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**RE: ECOLOGICAL STATEMENT FOR HABITATS REGULATIONS ASSESSMENT  
AT LAND TO THE WEST OF ST. BARTHOLOMEW ROAD, SOUTH OF PAUL  
STREET AND NORTH OF NAYLOR STREET, LIVERPOOL, FOR PROPOSED  
DEVELOPMENT (18F/1035)**

Article 6(3) of the European Habitats Directive dealing with the conservation of European protected sites states that:

*‘Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to assessment of its implications for the site in view of the site’s conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.’*

The purpose of a Habitats Regulations Assessment (HRA) is to ensure the protection of European protected sites. The network of European protected sites comprises Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites.

The site is the subject of a planning application with Liverpool City Council (18F/1035). The proposals for land between St Bartholomew Road, Paul Street and Naylor Street Liverpool are for the development of the site, to include the erection of 8 combined buildings, ranging from 5-12 storeys, 427 apartments on upper floors, two basement car parks, cycle, parking, lower ground/ground mixed commercial uses in 14 units with a variety of proposed uses. The existing site comprises large extents of hardstanding, currently used for car parking.

**CONSULTEE RESPONSE**

Merseyside Environmental Advisory Unit (MEAS) responded on 6<sup>th</sup> June 2018 and asked for an assessment of, and mitigation for, the potential for damage to nearby European statutory protected sites caused by increased recreational pressure. The nearby European protected sites are (with their distance from the site):

- Mersey Narrows and North Wirral Foreshore Ramsar site (1.9km);
- Mersey Narrows and North Wirral Foreshore SPA (1.9km);

- Dee Estuary SAC (4.7km).
- Liverpool Bay SPA (5km);
- Mersey Estuary SPA (5.2km);
- Mersey Estuary Ramsar site (5.2km);
- Ribble and Alt Estuaries SPA (over 6.5km);
- Ribble and Alt Estuaries Ramsar site (over 6.5km);
- Sefton Coast SAC (over 6.5km).

UK statutory protected sites also exist within the locality. These are (with their distances from the site):

- Mersey Narrows SSSI (1.9km);
- New Ferry SSSI (4.4km);
- Mersey Estuary SSSI (5km).

## **ASSESSMENT**

There is no possibility to provide greenspace on the site due to the size of the site and the need to provide a viable development. Therefore, new residents are likely to seek greenspace off-site.

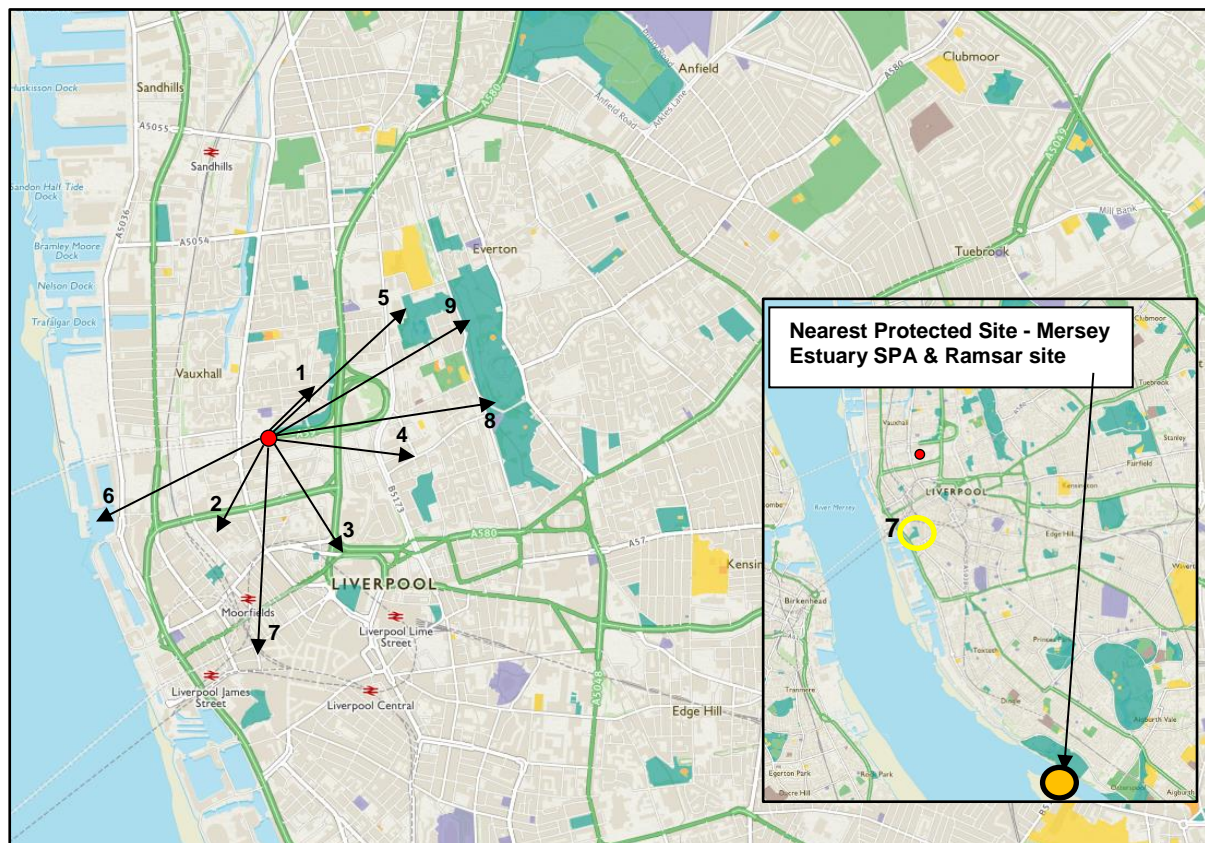
There are no direct Public Rights of Way (PRoW) from the site to the protected sites. The nearest protected site lies 1.9 km from the site on the opposite side of the estuary from the site (Mersey Narrows and North Wirral Foreshore (Ramsar & SPA)). Therefore, it is unlikely that the Ramsar & SPA site would be accessed by new residents as this would mean crossing the estuary.

The nearest protected site on the same side of the estuary is the Mersey Estuary SPA & Ramsar site, which lies 5.2km from the site. This exceeds the upper limit of 2.7km identified by Natural England, as the distance people are on average willing to walk their dog. Moreover, the mean distance that dog walkers travel from car or house is 784 metres (Planning for Dog Ownership in New Developments – Hampshire County Council 2013).

Therefore, the closest protected site on the same side of the estuary to the proposed development site is outside of the limit people on average might walk on foot to exercise their dog from the application site.

Multiple greenspaces exist within closer proximity to the site than the protected sites. The closest, and easiest, greenspaces for the new residents to access are listed in Table 1 and shown in Figure 1. The closest is a public park located 300 metres from the site, which has easy access via pavements and PRoWs. In total, nine public greenspaces exist within 1.2km, which is well within the upper limit that on average, people are willing to walk with their dog. Therefore, it is highly likely that new residents would choose to walk to these closer, and easily accessible, greenspaces rather than the protected sites.

Table 1 - Public Parks and Gardens	
Site Number and Name	Approximate distance from the site
1 - Public Park	300metres
2 - Public Park	500metres
3 - St John's Garden	640metres
4 - Public Park	710metres
5 - Everton Park	950metres
6 - Waterfront Walkway	970metres
7 - Chavasse Park	1.1km
8 - Whitley Gardens	1.2km
9 - Brow Side Gardens	1.2km



**Figure 1 showing the site location (red circle) and public parks and gardens (dark green)**

The SPA, SAC & Ramsar sites are managed by a strict set of guidelines, with signs across some of the sites advising people to keep to footpaths and keep dogs on leads in sensitive areas.

Moreover, resident packs will be provided per apartment which will aim to encourage residents to visit greenspaces that are not protected and advise them of the sensitive nature of the local protected spaces. The residents pack will include:

- A map of the area showing local parks and gardens, plus directions and details of how to access these spaces.
- Guidance produced for local residents on the protected sites within the locality and the requirement to keep dogs on leads in specific areas.
- Provision of a 'responsible user code' and 'responsible coast user code' to inform residents of the sensitive sites and how to help protect them.

- Details of Habitat Management days on the protected sites to be advertised to the local residents, to encourage the local residents to care for the protected sites and understand their importance.
- Details of other types of recreational activities accessible in the area to discourage residents from accessing the protected sites, such as water-based activities, horse-riding, sports facilities, sand yachting etc.
- Provision of cycle routes in Liverpool and details of the cycle store provided on site.
- Suggestions of the possibility of setting up Canine Community Boards, for example, to inform the community on the best locations to exercise.

## **SUMMARY**

It is difficult to completely discourage the general public, including existing users and new residents, from accessing protected sites. However, given the distances involved, the lack of PRowS on and to some of the nearest protected sites and with the above mitigation measures, it is considered that there will be no adverse impact on the designated sites from the construction of the residential and commercial development at the land between St Bartholomew Road, Paul Street and Naylor Street.

The surrounding land is commercial and residential developments and busy roads. If necessary, the surrounding land can be protected by the implementation of a Construction Environmental Management Plan (CEMP).