

**SUBMISSION BY THE WILDLIFE TRUST FOR LANCASHIRE, MANCHESTER & NORTH
MERSEYSIDE**

Main Issue: Have the DPDs been prepared in accordance with the relevant statutory tests and the policies of the NPPF

Questions:

a) Do policies SP7, SP8, SG4, SG9, SG14, SG15, EC1, EC3, H3, H4, H5, H6, DOS1, DOS2, DOS3, DOS6, DOS7, DOS8, DOS9, DOS10, DM21, DM24, DM29, DM37, DM38, DM39, DM40, DM41, DM43, DM44, DM45 and DM46 provide for the conservation and management of the District's built and natural heritage in accordance with the policies of the NPPF?

Our particular concerns relate to proposed **Policy SG15 Heysham Gateway**, insofar as that relates to the conservation and management of the District's natural heritage in accordance with the policies of National Planning Policy Guidance (the NPPF). These concerns are covered in our previous submissions, and in individual meetings and correspondence with the authority, but to summarise for convenience:

This allocation policy, within the Morecambe Bay Nature Improvement Area (NIA), remains unsupported by evidence of:

1. the overriding need for this pattern of development at this location
2. how a proposed sustainable drainage system would avoid degrading the identified Local Wildlife Sites ("Biological Heritage Sites") within the proposed allocation given the existing spatial constraints, and
3. how both needs, if demonstrated, would override the constraints associated with proposed policy EN9 Environmentally Important Areas and adopted policy DM27 Protection & Enhancement of Biodiversity in connection with the protection and enhancement of the populations of specially protected species (bats, European Otter, Great Crested Newt), the 3 Local Wildlife Sites within the Gateway and the additional 5 Local Wildlife Sites and one terrestrial Site of Special Scientific Interest surrounding this location; and the identification, protection and enhancement of the ecological networks that functionally connect these.

As far as we can ascertain, there is no evidence that a comprehensive assessment of the biodiversity baseline for this allocation policy has been established, nor that the appropriate hierarchy of avoidance, mitigation and compensation has been followed in selecting this allocation.

NPPF Paragraph 174 reads as follows.

"To protect and enhance biodiversity and geodiversity, plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁵⁶; wildlife corridors and stepping stones that connect

them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁵⁷; and
b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”

The allocation proposed in SG15 simply maps existing Local Wildlife Site designations and then superimposes proposed development allocations on top of these, potentially severing ecological networks connecting these Local Wildlife Sites. Further, it proposes degrading some of these wetland Local Wildlife Sites in the ‘Heysham Gateway’ area by using them as part of a Sustainable Drainage Scheme to treat and channel away contaminated surface water. It has “put the cart before the horse” and failed to assess what Habitats & Species of Principal Importance are in the area, how to avoid impacts or mitigate or compensate for any that are arguably unavoidable, and how to deliver and sustain biodiversity net gain. Paragraph 175 of NPPF reads

“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”.

These principles have been prejudiced by proposed policy SG15.

Our concerns might be remedied if the proposed development allocations were revisited in possession of ecological assessment of the allocation area and reframed to deliver net gain for biodiversity in the allocation site, and its immediate surrounds.

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