside Road may result in increased growth and dominance of grass species within Mersey Estuary SPA. Given the small area of the designated site likely to be affected by deposition of air pollutants, combined with the potential to benefit foraging species within the designated site, it is considered highly unlikely that adverse effects upon the favourable conservation status of qualifying features of the designated site will occur as a result of this impact pathway.</p> <p>Therefore, no LSE is anticipated as a result of this impact pathway.</p> | |
| Loss of qualifying features - potential bird strike | <p>It is recognised that the maximum height of a corner of one of the plots proposed for the application site (Plot B) measures a maximum of six storeys with a maximum height of 22m above ground level. The remaining plots are lower than this. Such buildings have the potential to cause accidental bird strike issues in the local area. However, the application site is located a minimum of 2.7km from designated sites and, given the urban context within North Liverpool, is not considered to be within a migratory route for qualifying features associated with such sites. Neither is it located between designated sites, functionally linked land or mapped sensitivity areas for qualifying features associated with the designated sites (RSPB 2008).</p> <p>It is therefore considered highly unlikely that the operational application site will pose a significant risk to bird species which form qualifying features of the designated sites (either within or outside the designated site boundaries). Therefore, no LSE is anticipated as a result of this impact pathway.</p> | No |

5.0 Consideration of In-combination Effects

5.1 Projects

A total of thirteen schemes have been identified as requiring assessment in-combination with the proposed development, details of which are provided within Goodison Park Legacy Project ES Volume II, Chapter 2 for list of cumulative developments considered in the assessment (CBRE 2019). A total of six schemes scoped out ecology all together and/or have not been required to consider effects upon designated sites, so these schemes have been scoped out of this assessment as **LSEs are not anticipated** when considered in-combination with the application site. The remaining seven schemes have scoped in assessment upon designated sites within the ES or report to inform an HRA for the relevant scheme, these are detailed in table 13.

Table 13: Summary of relevant planning applications.

| Scheme | Planning Ref | Summary assessment | Appropriated Assessment Required at Stage 2 |
|----------------------------------|--------------|---|---|
| Bramley Moore Dock (BMD) Stadium | 20F/0001 | <p>This application for this scheme was submitted in December 2019 and is currently pending determination. This application is linked to this application site as it forms a replacement stadium for use by Everton Football club. The applicant is the same as that of this outline application for the Goodison Park Legacy Project and the HRA for BMD was also carried out by WYG. The HRA for this scheme has identified LSE when this project is considered alone and in combination with other projects and plans.</p> <p>However, none of the impact pathways associated with BMD apply to the application site. Therefore, when considered in combination with the application site LSEs are not anticipated.</p> | No |
| Hive City | 20F/1203 | <p>The proposed scheme is for the development of a residential block with commercial ground floor space. The HRA for this scheme (Peel Holdings 2008) does not anticipate LSEs as a result of this scheme when considered alone and in combination.</p> | No |



| Scheme | Planning Ref | Summary assessment | Appropriated Assessment Required at Stage 2 |
|------------------|-----------------------|--|---|
| | | Therefore, No LSEs on these designated sites are anticipated in relation to this scheme. When considered in combination with the application site LSEs are not anticipated. | |
| Liverpool Waters | 100/2424 | <p>The ES for the Liverpool Waters Project (Liverpool Waters, 2011, sect 7.6.32, Pg241) states:</p> <p>"The increase in activity associated with the operational usage of the site will result in some additional noise, light and an increase in human activity. Due to the low numbers of waterbirds present on the site and the likelihood they will habituate to the presence of new infrastructure and use the dock network instead, this impact is considered to be not significant at a local level; confidence in this prediction is probable."</p> <p>It is therefore considered highly unlikely that the effects of the Liverpool Waters project will interact with the effects of this project.</p> <p>Therefore, No LSEs on these designated sites are anticipated in relation to this scheme. When considered in combination with the application site LSEs are not anticipated.</p> | No |
| The Lexington | 16F/1370 and 17F/2056 | <p>The Preliminary Ecological Appraisal (Moda Living 2016) refers to the HRA for the Liverpool Waters scheme (as this project sits within the boundaries of the Liverpool Waters Scheme) and concludes that this scheme would not result in impacts upon designated sites.</p> <p>Therefore, No LSEs on these designated sites are anticipated in relation to this scheme. When considered in combination with the application site LSEs are not anticipated.</p> | No |



| Scheme | Planning Ref | Summary assessment | Appropriated Assessment Required at Stage 2 |
|---|----------------------|--|---|
| Plaza 1821 | 17F/0913 | <p>The HRA for this scheme (Peel Holdings 2017) concludes that LSEs are not anticipated.</p> <p>Therefore, No LSEs on these designated sites are anticipated in relation to this scheme. When considered in combination with the application site LSEs are not anticipated.</p> | No |
| Liverpool Cruise Liner Terminal, Princes Dock | 17O/3230 & 19RM/1037 | <p>The HRA for this scheme (Waterman, 2017) concludes that this project will not result in LSEs upon designated sites during construction and operational phases of works when considered alone. This is due to anticipated lack of disturbance and displacement of relevant qualifying features of designated sites during operation of this scheme.</p> <p>In addition, when relevant projects in the surrounding area are considered in combination with this scheme, no LSEs are anticipated. This is due to the low numbers of birds recorded within the application site at any time and therefore effects upon qualifying features in combination with relevant in combination projects (Liverpool Waters) are considered highly unlikely.</p> <p>Given, that this project is not considered likely to cause adverse effects upon the favourable conservation status of qualifying features of the designated site alone or in combination with relevant projects it is considered LSEs are not anticipated when considered in combination with the application site.</p> | No |
| Isle of Man Ferry | 18F/3231 & 18L/3232 | <p>The HRA for this scheme (Waterman, 2018) states that LSE cannot be ruled out in relation to the following impact pathways (when considered alone and in</p> | No |



| Scheme | Planning Ref | Summary assessment | Appropriated Assessment Required at Stage 2 |
|--------|--------------|---|---|
| | | <p>combination with other plans and projects):</p> <ul style="list-style-type: none"> • Direct and indirect displacement of cormorant (qualifying feature of Liverpool Bay SPA) • Death or injury to birds (cormorant) via pollution <p>However, the application site is not connected to designated sites and does not form functionally linked habitat to designated sites which could support cormorant. It is considered that the application site will not interact with this scheme. Therefore, when considered in combination with the application site LSEs are not anticipated.</p> | |

The consultation response received from Natural England in June 2020 indicated there may be other relevant projects to consider in combination with the application site. However, the above projects have been highlighted as relevant via consultation with Liverpool City Council and Sefton City Council. No other projects were considered relevant for in combination effects assessment at the time of writing this report. This was discussed with Natural England on the 9th of December 2020, who accepted that no additional projects required assessment (Angela Leigh Pers comm 9/12/2020).

Of the schemes which have been assessed in terms of potential effects upon designated sites, **none are considered likely to act in combination with the proposed development to result in a LSE** upon qualifying features of the relevant designated sites. Therefore, no further in-combination assessment is required in relation to projects.

5.2 Plans

5.2.1 Liverpool Local Plan

The HRA produced in support of the draft Liverpool Local Plan (Aecom 2017, Sect 4.2, Pg 23) considered the likely effects upon the above designated sites and states that:

"Of the 100 detailed policies put forward by the Local Plan, the following 11 were screened in for LSEs upon designated sites (therefore requiring further consideration in the HRA) due to potential pathways being identified to European Sites. These are as follows:

- CC 23 Housing Provision in the City Centre
- EC1 Employment Land Supply,
- EC2 Employment Areas,
- EC3 Delivering Economic Growth,
- EC5 Office Development



- H1 Housing Requirements,
- H2 Site Allocations,
- H4 Older Persons Housing,
- H5 Student Housing Provision,
- H7 Primarily Residential Areas,
- H10 Conversion of Dwellings and Buildings

Although the following detailed policies were screened out when the plan was considered in isolation however, they have been considered further in the HRA regarding their 'in combination effects:

- CC1 The Main Office Area,
- CC1a Pall Mall,
- CC2 Pumpfields,
- CC3 The Knowledge Quarter (KQ Liverpool),
- CC4 Paddington Village,
- CC6 The Fabric District,
- CC12 Liverpool Waters (already has planning permission but considered as part of the overall quantum of housing and employment growth to be delivered in Liverpool),
- CC13 Ten Streets."

The Liverpool Local Plan seeks to deliver at least 34,780 net new dwellings across Liverpool during 2013-2033. The local plan also recognises that the population of the Liverpool area is considered likely to increase over the lifetime of the plan (partly as a result of occupation of new dwellings as they come forward in future years).

The HRA for Liverpool Local Plan (AECOM 2017 Sect 5.7, Pg 35) states (in relation to recreational disturbance of qualifying bird species): "Recommended text for inclusion in the Local Plan is as follows: 'Commencing early in the plan period Liverpool City Council will work with partners, including the other Merseyside authorities, to devise and implement a Visitor Management Strategy (VMS) to protect all European sites in the Liverpool City Region from increased recreational pressure. The financing of this VMS may include a tariff to be applied to net new residential development..... Provided that this commitment to a visitor management strategy framework is incorporated within the plan it can be considered that recreational pressure from the Plan area will not result in LSE upon the Mersey Estuary as a result of increased recreational pressure both alone and in combination.'"

However, at the time of writing this assessment, no VMS document has been produced (and likely tariff for new developments have not been finalised) and so cannot be relied upon as a means of reducing public pressure upon designated sites. This was confirmed by MEAS in December 2020 (Peter McKeown pers com, via email 7/12/20) As such, LSEs upon the favourable conservation status of qualifying features of the designated sites are anticipated when the Liverpool Local Plan is considered alone and in combination with other plans and projects.

It is recognised that LSEs are anticipated via recreational/public pressure as a result of population increase associated with the Local Plan for Liverpool. However, LSEs are not anticipated as a result of the application site alone (as discussed above). It is therefore considered that the application site will not interact with the Liverpool Local Plan to create any negative additive or synergistic effect upon conservation status of qualifying features of relevant designated sites. **Therefore, when the application site is considered in combination with Liverpool Local Plan LSEs are not anticipated.**



5.2.2 Wirral Core Strategy

The HRA report prepared in support of the Core Strategy for Wirral (Scott Wilson 2010) determined that LSEs at the above designated sites were anticipated in relation to the following policies (generally because they promote and determine the location or scale of development (particularly housing and commercial development)):

- 2: Settlement Area Policies
- 3: Spatial Vision (with respect to the following Spatial Objectives):
 - Spatial Objective 1 - Economic Revitalisation
 - Spatial Objective 2 - Housing Growth and Market Renewal
 - Spatial Objective 7 - New City Neighbourhood
- 4: Broad Spatial Strategy
- 5: Local Housing Targets
- 6: Distribution of Housing
- 8: Order of Preference
- 10: Gypsies and Travellers
- 11: Distribution of Employment
- 12: Retail Network
- 14: Decentralised Energy
- 21: Strategic Locations

The Wirral Core Strategy seeks to provide a net gain of 3,750 dwellings (Scott Wilson 2010). Despite this the population of Wirral is not considered to grow over the lifetime of the relevant policy documents (Scott Wilson 2010). In addition, the HRA for the Wirral Core Strategy includes recreational pressure as an impact pathway which may result in LSEs upon designated sites. As such, **LSEs upon the favourable conservation status of qualifying features of the designated sites are anticipated** when the Wirral Core Strategy is considered alone and in combination with other plans and projects.

It is recognised that LSEs are anticipated via recreational/public pressure as a result of population increase associated with the Core Strategy for Wirral. However, LSEs are not anticipated as a result of the application site alone (as discussed above). It is therefore considered that the application site will not interact with the Wirral Core Strategy to create any negative additive or synergistic effect upon conservation status of qualifying features of relevant designated sites. **Therefore, when the application site is considered in combination with Wirral Core Strategy LSEs are not anticipated.**



5.3 Discussion

Using a precautionary approach, this assessment has concluded that LSEs on qualifying interest features associated with the above designated sites **are not anticipated, either alone or in combination with other plans and projects.**

As such, the 'Competent Authority', in consultation with Natural England is considered unlikely to require any further assessment under the Habitats Regulations, and the proposed development should be able to proceed without any adverse effects on the integrity of the internationally designated sites within 10 km of the proposed development.



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Appendix A – Report Conditions

This Report has been prepared using reasonable skill and care for the sole benefit of Everton Stadium Development Limited ("the Client") for the proposed uses stated in the report by WYG Environment Planning Transport Limited ("WYG"). WYG exclude all liability for any other uses and to any other party. The report must not be relied on or reproduced in whole or in part by any other party without the copyright holder's permission.

No liability is accepted or warranty given for; unconfirmed data, third party documents and information supplied to WYG or for the performance, reliability, standing etc. of any products, services, organisations or companies referred to in this report. WYG does not purport to provide specialist legal, tax or accounting advice.

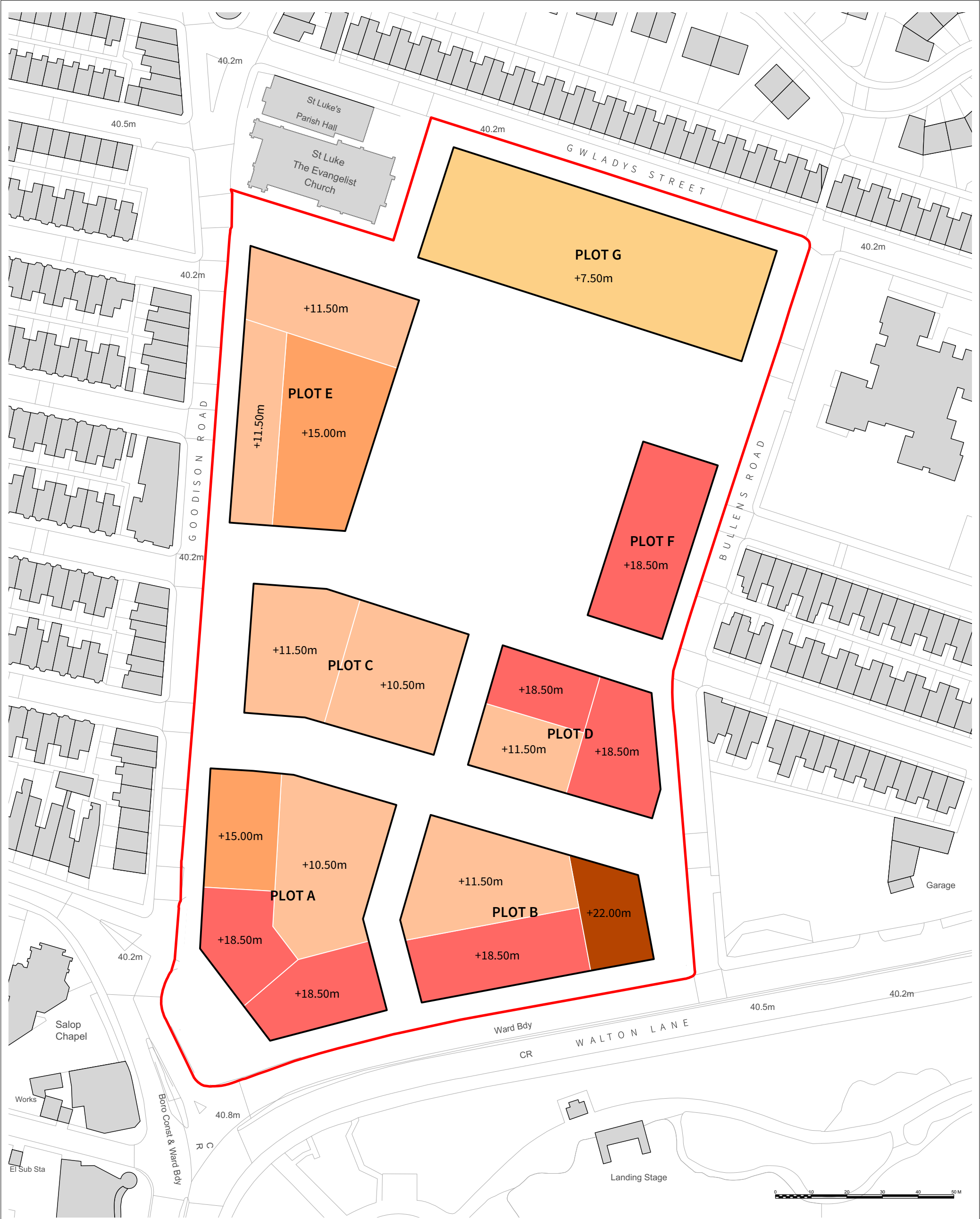
The report refers, within the limitations stated, to the environment of the site in the context of the surrounding area at the time of the inspections'. Environmental conditions can vary and no warranty is given as to the possibility of changes in the environment of the site and surrounding area at differing times. No investigative method can eliminate the possibility of obtaining partially imprecise, incomplete or not fully representative information. Any monitoring or survey work undertaken as part of the commission will have been subject to limitations, including for example timescale, seasonal and weather-related conditions. Actual environmental conditions are typically more complex and variable than the investigative, predictive and modelling approaches indicate in practice, and the output of such approaches cannot be relied upon as a comprehensive or accurate indicator of future conditions. The "shelf life" of the Report will be determined by a number of factors including; its original purpose, the Client's instructions, passage of time, advances in technology and techniques, changes in legislation etc. and therefore may require future re-assessment.

The whole of the report must be read as other sections of the report may contain information which puts into context the findings in any executive summary.

The performance of environmental protection measures and of buildings and other structures in relation to acoustics, vibration, noise mitigation and other environmental issues is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. WYG accept no liability for issues with performance arising from such factors.



Appendix B – Site Boundary and Development Layout



Heights shown are **maximum building height** - measured above existing ground levels


Maximum building height is measured to the top of parapet for flat roofs and to ridgeline on pitched roofs. Plant rooms and lift over-runs must not exceed the maximum building height shown.

Within the heights shown, the following key sets out the **maximum number of storeys** to be delivered.


- 2 storeys
- 3 storeys
- 4 storeys
- 5 storeys
- 6 storeys

| | | | | |
|----------|----------|------------------|-------|----------|
| S4-P01 | 09-12-20 | Height parameter | CH | ALC |
| Revision | Date | Description | Drawn | Approved |


| | | | |
|-------------|---|-------------|-----|
| Client | Everton Football Club | | |
| Project | 2579 Goodison Legacy Project | | |
| Org Title | Maximum Development Heights Parameter Plan 02 | | |
| Created on | 09.12.20 | Created by | CH |
| | | Approved by | ALC |
| Scale | 1:1000 | Size | A3 |
| | | Workstage | |
| Org No. | 2579-PLA-XX-XX-DR-U-0009 | | |
| Suitability | S4 | Revision | P01 |



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NOTES:

1. Do not scale from this drawing
2. Always work to noted dimensions.
3. All dimensions are in millimetres unless otherwise stated.
4. All setting out, levels and dimensions to be agreed on site.
5. The dimensions of all materials must be checked on site before being laid out.
6. This drawing must be read with the relevant specification clauses and detail drawings
7. Order of construction and setting out to be agreed on site.

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Appendix C – Consultation

Date: 02 September 2019
Our ref: DAS UDS 4959 / 216388



Rachel Kerr & Phil Preston (WYG)
On behalf of Colin Chung (Everton Stadium Development Limited)

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

0300 060 3900

BY EMAIL ONLY

Dear Rachel and Phil,

Discretionary Advice Service (Charged Advice):
DAS Reference- UDS4959 / 216388 DAS meeting 19 August 2019
Development proposal and location: Bramley Moore and Goodison Park, Liverpool

This letter provides a summary of Natural England's advice following the meeting held on 19 August 2019. This advice is provided through Natural England's Discretionary Advice Service and in accordance with the Quotation and Agreement dated 16 August 2019.

Following the meeting, three detailed questions were provided via email from Phil Preston (dated 19 August 2019). Natural England has provided answers to these questions in a section detailed below.

Natural England role and engagement

Natural England is a non-departmental public body with a statutory purpose to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England are a statutory consultee as part of the planning application process, providing advice to Local Planning Authorities and other regulators, including the Marine Management Organisation.

Natural England welcomes continued early engagement on this development as it provides us an opportunity to highlight important considerations required early on, therefore potentially reducing our time taken to respond during the statutory planning stages. As discussed at the meeting we are able to provide further advice on emerging environmental assessment documents and can provide further advice to support mitigation design.

Designated sites

Since Natural England provided previous advice on the proposed development at Bramley Moore Dock (EIA Scoping advice dated 7 June 2017 and DAS advice dated 29 June 2017) we can confirm that Liverpool Bay / Bae Lerpwl Special Protection Area (SPA) has become a fully classified site. This SPA is located adjacent to Bramley Moore Dock and approximately 2.7km from Goodison Park. As discussed with the extension to the site now fully classified, the SPA should be regarded as one whole designation and not treated separately.

We advise that the designated sites as listed within our EIA scoping advice are included within the HRA screening, however we advise that further consideration to impacts on the Dee Estuary SAC, Dee Estuary SPA can likely be excluded, provided that there are no potential impact pathways to these sites, this should be clearly evidenced and justified within the assessment.

All designated site citations and further information on the sites is available at Natural England's [designated sites view](#) system.

Natural England has published Conservation Advice packages which may provide useful information to aid the assessment for the Mersey Narrows and North Wirral Foreshore SPA. A full list of the available Liverpool City Region packages and supporting guidance is available here:

<https://www.gov.uk/government/collections/conservation-advice-packages-for-marine-protected-areas>.

We currently do not have an updated Conservation Advice package for Liverpool Bay SPA. You may find some useful background information available in the original Regulation 35 package. <http://publications.naturalengland.org.uk/publication/3236717?category=3212324>. However, please note this does not cover the additional features protected through the extension of the site and only provides advice on red throated diver and common scoter.

Habitats Regulations Advice and available evidence

We recommend that you ensure you consider all the relevant bird features (and supporting habitats) within a Habitats Regulations Assessment (HRA) and provide clear explanation with supporting evidence on the features screened in and out of any assessment coming forward. WeBS data is a useful source for evidence of bird numbers and trends <https://blx1.bto.org/webs-reporting/>.

Please note that breeding common tern is a feature of the Mersey Narrows and North Wirral Foreshore and foraging common terns are protected through Liverpool Bay SPA. Evidence of foraging common terns utilising the River Mersey is available and you should ensure that this feature is assessed within any assessment coming forward. You may find this reference useful information to aid your assessment;

<http://publications.naturalengland.org.uk/publication/6688364374786048>

An additional tool which you may find useful to aid your assessment of the proposed works and provide additional references and guidance (particularly for noise disturbance) is the [Bird Mitigation Toolkit](#). Further information on noise disturbance and useful references may be found within the Conservation Advice packages as mentioned above. We advise that noise impacts should be considered for designated bird features inside designated sites and for functionally linked supporting habitats outside designated sites.

We advise that there may be sufficient evidence available through recent development planning applications that are in the vicinity of the proposed works. Any gaps within the evidence should be identified and supplemented with additional survey work as required to ensure the HRA is supported by a robust evidence base.

Survey work

Natural England would welcome sight of the survey reports to clearly understand the evidence collected to date and we can offer further advice on the findings in terms of further considerations within the HRA(s).

Functionally Linked Land

Natural England advises that the docks and waterfront area are likely to provide supporting functional habitat (feeding and roosting) for birds from a number of internationally important sites including Liverpool Bay SPA and Mersey Narrows and North Wirral Foreshore SPA/Ramsar and therefore consideration of impact to the function of these areas is required within the HRA(s). Natural England would expect to see a thorough assessment of the potential impact of dock infilling on ecological receptors.

In combination assessment

We advise that as part of any in combination assessment you consider all schemes which may impact on the interest features of the designated sites. This could include plans or projects from neighbouring Local Planning Authorities (Liverpool City Council and Wirral Council) and the Marine Management Organisation.

Mitigation measures

Natural England cannot provide detailed advice on potential mitigation measures at this stage, however we would be happy to provide further advice once HRA(s) have been drafted.

People Over Wind ruling

Those undertaking HRAs should be aware of a recent ruling made by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17). The case relates to the treatment of mitigation measures at the screening stage of a HRA when deciding whether an appropriate assessment of a plan/project is required. The Court's Ruling goes against established practice in the UK that mitigation measures can, to a certain degree, be taken into account at the screening stage. As a result, Natural England advises that any "embedded" mitigation relating to protected sites under the Habitat Regulations 2017 Regulation 63 (1) should no longer be considered at the screening stage, but taken forward and considered at the appropriate assessment stage to inform a decision as to whether no adverse effect on site integrity can be ascertained. In light of the recent case law, any reliance on measures intended to avoid or reduce harmful effects at the likely significant stage is vulnerable to legal challenge.

Recreational pressure

Recreational disturbance to internationally protected coastal sites is an issue across the Liverpool City Region (LCR). This pressure is a particular issue through in-combination effects, for example additional housing may result in additional recreational visits, and therefore increased disturbance at the coastal designated sites. We advise that you consider the impact of recreational disturbance resulting from the additional residential dwellings proposed at Goodison Park within a HRA.

We are aware that the Local Planning Authorities (LPAs) around the LCR are currently considering the scope for a city wide strategic mitigation measure for recreational disturbance. This will help LPAs and developers address the issues arising from additional housing, thus helping deliver compliance with the Habitat Regulations and contribute to sustainable development. However, we understand that this strategy is being reconsidered as an evidence base rather than a mitigation strategy, therefore in the absence of any strategic mitigation across the LCR individual developments will need to provide mitigation (if required) on a case by case basis.

Strategic Mitigation

We are aware of a number of developments coming forward in the vicinity of the development at Bramley Moore Dock, as part of the Liverpool Waters Scheme, each development may have individual proposed mitigation measures, therefore you would need to ensure that this proposal does not undermine any other proposed mitigation in the vicinity of the development. With that in mind we strongly encourage the consideration of a strategic approach to mitigation across the wider Liverpool Waters Scheme.

There is an opportunity for future proposals to contribute to a strategic approach in which mitigation measures and biodiversity enhancements across the whole scheme can be considered together. This strategic approach will ensure that nature conservation is duly considered amongst all the developments, and potentially allows developers an opportunity to have more certainty in gaining permissions for their proposals.

Marine Environment / Dock Waters

We acknowledge that the final design and thus the remediation and construction methodologies have not yet been determined, however, we advise that you keep in mind the implications of any works for potential impact pathways to the River Mersey. Certain activities such as dredging/disposal of materials or any works along the river wall may require a marine licence. Any works that take place below mean high water (MHW) would be subject to a marine licence from the Marine Management Organisation (MMO), Please refer to the gov.uk website for more information:

<https://www.gov.uk/topic/planning-development/marine-licences>

NE would expect to see consideration of the impact of potential dock infill on the supporting function of the dock waters in relation to qualifying features of the SPAs as mentioned above within the HRA.

Potential impacts on the wider marine environment should also be considered within the Environmental Statement.

We would expect to see further details on the methods and materials to be used for dock infill and will provide additional comments and advice on this in due course. However, the material used should be inert and demonstrated that it is free from contamination.

As stated above, we are aware that survey work from adjacent developments could provide useful evidence to support an application. With the proposed loss of the dock waters we would expect to see thorough survey work to further understand the marine ecology of Bramley Moore Dock, therefore providing additional supporting information to inform the environmental assessment of the proposal.

Natural England is aware of records of *Nematostella vectensis* (starlet sea anemone) in the River Mersey close to the development site. We note that the records are specifically from within the river however, we bring this to your attention at this stage for your awareness. This species is protected under Schedule 5(9) of the Wildlife and Countryside Act (1981). Further advice on marine schedule 5 species can be found on:

<https://www.gov.uk/government/publications/protected-marine-species>

The UK has a target within the Marine Strategy Framework Directive to reduce the risk of introduction and spread of non-native species through improved management of high risk pathways and vectors. Invasive non-native species (INNS) do and can cause significant impacts to our native biodiversity through competition and disease and to our economy, as they are often costly to control or eradicate.

We acknowledge that survey work has been undertaken including assessment of marine invasive species and we would be happy to review and comment on any report either separately or as provided as part of the relevant environmental assessments (HRA/EIA).

We advise for completeness that you seek additional advice on potential impacts from the proposed works on migratory fish from the Environment Agency.

Biodiversity Enhancement and Net Gain

We would encourage you wherever possible to consider any opportunities for biodiversity enhancements and these should be incorporated into the project design. This is in accordance with NPPF Paragraph 175d which states that 'opportunities to incorporate biodiversity in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity', Section 40(3) of the Natural Environment and Rural Communities Act (2006) which states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

Guidance on [Net Gain](#) is provided in the biodiversity section of the natural environment Planning Practice Guidance (PPG) (July 2019). This explains how to implement the policies on net gain included in the NPPF. Additional guidance on Good Practice Principles for development to include Biodiversity Net Gain is available in the [CIEEM guidance](#) (2019).

NE response to questions provided via email (19/8/2019)

1) During a discussions re. cormorant it was highlighted that if 7 or more birds were recorded on site then this would trigger the requirement for HRA, would it be possible to clarify why 7 birds is significant and provide a reference to any relevant guidance document? We also note that cormorant form part of the bird assemblages for relevant SPA's, while cormorant are the most relevant (based on our discussion) do we need to consider thresholds for other species within the assemblage?

Cormorant are a 'named component' of the Liverpool Bay SPA assemblage as the species is present in numbers >1% of the GB population. Where features are a 'named component' they should be considered in their own right within the HRA, as well as with their contribution to the overall waterbird

assemblage. We advise that a worst case scenario is considered as it cannot be determined to which designated site cormorants are likely to be associated with, therefore a precautionary approach as prescribed by the Habitats Regulations should be undertaken. Liverpool Bay SPA has the lowest figure for cormorants (based on the information available to date) therefore we advise that the citation figure be used (or where more recent 5 year data is available this should be used) for assessment purposes. We do not have specific guidance that we can refer you to for using the 1% threshold, however this is Natural England's standard best practice in order to base an assessment of likely significant effect, to determine whether further Appropriate Assessment is required. This is a consistent approach to all other developments and also the outline permission of Liverpool Waters.

You may find it helpful to review the [Supplementary Advice on Conservation Objectives](#) (abundance and diversity attributes) for Mersey Narrows & North Wirral Foreshore SPA to understand further detail in respect to the conservation objectives for features (including assemblages).

2) You mentioned that we should aim for a 10% net gain as part of each development when considering biodiversity offsetting. Can you please clarify what metric you anticipate being used to calculate this?

More information and advice from the Government on Biodiversity Net Gain is available within the following document including advice the proposed future mandatory requirement for 10% net gain and advice on the metric (Defra Biodiversity Metric):

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/819823/net-gain-consult-sum-resp.pdf

3) When assessing recreational pressure for the Goodison site it was discussed that any development over 10 units would be assumed to result in Likely Significant effect and would need an appropriate assessment. You also mentioned (amongst mitigation measures likely to be required) that a commuted sum would be required per unit? Could you please provide a reference for this information so that it can be included within our HRA report?

We advise that you utilise the SSSI Impact Risk Zones available on the [Magic Mapping Tool](#) which will highlight the need to consider recreational disturbance for new residential development at the Goodison site. The threshold at which this Impact Risk Zone has been set is 10 residential units. We are unable to offer further comments on detailed mitigation measures (i.e. commuted sum) at this stage until proposals are clearly presented and a HRA has been drafted. A range of mitigation measures may need to be considered and we would encourage you to consider any further information as available within the Liverpool Local Plan.

If you have any further queries regarding this letter then please contact me at the details below.

Yours faithfully,

Amanda Yeomans

Senior Adviser/ Senior Specialist (Ports, Estuaries and Tidal Lagoons)

Coast and Marine (Cheshire, Greater Manchester, Merseyside & Lancashire Area Team)

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☒ The advice provided in this letter has been through Natural England's Quality Assurance process.

The advice provided within the Discretionary Advice Service is the professional advice of the Natural England adviser named above. It is the best advice that can be given based on the information provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is therefore not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available, including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the advice. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of Natural England.

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Director: Alan Jemmett, PhD, MBA

Enquiries: 0151 934 4951

Contact: Peter McKeon
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DISCRETIONARY ADVICE

To: Rachel Kerr / Phil Preston
Organisation: WYG

From: Peter McKeon
MEAS

Your Ref:
File Ref: DISC19-012
Date: 21 August 2019

Proposed football stadium at Bramley Moore Dock / Re-development of Goodison Park site

1. Thank you for seeking discretionary advice from Merseyside Environmental Advisory Service on your proposal for the above developments.
1. I have summarised the matters discussed in our meeting of 19 August 2019 below.

Bramley Moore Dock

2. The ecological surveys undertaken to date and the results of these were discussed. Copies of draft survey reports are to be provided to both MEAS and NE to enable confirmation that the level of survey undertaken is sufficient. However, for MEAS there will be an additional charge for this at a rate to be confirmed when the draft reports are provided.
3. With regard to non-breeding birds, it was mentioned that a population of seven (or more) cormorant would be considered significant in terms of the Liverpool Bay SPA population. Seven equates to 1% of the SPA cormorant population.
4. It was confirmed that a shadow HRA will be produced for submission with the planning application. Aside from loss and disturbance to habitats, other issues mentioned that will require consideration in the shadow HRA include bird strike, increased litter and recreational pressure. The shadow HRA will also need to take account of construction methodologies, such as piling methodology.
5. The need for the in-combination assessment to consider effects on Nelson Dock was discussed. Nelson Dock had previously been identified as the location for mitigation in relation to the Liverpool Waters developments. The assessment will therefore need to identify how the BMD development will affect this.

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6. It was mentioned that non-breeding bird mitigation could be located outside of the application site in adjacent dock areas. Liaison with consultants undertaking assessments and providing mitigation in relation to the Liverpool Waters developments was recommended.
7. During bat surveys, a single building on site was found to support a single common pipistrelle bat. Options for mitigation are to be explored, although it was recognised that opportunities for bats on the site post-development will be limited due to lighting and disturbance due to noise and vibration.

Goodison Park

8. Extended phase 1 habitat survey had been undertaken and habitats on the site were limited.
9. The development provides opportunities for net gains and enhancements, including green / brown roofs, green walls and erection of bat roosting and bird nesting boxes.
10. Recreational pressure effects were discussed and the need for these to be mitigated. The situation with the draft Visitor Management Strategy (VMS) was explained and the requirement for each application to be dealt with on an ad hoc basis in the absence of an agreed VMS. Potential mitigation measures were discussed including provision of a commuted sum, using figure taken from draft VMS, and provision of leaflet to occupiers of new dwellings informing them of SANGs and responsible usage of the coast.
11. Net biodiversity gains were discussed in relation to both Goodison Park and BMD. However, attempting to achieve a net gain of 10% mentioned, although it was added that this figure is not supported by any current planning policy.

Our advice is based on our understanding of your proposal. If there are any subsequent changes to your proposal, or to legislation, policy and/or statutory guidance, when your planning application is considered, our advice to Liverpool City Council Local Planning Authority may change or raise additional matters.

Our invoice will follow within 14 days as agreed.

Please let me know if you have any specific queries regarding the advice provided.

Peter McKeon
Ecologist



Merseyside Environmental Advisory Service
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Bootle, Merseyside, L20 3DL
Director: Alan Jemmett, PhD, MBA

Enquiries: 0151 934 4951

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DEVELOPMENT MANAGEMENT ADVICE

To: Peter Jones
Organisation: Development Management
Liverpool City Council

From: Lucy Atkinson

Your Ref: PreApp
File Ref: L117-027
W/P Ref:
Date: 23rd June 2017

Proposed EFC Stadium, Bramley Moore Dock, Liverpool EIA Scoping Opinion

1. Thank you for consulting Merseyside Environmental Advisory Service in respect of this planning application. The proposals comprises involve infilling/partial infilling of BMD, demolition of non-listed structures, partial demolition of listed structures; construction of 60,000 seater stadium with retail, museum, ancillary offices, betting shop, associated facilities, concourse, 900 space car park, footways and public realm.
2. Having reviewed the application and supporting documentation, our advice is set out below in two parts.
 - Part One deals with issues of regulatory compliance, action required **prior to determination** and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes.
 - Part Two sets out guidance to facilitate the implementation of Part One advice and informative notes.

In this case Part One comprises paragraphs 3 to 42, while Part Two comprises paragraphs 43 and 44.

Part One

3. The applicant has submitted an EIA Scoping Report (*CBRE May 2017*) to inform the request and identify the EIA process and identify areas that will be scoped in and scoped out. The scoping opinion has been submitted under the 2011 Regulations

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but in the spirit of the 2017 Regulations will consider climate change, biodiversity, human health, major accidents and disasters. This is welcomed.

The EIA Scoping Report discusses the EIA methodology, phasing, the structure of the EIA, and the topics that will be scoped in and scoped out, as well as methods for assessing the impacts. The ES will also consider cumulative impacts with other significant developments and in-combination effects between different topics within the EIA. The report also refers to provision of qualifications and expertise of authors of the individual topic specialists.

4. The topic areas that will be scoped in are: transportation, air quality, noise, water environment, biodiversity, ground conditions, archaeology, heritage, townscape and visual amenity and socio-economics. In addition to this human health impacts will be considered under relevant chapters such as socioeconomic, air quality and noise and vibration. Climate change will also be considered under relevant chapters and will include vulnerability of baseline assessments to projected changes, vulnerability of proposed changes and the effect of proposed development within the context of climate change. The ES will also consider major accidents/disasters.
5. Also, the ES will consider the impacts on land particularly the change from a waterbody to an infilled site. I advise that consideration is also given to the impacts on the Port of Liverpool with respect to loss of this operational dock, and the displacement of existing businesses. For example, the dock is a minerals wharf for marine-won sand. NPPF paragraph 143 (bullet point 4) states that mineral wharves are safeguarded from development, and a recent aggregate assessment report for the NW (*North West Marine Aggregates Study, The Crown Estate November 2016*) identified the increasing importance of safeguarding wharfage for marine won aggregates in response to decreasing supply and minerals planning consents from land-won sources.
6. It is proposed that Solid Waste Management should be scoped down in the ES i.e. the scoping report indicates that scoped down technical topics are considered unlikely to exhibit significant environmental effects and does not merit detailed consideration in the main body of the ES document. I do not agree with this position as significant volumes of waste are likely to be generated during both the construction and operational phases of the development. This is discussed in more detail later in this memo.
7. I have not considered the proposed methodologies for each chapter as this will be role of individual specialists.
8. **In the main, I consider the submitted EIA Scoping Report satisfactorily addresses the issues that should be covered by the Environmental Statement and an appropriate basis for undertaking the EIA, subject to the following issues on specific topics/ES chapters being taken into account.**

Archaeology

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9. The proposed development lies within the World Heritage Site and its buffer zone. There are also a number of other heritage assets, both designated and non-designated, that lie within the proposed development and its redline boundary. Recent archaeological work at the adjacent Wellington Dock encountered the buried remains of a number of former Dock-related structures, and it would not be unreasonable to expect a similar state of affairs within the current proposals.
10. The proposal (section 6.10 & 6.11 of the CBRE Scoping Report), to include Chapters in the Environmental Statement on both Archaeology & Heritage, as well as the appointment of Oxford Archaeology North (OAN) to undertake the Archaeology desk-based assessment and walkover in accordance with ClfA standards and guidance, is welcomed, as is the statement on p.6.77 that:

“The study will identify and characterise the significance of the below ground archaeological assets identified. In accordance with the extent of that significance, it will identify strategies to record, preserve or manage those archaeological assets, and any necessity for further evaluation, where their character or value is not sufficiently defined. The assessment will be informed by WHS, national and local planning policy relating to the historic environment, and appropriate curatorial bodies will be consulted regarding mitigation strategy.”
11. MEAS can confirm that this approach is considered to be an appropriate means of quantifying the archaeological resource, assessing its significance and informing any mitigation required for the proposed development.

Ecology and Habitats Regulations

12. In support of the EIA Scoping Opinion request, the applicant has submitted an EIA Scoping Report (*CBRE, 15 May 2017, 150517_EFCStadium_Scoping_Final.docx, F1*) and a letter from the applicant's ecological consultant which sets out the proposed scope of the ecological surveys and assessments which will be undertaken to inform the Ecological Impact Assessment (*WYG, 10 May 2017, A100795*). I have reviewed these documents and make the following comments.

Desktop study

13. The proposed desktop study is to include consultation with the local biological record centre (Merseyside BioBank) which is welcome. The EIA Scoping Report refers to the use of aquatic ecology data from the NBN Gateway (now known as NBN Atlas). However, in accordance with the NBN Terms and Conditions, permission from the data provider will be required to use this information otherwise the data could not be relied upon during the determination of the planning application.

Extended Phase 1 Habitat Survey

14. I understand that the Extended Phase 1 Habitat Survey has already been undertaken and that no invasive plant species were recorded within the site.

Breeding birds

15. The breeding bird survey is proposed to comprise a single visit in April 2017, two visits in May 2017 and a single visit in June 2017. Considering the scale of the



proposals and potential impacts, weekly visits during the April to June period would have been preferable.

15. There was a common tern nesting site is present at the adjacent Sandon half-tide dock in 2015 which will need to be considered as part of a breeding bird survey. The Liverpool Bay proposed SPA extension, which lies directly adjacent to the application site, includes foraging areas important for common tern, from the Mersey Narrows and North Wirral Foreshore SPA, during their breeding season.
17. In addition to this, kittiwakes are known to breed on the outside of the Bramley Moore Dock wall and impacts upon this species as a result of the proposed development will need to be assessed. However, it will not be possible to view them for survey from the landward side. One option to enable a survey is to board the Mersey ferry, which runs adjacent to the breeding site, and take video footage of them, alternatively a small boat or drone could be used.

Bats

18. I understand that bat roost potential surveys of the structures on the site, including the boundary wall, have already been undertaken. Due to timescales, I advise that the applicant submits the bat roost potential survey report to the Council as soon as possible, to ensure that the recommendations made by the applicant's ecological consultant with regard to further survey requirements are acceptable. The survey report should include photographs and detailed descriptions of the buildings and structures which have been assessed.
19. The results of the aquatic surveys (see below) should be used to determine the requirement for bat activity surveys to be undertaken. If large aquatic invertebrate population, for example, flies or emerging larvae, are found to be present, bat activity surveys will be warranted.

Passage and wintering birds

20. Wintering bird surveys have been undertaken on the site from November 2016 to February 2017 inclusive, using two vantage points (VP1 and VP2). According to the applicant's ecological consultant, VP1 allowed for monthly bird counts of the site, whereas VP2 covered a wider area encompassing half way across the Mersey and adjacent docks.
21. The winter surveys have not included autumn passage and, from the vantage point locations which have been provided, it does not appear that the entire zone of influence of the proposed development has been included in the wintering bird surveys undertaken to date.
22. The applicant must ensure that further wintering bird surveys are undertaken to include autumn passage (commencing in September) and the entire zone of influence of the proposed development. A minimum of 36 hours vantage point survey will be required (in accordance with the current best practice for vantage point surveys (*currently Recommended Bird Survey Methods to Inform Impact Assessment of Onshore Wind Farms, Scottish Natural Heritage, 2014*)).



Aquatic Surveys

23. An integrated aquatic survey sampling methodology is needed to (i) characterize the aquatic communities / habitats present (ii) enable impact assessment to be completed and (iii) advise on any avoidance measures, mitigation and compensation needed. A key point will be to identify potential prey items, such as fish species, for any of the designation features of the Mersey Estuary and Liverpool Bay Natura 2000 sites e.g. cormorant / grebe, which form part of the overwintering water bird assemblage. The ROV survey will be undertaken of dock walls to provide information on the benthic communities present within the dock. The video must be of a good quality to ensure that benthic communities and any invasive species can be adequately identified and be recorded at different water depths. The applicant should also give consideration to undertaking scrapes of the dock wall to provide further information on the species present if the video quality is not sufficient as can occur within docks.
24. I advise that a biosecurity plan will be required in support of the application which describes how the spread of invasive non-native marine species will be prevented during the works. Grab samples of fauna within the dock sediment are also proposed. The grabs should be of a sufficient size and number to ensure that sampling effort is robust.
25. Sediment samples taken at the same time as the grab samples are also to be analysed for chemical contamination. This analysis must be undertaken at an accredited laboratory. The physical and chemical composition of the dock sediments to be removed and/or disturbed by the proposed development will need to be known to inform impact assessment and mitigation, re-use potential and disposal options e.g. environmental permit requirements.
26. The applicant's ecological consultant considers that sufficient data on water quality and fish will be available from existing sources. However, the sources and age of these data have not been specified and will be required within the Environmental Statement. They should be no older than 3 years.

Ecological Impact Assessment (EclA)

27. The proposed EclA should follow the CIEEM (2010 and 2016) guidelines. As part of the EclA, the applicant's ecological consultant proposes undertaking a cumulative impact assessment which is based upon details of schemes obtained from the Local Authority. However, in addition to the Local Planning Authority, details of schemes should also be obtained from other authorities, including Wirral and Sefton Councils and the Marine Maritime Organisation.

Habitats Regulations Assessment (HRA)

28. The applicant's ecological consultant proposes to undertake a shadow HRA Stage 1 Screening Report in order to determine whether the scheme is likely to impact upon features of the Mersey Estuary SPA.



29. Rather than screening, this should be referred to as an Assessment of Likely Significant Effects (ALSE) and it will be used by the Council to determine whether the scheme is likely to impact upon European sites. In addition to the Mersey Estuary SPA (and Ramsar sites), the ALSE will also need to include, but not be limited to, the following European sites:
- the Liverpool Bay proposed SPA extension (which lies immediately adjacent to the application site boundary);
 - Mersey Narrows and North Wirral Foreshore SPA and Ramsar sites;
 - Ribble and Alt Estuaries SPA and Ramsar sites; and
 - The Dee Estuary SPA and Ramsar sites.

Other issues

30. I advise that an integrated approach and liaison between the applicant's environmental specialists will be required to ensure that any archaeological or intrusive site investigation works do not have harmful ecological impacts.
31. Air quality, noise and lighting assessments are proposed to inform the EIA. These assessments should consider impacts upon statutory designated nature conservation sites.
32. The application site lies adjacent to the Mersey Estuary Nature Improvement Area (NIA), although the site only provides very limited opportunities for the creation of additional habitat. Any planting of trees on the site should form part of an integrated green infrastructure approach which includes other options for enhancing the site's ecological value, such as the creation of green walls / roof areas. There may be potential to use connections along the canal to improve accessibility (links into Ecological Network, emerging LCR SUD and The Mersey Forest GI Strategy and Nature Connected GI prospectus). Widespread planting of trees is however not appropriate for the site. This could be realized through a Green Infrastructure Plan for the proposal.

Waste

33. As raised in paragraph 8 above, I do not agree with the proposed position to scope down waste as significant volumes of waste are likely to be generated during both the construction and operational phases of the development. Generation of waste during both construction and operation may have impacts on air quality, noise, management of ground conditions, water environment and visual amenity. An assessment of waste impacts is proposed is intended to focus on the ability of the existing waste infrastructure capacity to cope with this development. Whilst it is appreciated that many of the waste impacts can be dealt with through other ES chapters, there are some issues which have not been considered and which do merit further consideration as part of the proposed development and its impact assessment. I advise that a Sustainable Resource Management Plan or similar approach, which considers sustainable resource matters, beyond WLP policy, such as minerals and energy, may be appropriate.

34. Given the location of the proposed stadium, and the windiness of the site, match day litter and litter from events is an issue which does need to be assessed. This has not been considered as part of the scoped down assessment. For example, generation of litter on-site and along the main access routes to the proposed stadium could have pollution and amenity impacts on the water environment including the River Mersey, docks and canal systems. Effects on the designated sites and biodiversity of the river, as well as a visual impact for local residents, businesses and visitors will need to be assessed within the ES and appropriate avoidance and mitigation measures proposed. Consideration should also be given to the provision of information to users of the stadium / venue (litter management policy / code) to help avoid litter generation.
35. In addition, consideration should be given to food waste generated during the operation of the new stadium (e.g. match days, and through day to day operation of the club) with a view to managing this as far up the waste hierarchy as possible, perhaps through an on-site, small-scale AD or CHP facility that could also make a positive contribution to meeting the energy needs of the proposed stadium and reduce carbon emissions.
36. Further, it is proposed that BMD will be infilled with marine-won sand, NPPF paragraph 143 bullet point 2 encourages the substitution of secondary and recycled aggregates over primary minerals. Construction, demolition and excavation waste (CDEW) is how many of the Liverpool docks have been infilled in the past, but would obviously be subject to an Environmental Permit and the necessary controls to avoid pollution. Therefore I will advise that infilling with CDEW and not just relying on virgin marine won sand would be appropriate subject to supply and engineering considerations.
37. The 'Relevant Planning Policy section' should also refer to the Merseyside and Halton Joint Waste Local Plan. Policies WM8 and WM9 apply.

Minerals

38. As referred to in paragraph 7 above, consideration needs to be given to the displacement of existing businesses, and the impacts the proposal will have on land, and in this case the Port of Liverpool operations in terms of loss of the dock. Specifically, the loss of a minerals wharf for marine-won sand which should be safeguarded under NPPF paragraph 143.
39. Merseyside has very limited minerals resources with only two active quarries and two active wharves for marine-won sand and gravel. Protecting these primary resources for the highest end uses would be preferable, and as referred to in paragraph 29 above, consideration should be given to using secondary or recycled aggregates for the infilling of the dock.

Low Carbon/Renewable Energy

40. The EIA Scoping report does not discuss inclusion of low carbon or renewable energy for the proposed stadium. This is a significant omission, given the scale of

the proposed development. Consideration should be given to this in ES and stadium design as a means of reducing the GHG emissions and climate change impacts arising from the proposed development. This could be linked to the sustainable resource management plan referred to in paragraph 33 above. There are many examples around the world of sports stadiums that are reducing their grid energy requirements and energy consumption through a range of measures including energy conservation and efficiency measures and; installation of renewable technologies e.g. sensitively located and designed on-building solar photovoltaics. Whilst all proposed renewable energy technologies would need to be assessed, installation of wind turbines in this location is likely to raise impact pathways with bird receptors and some designs may not be appropriate. The following links provide useful examples:

<http://www.power-technology.com/features/featuregreen-clean-mean---the-worlds-most-environmentally-friendly-sports-stadiums-4278520/>

<http://www.energysavingtrust.org.uk/blog/sports-stadiums-seek-score-high-sustainability>

Construction Environment Management Plan

41. The applicant should also prepare a Construction Environmental Management Plan (CEMP) document to manage and mitigate the main environmental effects during the construction phases of the proposed development. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts.
42. The CEMP should be compiled in a coherent and integrated document and should be accessible to site managers, all contractors and sub-contractors working on site as a simple point of reference for site environmental management systems and procedures.

Part Two

43. MEAS can offer advice on the relevant archives and other sources that should be consulted.
44. Guidance on the Merseyside and Halton Joint Waste Local Plan can be found here: http://meas.org.uk/media/4981/ADP-001-WasteLocalPlan_Final_LoRes_opt.pdf

I would be pleased to discuss these issues further and to provide additional information in respect of any of the matters raised.

Lucy Atkinson
Waste Appraisal and Support Services Team Leader

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Marine Management Organisation

Scoping Opinion

Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) (“the Regulations”)

Title: Everton Football Club Stadium, Bramley-Moore Dock

Applicant: Tom Wells, CBRE Ltd

MMO Reference: EIA/2017/00023

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1. Proposal

Everton Football Club Stadium, Bramley-Moore Dock

1.1 Project Background

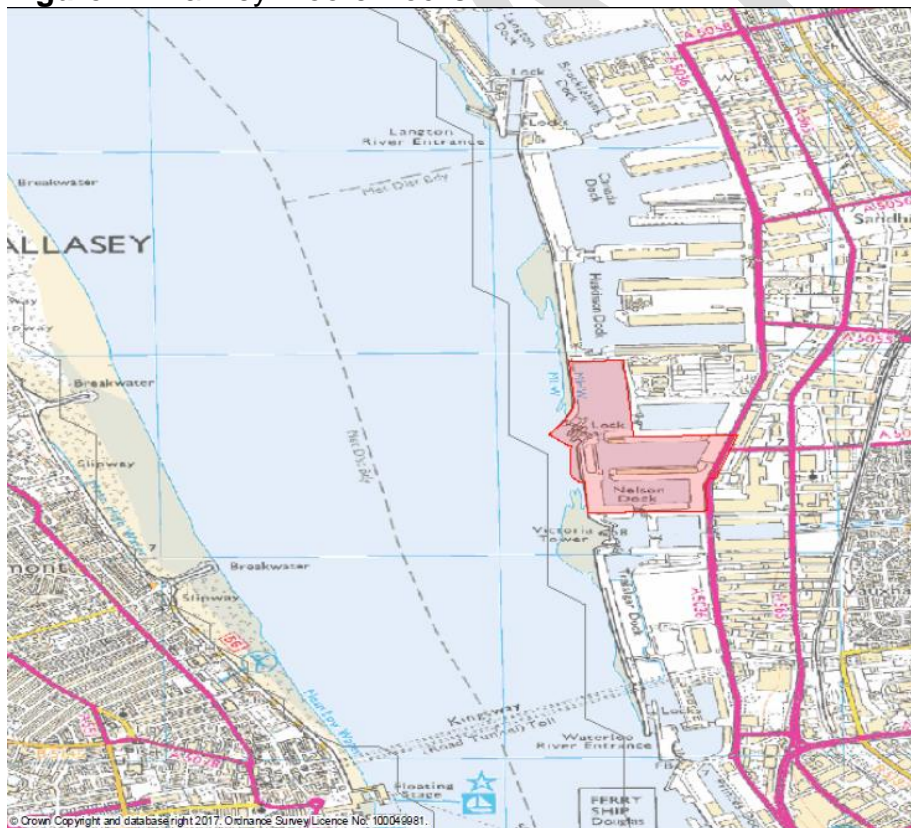
Everton Football Club (EFC) are seeking to relocate from Goodison Park to a proposed new stadium at Bramley-Moore Dock (BMD), Regent Road, Liverpool.

The proposed development comprises the demolition of non-listed structures; potential part-demolition of listed structures; potential infill/part infill of the listed dock; and the construction of a new stadium of up to 60,000 seats together with associated facilities.

2. Location

The EFC Stadium, BMD site is located to the west of Regent Road, Liverpool which is displayed in Figure 1 below.

Figure 1: Bramley-Moore Docks



3. Environmental Impact Assessment (EIA)

It is the understanding of the Marine Management Organisation (MMO) that, pursuant to Regulation 5 of the Regulations, it is agreed between the MMO and EFC that the proposed works constitute EIA development under Annex II 10 (b) - Urban development projects - of EU Directive 2011/92/EU COUNCIL (as amended).

The application required for the proposed works for a marine licence under Part 4 of the Marine and Coastal Access Act 2009 ("the Act") will be accompanied by an Environmental Statement ("ES").

4. Scoping Opinion

EFC have prepared a Scoping Report entitled "Environmental Impact Assessment, Scoping Report, Everton FC Stadium, Bramley-Moore Dock" submitted to the MMO on 15 May 2017.

The MMO agrees with the topics outlined in the Scoping Report and, in addition, recommends that the following aspects are considered further during the EIA and should be included in any resulting ES.

5. Project Description

5.1 The ES should contain a detailed description of the proposed works.

6. Nature Conservation

6.1 The report states in the 'EIA Methodology' that the proposed development site lies in close proximity to the Mersey Narrows & North Wirral Foreshore Special Protected Area (SPA) and Ramsar Site; the Dee Estuary Special Area of Conservation (SAC); the Ribble and Alt Estuaries SPA and Ramsar Site; the Sefton Coast SAC; and the Mersey Estuary SPA and Ramsar Site. In assessing the effects of the proposed development on these receptors, the MMO expects the ES to include potential impacts on any benthic species and/or habitats that these sites are designated to protect (and any other designated features within these sites). The potential impacts of underwater noise arising from construction activities should also be assessed for any sensitive receptors.

7. Coastal Processes

7.1. The figures in Appendix A (document 1) display the footprint of the stadium, which is greater in extent than the BMD. The impact of building out into the River Mersey will need to be assessed within the ES, including consideration of how the new footprint (including construction work) might impact the local marine environment (e.g. accretion and scouring of sediments, sediment transport and suspended sediment plumes).

7.2. The ES should consider the project in respect of storm surges and sea level rise.

8. Benthic Ecology

8.1. The possibility of releasing benthic non-native species present within Liverpool Docks (e.g. *Styela clava*, *Haliplanella lineata* and *Ficopotamus enigmaticus*) into the wider marine environment is a key issue that requires assessment within the ES.

8.2 While it is stated under the 'Aquatic Ecology' Baseline Conditions that dense populations of the blue mussel (*Mytilus edulis*) occur within a neighbouring dock, this species is not included in the section on 'Key Issues and Requirements for Assessment'. *M. edulis* populations are known to mediate water quality in Liverpool Docks (i.e. reduce algal blooms and prevent subsequent anoxia and release of foul odours) by filter-feeding on phytoplankton (Wilkinson et al. 1996). The potential impacts of the proposed development on *M. edulis* populations within the Liverpool Dock complex should therefore be included as a key issue within the EIA.

8.3 The MMO does not agree with the stated assumption that the sediment on the dock floor will be largely barren. Docks act as artificial lagoons and can therefore be useful for the conservation of lagoon specialist species. Indeed, several lagoon specialist benthic species have been recorded in Liverpool Docks (Allen et al. 1995). The impact of the proposed development on sediment-dwelling species in BMD and neighbouring docks should therefore be assessed in the ES.

8.4 The report states that BMD will be dredged prior to infilling and that this material will possibly be disposed of at sea. If this procedure is undertaken, then the potential impacts of disposal on benthic communities at the disposal site should be considered in the ES.

8.5 The report proposes both a Phase I and Phase II habitat survey will be conducted for the terrestrial component, but very little information is presented regarding how the aquatic ecology features are to be characterised. It is stated that "the assessment methodology will be based on the Guidelines for Ecological Impact Assessment in Britain and Ireland – Marine and Coastal (IEEM, 2010)". These surveys must also include the acquisition of suitable data upon which the benthic ecology of the region can be characterised.

9. Fish Ecology and Fisheries

9.1 Atlantic salmon (*Salmo salar*) are known to be recolonising the River Mersey (Ikediashi et al., 2012) and migratory fish should be considered within the ES if they transit past the BMD site.

9.2 Fish spawning and nursery grounds may be located proximal to the site. Sole (*Solea solea*), European sprat (*Sprattus sprattus*) and European plaice (*Pleuronectes platessa*) spawning grounds, as well as high intensity European herring nursery grounds (*Clupea harengus*) are all potentially found within the vicinity

of the site (Ellis et al., 2012; Coull et al., 1998). Given the scale of the works the impacts on fish receptors may be limited, however consideration should be shown. The ES should describe fish habitat (including spawning and nursery grounds) and receptors in the proximity of the proposed works, followed by a concise assessment of the potential impacts on them. Where appropriate, justification and evidence that the works are unlikely to unfavourably affect these habitats, should be included in the ES.

10. Dredging and Disposal

10.1 Mitigation measures and methodologies for reducing sediment disturbance and contamination issues should be provided in detail in the ES.

10.2 Details of dredge and disposal methodologies should be included within the ES and potential contaminant issues should be addressed.

10.3 The report states that environmentally harmful contaminants, such as Tributyltin (TBT), are likely to be present in the dock sediments, and that there is potential for these contaminants to be released into the Mersey estuary, and wider marine environment, during silt removal and disposal. The potential effects of these contaminants on fish species and benthic organisms should be assessed in the ES.

11. Underwater Noise

11.1 The underwater noise arising from the construction activities, and the potential impacts of the noise on sensitive marine receptors should be considered within the ES. Considering the location and nature of the works, potential impacts would be fairly localised.

12. Baseline Assessments

12.1 Appropriate references to support the aquatic ecology baseline assessments, and assessment of potential impacts on sensitive receptors, should be included within the ES.

13. Cumulative Effects

13.1 The cumulative effects on the marine environment must be considered within the ES.

14. Conclusion

The topics highlighted in this scoping opinion should be assessed during the EIA process and the outcome of these assessments should be documented in the ES in support of the marine licence application and the planning application. This statement, however, should not necessarily be seen as a definitive list of all EIA requirements. Given the scale and programme of these planned works other work may prove necessary.

Frances Edwards
Marine Case Officer



[Date]

References

Allen JR, Wilkinson SB, Hawkins SJ (1995) Redeveloped docks as artificial lagoons: The development of brackish-water communities and potential for conservation of lagoonal species. *Aquatic Conservation* 5: 299–309.

Coull, K.A., Johnstone, R., and S.I. Rogers. (1998). Fisheries Sensitivity Maps in British Waters. Published and distributed by UKOOA Ltd.

Ellis, J.R., Milligan, S.P., Readdy, L., Taylor, N. and Brown, M.J. (2012). Spawning and nursery grounds of selected fish species in UK waters. Sci. Ser. Tech. Rep., Cefas, Lowestoft, 147: 56 pp.

Ikediashi, C., Billington, S. and Stevens, J.R., 2012. The origins of Atlantic salmon (*Salmo salar*) recolonising the River Mersey in northwest England. *Ecology and Evolution* 10: 2537-2548.

Wilkinson SB, Zheng W, Allen JR, Fielding NJ, Wanstall VC, Russell G, and Hawkins SJ (1996) Water quality improvements in Liverpool docks: The role of filter feeders in algal and nutrient dynamics. *Marine Ecology* 17: 197–211.

Date: 29 June 2017
Our ref: 12188_216388



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BY EMAIL ONLY

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Dear Chris

This advice is being provided as part of Natural England's Discretionary Advice Service. Everton Football Club has asked Natural England to provide advice for 'Project Blue'.

This advice is provided in accordance with the undefined scope contract quotation and agreement no. DAS2809 dated 25th June 2017.

Further to our meeting on Tuesday 13th June, here is a summary of the advice Ella Howes (Lead Adviser - Marine) and I gave you.

Breeding Bird Surveys

We are satisfied with the approach taken to these surveys and are keen to see the full results of the surveys.

We also have local information that the wall between the dock and the estuary was being utilised by up to 200 pairs of breeding kittiwakes. We advise that surveys be carried out of this area (which cannot be seen from the dock itself) via the estuary/Mersey Ferry by videoing the area (during the breeding season) to confirm whether these birds are still using this area.

Bat Surveys

The number of surveys you are proposing is the minimum that should be undertaken and justification should be given if fewer than the minimum are undertaken. We would expect the number of surveys carried out, is enough to fully inform the ecologist of how the structures are being used by bats.

All potential roost entry/exit points must be visible to a surveyor during the emergence/dawn re-entry surveys. It is therefore not possible to confirm if the proposed number of surveys is appropriate at this stage. The building/structure inspections are generally used to determine how many surveyors are needed for each building/structure.

As the site is a flooded dock, we agree that there is little potential for any loss of commuting/foraging habitat.

Consideration needs to be given to the boundary wall adjacent to Regent Road as a potential hibernation site and investigations should be made to see if bats are hibernating in this structure.

Wintering Bird Surveys

The amount and length of the surveys undertaken are less than we would expect. We would normally expect you to undertake surveys from October to March inclusive with two visits per month.

We would also expect you to cover autumn and spring migration passages with weekly visits between September to November inclusive and March to Mid-May, inclusive.

You do have time to undertake autumn passage surveys this year but in the absence of full winter surveys and any spring passage surveys, through the desk stop study, you would need to demonstrate that you have enough information in order for the competent authority to determine whether or not there is likely to be likely significant effect to SPA birds.

Aquatic Surveys

We are happy with the proposed approach to the aquatic surveys. If the ROV survey is inconclusive, we would advise that wall scrapes are used to confirm the species present. If invasive species are found, we would advise that you produce a detailed disposal methodology for each species.

We would be happy to receive further details about the proposed grab sampling; however, we deem preliminary plans for 10 sampling points to be appropriate, subject to change depending on findings.

Sediment samples should be taken and assessed for contaminants, including: Metals (As, Cd, Cr, Cu, Hg, Ni, Pb, Zn), Organotins (TBT and DBT), Polychlorinated Biphenyls (PCBs) and Polycyclic aromatic hydrocarbons (PAHs).

Once we have received the details of these surveys, we will be happy to discuss proposed remediation options with you.

If wet piling is proposed, we would also advise the need for underwater noise assessments and suitable mitigation measures.

Dredging

If dredging is proposed, the impacts of this activity on the adjacent protected sites would need to be considered and appropriate disposal methods should be identified. In this event, we would be able to advise further on the appropriate way to dispose of the material.

Habitats Regulations Assessment

We look forward to seeing a draft structure of the HRA for comment.

You would need to include Liverpool Bay potential SPA within your assessment. This is being notified for foraging little tern and common tern and non-breeding little gulls. We would also advise that you consider the Liverpool Bay SPA and potential SPA as a whole rather than as separate SPAs.

The Liverpool Waters scheme includes proposed mitigation for cormorants in Nelson Dock comprising floating pontoons. You would need to ensure that your proposal does not undermine this proposed mitigation.

Your in-combination assessment will need to include all schemes which may impact on the interest features of the estuary. This could include plans or projects from neighbouring LPAs and the MMO.

You can also seek further advice from us regarding our conservation advice for the [designated sites](#).

Green Infrastructure

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into this development.

Biodiversity

This development may provide opportunities to incorporate features into the design which are beneficial to wildlife such as the incorporation of roosting opportunities for bats the use of native

species in the landscape planting. This is in accordance with NPPF Paragraph 118 which states that 'opportunities to incorporate biodiversity in and around developments should be encouraged', Section 40(3) of the Natural Environment and Rural Communities Act (2006) which states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process

Strategic Approach

As noted when we met, we are in contact with Liverpool City Council planning department about options for a strategic approach to the development of the Liverpool dock area and this is something which you may wish to be a part of.

Yours sincerely

Miss Elizabeth Knowles
Lead Adviser
Cheshire, Greater Manchester, Merseyside & Lancashire Area Team

Date: 07 June 2017
Our ref: 216630
Your ref: Bramley Moore Dock



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Dear Peter

Environmental Impact Assessment Scoping consultation (Regulation 15 (3) (i) of the EIA Regulations 2011): Construction of new 600000 seat stadium
Location: Bramley Moore Dock, Regent Road, Liverpool

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated and received on 25 May 2017.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Elizabeth Knowles on 0208 225 7506. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Elizabeth Knowles
Lead Adviser
Cheshire, Greater Manchester, Merseyside & Lancashire Area Team

¹ Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

² *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2 Internationally and Nationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (eg designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2010. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection

Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites)

The development site is adjacent to Liverpool Bay Extension potential SPA and could also have a potential impact on the following designated nature conservation sites:

- Mersey Narrows SSSI
- North Wirral Foreshore SSSI
- Mersey Narrows & North Wirral Foreshore SPA
- Mersey Estuary SPA
- Dee Estuary SPA
- Liverpool Bay SPA
- Ribble & Alt Estuaries SPA
- Dee Estuary SAC
- Sefton Coast SAC
- Mersey Narrows & North Wirral Foreshore Ramsar
- Ribble & Alt Estuaries Ramsar

Further information on the SSSIs and their special interest features can be found at www.magic.gov.uk. The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Natura 2000 network site conservation objectives are available on our internet site <http://publications.naturalengland.org.uk/category/6490068894089216>

2.3 Regionally and Locally Important Sites

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in

terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted [standing advice](#) for protected species which includes links to guidance on survey and mitigation.

2.5 Habitats and Species of Principal Importance

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (eg from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (eg whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

2.6 Contacts for Local Records

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

3. Landscape Character

Landscape and visual impacts

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The European Landscape Convention places a duty on Local Planning Authorities to consider the impacts of landscape when exercising their functions.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

4. Access and Recreation

Natural England encourages any proposal to incorporate measures to help encourage people to access the natural environment ~~countryside for quiet enjoyment~~. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Rights of Way, Access land, Coastal access and National Trails

The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue;

for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

6. Climate Change Adaptation

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 109), which should be demonstrated through the ES.

7. Cumulative and in-combination effects

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, ie projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

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Director: Alan Jemmett, PhD, MBA

Enquiries: 0151 934 4951

Contact: Lucy Atkinson
Email: measdconsultations@sefton.gov.uk

DEVELOPMENT MANAGEMENT ADVICE

To: Felicity Collins
Organisation: Development Management
Liverpool Council

From: Lucy Atkinson

Your Ref: 20O/0997
File Ref: LI20-030
W/P Ref:
Date: 20th May 2020

To demolish existing buildings and redevelop the site for a mix of uses, comprising residential units (Use Class C3); residential institution (Use Class C2); shops (Use Class A1); financial & professional services (Use Class A2); food and drink use (Use Class A3); drinking establishments (Use Class A4); hot food takeaways (Use Class A5); business use (Use Class B1); non-residential institutions (Use Class D1); and open space, with associated access, servicing, parking and landscaping. (Outline application with all matters (Access, Appearance, Landscaping, Layout and Scale) reserved)

**Goodison Park, Goodison Road, Liverpool, L4 4EL
INTERIM RESPONSE – Ecology & Archaeology only**

1. Thank you for consulting Merseyside Environmental Advisory Service in respect of this planning application. The proposals comprise the demolition of the existing buildings and redevelopment of the site for a mix of uses. This is an interim response on ecological and archaeological issues only. Comments on EIA compliance, waste and sustainability to follow.
2. Having reviewed the application and supporting documentation, our advice is set out below in two parts.
 - Part One deals with issues of regulatory compliance, action required **prior to determination** and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes. Should the Council decide to adopt an alternative approach to MEAS Part 1 advice, I request that you let us know. MEAS may be able to provide further advice on options to manage risks in the determination of the application.

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- Part Two sets out guidance to facilitate the implementation of Part One advice and informative notes.

In this case Part One comprises paragraphs 3 to 23, while Part Two comprises paragraphs 24 and 25.

Part One

Habitats Regulations

3. The following European sites are near to the application site and Local Plan policies OE5 and OE6 apply:
 - Liverpool Bay SPA;
 - Mersey Narrows and North Wirral Foreshore SPA;
 - Mersey Narrows and North Wirral Foreshore Ramsar;
 - Sefton Coast SAC;
 - Sefton Coast SSSI;
 - Ribble and Alt Estuaries SPA;
 - Ribble and Alt Estuaries Ramsar;
 - Mersey Estuary SPA; and
 - Mersey Estuary Ramsar.
4. The applicant has submitted a shadow HRA report in support of the planning application (ES Volume III Appendix 3.2 Biodiversity - Appendix 2 Goodison Park Legacy Project Liverpool: Report to Inform Habitats Regulations Assessment Stage 1 (WYG, February 2020, A100795, Issue 1).
5. The shadow HRA concludes that likely significant effects upon qualifying features of designated sites, as a result of the construction and operation of the application site, are not anticipated when considered alone and in-combination with other projects.
6. Before this conclusion can be accepted and the shadow HRA accepted as the Council's own assessment, I advise that an amendment to the shadow HRA is required.
7. The shadow HRA states that the application site is located beyond the mean distance travelled from home to the relevant European sites (Liley *et al* (2017) indicates that this is 5.2km). However, the nearest accessible European sites (Sefton Coast SAC and Ribble and Alt Estuaries SPA and Ramsar sites) can be accessed from the Crosby Lakeside car park (GR 331907, 397371) which is 4.3km from the application site on the road network.
8. The shadow HRA should therefore be revised **prior to determination** to take this into account. However, I advise that it is unlikely to affect the overall conclusions of the assessment.
9. The proposed development is within the Natural England SSSI Impact Risk Zone (IRZ) (November, 2019). As the proposed development falls within the category '*residential development in this area should consider recreational disturbance*

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impacts' Natural England must be consulted on the planning application **prior to determination**.

Ecology

10. An Ecological Appraisal is also included within Volume 3.2, Appendix III of the ES (WYG, January 2020, A100795-1, version 1). I advise that the Ecological Appraisal is acceptable, subject to further information on bats being provided (see below).
11. Buildings and structures were assessed on the site for potential bat roosting features and all were considered to provide negligible potential for roosting bats. Gaps and crevices were noted upon the East Stand and several buildings (e.g. B1, B3 and B7) on the site, although the potential presence of roosting bats was discounted due to noise and light disturbance effects.
12. However, roosting bats are known to have been recorded previously in similar settings, including at the Anfield Stadium, as revealed by the consultant's desktop study. It is not therefore possible to discount the potential presence of bats based on noise and lighting effects, particularly when the site is not subject to these effects on a continuous basis. I therefore advise that further assessment of the impacts of the proposals on roosting bats is required **prior to determination**. As a part of this, the desktop study should be updated to find whether any records of bats have emerged from the vicinity of the site since 2017.
13. Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected and UDP policy OE5 applies. The following planning condition is required.

CONDITION

14. No building demolition works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings and structures are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.
15. The applicant's ecological consultant recommends the installation of 5no. bird nesting boxes and 5 no. bat roosting boxes on the site and I concur with that. Details of the boxes (e.g. number, type and location on an appropriately scaled plan) that will be erected on the site should be provided to the Local Planning Authority for agreement. The following planning condition is required.

CONDITION

16. The development hereby permitted shall not be occupied until details of bird nesting and bat roosting boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.



17. The Ecological Appraisal report also recommends the use of native species of local provenance for the landscaping of the site. I advise that this recommendation is followed and details provided at the reserved matters stage.
18. An Ecological Impact Assessment (EclA) has also been undertaken (ES Appendix 3.2) The EclA follows best practice (e.g. CIEEM, 2018) and the conclusions of the EclA can be accepted.

Archaeology

19. The heritage statement (CBRE Environmental Statement Vol. III: Chapter 12 Built Heritage – Appendix 12.1 by KMHeritage 2020) correctly identifies the non-designated heritage assets which will be impacted by the proposals. The suggested mitigation, however, consists entirely of legacy issues (references to the stadium in layouts and names). The following advice is therefore supplemental to that contained in the heritage statement.
20. Goodison Park Stadium is recorded on the Merseyside Historic Environment Record as MME17858, it is therefore a non-designated heritage asset. It was considered for Listing by Historic England (case No.: 1463714) but not felt to meet the stringent requirements for preservation. This decision was due to the altered state of the surviving elements but does not indicate the building is without some architectural interest. Additionally, the historic interest was not sufficient to warrant legal protection but was noted.
21. The proposed demolition will obviously result in the complete loss of the non-designated heritage asset, it will therefore be necessary to mitigate this loss via preservation by record. Such recording should be secured by means of the following condition:

No development shall take place until the applicant has submitted a written programme of archaeological building recording for approval in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved programme.

22. The use of such a condition is in line with the guidance set out in Paragraph 199, Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (2019), published by the Ministry of Housing, Communities & Local Government and Managing Significance in Decision Taking in the Historic Environment, Historic Environment Good Practice Advice in Planning: 2 (Historic England 2015).
23. The use of such a pre-commencement condition is necessary to ensure the implementation of the required scheme of archaeological investigation and its publication.



Part Two

24. The Programme of Archaeological Building Recording should be described in a Written Scheme of Investigation produced by an appropriately qualified and experienced archaeologist and should contain appropriate research objectives and a detailed programme of works that includes a specification of the methods to be used. The WSI should be of sufficient detail so that the impact of the proposed works can be properly assessed by the Local Planning Authority.
25. At Liverpool council's request, MEAS will continue to liaise with the applicant's archaeological contractor, to ensure that all aspects of the proposed archaeological mitigation are implemented in accordance with the appropriate professional standards.

I would be pleased to discuss these issues further and to provide additional information in respect of any of the matters raised.

Lucy Atkinson
Environmental Appraisal and Support Services Team Leader



Date: 22 June 2020
Our ref: 318481
Your ref: 20O/0997



Felicity Collins
Liverpool City Council

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Felicity

Planning consultation: To demolish existing buildings and redevelop the site for a mix of uses, comprising residential units (Use Class C3); residential institution (Use Class C2); shops (Use Class A1); financial & professional services (Use Class A2); food and drink use (Use Class A3); drinking establishments (Use Class A4); hot food takeaways (Use Class A5); business use (Use Class B1); non-residential institutions (Use Class D1); and open space, with associated access, servicing, parking and landscaping. (Outline application with all matters (Access, Appearance, Landscaping, Layout and Scale) reserved).

Location: Goodison Park Goodison Road Liverpool L4 4EL

Thank you for your consultation on the above dated and received by Natural England on 01 June 2020.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Further information required to determine impacts on designated sites

In summary, Natural England does not agree with the overall conclusions of the Habitats Regulations Assessment (HRA) as uncertainties remain relating to effects that may become significant when considered in combination with other plans or projects.

For clarity the advice within this letter is based on our review of the Report to Inform Habitats Regulations Assessment Stage 1 by WYG dated February 2020.

Internationally and nationally designated sites

The application site is within 2.7km of the Liverpool Bay Special Protection Area (SPA) and 4km of the Mersey Narrows and North Wirral Foreshore SPA, Ramsar and Site of Special Scientific Interest (SSSI).

European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations').

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have¹. The [Conservation objectives](#) for each

¹ Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process.

European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Please see the subsequent sections of this letter for our advice relating to SSSI features.

Habitats Regulations Assessment (HRA)

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

We have reviewed the Report to Inform Habitats Regulations Assessment Stage 1 by WYG and note that the assessment concludes that your authority can rule out the likelihood of significant effects arising from the proposal, both alone or in-combination. On the basis of information provided, Natural England advises that there is currently not enough information to rule out the likelihood of significant effects. Natural England therefore advises that your authority should not grant planning permission at this stage.

Uncertainties remain relating to effects that may become significant when considered in combination with other plans or projects.

Natural England advises that additional information should be submitted by the applicant in order for your authority to fully assess the proposal. If following the submission of additional information you conclude, as the competent authority, that there is a likelihood of significant effects, or uncertainties, you should undertake an appropriate assessment in order to fully assess the implications of the proposal in view of the conservation objectives for the European site(s) in question. Natural England must be consulted on any appropriate assessment your Authority may decide to make.

In-combination Assessment

We advise further consideration is required within Section 5 of the HRA to fully assess all potential projects and plans which could act in-combination.

The in-combination assessment needs to assess whether there are any other plans and projects in the vicinity which have the same effect as this development. This could include plans or projects from neighbouring Local Planning Authorities.

Plans or projects comprise the following;

- a) The incomplete or non-implemented parts of plans or projects that have already commenced;
- b) Plans or projects given consent or given effect but not yet started.
- c) Plans or projects currently subject to an application for consent or proposed to be given effect;
- d) Projects that are the subject of an outstanding appeal;
- e) Ongoing plans or projects that are the subject of regular review.
- f) Any draft plans being prepared by any public body;
- g) Any proposed plans or projects published for consultation prior to the application

The projects that have been considered within the HRA are set out in Table 13 'Summary of relevant planning applications', and we note that the list of projects relates to those within the

The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>

Liverpool Waters development scheme area, however wider development projects with the same potential impacts as this development should also be included.

We note that Liverpool Local Plan (5.2.1) and Wirral Local Plan (5.2.2) have been included within section 5.2 of the assessment however it is not clear how any in-combination impacts associated with these plans have been ruled out, therefore further justification is required.

Mersey Narrows SSSI

Our concerns regarding the potential impacts upon the Mersey Narrows SSSI coincide with our concerns regarding the potential impacts upon the international designated sites.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Further general advice on protected species and other natural environment issues is provided in the attached Annex A.

If you have any queries relating to the advice in this letter please contact me on the details below.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above, has been provided.

Yours sincerely

Angela Leigh
Planning & Development Adviser
Cheshire to Lancashire Area Team

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Protected Species

Natural England has produced [standing advice](#)² to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)³. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Incorporating swift boxes or bat boxes into the design of new buildings.

² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access

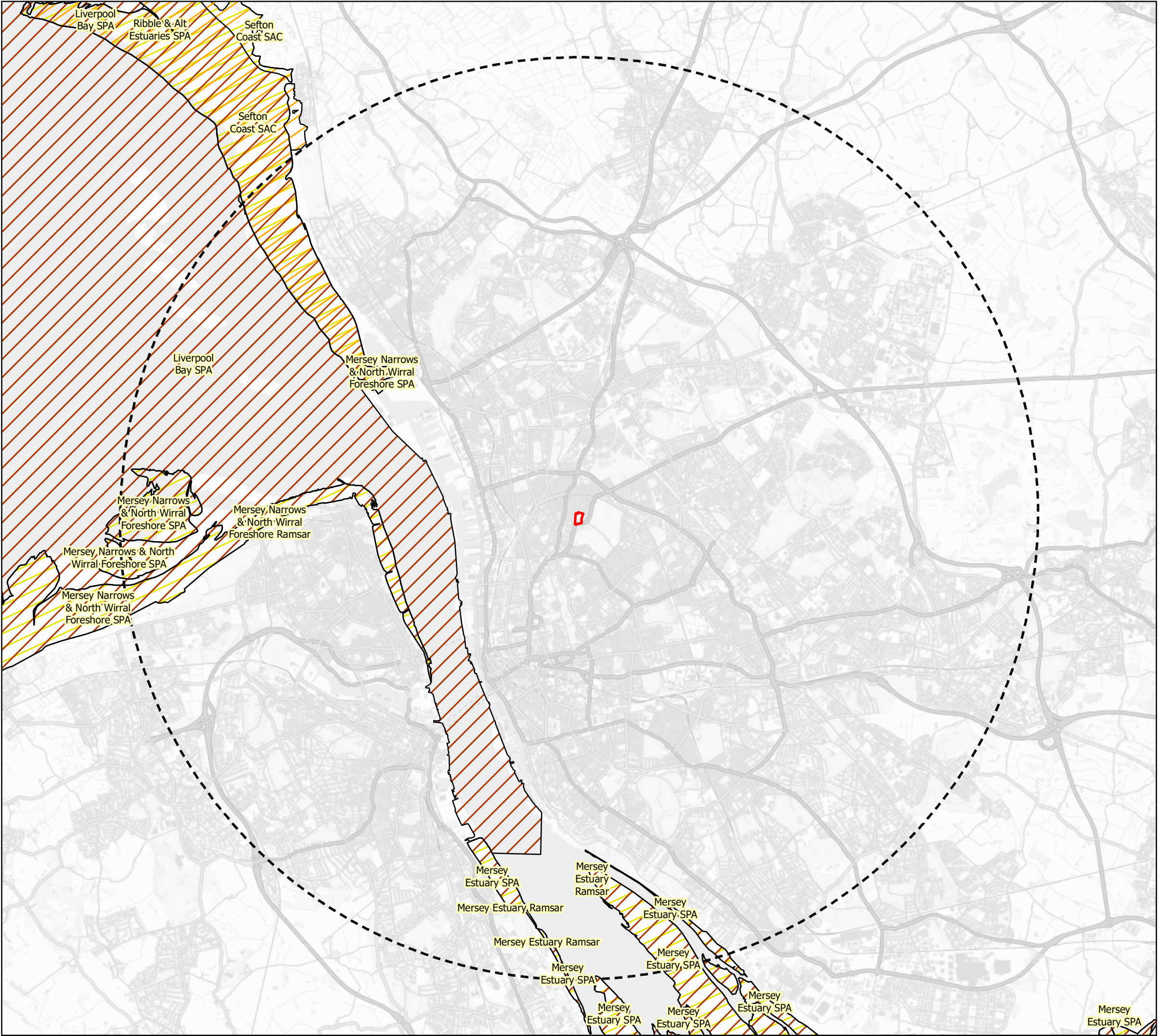
Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).








Appendix D – Map Showing Statutory Designated Sites within 10 km



| Rev | Date | Notes |
|-----|----------|------------------------|
| A | 13/02/20 | Initial map production |

Legend

-  Site boundary
-  Site boundary 10km buffer
-  Special Areas of Conservation (SAC)
-  Special Protection Areas (SPA)
-  Ramsar

0 1,000 2,000 4,000 Metres



Designated Sites within 10km
of Site Boundary

Goodison Park
Everton Stadium Development Limited

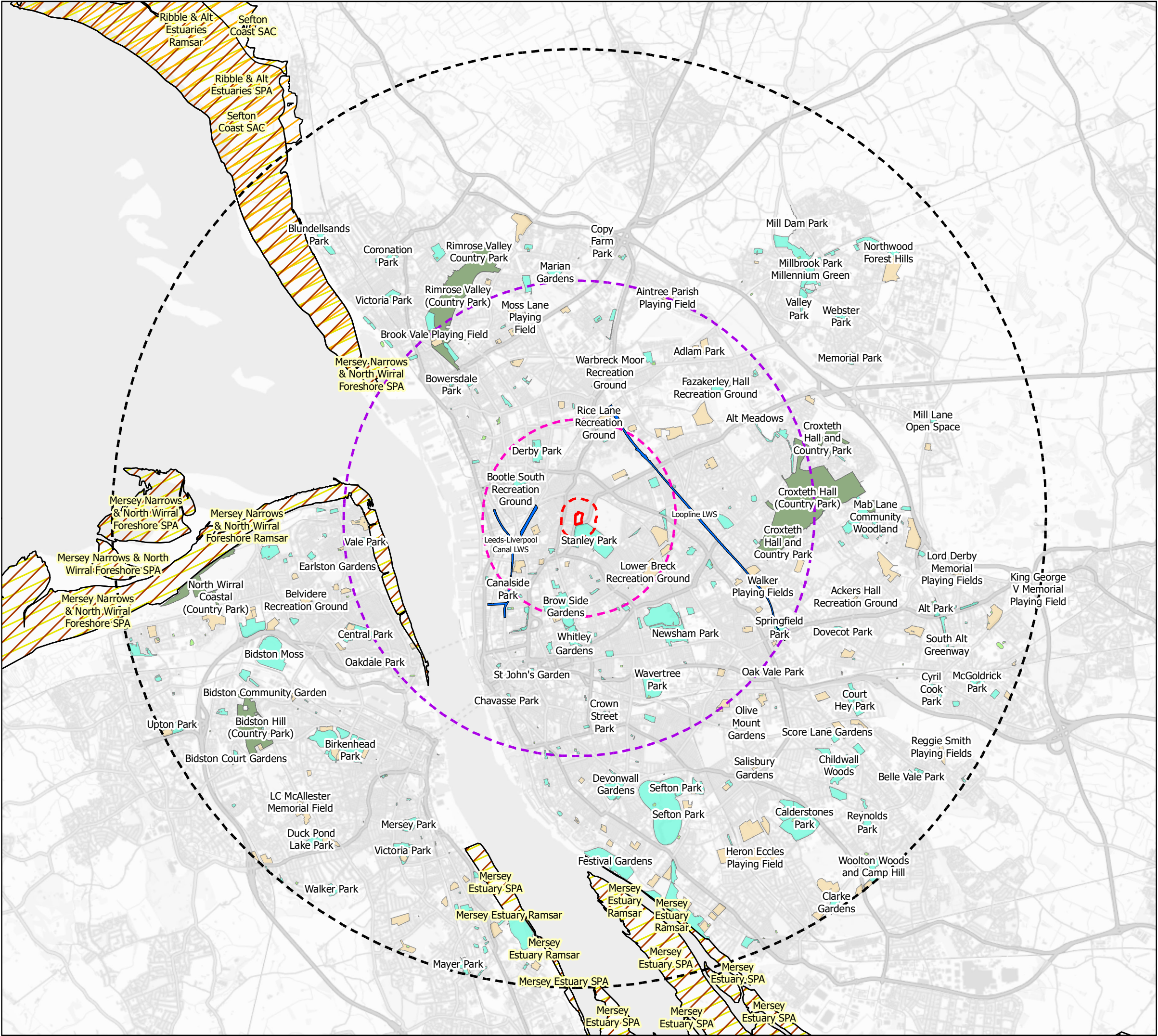
| Scale at A3: | Project No: | Drawing No: | Revision: |
|--------------|-------------|-------------|-----------|
| 1:80,000 | A100795-1 | Figure 2 | A |

| Drawn by: | Drawn date: | Approved by: |
|------------------|-------------|--------------|
| Maddie Errington | 13/02/2020 | Grace Bishop |

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Appendix E – Map Showing Public Open Space within 10km of application site



| Rev | Date | Notes |
|-----|----------|------------------------|
| A | 09/12/19 | Initial map production |

Legend

- Site boundary
- Site boundary 300m buffer
- Site boundary 2km buffer
- Site boundary 5km buffer
- Site boundary 10km buffer
- Special Areas of Conservation (SAC)
- Special Protection Areas (SPA)
- Ramsar
- Local Wildlife Site (LWS) (3)
- Country Parks (4)
- Play Space (176)
- Playing Field (132)
- Public Park Or Garden (221)

0 1,000 2,000 4,000 Metres



Designated Sites, Local Wildlife Sites, Country Parks and Public Open Spaces within 10km of Site Boundary

Goodison Park Legacy
Everton Stadium Development Limited

| | | | |
|--------------------------|--------------------------|-------------------------|----------------|
| Scale at A3: 1:78,599 | Project No: A100795-1 | Drawing No: Figure 1 | Revision: A |
|--------------------------|--------------------------|-------------------------|----------------|

| | | |
|-------------------------------|---------------------------|------------------------------|
| Drawn by: Maddie Errington | Drawn date: 09/12/2019 | Approved by: Phil Preston |
|-------------------------------|---------------------------|------------------------------|

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| function | Name of open Space | Size of site (hectares) |
|---------------|--------------------------------------|-------------------------|
| country parks | BIDSTON HILL | 49.620 |
| country parks | CROXTETH HALL | 221.763 |
| country parks | NORTH WIRRAL COASTAL | 29.100 |
| country parks | RIMROSE VALLEY | 106.149 |
| Play Space | Un named play spaces within 10km | 23.59 |
| Play Space | Anfield Playground Recreation Ground | 0.038 |
| Play Space | Fender Skatepark | 0.059 |
| Playing Field | Un named playing fields within 10km | 287 |
| Playing Field | Ackers Hall Recreation Ground | 1.001 |
| Playing Field | Adlam Park | 3.605 |
| Playing Field | Admiral Park | 0.985 |
| Playing Field | Aintree Parish Playing Field | 3.511 |
| Playing Field | Alfred Holt Athletic Ground | 3.279 |
| Playing Field | Belvidere Recreation Ground | 3.544 |
| Playing Field | Birkenhead Park Rugby Club | 2.717 |
| Playing Field | Brook Vale Playing Field | 3.418 |
| Playing Field | Doric Park | 2.345 |
| Playing Field | Geoffrey Hughes Memorial Ground | 19.134 |
| Playing Field | Grove Mount Playing Fields | 1.517 |
| Playing Field | Heron Eccles Playing Field | 14.233 |
| Playing Field | Higher Bebington Recreation Ground | 4.364 |
| Playing Field | Jubilee Park | 6.324 |
| Playing Field | King George V Memorial Field | 4.002 |
| Playing Field | King George V Memorial Playing Field | 0.636 |



| function | Name of open Space | Size of site (hectares) |
|-----------------|---|--------------------------------|
| Playing Field | King George V Playing Fields | 10.121 |
| Playing Field | LC McAllester Memorial Field | 5.655 |
| Playing Field | Liverpool Cricket And Football Ground | 1.790 |
| Playing Field | Lord Derby Memorial Playing Fields | 6.344 |
| Playing Field | Lower Breck Recreation Ground | 14.425 |
| Playing Field | Moss Lane Playing Field | 7.581 |
| Playing Field | North Seacombe Recreation Ground | 1.194 |
| Playing Field | Oxton Cricket Ground | 3.069 |
| Playing Field | Oxton Road Playing Fields | 1.689 |
| Playing Field | Reggie Smith Playing Fields | 4.761 |
| Playing Field | Rice Lane Recreation Ground | 6.219 |
| Playing Field | Salisbury Gardens | 0.676 |
| Playing Field | Sefton Rugby Union Football Ground | 3.869 |
| Playing Field | Sparrow Hall Playing Fields | 12.053 |
| Playing Field | Springwood Recreation Ground | 3.791 |
| Playing Field | The Bill Shankly Playing Fields | 4.774 |
| Playing Field | The Delph Recreation Ground | 1.846 |
| Playing Field | The Queen Elizabeth Diamond Jubilee Field | 2.327 |
| Playing Field | The Simpson Ground | 2.333 |
| Playing Field | The Wallacre | 4.297 |
| Playing Field | Tower Grounds | 5.072 |
| Playing Field | Walker Playing Fields | 5.021 |
| Playing Field | Wallasey Cricket Club | 1.351 |



| function | Name of open Space | Size of site (hectares) |
|-----------------------|---------------------------------------|-------------------------|
| Playing Field | Walton Clubmoor Recreation Ground | 9.797 |
| Playing Field | Warbreck Moor Recreation Ground | 1.166 |
| Playing Field | Waterloo Grammar School Playing Field | 3.164 |
| Playing Field | Wayfarers Cricket Club | 1.033 |
| Public Park Or Garden | Un named Parks or Gardens | 113.03 |
| Public Park Or Garden | Adelaide Garden | 0.852 |
| Public Park Or Garden | Alderman John Village Garden | 3.187 |
| Public Park Or Garden | Alexandra Park | 1.593 |
| Public Park Or Garden | Alt Meadows | 2.866 |
| Public Park Or Garden | Alt Park | 3.656 |
| Public Park Or Garden | Alt Park | 2.777 |
| Public Park Or Garden | Atlantic Park | 1.282 |
| Public Park Or Garden | Bankfield Park | 1.097 |
| Public Park Or Garden | Baycliff Road Gardens | 0.865 |
| Public Park Or Garden | Beach Lawn Garden | 1.219 |
| Public Park Or Garden | Belle Vale Park | 5.079 |
| Public Park Or Garden | Bidston Community Garden | 0.028 |
| Public Park Or Garden | Bidston Court Gardens | 2.867 |
| Public Park Or Garden | Bidston Hill | 48.511 |
| Public Park Or Garden | Bidston Moss | 32.812 |
| Public Park Or Garden | Birkenhead Park | 55.106 |
| Public Park Or Garden | Black Wood | 6.456 |
| Public Park Or Garden | Blundellsands Park | 8.333 |
| Public Park Or Garden | Bootle South Recreation Ground | 6.126 |



| function | Name of open Space | Size of site (hectares) |
|-----------------------|--------------------------------|--------------------------------|
| Public Park Or Garden | Bowersdale Park | 0.841 |
| Public Park Or Garden | Brow Side Gardens | 16.173 |
| Public Park Or Garden | Calderstones Park | 37.993 |
| Public Park Or Garden | Canalside Park | 1.085 |
| Public Park Or Garden | Central Park | 18.590 |
| Public Park Or Garden | Chavasse Park | 1.747 |
| Public Park Or Garden | Childwall Woods | 27.347 |
| Public Park Or Garden | Clair Gardens | 0.279 |
| Public Park Or Garden | Clarke Gardens | 7.956 |
| Public Park Or Garden | Clock Community Garden | 0.169 |
| Public Park Or Garden | Copy Farm Park | 2.028 |
| Public Park Or Garden | Coronation Park | 2.968 |
| Public Park Or Garden | Court Hey Park | 15.098 |
| Public Park Or Garden | Courtney Park | 0.112 |
| Public Park Or Garden | Cross Lane | 14.154 |
| Public Park Or Garden | Crown Street Park | 2.626 |
| Public Park Or Garden | Croxteth Hall and Country Park | 223.813 |
| Public Park Or Garden | Cullen Street Green | 0.101 |
| Public Park Or Garden | Cyril Cook Park | 2.500 |
| Public Park Or Garden | Deerbarn Park | 0.736 |
| Public Park Or Garden | Derby Park | 8.795 |
| Public Park Or Garden | Devonwall Gardens | 17.012 |
| Public Park Or Garden | Dovecot Park | 4.756 |
| Public Park Or Garden | Duck Pond Lake Park | 10.138 |



| function | Name of open Space | Size of site (hectares) |
|-----------------------|-----------------------------------|--------------------------------|
| Public Park Or Garden | Earlston Gardens | 1.752 |
| Public Park Or Garden | Edward Kemp Community Garden | 0.569 |
| Public Park Or Garden | Elleray Park | 1.746 |
| Public Park Or Garden | Everton Park | 4.519 |
| Public Park Or Garden | Falkner Square | 0.644 |
| Public Park Or Garden | Fazakerley Hall Recreation Ground | 5.837 |
| Public Park Or Garden | Fern Grove Green | 0.161 |
| Public Park Or Garden | Festival Gardens | 29.502 |
| Public Park Or Garden | Field Lane Park | 1.150 |
| Public Park Or Garden | Flynn's Piece | 0.635 |
| Public Park Or Garden | Gorse Millennium Green | 0.513 |
| Public Park Or Garden | Grant Gardens | 1.704 |
| Public Park Or Garden | Greenbank Park | 7.170 |
| Public Park Or Garden | Harthill Estate | 11.476 |
| Public Park Or Garden | Henderson Green | 0.346 |
| Public Park Or Garden | Kensington Fields | 0.268 |
| Public Park Or Garden | Larkhill Estate Gardens | 2.289 |
| Public Park Or Garden | Lester Gardens | 1.090 |
| Public Park Or Garden | Mab Lane Community Woodland | 14.018 |
| Public Park Or Garden | Marian Gardens | 5.039 |
| Public Park Or Garden | Marine Garden | 1.393 |
| Public Park Or Garden | Martin's Garden | 0.063 |
| Public Park Or Garden | May Pole Green | 0.083 |
| Public Park Or Garden | Mayer Park | 4.650 |



| function | Name of open Space | Size of site (hectares) |
|-----------------------|---------------------------------|--------------------------------|
| Public Park Or Garden | McGoldrick Park | 4.973 |
| Public Park Or Garden | Memorial Park | 5.324 |
| Public Park Or Garden | Mersey Park | 8.437 |
| Public Park Or Garden | Mill Dam Park | 16.799 |
| Public Park Or Garden | Mill Lane Open Space | 0.958 |
| Public Park Or Garden | Millbrook Park Millennium Green | 15.057 |
| Public Park Or Garden | Moorside Park | 6.631 |
| Public Park Or Garden | Muirhead Avenue Gardens | 1.814 |
| Public Park Or Garden | New Ferry Park | 4.849 |
| Public Park Or Garden | Newsham Park | 40.979 |
| Public Park Or Garden | Norris Green Park | 6.981 |
| Public Park Or Garden | Northwood Forest Hills | 11.394 |
| Public Park Or Garden | Oak Vale Park | 1.040 |
| Public Park Or Garden | Oakdale Park | 1.226 |
| Public Park Or Garden | Olive Mount Gardens | 0.442 |
| Public Park Or Garden | Otterspool Park | 37.715 |
| Public Park Or Garden | Parklands | 0.555 |
| Public Park Or Garden | Penny Lane Millennium Green | 1.130 |
| Public Park Or Garden | Phythian Park | 1.870 |
| Public Park Or Garden | Potter's Barn Park | 1.359 |
| Public Park Or Garden | Rainbow Park | 1.803 |
| Public Park Or Garden | Reynolds Park | 5.491 |
| Public Park Or Garden | Rimrose Valley Country Park | 116.397 |
| Public Park Or Garden | River Park | 27.572 |



| function | Name of open Space | Size of site (hectares) |
|-----------------------|-------------------------------|-------------------------|
| Public Park Or Garden | Sawpit Park | 1.156 |
| Public Park Or Garden | Score Lane Gardens | 4.139 |
| Public Park Or Garden | Seeds Lane Park | 3.907 |
| Public Park Or Garden | Sefton Park | 93.553 |
| Public Park Or Garden | South Alt Greenway | 4.174 |
| Public Park Or Garden | Springfield Park | 4.967 |
| Public Park Or Garden | St Chad's Park | 1.132 |
| Public Park Or Garden | St Hilary Gardens | 0.272 |
| Public Park Or Garden | St John's Garden | 1.260 |
| Public Park Or Garden | St John's Millenium Green | 2.159 |
| Public Park Or Garden | St Martin's Recreation Ground | 0.597 |
| Public Park Or Garden | St Mary's Garden Of Rest | 0.894 |
| Public Park Or Garden | Stalmine Road Gardens | 0.585 |
| Public Park Or Garden | Stanley Garden | 0.650 |
| Public Park Or Garden | Stanley Park | 33.602 |
| Public Park Or Garden | Stanley Park | 0.442 |
| Public Park Or Garden | Ten Acre Pits | 1.404 |
| Public Park Or Garden | The Bowley | 1.318 |
| Public Park Or Garden | The Breck | 1.927 |
| Public Park Or Garden | The Lawn | 0.300 |
| Public Park Or Garden | The Woodlands Community Park | 0.589 |
| Public Park Or Garden | Thirlmere Park | 0.896 |
| Public Park Or Garden | Unicorn Park | 0.373 |
| Public Park Or Garden | Upton Park | 11.823 |



| function | Name of open Space | Size of site (hectares) |
|--|-----------------------------------|-------------------------|
| Public Park Or Garden | Utting Avenue Gardens | 0.694 |
| Public Park Or Garden | Vale Park | 3.972 |
| Public Park Or Garden | Valley Park | 5.399 |
| Public Park Or Garden | Victoria Park | 7.425 |
| Public Park Or Garden | Victoria Park | 11.362 |
| Public Park Or Garden | Village Green | 0.140 |
| Public Park Or Garden | Walker Park | 5.584 |
| Public Park Or Garden | Wallasey Grange | 0.520 |
| Public Park Or Garden | Walton Clubmoor Recreation Ground | 1.270 |
| Public Park Or Garden | Warbreck Park | 0.087 |
| Public Park Or Garden | Wavertree Park | 18.152 |
| Public Park Or Garden | Webster Park | 3.439 |
| Public Park Or Garden | Whitley Gardens | 7.276 |
| Public Park Or Garden | Woolton Woods and Camp Hill | 11.155 |
| Total area of public open space | | 2,298.201 |



ecology@wyg.com

**WYG Environment Planning Transport
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