

Executive Summary of Habitats Regulations Assessment (HRA) Report of Bootle Area Action Plan

- ES1 A Habitats Regulations Assessment (HRA) Appropriate Assessment Report in relation to has been carried out for the Bootle Area Action Plan Publication Draft version. This is part of the wider HRA process for the Bootle Action Area Plan. This is accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations).
- ES2 Bootle Area Action Plan sets a sustainable regeneration context for the plan area, focussing only a small part of the Borough of Sefton. The plan area reflects Bootle's industrial past, which includes a legacy of including contaminated, under-used and derelict sites, land and/or buildings in areas that have low land values. Many policies in the 2017 Sefton Local Plan will continue to apply in the Action Area Plan area.
- ES3 Bootle Area Action Plan identifies 22 (re)development sites; housing and employment sites and Regeneration Opportunity Areas and other areas. Policies set out the framework for development in these areas. The plan also identifies other areas such as green spaces, local centres and primarily residential areas. Other policies set out the approach to best use of resources, affordable housing and housing mix and environmental improvements for example. Sefton Council considers that that quantum of development set out in the Bootle Action Area Plan will not be significantly different from that set out for the area in the Sefton Local Plan and Joint Waste Plan.
- ES4 HRA is needed to assess whether Bootle Area Action Plan could significantly harm the designated features of a European site, either alone or in combination with other plans or projects. This HRA process for the Area Action Plan is proportionate, given the size and location of the plan area, the fact that the plan area does not include and is not next to any European sites, and the fact that the most Sefton Local Plan policies will continue to apply in the Bootle Area Action Plan area. It is considered that the Bootle Action Area Plan is more akin to a Neighbourhood Plan than a full Local Plan, and that a proportionate HRA would therefore be more akin to an HRA of a Neighbourhood Plan than an HRA of a Local Plan.
- ES5 Extensive HRA work has been carried out in relation to the Sefton Local Plan (2017), notably the 2015 and 2016 HRA Reports, which concluded that the Local Plan is compliant with the Habitats Regulations. This includes the Local Plan housing and employment allocations and regeneration opportunity areas including those in the Bootle Area Action Plan area.
- ES6 However, the HRA Reports for the Sefton Local Plan identified the potential for new housing development in Sefton to increase recreation pressure on the internationally important nature sites on the Sefton Coast; and the need to mitigate this pressure to less than significant. Similar issues arose for HRA Reports into the Local Plans of the other LCR authorities and West Lancashire, for both the Sefton Coast and the wider LCR coast. Therefore, applicants for new housing development in Sefton (including Bootle) must show how they will mitigate for the additional recreation pressure on the LCR coast to less than

significant, so that the Council can carry out project level HRAs for each relevant planning application.

- ES7 Sefton Council adopted the 'Information Note: Managing and mitigating the impact of recreation pressure on the Sefton Coast - Sefton's Interim Approach for housing development' in May 2023, to provide info for applicants and others. This sets out mitigation measures for visitor pressure from development of 10 or more homes in Sefton, and is supported by Natural England. This is an interim approach pending collection of further evidence and future agreement of a joint LCR and West Lancashire Recreation Mitigation Strategy approach, as a response to the HRAs of the Local Plans of these authorities, as above. It is intended that, once approved, this will replace Sefton's Interim Approach Information Note. Work on this joint strategic approach is underway, with partners including Sefton Council, other Liverpool City Region local authorities, the Mayoral Combined Authority, West Lancashire Council and the National Trust.
- ES8 European Sites are Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated under the EU Habitats Directive and EU Birds Directive respectively, and the UK Habitats Regulations. Ramsar Sites designated under the Ramsar Convention are also taken to be European sites, in line with paragraph 181 of the December 2023 National Planning Policy Framework.
- ES9 There are no European sites within the Bootle Area Action Plan area, which excludes any part the Port of Liverpool, and therefore does not include Seaforth Nature Reserve which is within the Mersey Narrows & North Wirral Foreshore Special Protection Area and Ramsar site. The Plan will not include policies relating to the Port of Liverpool or access arrangements for the Port; the Sefton Local Plan will continue to set this policy framework.
- ES10 It was concluded that (see Chapter 3) the following European sites are relevant to the Bootle Area Action Plan HRA process:
- Within (or partly within) Sefton*
- Mersey Narrows and North Wirral Foreshore Special Protection Area (SPA) and Ramsar site
 - Ribble and Alt Estuaries Special Protection Area (SPA) and Ramsar site
 - Sefton Coast Special Area of Conservation (SAC)
- Outside Sefton*
- Liverpool Bay SPA. (The 2015 Local Plan HRA Report identified that the SPA was subject to the same potential water quality issues as the Sefton Coast SAC and the Ribble & Alt Estuaries SPA and Ramsar site. Other issues affecting Liverpool Bay SPA identified in the 2015 HRA Report related to the Port, which is outside the scope of the Action Area Plan).
- ES11 The Habitats Regulations require that the impacts and effects of any land use plan being assessed are considered not just in isolation, but in combination with other plans and projects that may also be affecting the relevant European sites. Chapter 4 of the HRA Report identified the principal other plans and projects to be considered 'in combination' with the Bootle Action Area Plan. These included the Mersey Ports/ Peel Ports Masterplan, Sandon Dock Waste Water Treatment Works outfall extension, New Everton Stadium, Bramley Moore Dock, Liverpool, the adopted or emerging Local Plans of all the Liverpool

City Region districts and West Lancashire and the emerging Spatial Development Strategy of the Combined Authority. The key plan which has 'in combination effects' is the Sefton Local Plan (2017) and the Interim Approach / subsequent strategic joint LCR and West Lancashire approach to visitor pressure at the coast.

ES12 The assessment of impact pathways relevant to the Bootle Action Area Plan screened out a number of pathways at the Screening stage for the Issues & Options version, because of the inland location of the Bootle Action Area Plan or the limited scope of Action Area Plan policies. This screening out refers to both the Bootle Area Action Plan and 'in combination' effects of other plans and projects. These remain screened out at this Publication Draft and Appropriate Assessment stage for the same reasons. Therefore, these impact pathways have not been subject to any further HRA or Appropriate Assessment.

ES13 The potential impact pathways which have been screened out are:

- Recreational pressure only for the Mersey Narrows & North Wirral Foreshore SPA / Ramsar (screened in for the other European Sites)
- Coastal squeeze (Sefton Coast SAC, Ribble & Alt Estuaries SPA / Ramsar, Mersey Narrows & North Wirral Foreshore SPA / Ramsar)
- Direct habitat loss through expansion of the Port at Seaforth (Mersey Narrows & North Wirral Foreshore SPA / Ramsar)
- 'Disturbance of birds through increase in ship movements and recreational pressure ('in combination effects' for Liverpool Bay SPA)
- Dredging and disturbance of sediments/benthic habitats (Mersey Narrows & North Wirral Foreshore SPA / Ramsar, and 'in combination effects' for Liverpool Bay SPA).
- Direct habitat loss through mineral extraction (Ribble & Alt Estuaries SPA / Ramsar, Mersey Narrows & North Wirral Foreshore SPA / Ramsar)
- Loss of habitat / supporting habitat outside the national site network site boundary (Sefton Coast SAC, Ribble & Alt Estuaries SPA / Ramsar).

ES14 Potential impact pathways remaining screened in (that is, were not screened out) at the Screening stage and which were considered further in the Test of Likely Significant Effects in the HRA Report on the Publication Draft Bootle Area Action Plan were:

- Recreational pressure / disturbance due to housing development re Sefton Coast SAC, Ribble & Alt Estuaries SPA and Ramsar site and Liverpool Bay SPA (in-combination disturbance of birds through increase in ship movements and recreational pressure). This pathway has been screened out for the Mersey Narrows & North Wirral Foreshore SPA / Ramsar site.
- Reduction in water quality (due to increases in sewage effluent and industrial pollutant input arising largely from works to contaminated or previously developed land which may affect groundwater or combined sewer discharges), re Sefton Coast SAC, Ribble & Alt Estuaries SPA / Ramsar site, Mersey Narrows & North Wirral Foreshore SPA / Ramsar site, Liverpool Bay SPA
- Disturbance to qualifying species - visual and noise disturbance (due to construction activities, artificial lighting, other urban development), re Sefton Coast SAC, Ribble & Alt Estuaries SPA / Ramsar site, Mersey Narrows & North Wirral Foreshore SPA / Ramsar site, Liverpool Bay SPA

- Reduction in air quality, increased atmospheric pollution (largely from transport emissions), re Sefton Coast SAC, Ribble & Alt Estuaries SPA / Ramsar site, Mersey Narrows & North Wirral Foreshore SPA/Ramsar site.

Potential impacts and likely significant effects from Bootle AAP and 'in combination' with Sefton Local Plan, Liverpool Local Plan, the emerging Wirral Local Plan and any relevant projects were not screened out at this stage.

ES15 For the 'screened in' impact pathways, the Test of Likely Significant Effects (TOLSE) was carried out (see chapter 6) for Bootle Area Action Plan objectives and policies including site allocations. This TOLSE showed that all objectives and policies were screened out, that is, would have no Likely Significant Effects, in relation to the pathways for:

- Reductions in water quality
- Disturbance to qualifying species (visual and noise disturbance)
- Reductions in air quality and increased atmospheric pollution.

These findings of no Likely Significant Effects refer to both the Bootle AAP and 'in combination' effects of other plans and projects. Natural England concurred with this assessment.

ES16 Following this Test of Likely Significant Effects, it was recommended that the impact pathways for water quality, disturbance and air quality be screened out as having no Likely Significant Effects for the Publication Draft Bootle Area Action Plan. Natural England concurred with this assessment.

ES17 Water quality was screened out largely because development in the Plan area would be on previously developed sites/ conversions of existing buildings, and because of the existing Local Plan policy framework and mitigation measures, such as policies EQ8 'Flood risk and IN1 'Infrastructure and developer contributions' which requires timely provision of wastewater treatment infrastructure (including retrofit schemes) so that any increases in foul discharge into combined sewers would not be significant and EQ4 'Pollution and Hazards'. In terms of 'in combination effects' for water quality, the HRA Reports into the Sefton and Liverpool Local Plans, taking account of projects such as the Sandon Dock Waste Water Treatment Works (WwTW) outfall extension and Peel Ports Masterplan. Everton Stadium proposals include mitigation measures for any adverse impacts identified through the project HRA.

ES18 Disturbance to qualifying species (visual and noise disturbance) was screened out largely because all of the Bootle AAP allocated and designated sites and opportunity areas for (re)development are within the existing built-up area, at considerable distance from the European sites. Most are at least 2 km distant (closest straight-line distance). Also, the scale and phasing of such (re)development means that any impacts would be relatively limited.

ES19 In terms of 'in combination effects' for disturbance, the 2015 HRA Report for the Sefton Local Plan identified a potential disturbance pathway only in relation the impacts of Port expansion on Liverpool Bay SPA. These impacts were mitigated, as set out in Local Plan policy ED1 'The Port and Maritime Zone', leading to a conclusion of no likely significant effects. The Port is not within the scope of Bootle AAP. The 2017 HRA Report for the

Liverpool Local Plan identified a potential disturbance pathway only in relation to airport disturbance impacts on the Mersey Narrows & North Wirral Foreshore SPA / Ramsar, and wind turbines and Port expansion, and concluded no Likely Significant Effects / adverse effects respectively. Mitigation for any impacts of Everton Stadium was included within the overall scheme.

ES20 In terms of air quality and increased atmospheric pollution (transport emissions), the HRA Reports into the Sefton and Liverpool Local Plans identified the need for mitigation measures which were taken forward in the respective Local Plans. The scale of (re)development on allocated and designated sites and opportunity areas is unlikely to result in an increase of more than 1% in nitrogen inputs into the Sefton Coast SAC and would not increase traffic flows on roads within 200 m of the SAC by over 1,000 vehicle movements per day or 200 heavy duty vehicle movements per day (the resultant policy threshold). No part of the Bootle Action Area Plan area is within 200 m of the Sefton Coast SAC. The A565 in Crosby is over 1.15 km from the Sefton Coast SAC, and over 700 m from the Mersey Narrows and North Wirral Foreshore SPA / Ramsar site. The development sites in the plan area are even further away from the European sites. Bootle has an extensive road network; no significant additional road capacity is proposed in the Plan. Like the Sefton Local Plan, the emphasis of Bootle Area Action Plan is on encouraging walking, cycling, public transport and low emissions transport.

ES21 In terms of 'in combination effects' for air quality, the HRA Reports into the Sefton, Liverpool and Wirral Local Plans conclude that the plans avoid any likely significant effects on the European Sites Sefton Coast SAC, including for other 'in combination' effects from ports or airport expansion.

ES22 Therefore, the only impact pathway for which some objectives and policies were screened in with Likely Significant Effects was cumulative recreational pressure /disturbance from new housing development; both for Bootle Area Action Plan and 'in combination' with the Local Plans of other LCR authorities and West Lancashire. It was recommended that Appropriate Assessment of the objectives and policies of Bootle Area Action Plan would only be needed only for this impact pathway.

ES23 The Test of Likely Significant Effects showed that eleven of the fourteen Plan objectives were screened out, with no Likely Significant Effects on any of the potential pathways, including for recreation pressure/ disturbance. Fourteen of the 24 Plan policies were also screened out with no Likely Significant Effects on any of the potential pathways, again including recreational pressure/ disturbance. The three objectives and ten policies were screened in, with Likely Significant Effects, only for cumulative recreational pressure /disturbance from new housing development.

ES24 The three objectives screened in, with Likely Significant Effects for cumulative recreational pressure /disturbance from new housing development were:

- Objective 8: To improve Bootle Town Centre and the Strand shopping centre to consolidate its position as the main focus of shopping, leisure, cultural, community and other uses for Bootle's residents and those in the wider area
- Objective 9: To bring back into beneficial use vacant land, homes, and buildings
- change responsibilities

- Objective 14: To identify, protect and, where appropriate, find suitable viable uses for Bootle's valued built heritage.

ES25 The 10 policies (including allocations/sites) screened in, with Likely Significant Effects for cumulative recreational pressure /disturbance from new housing development were:

- BAAP3 Bootle Central Area
- BAAP4 Bootle Town Centre
- BAAP5 Bootle Office Quarter
- BAAP6 Civic and Education Quarter
- BAAP 7 Local Shopping Parades
- BAAP16 Housing Land Provision
- BAAP19 Conversions to Flats and Homes in Multiple Occupation
- BAAP20 Hawthorne Road/Canal Corridor Opportunity Area
- BAAP21 Bootle Village Opportunity Area
- BAAP23 Coffee House Bridge Regeneration Opportunity Area.

This is in relation to Bootle AAP and 'in combination' with other Local Plans in the Liverpool City Region and West Lancashire.

ES26 Appropriate Assessment of these objectives and policies has been carried out (see chapter 7) in relation to recreation pressure on the Sefton Coast SAC, Ribble & Alt Estuaries SPA/Ramsar and Liverpool Bay SPA. This showed that the approach to mitigation already set out in response to the HRA Reports for the Sefton Local Plan is able to provide sufficient mitigation for the impacts of recreation pressure on the Sefton Coast; mitigating the impacts so that they are less than significant. Natural England concurred with this view.

ES27 Therefore, it was recommended that the Sefton Interim Approach, and subsequently the joint LCR and West Lancashire strategic approach, should continue to be applied to all housing development of 10 or more homes in Bootle (or as otherwise set out in the strategic approach) to provide all necessary mitigation for the cumulative impacts of recreation pressure on the Sefton Coast from housing development arising from the Bootle Area Action Plan and 'in combination', mitigating this to less than significant.

ES28 The Appropriate Assessment concluded that, with the above mitigation measures, there will be no adverse effect upon the integrity of the Sefton Coast SAC, Ribble & Alt Estuaries SPA/Ramsar and Liverpool Bay SPA in relation to recreation pressure. Overall, taking account of these mitigation measures the Bootle Area Action Plan alone and 'in combination' will have no impact in terms of any pathways on the Sefton Coast SAC, Ribble & Alt Estuaries SPA/Ramsar, Mersey Narrows & North Wirral Foreshore SPA/Ramsar and Liverpool Bay SPA. Natural England concurred with this assessment.

ES30 The overall conclusion was that, with the agreed mitigation measures for recreation pressure, the Bootle Area Action Plan (Publication Draft) is unlikely to lead to a significant effect on European sites either alone or in combination with other plans and projects. Natural England concurred with this.