

Habitats Regulations Assessment

Draft Screening Report for
Wirral Waters International Trade Centre

Wirral Council
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1 Summary

1.1.1 This document sets out Wirral Council's screening of the proposed Wirral Waters International Trade Centre development (here after referred to as Wirral Waters ITC) in accordance with the Habitats Regulations¹ and the EU Habitats Directive². It is the Habitats Regulations Assessment Screening document for this planning application and has been prepared for Wirral Council by Merseyside Environmental Advisory Service and has been substantially informed by the information prepared by WSP Environmental UK on behalf of the applicant Peel Land and Property (Ports) Ltd.

1.2 Approach

1.2.1 Our approach is based on the EU document "Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC" prepared by Oxford Brookes University for European Commission Environment DG and published by European Commission Environment DG, 2001, in particular the Annex 2 assessment forms³.

1.2.2 Habitats Regulations Assessment is an assessment of the potential effects of a proposed project or plan – either a development plan document (DPD) or a supplementary planning document (SPD) – on one or more sites of international nature conservation importance. Projects and plans can only be permitted where the 'competent authority' (in this case, Wirral Council) is satisfied that there will be no adverse effects on the integrity of the relevant Natura 2000 sites.

1.2.3 These sites of international nature conservation importance are the network of Natura 2000 sites. The Natura 2000 sites are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within the European Community. Natura 2000 sites include Special Protection Areas (SPAs) designated under the EU 'Wild Birds' Directive, Special Areas of Conservation (SACs) designated under the EU 'Habitats' Directive and Offshore Marine Sites (OMSs).

1.2.4 The UK Government's Planning Policy Statement 9 (PPS9) 'Biodiversity and Geological Conservation' states that Ramsar sites should be taken to be part of the Natura 2000 network and treated accordingly (para 6, PPS9, ODPM 2005). Ramsar sites are wetlands of international importance, designated under the International Wetlands Convention, which took place at Ramsar, Iran. PPS9 also states that proposed sites should be treated in the same way as designated sites for all practical purposes, including for Habitats Regulations Assessment. We have followed this Government guidance, and in this document have used the term 'Natura 2000 sites' to refer to all these designations and proposed designations.

¹ The Conservation (Natural Habitats & c) Regulations 2010.

² The European Communities (1992) Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

³ Oxford Brookes University for European Commission Environment DG (2001). *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*

1.2.5 Stage 1 of the Habitats Regulations Assessment process is the screening of proposed project for likely significant effects. If there are none, then no further steps need to be taken. Where significant effects seem likely, a more detailed Appropriate Assessment of the proposed plan or projects is necessary. This process will often establish mitigation measures or alternatives, which can offset all significant adverse effects and enable the plan or project to go forward. Where this is not the case, other more stringent measures need to be considered.

1.3 Conclusions

1.3.1 After carrying out the Habitats Regulations Assessment screening process as set out in this document, we conclude that the proposed Wirral Waters ITC:

- a) is not directly connected with or necessary to the management of the Natura 2000 sites;
- b) is not likely to have a significant effect on each of the following sites:

- Mersey Narrows and North Wirral Foreshore proposed Ramsar site (pRamsar)
- Mersey Narrows and North Wirral Foreshore potential Special Protection Area (pSPA)
- Mersey Estuary Ramsar site
- Mersey Estuary SPA
- Dee Estuary SAC
- Dee Estuary SPA
- Dee Estuary Ramsar
- Ribble and Alt Estuaries SPA
- Ribble and Alt Estuaries Ramsar site
- Liverpool Bay SPA
- Martin Mere SPA
- Martin Mere Ramsar site
- Sefton Coast SAC

either alone or in combination with other plans or projects;

c) no adverse affect on the integrity of Natura 2000 sites listed above is likely to occur as a result of the proposal.

1.3.2 Accordingly, no “appropriate assessment” is required to be made under Regulations 61, 62 and 68 of the Conservation (Natural Habitats & c.) Regulations before the Council decides to undertake, or give any consent, permission or other authorisation for this project.

- 1.3.3 That this HRA screening report be used as the basis for consultation with Natural England as the Competent Authority.

2 Brief description of the project

2.1.1 The project site is located within Birkenhead Docks Estate on the southern quayside of the West Float area and covers approximately 24.5 hectares. The current Site is classified as a 'brownfield site' as it occupied by underutilised, derelict land, docks, a former Mobil Oil Storage depot in the western half of the Site, a number of repair workshops and underutilised office space. The eastern portion of the Site is dominated by disused land, with surface cover being a mix of areas of concrete in poor condition and areas of grasslands, shrubs and young trees. (See Appendix 2, figure 1 for a location of the site.)

2.1.2 The planning application as submitted to the WMBC in May 2011 describes the Proposed Development as follows:

'Outline planning application with all matters reserved for the demolition of existing buildings and the construction of:

- Two buildings providing an overall maximum of 111,780 sq m of floor space to be used as an International Trade Centre (Sui Generis Use) (comprising trade showrooms, storage, distribution and product assembly space, exhibition space, ancillary food and drink facilities, ancillary office and management accommodation, security facilities, and associated car parking, access points, servicing areas and landscaping), on land north of Beaufort Road and east of Graving Dock No. 3, West Float, Wirral Waters, Wirral; and
- Two buildings providing an overall maximum of 116,520 sq m of floorspace to be used as one or a combination of, an International Trade Centre (as defined), B2 General Industry and B8 Warehouse/Distribution (with associated car parking, access points, servicing areas and landscaping) on land east of Wallasey Bridge Road and west of Graving Dock No. 3, West Float, Wirral Waters, Wirral, equating to a total combined floorspace of 228,300 sq m of mixed employment floorspace'.

2.1.3 The applicant who is Peel Land and Property (Ports) has submitted the following documents relevant to this assessment:

- Environmental Statement (WSP, June 2011) incorporating Phase 1 habitat survey and wintering birds survey as appendices
- Breeding bird survey report (TEP, July 2011)
- Extended screening for Habitats Regulation Assessment (WSP, August 2011)
- Email from WSP (Andrew Ricketts, dated 08.09.11) detailing applicants commitment to mitigation measures to include 'Minimal Disturbance Bird', Bird monitoring, lighting and shipping.

2.1.4 These documents will be referenced throughout this report as appropriate. The extended screening for HRA has been specifically prepared by the applicant to assist the Competent Authority in discharging its duties under the Habitats Regulations.

Data Limitations

2.1.5 The applicant has submitted wintering bird survey report within their Environmental Statement. However, there are limitations with this data and this has led to difficulties in assessing impacts to species associated with the Natura 2000 sites. The applicant has proposed a bird monitoring programme (Email from WSP 08.09.11). The data limitations with the wintering bird survey are as follows:

- The survey is dated, now over three winters old.
- The survey only provides one winter seasons data based on 6 survey dates over three months and therefore it is difficult to identify how representative this survey is of current bird use.
- There are only two survey points within sector 2 (West Float) and these are some distance away from the development site, it is possible that birds were missed.
- The distribution of survey points for the bird survey are focused on the East float site and not on this current planning application site, Wirral Waters ITC site .

3 Brief description of the Natura 2000 sites

3.1 Natura 2000 sites close to the project site

3.1.1 The application site is located close to the following Natura 2000 sites:

- Mersey Narrows and North Wirral Foreshore pSPA
- Mersey Narrows and North Wirral Foreshore pRamsar
- Mersey Estuary SPA
- Mersey Estuary Ramsar
- Dee Estuary SPA
- Dee Estuary Ramsar

3.1.2 These sites are shown on Figure 2 in appendix 2

Mersey Narrows and North Wirral Foreshore pSPA/Ramsar

3.1.3 Mersey Narrows and North Wirral Foreshore proposed SPA/Ramsar site is an internationally important feeding and roosting site for wintering wading birds. The site comprises intertidal habitats at Egremont foreshore, man-made lagoons at Seaforth and the extensive intertidal flats at North Wirral Foreshore. The Mersey Narrows and North Wirral Foreshore pSPA/pRamsar has clear links in terms of bird movements with the nearby Dee Estuary SPA/Ramsar site, Ribble and Alt Estuaries SPA/Ramsar site, and to a lesser extent, the Mersey Estuary SPA/Ramsar site. The most notable feature of the site is the exceptionally high density of wintering turnstones, other qualifying species of note are Cormorant, redshank and oystercatcher.

3.1.4 The nearest section of the Mersey Narrows and North Wirral Foreshore pSPA/pRamsar to the application site is at Seacombe and Egremont foreshore. The barnacle and mussel beds on this section of the coast are an important low tide feeding site for birds from the pSPA/pRamsar, in particular turnstone. Groyne in the area provide high tide roosting opportunities.

Mersey Estuary SPA/Ramsar

3.1.5 The Mersey Estuary SPA/Ramsar site is a large, sheltered estuary which comprises large areas of saltmarsh and extensive intertidal sand- and mud-flats, 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 populations of waterbirds. During the winter, the site is of major importance for ducks and waders. The site is also important during the spring and autumn migration periods, particularly for wader populations moving along the west coast of Britain. Qualifying species include Great crested grebe, lapwing and redshank.

- 3.1.6 The nearest section of the Mersey Estuary SPA/Ramsar to the application site is the intertidal mud bank at New Ferry, which is especially noted for its wintering and passage populations of pintail and black-tailed godwit. This part of the site is primarily used for feeding at low tide.

Dee Estuary SPA/Ramsar

- 3.1.7 The Dee Estuary is one of the largest estuaries in the UK, with an area of over 14,000 ha. It is the largest macro-tidal coastal plain estuary along a long stretch of coast between the larger Severn Estuary and the Solway Firth. It is an internationally and nationally important feeding and roosting site for wintering wading birds. The site is also important during the spring and autumn migration periods, particularly for wader populations moving along the west coast of Britain. It comprises of Qualifying species include oystercatcher, lapwing and redshank.
- 3.1.8 Brief descriptions of the Natura 2000 sites plus their conservation objectives and vulnerabilities are provided in Appendix 3.

3.2 Other Natura 2000 sites considered within the HRA screening process

3.2.1 There are several other sites designated as SPA and/or Ramsar within the Liverpool Bay area which are considered to have close links with the Mersey Narrows and North Wirral Foreshore proposed SPA/Ramsar site and the Mersey Estuary SPA/Ramsar in terms of bird movements. Due to the close proximity of these sites to each other, ornithological consensus is that there is ready exchange of wildfowl and waders between sites depending on tidal conditions, weather, prey availability and other factors including disturbance. However, there are no significant source or pathways from this project which would lead to likely significant effects on these Natura 2000 sites and therefore these sites are not considered any further in this report. These sites are listed below:

- Dee Estuary SAC
- Ribble and Alt Estuaries SPA
- Ribble and Alt Estuaries Ramsar site
- Liverpool Bay SPA
- Martin Mere SPA
- Martin Mere Ramsar site
- Sefton Coast SAC

4 Elements of the project (alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 sites

4.1 The project - Alone

4.1.1 The following elements of the project have been considered to determine whether they are likely to give rise to impacts on the Natura 2000 sites

The project – Alone

4.1.2 The following elements of the project have been considered to determine whether they are likely to give rise to impacts on the Natura 2000 sites:

- Construction
- Operation
- Drainage proposals
- Lighting
- Changes in numbers of people on the site
- Changes in air quality as a result of road traffic generated by the proposed development.
- Release of existing on site contamination associated with infiltration through groundwater and surface water into the Mersey Estuary
- Changes in numbers of boat / ship movements

4.1.3 The following potential impact pathways have been considered:

- Disturbance or displacement of bird species for which Natura 2000 sites have been designated by impacts by the effects of noise and visual disturbance.
- Impacts from changes to air quality on habitats for which Natura 2000 sites have been designated
- Impacts on Natura 2000 designated habitats and species from the mobilisation of existing on site contamination.
- Impacts on Natura 2000 designated habitats and species from changes in air quality.
- Impacts on Natura 2000 designated habitats and species from construction related pollutants (soils, dust, crushed stone).

In-combination effects with other plans

4.1.4 Habitats Regulations Assessment requires both plans and projects that 'either individually or in combination with other plans or projects' which could have an effect on the Natura 2000 sites to be considered. Advice is that Habitats

Regulations Assessment should be ‘appropriate’ and fit for purpose and that the ‘plans’ focus should be on development plans.

Unitary Development Plans and Local Development Frameworks

- 4.1.5 Each of the six Merseyside authorities – Sefton, Liverpool, Wirral, Halton, St. Helens and Knowsley – have an adopted Unitary Development Plan; and are at the various stages of work on the preparation of their Core Strategies and other Local Development Framework documents as set out in their Local Development Schemes, including Habitats Regulations Assessment.
- 4.1.6 The Wirral Unitary Development Plan (2000)⁴ is the key land-use planning document for Wirral and includes policies for the protection and enhancement of Natura 2000 sites. Habitats Regulations Assessment has been undertaken for Wirral’s developing Core Strategy⁵. This HRA identifies a range of potential pathways of impact on Natura 2000 sites. These include: disturbance, atmospheric pollution, water resources and water quality, port and channel construction, maintenance, shipping and dredging and coastal squeeze. The HRA identifies recreational disturbance as the main potential disturbance impact on Natura 2000 sites. Dredging and fishing are also identified as potential disturbance impacts to Natura 2000 site habitats. The HRA screening proposed a number of changes to policies to ensure no likely significant effects. As there are no recreational disturbance impacts or dredging proposals as part of this project there are no likely in combination effects as a result of this project.

Shoreline Management Plan and daughter plans

- 4.1.7 The Wirral coastline is covered by the current Shoreline Management Plan for Sub-cell 11a (Great Orme, Llandudno to Formby Point), which was adopted by Wirral Council in 2000. In accordance with recent case law, Shoreline Management Plans and similar documents must be considered as land use plans for the purposes of Habitats Regulations Assessment. The Shoreline Management Plan (SMP) and daughter plans to implement the SMP are therefore relevant to the present assessment. A revised Shoreline Management Plan is to be produced by 2012; at present, a variety of appendices are available, including the draft Habitats Regulations Assessment⁶.
- 4.1.8 The policy identified for this part of the coast in both the current and revised SMP was “Hold the Line”, i.e. continue to maintain the existing hard sea defences as required. No maintenance works are ongoing or anticipated at the time of writing,

⁴ Wirral Metropolitan Borough Council (2000). *Adopted Wirral Unitary Development Plan*

⁵ Wirral Borough Council Core Strategy - Habitats Regulation Assessment, Scott Wilson URS August 2010

⁶ Halcrow (2009). *North West England and North Wales Shoreline Management Plan 2 (SMP2): Appendix J - Appropriate Assessment*

although it is acknowledged that maintenance of the sea defences may be required within the next 20-30 years. Consequently, in terms of potential in-combination effects arising directly from activities such as construction and/or maintenance of sea defences, the SMP is considered to have no likely significant in-combination effects with the proposed scheme.

- 4.1.9 Taking a wider view, Halcrow (2009) assessed the overall effect of the revised SMP on Mersey Narrows and North Wirral Foreshore pSPA/pRamsar and considered that the Hold the Line policy would continue to prevent erosion, sediment feed and natural shoreline evolution. At present, the Mersey estuary is considered to have a negative sediment budget in this area (although the overall sediment budget for Liverpool Bay is positive) and the predicted effect is a reduction in the area of intertidal sand and mudflats, described as “coastal squeeze”. This reduction in available intertidal habitat would have a negative effect on the pSPA/pRamsar, as the carrying capacity of the site for birds could be reduced. The potential for effects on the pSPA/pRamsar arising from existing contamination was also considered. These were considered to be Likely Significant Effects and it was recommended that further detailed assessment of the proposed Hold the Line policy be undertaken in conjunction with provision of a Strategy for the Mersey Estuary which would describe proposals in more detail. The draft Habitats Regulations Assessment also notes that coastal squeeze could be offset if required by provision of compensatory habitat creation and states that SMP policies will identify potential habitat creation sites. The acceptability of these policies and sites will be considered in relation to the final SMP when this is completed.
- 4.1.10 The draft Habitats Regulations Assessment for the SMP considered the provision of further detailed assessment and the possibility of providing compensatory habitat creation to be preventative measures and concluded that no adverse effects on the pSPA/pRamsar could be anticipated at this stage of development of the SMP.
- 4.1.11 As the further detailed assessment of the SMP policies has not yet been undertaken, it is prudent to assess whether the identified Likely Significant Effects of the SMP could have in-combination effects with the proposed scheme. Given that the proposed scheme is entirely contained on land and would have no effect on sediment budget, it is considered highly unlikely that there could be any in-combination effects of the current project with the SMP.

Mersey Ports Master Plan

- 4.1.12 Mersey Ports Master Plan⁷ outlines a 20-year vision for growth and future developments of the Mersey Ports. The plan covers the Port of Liverpool and Manchester Ship Canal, which include, Port of Liverpool, Liverpool Docks and Birkenhead, Port Wirral, Port Bridgewater, Port Ince and Port Warrington. These sites are all located on the banks of the River Mersey, or up stream on the

⁷ Mersey Ports Master Plan, Peel 2011

Manchester Ship Canal and as such have potential to impact directly upon the Mersey Estuary SPA / Ramsar, Mersey Narrows and North Wirral foreshore SPA/ Ramsar and Liverpool Bay SPA.

- 4.1.13 The plan includes Wirral Waters ITC development and Wirral Waters developments at East Float and Northbank. The developments of Wirral Waters East Float and Northbank have already gained planning permission and have been subject to Habitats Regulation Assessment screening and are discussed in more detail in section 4.2 and table 1 below. The current planning application site is identified within the Ports Master Plan as Birkenhead Docks areas B3 and B4 both of which are the subject of this project level HRA screening report.
- 4.1.14 The plan is currently draft and is currently open to a 13 week public consultation.
- 4.1.15 The draft Master Plan details Peel Ports Mersey's growth strategy and predicted volume forecasts up to 2030, which would see a 70% growth in tonnage handled by Peel Ports Mersey. The Master Plan sets out how the Port can best accommodate this growth whilst also capturing new business opportunities from a number of key developments.
- 4.1.16 The Master plan provides a framework for development within the ports for the medium and long term. At this time, Habitats Regulation Assessment has not yet been undertaken for this plan and it is unclear whether HRA will be undertaken for the Master Plan or for the individual schemes. As the plan is an indicative framework for development and is currently subject to consultation it is not possible to determine whether it is likely that any in-combination effects will occur with Wirral Waters ITC development.

4.2 In-combination effects with other projects

- 4.2.1 There are several projects for which it is considered appropriate to look at 'in combination effects':
- Wirral Waters Northbank East
 - Wirral Waters East Float
 - Liverpool Waters
 - Extension to the River Mersey dock facilities at Seaforth, Bootle
 - Conversion of public conveniences, Hoylake
 - Proposed extension of Leasowe Lighthouse
 - New Brighton redevelopment by Neptune
 - Biossence Eastham
 - Mersey Gateway
 - Liverpool John Lennon Airport Master Plan

- 4.2.2 Proposed projects under the Mersey Ports Master Plan are only considered where they are consented schemes or currently the subject of the planning process.
- 4.2.3 Wirral Waters and Liverpool Waters applications are integrated schemes and therefore have been considered together within this in combination assessment.

Wirral Waters Northbank East

- 4.2.4 The proposed development includes the construction of five between 20 and 40 storeys, generally increasing in height towards the east. The proposed scheme is mixed use and includes 1,672 residential units. The location of this development is shown on figure 1 in Appendix 2
- 4.2.5 The applicant submitted an Environmental Statement in support of their application. The applicant also submitted a cumulative impact assessment considering the impact of the East Float scheme in the context of Northbank East and Liverpool Waters, which are also being brought forward by Peel (East Float and Liverpool Waters Cumulative Assessment, WSP, June 2010). No likely significant impacts were identified. HRA screening undertaken by Merseyside EAS on behalf of Wirral Council also concluded no likely significant effects. All documents can be accessed on Wirral Council website planning pages. Planning application number APP/2009/5109

Wirral Waters East Float

- 4.2.6 The project is for the creation of a new city neighbourhood at East Float, including a maximum of 13,521 residential units, office and research and development floorspace, retail uses, hotel and conference, culture, education, leisure, community and amenity floorspace and marina. In addition to associated car and cycle parking, structural landscaping, formation of public spaces and associated infrastructure and public realm works and including retention of and conversion works to Grade II Listed Hydraulic Tower. The location of this development is shown in figure 1 of Appendix 2
- 4.2.7 The applicant submitted an Environmental Statement in support of their application. The applicant also submitted a HRA screening report (East Float, Wirral Waters: Extended Screening for Appropriate Assessment, WSP Environmental, February 2010). A full HRA screening undertaken by Merseyside EAS on behalf of Wirral Council also concluded no likely significant effects. All documents can be accessed on Wirral Council website planning pages. Planning application number OUT/09/06509

Liverpool Waters

- 4.2.8 This project is for the redevelopment of a 60 hectare Liverpool Waters site to create a mixed use water front quarter. The development will include upto 10,870 residential units, office, hotel and conference facilities, food and drink, non-residential institutions, assembly and leisure, a cruise liner facility, marina and water sports centre. In addition associated car and cycle parking, structural landscaping, formation of public spaces and associated infrastructure and public realm works. The location of this development is shown in figure 1 of Appendix 2
- 4.2.9 The applicant submitted an Environmental Statement in support of their application. The applicant also submitted a HRA screening report (Liverpool Waters Habitats Regulation Assessment, Screening report for Proposed Liverpool Waters Scheme, Screening report for Proposed Liverpool Waters Scheme, White Young Green, February 2011). However, this is currently being revised following consultation comments from Merseyside EAS. All documents can be accessed on Liverpool Council website planning pages. Planning application number 10O/2424

Extension to the Dock facilities at Seaforth, Bootle

- 4.2.10 The Mersey Docks and Harbour Company applied for a Harbour Revision Order on 19 August 2005 for the construction and maintenance of works for:
- A new quay wall some 854 metres long from the south west corner of the Royal Seaforth Dock to the river wall at the Gladstone River Entrance and the formation of a berthing pocket on the seaward side of the wall;
 - An extension to the existing Bootle Northern Outfall Sewer from the existing river wall at Gladstone Dock for a distance of some 200 metres to an outfall to be constructed in the proposed new quay wall;
 - The dredging of the Outer Channel of the River;
 - The extinguishment of public rights to parade and walk and the creation of new public footpath; and
 - Related works.
- 4.2.11 Whilst the location of this development would appear to have potential to give rise to likely significant effects on the Mersey Estuary SPA / Ramsar and Mersey Narrows and North Wirral Foreshore SPA / Ramsar HRA screening (discussed below) found that there would be no likely significant effects on these sites and that the main potential impacts would be to the Liverpool Bay SPA / Ramsar site.
- 4.2.12 The Harbour Revision Order was confirmed and authorised by the Secretary of State (Department of Transport) on 20 March 2007. In doing so, the Secretary of State accepted Natural England's views that the scheme would have no adverse effect on integrity of the Natura 2000 sites, provided the Mitigation and Monitoring Plan is implemented in full, and this is due to happen (para 4.1, SoS letter, 20

March 2007)⁸. The documents indicate that the main effects needing mitigation would be on the Liverpool Bay potential Special Protection Area, rather than the Natura 2000 Sites specifically considered here, and that sediment and erosion are likely to be the main issues. The Inspector’s Report (DfT, 2007)⁹ concluded (para cross-references omitted here):

“7.40 I also conclude that there are no other plans or projects that could, in combination with the draft Order works, have an adverse effect on the integrity of the European or international sites.”

7.45 I have considered the Environmental Statement and Supplementary Information and I conclude that the assessment is fair and reasonable. I have also considered the impact that the scheme would have on the environment.

7.46 With the proposed Mitigation and Monitoring Plan in place, there would not be an adverse effect on the designated and proposed European and International conservation sites, including the coastal waters off the North Wales and North West Coast which have now been proposed as a Special Protection Area, the Liverpool Bay pSPA.

7.47 There would be negligible change to the wave conditions; the moderately adverse impact of deposition would be offset by subsequent natural redistribution and the effect on the estuary would be negligible. The effect of the construction of the terminal on water and sediment quality would be minor, and there would be negligible impact due to contaminants.

7.48 Dredging and deposition operations would have negligible impact on marine or bird life. Noise impact on fish and marine mammals during construction would be minimised by mitigation measures, with these in place, the effect would be minor and the impact of bird life would be negligible. In operation, the impact on marine life would be negligible.”

4.2.13 Accordingly, it is considered that there are no adverse in-combination effects arising from the dock facilities project as potential source, pathways and receptors are different than those assessed for Wirral Waters ITC and other Wirral Waters developments or Liverpool Waters.

In combination assessment of Wirral Waters and Liverpool Waters developments

4.2.14 Table 1 below shows potential impacts from those elements of the projects identified for each project during the HRA screening process as likely to give rise to impacts on Natura 2000 sites and illustrates where there is potential for in combination effects.

⁸ Department of Transport (2007b). Letter from Department of Transport (Head of Ports Division) ‘The Mersey Docks and Harbour Company (Seaforth River Terminal) Harbour Revision Order’.

⁹ Department of Transport (2007a). ‘Report to the Secretary of State for Transport: The Mersey Docks and Harbour Company (Seaforth River Terminal) Harbour Revision Order 2005’.

- 4.2.15 It should be noted that a HRA screening has yet to be completed for Liverpool Waters and this has been taken into account in Table 1 including consideration of likely sources of impact, pathways and interactions and Natura 2000 site receptors.

Table 1. Potential impacts from Elements of the projects identified for each project during the HRA screening process as likely to give rise to impacts on Natura 2000 sites

Potential effects	Wirral Waters ITC	Wirral Waters East Float	WW Northbank	Liverpool Waters	Likely significant in combination effect
Disturbance to birds species for which Natura 2000 sites have been designated. Cormorant – species listed within the qualifying assemblage for Mersey Narrows and North Wirral Foreshore SPA / Ramsar. Great Crested grebe – Qualifying species of the Mersey Estuary SPA/Ramsar	There is no potential for disturbance to qualifying bird species within the Natura 2000 sites. However, there is potential for disturbance of qualifying bird species associated with the Natura 2000 sites which use the Wirral Waters site. Qualifying species recorded on this site are Cormorant, Great Crested grebe and lapwing. (However Lapwing have only been recorded breeding on the Wirral Waters site and the Natura 2000 sites are not designated due to their breeding assemblage of lapwing.) There is potential for impacts to this site from disturbance however, data submitted in connection with this application indicates use of the docks for feeding and foraging by	There is potential for disturbance of qualifying bird species associated with the Natura 2000 sites which use the Wirral Waters site. Qualifying species recorded on this site are Cormorant, Great Crested grebe and lapwing. Disturbance and displacement of cormorant and Great Crested grebe during construction and operation phases. Assessment concluded bird roosts or feeding areas within 50m of construction activity are predicted to experience disturbance and would be displaced to other areas of Wirral Waters. Temporary displacement of Cormorant and Great	There is no potential for disturbance to qualifying bird species within the Natura 2000 sites. However, there is potential for disturbance of qualifying bird species associated with the Natura 2000 sites which use the Wirral Waters site. Qualifying species recorded on this site are Cormorant, Great Crested grebe and lapwing. Temporary disturbance to 38-48 cormorant <10% of cormorant population of Mersey Narrows and North Wirral foreshore SPA/Ramsar during the construction phase. Numbers of cormorant affected not considered to be a likely significant effect. Birds likely to be displaced to other areas of Wirral Waters. – No likely significant effect	As with Wirral Waters ITC there are data limitations associated with bird data for this site. No formal overwintering bird survey has been undertaken for this development and bird data is from data provided by Lancashire Wildlife Trust. Therefore as with Wirral Waters ITC it is difficult to assess the full potential impacts from this development on these species. From the data provided of those bird species recorded within the Liverpool Waters site only Cormorant and Lapwing are also found within the Wirral Waters sites. Peak numbers of cormorant recorded on the Liverpool Waters site are 8 individuals which equates to 1.86% of the cormorant population of Mersey Narrows and North Wirral foreshore pSPA/pRamsar. Numbers of other species using Liverpool waters where also low 5 redshank, and 15 oystercatcher. Breeding bird survey recorded 7 lapwing with 5 nesting.	The proposed developments have the potential to impact on qualifying species: Mersey Estuary: Great Crested grebe, lapwing, redshank Mersey Narrows and North Wirral foreshore: Cormorant, Redshank and oystercatcher. Dee Estuary: Redshank, Lapwing, Oystercatcher Of these species only Cormorant and lapwing has been recorded at both Wirral Waters and Liverpool Waters. (However Lapwing have only

Potential effects	Wirral Waters ITC	Wirral Waters East Float	WW Northbank	Liverpool Waters	Likely significant in combination effect
	<p>low but consistent numbers of Cormorant. However, there are a number of limitations with the submitted bird data (see paragraph 2.1.8) and given these survey limitations, the applicant has incorporated sufficient mitigation measures to minimise impacts to Cormorant and Great crested grebe. The applicant has put forward provision for a 'minimal disturbance bird zone' within the site which is also likely to include cormorant roosts. Impacts to Great crested grebe are considered to be low as they currently fish within Wirral Waters and no increase in boat traffic in the short to medium term will not affect this, the provision of a 'minimal disturbance bird zone' will also aid in minimising impacts (See section below on ship movements for further discussion). In addition the applicant committed</p>	<p>crested grebe predicted during construction phase, however multiple construction phases upto 2050.</p> <p>There is potential for permanent displacement of Great crested grebe from feeding area by marina development. However, impacts from the marina are not considered significant due to low winter use of the marina by boats and requirements for boats to operate low speeds within marina.</p> <p>There may be potential for disturbance impacts to qualifying bird species within the Mersey Estuary SPA/Ramsar and Mersey Narrows and North Wirral Foreshore pSPA/pRamsar from leisure boats associated with the proposed marina.</p> <p>There will be loss of two cormorant roost sites</p>		<p>The applicant has proposed mitigation measures to minimise disturbance impacts during construction.</p> <p>Given the nature of the development the draft HRA screening (WYG, February 2011) it is anticipated that there will be regular disturbance of bird species using the site. It is considered that displaced birds will move to other areas of the within the dock complex. The data indicate, that there are small proportions of bird species using this site, and therefore disturbance is unlikely to be significant however limitations associated with this data need to be considered.</p> <p>There may be potential for disturbance impacts to qualifying bird species within the Liverpool Bay SPA and Mersey Estuary SPA/Ramsar and Mersey Narrows and North Wirral Foreshore pSPA/pRamsar from cruise liners and leisure boats associated with the proposed marina.</p>	<p>been recorded on the Wirral Waters site and the Natura 2000 sites are not designated due to their breeding assemblage of lapwing.)</p> <p>Survey limitations have resulted in difficulties in determining the extent of the impact to bird species at both Wirral Waters and Liverpool Waters sites. In addition, HRA screenings for WW East Float and WW Northbank concluded that Cormorant and Great crested grebe would be displaced to other areas of Wirral Waters. As this is the final area of WW to be subject to planning condition the applicant has</p>

Potential effects	Wirral Waters ITC	Wirral Waters East Float	WW Northbank	Liverpool Waters	Likely significant in combination effect
Habitat loss for qualifying species of a Natura 2000 site	<p>to a bird monitoring programme (WSP email 08.09.11) which will inform the design and location of this zone. – No likely significant effects.</p> <p>There is no habitat loss within Natura 2000 sites.</p> <p>Due to bird data limitations it is not clear to what extent Cormorant or Great crested grebe use this site therefore the applicant has committed (WSP email 08.09.11) to provide a 'minimal disturbance bird zone' into the design of the scheme. – No likely significant effects.</p>	<p>There is no habitat loss within Natura 2000 sites.</p> <p>Loss of two cormorant roosts as a result of the development. Provision has been made for replacement roosts. Impacts to Great crested grebe feeding habitat. (see Disturbance to birds species for which Natura 2000 sites have been designated above)</p> <p>Reduction in depth of some of the water bodies on site is likely to result in more favourable feeding habitat for these species. – No likely</p>	<p>There is no habitat loss within Natura 2000 sites or within the development site. –No likely significant effect</p>	<p>There is no habitat loss within Natura 2000 sites.</p> <p>Due to bird data limitations it is not clear to what extent Cormorant or Great crested grebe use this site and there are potential for in combination habitat loss effects on these species therefore the applicant has committed (written confirmation awaited) to provide a 'minimal disturbance bird zone' into the design of the</p>	<p>adopted a provision of a 'minimal disturbance bird zone' into the Wirral Waters ITC to address these issues. – No likely significant effects.</p>

Potential effects	Wirral Waters ITC	Wirral Waters East Float	WW Northbank	Liverpool Waters	Likely significant in combination effect
Release of pollution (Construction related pollutants, or existing on site contamination)	Existing contamination is present on site. However, pollution prevention measures and site remediation strategy required as part of the development and secured through planning condition will prevent any release of pollutants into Natura 2000 sites. . . No likely significant effects	significant effect Existing contamination is present on site. However, pollution prevention measures and site remediation strategy required as part of the development and secured through planning condition will prevent any release of pollutants into Natura 2000 sites. . . No likely significant effects	Existing contamination is present on site. However, pollution prevention measures and site remediation strategy required as part of the development and secured through planning condition will prevent any release of pollutants into Natura 2000 sites. . . No likely significant effects	Existing contamination is present on site. However, pollution prevention measures and site remediation strategy required as part of the development and secured through planning condition will prevent any release of pollutants into Natura 2000 sites. . . No likely significant effects	scheme. – No likely significant effects. – No Likely significant effects.
Impacts to air quality	Contribution of traffic emissions to local pollutant concentrations considered negligible. Estuarine sites not identified as being sensitive to changes to air quality. – No likely significant effects.	Contribution of traffic emissions to local pollutant concentrations considered negligible. Estuarine sites not identified as being sensitive to changes to air quality. – No likely significant effects.	Contribution of traffic emissions to local pollutant concentrations considered negligible. Estuarine sites not identified as being sensitive to changes to air quality. – No likely significant effects.	Contribution of traffic emissions to local pollutant concentrations considered negligible. Estuarine sites not identified as being sensitive to changes to air quality. – No likely significant effects.	No likely significant effects
Impacts to flight lines or bird strike on tall buildings	N/A There are no tall buildings associated with this development. Maximum building	The tallest building within this development is Skycity which rises from 42m in height to a maximum of 226m in height. However, due	Proposal includes 5 towers ranging between 20-40 storeys, however the HRA screening concludes that the location is not considered to have	The proposal is for a number of tall buildings up to 295m tall. A HRA screening has not yet been completed and no assessment has yet been made on impacts to	All though the other the developments include tall buildings WW ITC does not therefore

Potential effects	Wirral Waters ITC	Wirral Waters East Float	WW Northbank	Liverpool Waters	Likely significant in combination effect
	height is 25m – No likely significant effect.	to the location of the building the potential for bird strike associated with this development is considered to be minimal – No likely significant effects.	significant impact on flight lines. – No likely significant effect.	flight lines.	no likely significant effects.
Disturbance impacts to birds from lighting	Significant levels of lighting occur in surrounding area. However, the unused nature of the site currently is likely to mean that there are low levels of lighting on site currently. Measures to minimise lighting impacts to birds have also been proposed by the developer (WSP email 08.09.11) these will be secured by planning condition. Lighting is not considered to have a significant impact on birds using the site – No likely significant effects.	Significant levels of lighting occur in surrounding area. Lighting is not considered to have a significant impact and measures to minimise lighting impacts to birds have also been proposed by the developer and secured through planning condition. – No likely significant effects.	Significant levels of lighting occur in surrounding area. External lighting to be limited and to designed to minimise upward lighting. – No likely significant effects.	The draft HRA report identifies that currently water birds present on site are subject to low levels of lighting due to the unused nature of the site currently. Once the development is complete there will be some disturbance to birds from lighting. However lighting from this site will not impact on WW ITC site.	No likely significant effects
Increase in boat / ship movements	At this stage, no increase in shipping movements is considered likely. Increased shipping	There is no interaction between shipping associated with Wirral Waters ITC and marina traffic associated with	No increase in boat movements. – No likely significant effect	The development includes proposals for a cruise liner terminal, marina and water sports facility. As discussed above there may be potential for disturbance	Although full details are not currently known regarding boat movements within

Potential effects	Wirral Waters ITC	Wirral Waters East Float	WW Northbank	Liverpool Waters	Likely significant in combination effect
	<p>movements in the short to medium term are unlikely. However, there is already a degree of shipping and boat traffic through the docks which both Cormorant and Great crested grebe are habituated to. It is not currently possible to predict long term future trends in shipping movements however both Cormorant and Great crested grebe are likely to be resilient to some degree of increase in boat movements. However, as any increase in shipping would be in the long term it is considered more appropriate to screen this issue at future reserved matters or further planning applications when these details are known. – No likely significant effects at this stage</p>	<p>this development. In addition, the HRA screening for East Float concludes No likely significant effects from increased boat movements due to largely summer season use of the marina. – No likely significant effects.</p>		<p>impacts to qualifying bird species within the Liverpool Bay SPA and Mersey Estuary SPA/Ramsar and Mersey Narrows and North Wirral Foreshore pSPA/pRamsar</p>	<p>WW ITC these are likely to be within existing shipping channels and therefore no likely significant effects.</p>
Increase in human activity	<p>The proposed development is for industrial use and the</p>	<p>Development would result in an additional 13,521- 27,700 people</p>	<p>Development would result in 4000 additional residents living close to Natura 2000</p>	<p>Development would result in 9,152 new homes plus tourism and recreational facilities. This has the</p>	<p>WW ITC development is for industrial use and</p>

Potential effects	Wirral Waters ITC	Wirral Waters East Float	WW Northbank	Liverpool Waters	Likely significant in combination effect
	<p>vast majority of human activity will be within purpose built warehouses. The development does not include residential or retail elements. Given the nature of the development there is not considered to be a likely significant effect from increase human disturbance. – No likely significant effect</p>	<p>living close to Natura 2000 sites. However, the HRA screening considers that only a proportion of these residents (17% based on figures from Active People survey for participation rates in sport and recreation) is likely to seek out recreation in surrounding Greenspaces including Natura 2000 sites. Within the local area access to Natura 2000 sites within the Mersey Estuary is limited to Seacombe Promenade which is already used by the public. There is potential for increased disturbance to cormorant and Great crested grebe using Wirral Waters however the applicant has put forward mitigation measure to provide off site Green infrastructure to limit impacts. As a result numbers of cormorant and Great crested grebe affected are not considered to be</p>	<p>sites. However, there is alternative greenspace in local area, in addition closest area of Natura 2000 sites is Seacombe Promenade which is already used by public. – HRA screening report concludes No likely significant effects.</p>	<p>potential to increase human disturbance of bird species associated with Natura 2000 sites. HRA screening has yet to be complete for this development and therefore this impact has not been assessed.</p>	<p>has limited potential for increasing human disturbance – No likely significant effects.</p>

Potential effects	Wirral Waters ITC	Wirral Waters East Float	WW Northbank	Liverpool Waters	Likely significant in combination effect
		<p>a likely significant effect. Birds likely to be displaced to other areas of Wirral Waters. – HRA screening report concludes No likely significant effects.</p>			

In combination assessment of other projects which have potential to result in in-combination effects on Natura 2000 sites

Conversion of public conveniences, Hoylake

4.2.16 This project is for conversion and refurbishment of the closed public toilet block to a café and observation deck at Trinity Road, Hoylake. Habitats Regulations Assessment screening was undertaken by Merseyside EAS in June 2008; following a finding of No Significant Effects, planning approval was granted on 14 January 2009. Construction of the project has not started at the time of writing. The screening report noted the following:

- The proposed café is located in an area of beach not known to support significant numbers of wintering and/or passage birds.
- Construction will be undertaken during the period June to early August and no impacts on qualifying bird assemblages are therefore predicted during construction.
- Operation of the café and observation deck will be controlled through licensing requirements on noise and opening hours. The beach has no restrictions on use during the winter months; it is subject to wardening from site rangers and volunteer wardens and this activity will continue. The potential for disturbance to qualifying bird assemblages is therefore considered to be minimal.
- The maximum habitat loss (both direct and temporary) of 147m² comprises 0.0007% of the Mersey Narrows and North Wirral Foreshore pSPA/pRamsar; and 0.0001% of the Dee Estuary SAC. Any reduction in habitat area is considered to be negligible in the context of these sites and de minimis.

4.2.17 The Wirral Waters ITC proposal will not result in any habitat loss, and therefore no in-combination effects are predicted in relation to loss of habitat or physical impacts on habitats. With respect to disturbance of birds, construction of the proposed café will have no impact on qualifying bird species due to the timing of the works outside the wintering/passage seasons. Therefore it is highly unlikely that there would be any significant in-combination effects and therefore this project can be screened out at this stage.

Proposed extension of Leasowe Lighthouse

4.2.18 A planning application to extend Leasowe Lighthouse was withdrawn. However, it is understood that a new planning application for the scheme is in preparation. The scheme is likely to involve an extension of the existing building to provide improved visitor facilities. Whilst the improved visitor offer is likely to attract more people to the lighthouse, it is considered unlikely that more people would actually visit the north Wirral foreshore as a result of the lighthouse proposal.

4.2.19 The Wirral Waters ITC proposal will not result any increase in human activity or disturbance within the Natura 2000 sites and therefore there are no in-combination effects and this project can be screened out at this stage.

New Brighton redevelopment by Neptune

4.2.20 This project was approved by Wirral Council in November 2007 and is at an advanced stage of construction. The project is located on the seafront in New Brighton, off Kings Parade. This is adjacent to Mersey Narrows and North Wirral Foreshore pSPA/pRamsar site. Despite its location, no concerns about effects upon the Natura 2000 site were raised during the planning process and it was not considered necessary to assess the proposal against the Habitats Regulations. The Wirral Waters ITC proposal will not result any increase in human activity or disturbance within the Natura 2000 sites and therefore there are no in-combination effects and this project can be screened out at this stage.

Biossence Eastham

4.2.21 This development was consented in February 2009 but is not yet operational. The purpose of the scheme is to process waste and extract biomass to fuel an on-site combined heat and power plant. Waste will arrive on site in sealed containers via road and barges. The barges will sail from Garston or Liverpool Docks across the Mersey to the Manchester Ship Canal and up to Hooton Wharf. The use of barges will require modification of the wharf, including installation of container cranes and floodlights. The site is located less than 100m from the Mersey Estuary SPA/Ramsar site. MEAS completed a Habitats Regulations Screening report for the project in September 2008 which concluded that no significant effects on the Mersey Estuary SPA/Ramsar site were likely. In summary, the potential impact pathways considered were as follows:

4.2.22 *“Disturbance to birds - supporting information provided by the applicant states that one barge movement per day is planned. All barge movements will be during high tide when birds will not be able to feed or roost and therefore will not disturb these activities. Further disturbance to birds related to the industrial use of this site and associated factors such as flood lighting, vehicle movements and noise. However the development site is separated from the Mersey Estuary by the Manchester Ship Canal, in addition the Mersey Estuary SPA and Ramsar is surrounded by industrial land use and a number of sites are flood lit and this does not deter use by birds. It is not anticipated that the proposed noise or visual disturbance from the wharf would not have a significant adverse disturbance impact to birds within the SPA and Ramsar.*

4.2.23 *Modification of the existing wharf – the potential impact to the Mersey Estuary SPA and Ramsar from construction related pollutants e.g. cement and sediment can be mitigated for through the application of a planning requiring the applicant to submit a method statement for approval detailing how they intend to prevent pollution of controlled waters.*

4.2.24 *Changes to hydrodynamics within the Mersey Estuary –Supporting information provided by the applicant states that no channel deepening or dredging will be required and therefore no impacts to the hydrodynamics of the estuary.*

4.2.25 *Potential use of the application site by overwintering birds - Supporting information suggests that RSPB do not consider the application site to be suitable for use by birds and therefore the development of this site will not result in any loss of habitat for overwintering and passage birds”.*

4.2.26 Considering the Wirral Waters ITC proposal in the context of the Biossence scheme, potential in-combination effects relate to bird disturbance and construction-related pollutants. Since construction-related pollutants will be controlled in both cases by appropriate planning conditions, it is highly unlikely that a significant in-combination effect would arise. With respect to bird disturbance, any disturbance impacts to birds would largely be limited to the construction phase and given the low numbers of birds present on the East Float site and the location of the Biossence scheme in an existing industrial area, there are no obvious pathways by which the schemes in combination could result in a likely significant effect and this project can be screened out at this stage.

Mersey Gateway

4.2.27 This project will provide a new crossing of the River Mersey alongside the existing Silver Jubilee Bridge (also referred to simply as “Runcorn Bridge”). The project was consented in early 2010 following a public inquiry. Chapter 10 of the Environmental Statement prepared by Halton Borough Council for the project provides an assessment of the likely impacts of the project on the Mersey Estuary SPA/Ramsar site, which is located a short distance downstream of the scheme.

4.2.28 A detailed assessment was undertaken of the potential effects of physical effects on habitats, disturbance during construction and operation, bird collision, disruption of bird flight lines, construction and operation phase pollution and/or release of contaminants from sediments and alterations to hydrological processes. Taking into account the proposed mitigation, environmental controls on construction and operation and the relatively low numbers of birds using the bridge site (which were considered to represent separate populations not associated with the Mersey Estuary SPA/Ramsar site), the assessment concluded that there would be no significant effects on the European site.

4.2.29 As environmental controls will also be applied in relation to the Wirral Waters ITC, and therefore there will not be any significant in-combination effects associated with sediment contamination or other pollutants released to controlled waters during the construction or operational phases. With respect to bird disturbance, the Environmental Statement for the Mersey Gateway clearly demonstrated that the birds of the upper estuary, where the project is situated, represent separate populations to the Mersey Estuary SPA/Ramsar site and that, owing to the distance involved, actual disturbance of the European site is unlikely. Consequently, it can be concluded that no significant in-combination effects are likely in relation to bird disturbance and this project can be screened out at this stage.

Liverpool John Lennon Airport

4.2.30 The Airport has produced a Masterplan outlining their objectives for development of the airport up to 2030¹⁰. A number of projects are described in the Masterplan; however, none have as yet been brought forward. The Masterplan is accompanied by a Sustainability Appraisal (Peel, November 2007) which identifies possible environmental impacts of the Masterplan in broad-brush terms. Halton Core Strategy HRA screening has also assessed the impact on Natura 2000 sites. The findings of the wintering bird study carried out to inform the John Lennon Liverpool Airport Masterplan suggest that the Liverpool John Lennon Airport (LJLA) expansion is unlikely to result in adverse effects on the integrity of the Mersey Estuary SPA/Ramsar through direct land take, or disturbance to feeding or roosting birds. Given the distance between this site and the Wirral Waters ITC site there are no significant source or pathways which could result in in-combination likely significant effects and and this project can be screened out at this stage.

¹⁰ Liverpool John Lennon Airport Master Plan, Peel November 2007

5 Likely direct, indirect or secondary impacts of the project

5.1.1 This section describes any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 by virtue of:

- Size and scale;
- Land-take;
- Distance from Natura 2000 sites;
- Resource requirements (water abstraction etc);
- Emissions (disposal to land, water or air);
- Excavation requirements;
- Transport requirements;
- Duration of construction, operation, decommissioning, etc);
- Other.

5.2 Size, Scale and Land-take

5.2.1 There will be no landtake within the Natura 2000 sites.

5.3 Distance from the Natura 2000 sites

5.3.1 The closest Natura 2000 sites to the application site are:

- Mersey Narrows and North Wirral Foreshore potential SPA
- Mersey Narrows and North Wirral Foreshore proposed Ramsar site
- Mersey Estuary SPA
- Mersey Estuary Ramsar site
- Dee Estuary SPA
- Dee Estuary Ramsar

5.3.2 The Mersey Estuary SPA/Ramsar is located approximately 4.4km south east of the Wirral Waters ITC site. Mersey Narrows and North Wirral foreshore pSPA/pRamsar is located approximately 2.15km east of the ITC site. The Dee Estuary SPA/Ramsar is located approximately 10km west of the ITC site. (See Figure 2, Appendix 2) As we consider that there are no likely significant effects from the proposed scheme on those Natura 2000 sites closest to the application site and there are no significant impact source or pathways to other Natura 2000 sites, we consider it inappropriate to screen the scheme against additional sites.

5.4 Resource requirements from the project

5.4.1 The project will require resources during construction and operation which will be obtained from existing consented sources. No significant additional local resource requirements are likely to result from the project.

5.5 Emissions resulting from the project

5.5.1 Potential emissions resulting from the project requiring consideration are:

- Surface water runoff, infiltration or discharge with the potential for water quality changes to controlled waters in West Float;
- Release of any existing on-site contamination during construction to air or controlled waters;
- Release of pollutants such as construction dust to air or controlled waters;
- Noise during construction and operation;
- Changes to air quality.

Water quality changes and contamination

5.5.2 Relevant information has been submitted by the applicant in Chapters 9 and 10 of the Environmental Statement, which deal with drainage, flooding, water resources, ground conditions, hydrogeology and contamination. The potential for water quality changes was considered in the Extended Screening for Habitats Regulation Assessment (August 2011) and it was concluded that no likely significant effects could be anticipated with respect to water quality. The applicant has put forward measures to prevent or minimise changes in Water quality. MEAS agree with these conclusions and mitigation measures. Measures to protect water quality will be secured by planning conditions as appropriate.

Construction phase pollutants

5.5.3 Relevant information on construction related pollutants has been submitted within Chapter 9 of the Environmental Statement. The potential for construction related pollutants to be released was considered in the Extended Screening for Habitats Regulation Assessment (August 2011) and it was concluded that no likely significant effects could be anticipated from construction related pollutants. The applicant has put forward measures to prevent and minimise construction related pollutants which will be incorporated into the Construction Environmental Management Plan for approval prior to commencement of works on each phase and this should be implemented as approved. Given the location of the application site in relation to the Natura 2000 sites, minor spills etc during construction are highly unlikely to have a significant effect on the Natura 2000 sites. MEAS agree with these conclusions and mitigation measures. The requirement for a CEMP will be secured by planning conditions as appropriate.

Lighting

5.5.4 The Extended Screening for Habitats Regulation Assessment (August 2011) concluded that lighting associated with the proposed development was unlikely to

result in a significant impact on the European sites and the applicant has confirmed that lighting will be directed away from the proposed 'minimal disturbance bird zone' (WSP email 08.09.11). These measures will be secured by planning conditions.

Noise

- 5.5.5 The Extended screening for Habitats Regulation Assessment (August 2011) identified that construction related noise is likely to result in some temporary disturbance and displacement of birds however this is not considered to be significant. See full details in Table 1. The applicant has put forward mitigation measures to be included within the Construction Environmental Management Plan, this will be secured by planning condition.

Changes to air quality

- 5.5.6 The Extended Screening for Habitats Regulation Assessment (August 2011) concluded that air quality changes associated with the proposed development were unlikely to result in a significant impact on the European sites.

5.6 Excavation requirements resulting from the project

- 5.6.1 There will be no excavation within the European sites and no significant impacts are likely.

5.7 Transportation requirements resulting from the project

- 5.7.1 The potential for air quality changes as a result of transportation associated with the project has been assessed in 5.5.6 above and considered not significant. No other impacts associated with transportation are considered likely.

5.8 Duration of the Project

- 5.8.1 The site is expected to be developed in phases over several decades, with all development expected to be complete and operational by 2020. The duration of the project has been fully considered in all aspects of ecological impact assessment of the project. There are no specific impacts associated with the duration of the scheme.

5.9 Other relevant impacts

- 5.9.1 No other relevant impacts have been identified.

6 Likely changes to the Natura 2000 sites arising from ecological factors

- 6.1.1 This section describes any likely changes to the Natura 2000 sites (Mersey Estuary SPA / Ramsar, Mersey Narrows and North Wirral Foreshore pSPA / pRamsar and Dee Estuary SPA / Ramsar) arising as a result of:

- Reduction of habitat area;
- Disturbance to key species;
- Habitat or species fragmentation;
- Reduction in species density;
- Changes in key indicators of conservation value (water quality etc.);
- Climate change

6.2 Reduction of habitat area

6.2.1 There will be no reduction of habitat area within any of the Natura 2000 sites as a direct or indirect result of the proposed project. However, the application site is used by cormorant, great crested grebe and lapwing.

6.2.2 It is likely that these species will be disturbed or displaced during construction phase in particular. There is potential for some disturbance during operation. The applicant is committed to provide a 'minimal disturbance bird zone' (WSP email 08.09.11) which is likely to include cormorant roosts within the development. Provision of this zone will be secured by planning condition. In addition the applicant proposes to undertake further overwintering bird survey on the site to inform future reserved matters planning applications (WSP email 08.09.11). This will be secured by planning condition.

6.2.3 Four Lapwing were recorded as possibly breeding on the site and this habitat is likely to be lost. However, although lapwing are a qualifying species of the Natura 2000 sites this is only for the migratory and overwintering populations therefore there is no direct interaction within the Natura 2000 site.

6.3 Disturbance to key species

6.3.1 Noise disturbance has been discussed above under emissions from the project.

6.4 Habitat or species fragmentation

6.4.1 No significant impacts were identified.

6.5 Reduction in species density

6.5.1 The project is not predicted to result in significant disturbance, fragmentation or other effects which could lead to a reduction in species density.

6.6 Changes in key indicators of conservation value (water quality etc.)

6.6.1 Appendix 3 provides a detailed assessment of whether the proposal would result in change to any of the key indicators of conservation value. No likely significant impacts were identified.

6.7 Climate change

6.7.1 We consider that there is no likely significant effect from climate change or impact on climate change.

7 Likely impacts on the structure and function of the Natura 2000 sites

7.1.1 It is considered that there are no likely impacts on the Nature 2000 sites, taking each site as a whole, in terms of interference with the key relationships that define structure or function of the sites from this project.

8 Indicators of significance as a result of the identification of effects set out above

8.1.1 It is considered that there are no indicators of significance that are relevant here.

9 Likely significant impacts and impacts with unknown scale or magnitude

9.1.1 Potential impacts have been identified and their significance considered against the attributes within the Favourable Conservation tables for the Natura 2000 sites. The details are set out in the tables in Appendix 2.

9.1.2 No likely significant impacts were identified. No impacts were identified for which the scale or magnitude is uncertain to the extent that it would affect assessment of significance.

9.1.3 **Thus, we consider that there are no likely significant effects arising from this project either individually or in combination with other plans and projects.**

10 Conclusion

10.1.1 On the basis of the above information it is the Council's opinion that the proposed project to which the screening report relates –

- a) is not directly connected with or necessary to the management of the sites; and
- b) is not likely to have a significant effect on each of the following Natura 2000 sites:

- Mersey Narrows and North Wirral Foreshore potential SPA
- Mersey Narrows and North Wirral Foreshore proposed Ramsar site
- Mersey Estuary SPA
- Mersey Estuary Ramsar
- Dee Estuary SPA
- Dee Estuary Ramsar

either alone or in combination with other plans or projects;

- c) is not likely to result in adverse effects on the integrity of the Natura 2000 sites listed above.

10.1.2 Accordingly, no “appropriate assessment” is required to be made under Regulations 61,62 and 68 of the Conservation (Natural Habitats & c.) Regulations

before the Council decides to undertake, or give any consent, permission or other authorisation for this plan.

Appendix 1

Finding of No Significant Effects Report

Finding of No Significant Effects Report – Wirral Waters International Trade Centre**Name of project or plan**

Wirral Waters- International Trade Centre

Name and location of Natura 2000 sites

The application site is located close to six Natura 2000 designations:

- Mersey Narrows and North Wirral Foreshore potential SPA
- Mersey Narrows and North Wirral Foreshore proposed Ramsar site
- Mersey Estuary SPA
- Mersey Estuary Ramsar site
- Dee Estuary SPA
- Dee Estuary Ramsar

The closest Natura 2000 sites to the application site outwith those listed above include:

- Dee Estuary SAC
- Ribble and Alt Estuaries SPA
- Ribble and Alt Estuaries Ramsar site
- Liverpool Bay potential SPA
- Martin Mere SPA
- Martin Mere Ramsar site

It is considered unnecessary to screen this project against the second list of Natura 2000 sites if the screening of Natura 2000 sites within which the project site is closest shows no significant effects or there are no significant source or pathways which might result in likely significant effects on this second list of sites.

Description of the project or plan

An outline application with all matters reserved has been submitted for the demolition of existing buildings and the construction of:

- Two buildings providing an overall maximum of 111,780 sq m of floor space to be used as an International Trade Centre (Sui Generis Use) (comprising trade showrooms, storage, distribution and product assembly space, exhibition space, ancillary food and drink facilities, ancillary office and management accommodation, security facilities, and associated car parking, access points, servicing areas and landscaping), on land north of Beaufort Road and east of Graving Dock No. 3, West Float, Wirral Waters, Wirral; and
- Two buildings providing an overall maximum of 116,520 sq m of floorspace to be used as one or a combination of, an International Trade Centre (as defined), B2 General Industry and B8 Warehouse/Distribution (with associated car parking, access points, servicing areas and landscaping) on land east of Wallasey Bridge Road and west of Graving Dock No. 3, West Float, Wirral Waters, Wirral, equating to a total combined floorspace of 228,300 sq m of mixed employment floorspace'.

Is the project or plan directly connected with or necessary to the management of the sites (provide details)?

No.

Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?

It is considered that there are no projects or plans with the potential to result in adverse in-combination effects with the current project.

The assessment of significance of effects

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 sites.

Potential impacts identified were:

1. Loss of roosting and feeding habitat for birds
2. Disturbance to birds
3. Surface water runoff or discharge with the potential for water quality changes
4. Release of any existing on-site contamination during construction
5. Release of pollutants such as construction dust
6. Additional lighting
7. Changes to air quality
8. Changes in number of boat / shipping movements

Explain why these effects are not considered significant.

The potential effects are not considered significant as:

1. There would be no loss of habitat from within the European site boundaries. There would be direct loss of habitat within the site.
2. A worst case scenario would involve displacement cormorant and potentially Great crested grebe. The applicant has committed to provide a 'minimal disturbance bird zone' to mitigate impacts to this species (WSP email 08.09.11). There are considered to be minimal impacts to Great crested grebe. Further bird survey monitoring programme has also been committed to by the applicant (WSP email 08.09.11) and is to be undertaken to inform the position of cormorant roost sites and future reserved matters applications.
3. The applicant has submitted information to demonstrate that no likely significant effects on water quality can be anticipated.
4. The applicant has submitted information to demonstrate that contamination issues can be successfully managed and that no likely significant effects on the European sites can be anticipated.
5. A Construction Environmental Management Plan for each phase of development will be implemented to ensure that construction of the project meets appropriate environmental standards.
6. The applicant has verbally committed to proposed mitigation measures to ensure that lighting of the proposed development will not have a significant effect on birds. (WSP email 08.09.11)
7. The applicant has submitted information to demonstrate that any air quality changes associated with the scheme are unlikely to result in significant impacts on the European sites.
8. There are no predicted increases in shipping in the short to medium term, any long term changes in shipping would be assessed during HRA screening required for any future reserved matters applications.

List of agencies consulted: provide contact name and telephone or e-mail address.

Claire Storey, Natural England Tel: 03000 060 4230

Response to consultation

To be completed following consultation.

Data collected to carry out the assessment

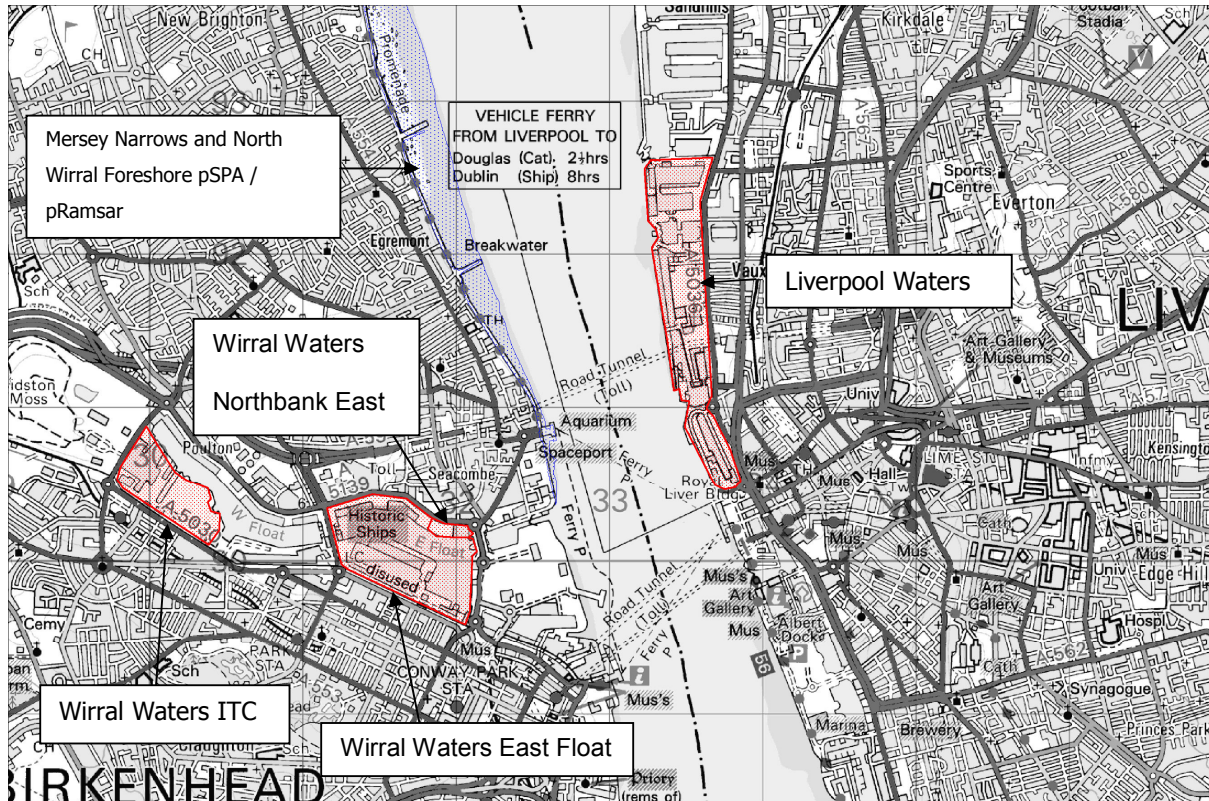
Who carried out the assessment?

Rachael Rhodes IEEEM, Ecologist, Merseyside EAS

<p>With input from</p> <p>Rosalind King, PhD, IEEM, Ecologist, Merseyside EAS</p> <p>Alan Jemmett, PhD, MBA, Director, Merseyside EAS</p>
<p>Sources of data</p> <p>Environmental Statement (WSP, June 2011) incorporating Phase 1 habitat survey and wintering birds survey as appendices</p> <p>Breeding bird survey report (TEP, July 2011)</p> <p>Extended screening for Habitats Regulation Assessment (WSP, August 2011)</p> <p>Joint Nature Conservation Committee (website)</p> <p>Natural England</p> <p>Wirral Council Core Strategy Habitats Regulation Assessment</p> <p>Department for Transport</p> <p>Department for Central and Local Government</p>
<p>Level of assessment completed</p> <p>Desktop study is sufficient to support the conclusions of this screening option.</p>
<p>Where can the full results of the assessment be accessed and viewed?</p> <p>To be confirmed by Wirral Council.</p>

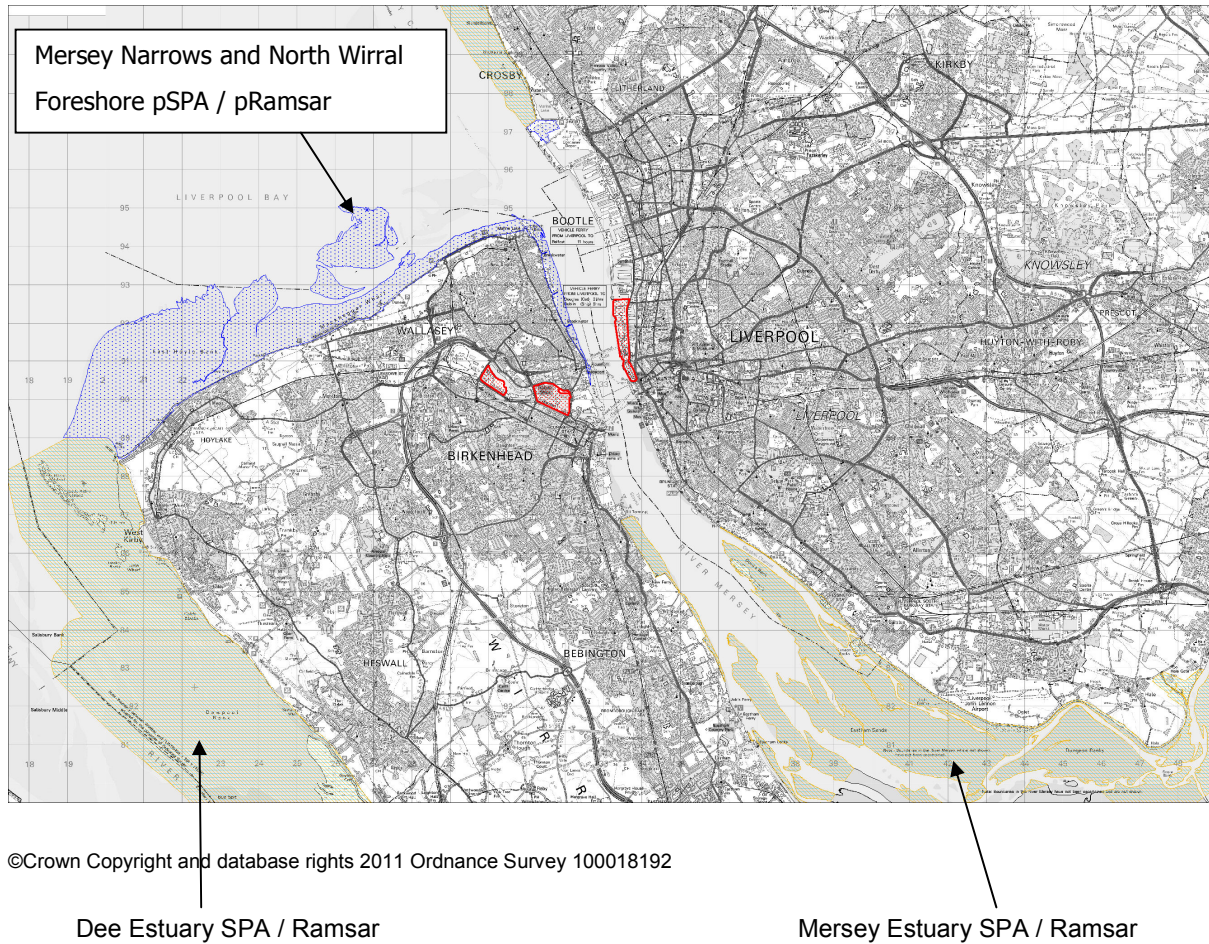
Appendix 2 - Plans

Figure 1. Location of Wirral Waters ITC, East Float, Northbank East and Liverpool Waters



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Figure 2. Location of Wirral Waters and Liverpool Waters developments in relation to Natura 2000 sites



Appendix 3

Reasons for Designation and Conservation Objectives of Natura 2000 sites

Mersey Narrows and North Wirral Foreshore proposed Ramsar site		
Brief Description	Conservation Objectives	Vulnerability
<p>The proposed Ramsar is an internationally important site for wintering birds. The site comprises intertidal habitats at Egremont, man-made lagoons at Seaforth and the extensive intertidal flats at North Wirral Foreshore. The site is a wetland of international importance because:</p> <ul style="list-style-type: none"> • It regularly supports 20,000 or more waterbirds (Criterion 5); • It regularly supports 1% of the populations of the following waterbird species or sub-species in any season (Criterion 6): knot, redshank and turnstone. <p>The site also supports nationally important winter numbers of cormorant, oystercatcher, grey plover, sanderling, dunlin and bar-tailed godwit. It also supports a nationally important breeding colony of common terns.</p> <p>(Source: English Nature's 'Mersey Narrows and North Wirral Foreshore pRamsar site citation'.., July 2001.)</p>	<p>The Conservation Objectives are to maintain in favourable condition, subject to natural change:</p> <ul style="list-style-type: none"> • The habitats for internationally important (Criterion 5) waterbirds, in particular; <ul style="list-style-type: none"> Saline lagoon; Intertidal sediment communities (littoral sediment); Saltmarsh. • The habitats for the internationally important (Criterion 6) species of knot, redshank and turnstone, in particular: <ul style="list-style-type: none"> Saline lagoon; Intertidal sediment communities (littoral sediment); Saltmarsh <p>(Source: based on English Nature's Draft Conservation Objectives for Mersey Narrows', March 2006).</p>	<p>The Seaforth part of the site lies within the Seaforth Docks area. It comprises two lagoons: a shallow salt-water lagoon which functions as a settlement lagoon for water pumped from the River Mersey into the Seaforth Docks and a freshwater lagoon separated from the saltwater lagoon by a wide bund. The site is dependent on pumping operations, and could be vulnerable to future management and pumping regime changes within the dock complex.</p> <p>The North Wirral Foreshore part of the site comprises mostly intertidal flats with some rocky outcrops and shingle banks, and contains a number of man-made structures including groynes, jetties and breakwaters.</p> <p>Possible sources of vulnerability could include coastal processes and man-made attempts to control them, and low-level recreation pressures.</p> <p>(Source: English Nature SSSI Citation, undated, via website.)</p>

Mersey Narrows and North Wirral Foreshore potential Special Protection Area		
Brief Description	Conservation Objectives	Vulnerability
<p>The site comprises intertidal habitats at Egremont foreshore, man-made lagoons at Seaforth and the extensive intertidal flats at North Wirral Foreshore. The Mersey Narrows and North Wirral Foreshore has links in terms of bird movements with the Dee, Ribble and Alt estuaries, and to a lesser extent the Mersey estuary. The site regularly supports internationally important populations of:</p> <ul style="list-style-type: none"> • Rare or vulnerable bird species (Annex 1 species) such as common tern and bar-tailed godwit • Migratory bird species such as knot, redshank and turnstone <p>The site also supports regularly over 20,000 waterbirds, including outside the breeding season: cormorant, oystercatcher, grey plover, sanderling, knot, dunlin, bar-tailed godwit, redshank and turnstone. (Source: English Nature's 'Mersey Narrows and North Wirral Foreshore pSPA citation', July 2001.</p>	<p>The Conservation Objectives are to maintain in favourable condition, subject to natural change:</p> <ul style="list-style-type: none"> • The habitats for the nationally important populations of regularly occurring Annex 1 species of European importance • The habitats for the internationally important populations of regularly occurring migratory bird species of European importance • The habitats for the internationally important assemblage of waterbirds: <ul style="list-style-type: none"> Saline lagoon; Intertidal sediment communities (littoral sediment); Saltmarsh. <p>Maintenance implies restoration if the feature is not currently in favourable condition. (Source: English Nature's 'Draft Conservation Objectives for Mersey Narrows', March 2006).</p>	<p>The Seaforth part of the sites lies within the Seaforth Docks area. It comprises two lagoons: a shallow water, salt-water lagoon which functions as a settlement lagoon for water pumped from the River Mersey into the Seaforth Docks and a freshwater lagoon separated from the salt-water lagoon by a wide bund. The site is dependent on pumping operations, and could be vulnerable to future management and pumping regime changes within the dock complex.</p> <p>The North Wirral Foreshore part of the site comprises mostly intertidal flats with some rocky outcrops and shingle banks, and contains a number of man-made structures including groynes, jetties and breakwaters.</p> <p>Possible sources of vulnerability could include coastal processes and man-made attempts to control them, and low-level recreation pressures. (Source: English Nature SSSI Citation, undated, via website.).</p>

Mersey Estuary Special Protection Area (SPA)	
Brief Description	Vulnerability
<p>Conservation Objectives</p>	<p>Vulnerability</p>

<p>The Mersey Estuary is a large, sheltered estuary. The intertidal flats and saltmarshes provide feeding and roosting sites for large populations of waterbirds. During the winter, the site is of major importance for ducks and waders. The site is also important during the spring and autumn migration periods.</p> <p>The site regularly supports internationally important populations of:</p> <ul style="list-style-type: none"> • Rare or vulnerable bird species (Annex 1 species) such as golden plover • Migratory bird species such as redshank, ringed plover, dunlin, pintail, shelduck and teal <p>The site also supports regularly over 20,000 waterbirds, including outside the breeding season: curlew, black-tailed godwit, lapwing, grey plover, wigeon, great crested grebe, redshank, dunlin, pintail, teal, shelduck, golden plover.</p>	<p>To maintain*, in favourable condition, the habitats for the populations of migratory bird species+ of European importance, with particular reference to:</p> <ul style="list-style-type: none"> • Intertidal sediments • rocky shores • saltmarsh <p>+ shelduck, teal, pintail, dunlin, redshank and ringed plover</p> <p>To maintain*, in favourable condition, the habitats for the populations of waterfowl that contribute to the wintering waterfowl assemblage of European importance, with particular reference to:</p> <ul style="list-style-type: none"> • Intertidal sediments • rocky shores • saltmarsh <p>* maintenance implies restoration if the feature is not currently in favourable condition. (Source: English Nature's Conservation Objectives for Mersey Estuary December 2000)</p>	<p>The most important factors relating to maintaining important bird species are:</p> <ul style="list-style-type: none"> • Extent and distribution of suitable feeding and roosting • Sufficient food availability • Levels of disturbance consistent with maintaining condition for bird feeding and roosting; • Water quality necessary to maintain intertidal plant and animal communities; • Water quality and salinity gradients necessary to maintain saltmarsh conditions. <p>The Mersey Estuary habitats are considered to be in favourable condition through assessment reported in June 2008. (Source: Natural England website – Mersey Estuary Condition Assessment June 2008).</p>
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Mersey Estuary Ramsar Site		
Brief Description	Conservation Objectives	Vulnerability
<p>The Mersey Estuary is a large, sheltered estuary. The intertidal flats and saltmarshes provide feeding and roosting sites for large populations of waterbirds. During the winter, the site is of major importance for ducks and waders. The site is also important during the spring and autumn migration periods.</p> <p>The site regularly supports over 20,000 waterbirds, including internationally important populations of: shelduck, black-tailed godwit, redshank, teal, pintail and dunlin</p>	<p>The Conservation Objectives are to maintain in favourable condition, subject to natural change:</p> <ul style="list-style-type: none"> • The habitats for the internationally important assemblages and populations of waterbirds, in particular Intertidal sediment communities (littoral sediment), soft cliffs and saltmarsh. <p>Adapted from Mersey Narrows and North Wirral Foreshore p Ramsar objectives.</p>	<p>No adverse factors are identified as adversely affecting the site. The Ramsar site is not subject to adverse ecological change. (Source: Information sheet on Ramsar wetlands (RIS), JNCC, 20.12.95, via JNCC website)</p>

The Dee Estuary possible Special Area of Conservation		
Brief Description	Conservation Objectives	Vulnerability
<p>The Dee estuary is one of the largest estuaries in the UK, with an area of over 14,000 ha. It is the largest macro-tidal coastal plain estuary along a stretch of coast between the larger Severn estuary and the Solway Firth. The River Dee drains on area of 2,088 km² and flows from the mountains of Snowdonia to the Cheshire Plain. The Dee estuary is hyper-tidal with a mean spring tidal range of 7.7m at the mouth.</p> <p>The Estuary comprises an intertidal area dominated by mudflats and</p>	<p>There are seven Conservation Objectives for interest features within the European marine site . There are five interest features not included with the European marine site but are within the pSAC and in the absence of published Conservation Objectives, for four features those prepared for the Sefton Coast SAC have been used. No published conservation objective for the “vegetated sea cliff” feature has been found.</p> <p>Interest feature 1: Estuaries – maintain the feature in favourable condition, as</p>	<p>The North Wirral Foreshore part of the site comprises mostly intertidal flats with some rocky outcrops and shingle banks, and contains a number of man-made structures including groynes, jetties and breakwaters.</p> <p>Possible sources of vulnerability could include coastal processes and man-made attempts to control them, physical loss and low-level recreation pressures.</p> <p>(Source: English Nature SSSI Citation, undated, via website.).</p>

<p>sandflats with the remainder being largely saltmarsh. At low water spring tides, over 90% of the estuary dries out. The extensive intertidal flats of the Dee estuary form the fifth largest such area within an estuary in the UK. The saltmarsh covers approximately 2,480 ha which represents about 7% of the total area of saltmarsh in the UK (Dargie, 2001). The Dee estuary saltmarsh is among the few estuarine saltmarshes in the UK showing a full transition from pioneer saltmarsh species through to non-tidal vegetation.</p> <p>In addition to the habitats to be found within the intertidal zone of the estuary, other valuable habitats occur adjacent to the intertidal areas that are associated with the estuary's form and</p>	<p>defined below:</p> <ul style="list-style-type: none"> i the aggregate total extent of all estuarine communities within the site is maintained; ii the spatial distribution of estuarine communities within the site is maintained; iii the extent of individual estuarine habitat features within the site is maintained; iv the variety and relative proportions of sediment and rocky substrates within the estuary is maintained; v the variety and extent of any notable subtidal sediment communities is maintained; vi the variety and extent of notable 	
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<p>function. Talacre Warren and Gronant Dunes to the west of the estuary mouth are the largest remaining areas of a once extensive dune system to be found along the north east coast of Wales. On the English side of the estuary the sandstone Hilbre Islands and Red Rocks form low uneven cliffs and flat intertidal rock platforms. These locations support some of the very few examples of rocky shore and vegetated sea cliff habitats found between Little Orme to the west and St. Bees Head to the north.</p> <p>The Dee estuary forms part of the complex of estuaries, which provide habitats for migratory waterbirds along the shores of Liverpool Bay, which in turn form part of a chain of such sites along the western coast of the UK.</p>	<p>intertidal hard substrata communities is maintained;</p> <p>vii the spatial and temporal patterns of salinity, suspended sediments and nutrient concentrations are maintained within limits sufficient to satisfy the requirements of statements (i) to (vi) above.</p> <p>Interest feature 2: Mudflats and sandflats – maintain the feature is favourable condition, as defined below:</p> <p>i the total extent of mudflat and sandflat communities within the site is maintained;</p> <p>ii the proportions of individual mudflat and sandflat communities</p>	
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<p>The Dee estuary ranks amongst the top ten British estuaries for the size of its wintering waterbird population. Outside this period, the Dee estuary is also of particular importance as a staging area for migratory waterbirds on autumn and spring passage as it lies on the East Atlantic Flyway route.</p> <p>This site includes the North Wirral Foreshore from Red Rocks to Perch Rock.</p> <p>(Source: English Nature, CCW ‘The Dee Estuary pSAC citation’, July 2001 – CHECK DATE.</p>	<p>within the site are maintained;</p> <ul style="list-style-type: none"> iii the topography of the intertidal flats and the dynamic processes of channel migration and sinuosity across the flats are maintained; iv the abundance of typical species of the mudflat and sandflat feature within the site is maintained. <p>Interest feature 3: <i>Salicornia</i> and other annuals colonising mud and sand – maintain the feature in favourable condition, as defined below:</p> <ul style="list-style-type: none"> • Subject to natural processes, each of the following conditions (i) to (iv) are met: <ul style="list-style-type: none"> i the total extent of pioneer saltmarsh vegetation communities 	
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	<p>within the site is maintained;</p> <ul style="list-style-type: none"> ii the presence of pioneer saltmarsh vegetation communities as part of transitions from intertidal sediment communities to higher saltmarsh are maintained; iii The abundance of the typical species of the pioneer saltmarsh vegetation communities is maintained; iv the abundance of the notable species of the pioneer saltmarsh vegetation communities is maintained; • And, regardless of natural processes, condition (v) is also met: v the overall extent and abundance of common saltmarsh grass <i>Spartina anglica</i> is not increasing within 	
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	<p>the pioneer saltmarsh zone.</p> <p>Interest feature 4: Atlantic salt meadow feature – maintain the feature in favourable condition, when subject to natural processes, each of the following conditions are met:</p> <ul style="list-style-type: none">i the total extent of Atlantic salt meadow vegetation communities within the site is maintained;ii the proportions of individual Atlantic salt meadow vegetation communities within the site are maintained;iii the donation of Atlantic salt meadow vegetation communities and their transitions to fresh water and	
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	<p>terrestrial vegetation are maintained;</p> <p>iv the morphology of saltmarsh creeks and pans and the process of their evolution are maintained;</p> <p>v the extent of ungrazed areas of salt meadow within the estuary is maintained and there is no increase in grazing intensity over the rest of the salt meadow;</p> <p>vi the relative abundance of the typical species of the Atlantic salt meadow vegetation communities is maintained;</p> <p>vii the abundance of the notable species of the Atlantic salt meadow vegetation communities is maintained.</p> <p>Interest feature 5: Annual vegetation of</p>	
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	<p>drift lines – maintain the feature in favourable condition when, subject to natural processes, each of the following conditions are met:</p> <ul style="list-style-type: none"> i the extent of coarse sediment / shingle formations capable of supporting drift line vegetation communities within the site is maintained; ii the presence of annual drift line vegetation communities within the site is maintained; iii the presence of the typical species of the annual drift line vegetation communities is maintained. <p>Interest feature 6: <i>Lampetra fluviatilis</i> (river lamprey) – maintain the feature in</p>	
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	<p>favourable condition when, subject to natural processes, each of the following conditions are met:</p> <ul style="list-style-type: none"> i the migratory passage of both adult and juvenile river lamprey through the Dee Estuary between Liverpool Bay and the River Dee is unobstructed by physical barriers and / or poor water quality; ii the five year mean count of river lampreys recorded by the Chester Weir fish trap is no less than 55 under the monitoring regime in use prior to notification (<i>i.e. 100% of the mean annual count during the five years for which data are available prior to notification: 1993, (1997 – 2000;</i> iii the abundance of prey species 	
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	<p>forming the river lamprey’s food resource within the estuary, is maintained.</p> <p>Interest feature 7: <i>Petromyzon marinus</i> (sea lamprey) – maintain the feature in favourable condition when, subject to natural processes, each of the following conditions are met:</p> <ul style="list-style-type: none"> i the migratory passage of both adult and juvenile sea lampreys through the Dee Estuary between Liverpool Bay and the River Dee is unobstructed by physical barriers and / or poor water quality; ii the five year mean count of sea lampreys recorded by the Chester Weir fish trap is no less than 18 	
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	<p>under the monitoring regime in use prior to notification. (<i>i.e.</i> 100% of the mean annual count during the five years for which data are available prior to notification: 1993, 1997 – 2000).</p> <p>The five non-European marine site features of qualifying interest are:</p> <ul style="list-style-type: none">• Fixed dunes with herbaceous vegetation (“grey dunes”) – a priority interest feature;• Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (“white dunes”);• Embryonic shifting dunes;• Humid dune slacks;• Vegetated sea cliffs of the Atlantic and Baltic coasts..	
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	<p>(Source: English Nature, CCW – Final Draft Regulation 33 advice, April 2006).</p>	
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Appendix 4

Impact Tables for Natura 2000 sites

Mersey Narrows and North Wirral Foreshore potential Special Protection Area					
Based on tables 2, 2a, 3a, 3b and 3c in English Nature's 'draft Conservation Objectives for the Mersey Narrows'. March 2006					
Feature	Sub-Feature	Site-specific target	Possible impacts from the project	Possible 'combination' effects	Conclusion
Internationally important assemblage of waterbirds	Saline Lagoon	various	The saline lagoon habitat is located at Seaforth at a distance of approximately 6.7km from the project site. No likely impacts.	No likely 'combination' effects.	This element can be screened out.
Internationally important assemblage of waterbirds	Littoral Sediment	various	There are no pathways through which the project could be expected to have significant physical or biological effects on the littoral sediment habitat. No likely significant impacts.	No likely 'combination' effects.	This element can be screened out.
Internationally important assemblage of waterbirds	Saltmarsh	various	There are no pathways through which the project could be expected to have significant physical or biological effects on the saltmarsh habitat. No likely significant impacts.	No likely 'combination' effects.	This element can be screened out.
Internationally important assemblage of waterbirds	Population		The project is unlikely to have any significant effects on the population, activity or distribution of waterbirds including cormorant and great crested grebe. The applicant has put forward mitigation measures. No likely significant impacts.	No likely 'combination' effects.	This element can be screened out.
Common tern	Population		The area used by common terns is at Seaforth. No impacts are predicted owing to the distance involved.	No likely 'combination' effects.	This element can be screened out.

Mersey Narrows and North Wirral Foreshore potential Special Protection Area					
Based on tables 2, 2a, 3a, 3b and 3c in English Nature's 'draft Conservation Objectives for the Mersey Narrows'. March 2006					
Feature	Sub-Feature	Site-specific target	Possible impacts from the project	Possible 'combination' effects	Conclusion
Bar-tailed godwit	Population		The project is unlikely to have any significant effects on the population, activity or distribution of bar-tailed godwit. No likely significant impacts.	No likely 'combination' effects.	This element can be screened out.
Knot	Population		The project is unlikely to have any significant effects on the population, activity or distribution of knot. No likely significant impacts.	No likely 'combination' effects.	This element can be screened out.
Redshank	Population	No absolute loss of any more than 50% of the population.	The project is unlikely to have any significant effects on the population, activity or distribution of redshank. No likely significant impacts.	No likely 'combination' effects.	This element can be screened out.
Turnstone	Population	No absolute loss of any more than 50% of the population.	The project is unlikely to have any significant effects on the population, activity or distribution of turnstone. No likely significant impacts.	No likely 'combination' effects.	This element can be screened out.

Mersey Narrows and North Wirral Foreshore proposed Ramsar site						
Based on tables 2, 2a, 3a, 3b and 3c in English Nature's 'draft Conservation Objectives for the Mersey Narrows'. March 2006						
Feature	Sub-Feature	Site-specific target	Possible impacts from the project	Possible 'combination' effects	'in'	Conclusion
Internationally important populations of waterbirds	Saline Lagoon	various	The saline lagoon habitat is located at Seaforth, 9.4km from the project site. No likely impacts.	No likely 'combination' effects.	'in'	This element can be screened out.
Internationally important populations of waterbirds	Littoral Sediment	various	There are no pathways through which the project could be expected to have significant physical or biological effects on the littoral sediment habitat. No likely significant impacts.	No likely 'combination' effects.	'in'	This element can be screened out.
Internationally important populations of waterbirds	Saltmarsh	various	There are no pathways through which the project could be expected to have significant physical or biological effects on the saltmarsh habitat. No likely significant impacts.	No likely 'combination' effects.	'in'	This element can be screened out.

Mersey Estuary Special Protection Area					
Based on table in English Nature's draft Conservation Objectives for Mersey Estuary SPA, 20 December 2000 & Table 2 in English Nature's Regulation 33 package for Mersey Estuary					
Feature	Sub - Feature	Site-specific target (subject to natural change)	Possible impacts from the project	Possible 'in combination' effects	Conclusion
Internationally important populations of waterbirds	Number and distribution of birds including cormorant and great crested grebe	No significant reduction in numbers or displacement of birds	The project is unlikely to have any significant effects on the population, activity or distribution of waterbirds including cormorant and great crested grebe. The applicant has put forward mitigation measures. No likely significant impacts.	No likely 'in combination' effects.	This element can be screened out.
Internationally important populations of waterbirds	Bird view lines	No increase in obstructions to existing bird view lines	There will be no change to existing bird view lines across the estuary. No likely impacts.	No likely 'in combination' effects.	This element can be screened out.
Internationally important populations of waterbirds	Intertidal sediments	various	There are no pathways through which the project could be expected to have significant physical or biological effects on the littoral sediment habitat. No likely significant impacts.	No likely 'in combination' effects.	This element can be screened out.
Internationally important populations of waterbirds	Rocky shores	various	There are no pathways through which the project could be expected to have significant physical or biological effects on the rocky shore habitat. No likely significant impacts.	No likely 'in combination' effects.	This element can be screened out.

Mersey Estuary Special Protection Area					
Based on table in English Nature's draft Conservation Objectives for Mersey Estuary SPA, 20 December 2000 & Table 2 in English Nature's Regulation 33 package for Mersey Estuary					
Feature	Sub - Feature	Site-specific target (subject to natural change)	Possible impacts from the project	Possible 'in combination' effects	Conclusion
Internationally important populations of waterbirds	Saltmarsh	Various	There are no pathways through which the project could be expected to have significant physical or biological effects on the saltmarsh habitat. No likely significant impacts.	No likely 'in combination' effects.	This element can be screened out.

Mersey Estuary Ramsar site					
Based on table in English Nature's draft Conservation Objectives for Mersey Estuary SPA, 20 December 2000 & Table 2 in English Nature's Regulation 33 package for Mersey Estuary					
Feature	Sub - Feature	Site-specific target (subject to natural change)	Possible impacts from the project	Possible 'in combination' effects	Conclusion
Internationally important populations of waterbirds	Number and distribution of birds including cormorant and great crested grebe	No significant reduction in numbers or displacement of birds	The project is unlikely to have any significant effects on the population, activity or distribution of waterbirds including cormorant and great crested grebe. The applicant has put forward mitigation measures. No likely significant impacts.	No likely 'in combination' effects.	This element can be screened out.
Internationally important populations of waterbirds	Bird view lines	No increase in obstructions to existing bird view lines	There will be no change to existing bird view lines across the estuary. No likely impacts.	No likely 'in combination' effects.	This element can be screened out.
Internationally important populations of waterbirds	Intertidal sediments	various	There are no pathways through which the project could be expected to have significant physical or biological effects on the littoral sediment habitat. No likely significant impacts.	No likely 'in combination' effects.	This element can be screened out.
Internationally important populations of waterbirds	Saltmarsh	Various	There are no pathways through which the project could be expected to have significant physical or biological effects on the saltmarsh habitat. No likely significant impacts.	No likely 'in combination' effects.	This element can be screened out.

The Dee Estuary Special Protection Area					
Based on Natural England & Countryside Council for Wales's 'advice given under Regulation 33(2) of the Conservation (Natural Habitats &c.) Regulations 1994', January, 2010					
Feature	Sub-Feature	Site-specific target	Possible impacts from the project	Possible 'in combination' effects	Conclusion
Estuary channels (Subtidal sediment communities and the water column)	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Intertidal mudflats and sandflats	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Saltmarsh Communities	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Shingle banks	All sub-features		Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.

The Dee Estuary Special Protection Area					
Based on Natural England & Countryside Council for Wales's 'advice given under Regulation 33(2) of the Conservation (Natural Habitats &c.) Regulations 1994', January, 2010					
Feature	Sub-Feature	Site-specific target	Possible impacts from the project	Possible 'in combination' effects	Conclusion
Annex I species	All sub-features	Various	There is potential for an increase in disturbance during construction phase. However the applicant has proposed mitigation measures. No likely significant effects.	There is potential for an increase in disturbance. However the applicant has proposed mitigation measures. No likely significant effects.	Appropriate Assessment not required. This element can be screened out.
Internationally important populations of regularly occurring migratory bird species	All sub-features	Various	There is potential for an increase in disturbance during construction phase. However the applicant has proposed mitigation measures. No likely significant effects.	There is potential for an increase in disturbance. However the applicant has proposed mitigation measures. No likely significant effects.	Appropriate Assessment not required. This element can be screened out.
Internationally important assemblage of waterbirds	All sub-features	Various	There is potential for an increase in disturbance during construction phase. However the applicant has proposed mitigation measures. No likely significant effects.	There is potential for an increase in disturbance. However the applicant has proposed mitigation measures. No likely significant effects.	Appropriate Assessment not required. This element can be screened out.

The Dee Estuary Special Protection Area					
Based on Natural England & Countryside Council for Wales's 'advice given under Regulation 33(2) of the Conservation (Natural Habitats &c.) Regulations 1994', January, 2010					
Feature	Sub-Feature	Site-specific target	Possible impacts from the project	Possible 'in combination' effects	Conclusion
			significant effects.	applicant has proposed mitigation measures. No likely significant effects.	

The Dee Estuary Ramsar					
Based on Natural England & Countryside Council for Wales's 'advice given under Regulation 33(2) of the Conservation (Natural Habitats &c.) Regulations 1994', January, 2010					
Feature	Sub-Feature	Site-specific target	Possible impacts from the project	Possible 'in combination' effects	Conclusion
Natterjack toad (<i>Bufo calamita</i>)	All sub-features	Various	Species not present within area. No significant impacts.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Internationally important wetland for water birds (>20 000 individuals)	All sub-features	Various	There is potential for an increase in disturbance during construction phase. However the applicant has proposed mitigation measures. No likely significant effects.	There is potential for an increase in disturbance. However the applicant has proposed mitigation measures. No likely significant effects.	Appropriate Assessment not required. This element can be screened out.
Contains >1% of the regions waterfowl	All sub-features	Various	There is potential for an increase in disturbance during construction phase. However the applicant has proposed mitigation measures. No likely significant effects.	There is potential for an increase in disturbance. However the applicant has proposed mitigation measures. No likely significant effects.	Appropriate Assessment not required. This element can be screened out.

The Dee Estuary Ramsar					
Based on Natural England & Countryside Council for Wales's 'advice given under Regulation 33(2) of the Conservation (Natural Habitats &c.) Regulations 1994', January, 2010					
Feature	Sub-Feature	Site-specific target	Possible impacts from the project	Possible 'in combination' effects	Conclusion
Estuaries	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Mudflats and sandflats not covered by seawater at low tide	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Annual vegetation of drift lines	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.

The Dee Estuary Ramsar					
Based on Natural England & Countryside Council for Wales's 'advice given under Regulation 33(2) of the Conservation (Natural Habitats &c.) Regulations 1994', January, 2010					
Feature	Sub-Feature	Site-specific target	Possible impacts from the project	Possible 'in combination' effects	Conclusion
Vegetated sea cliffs of the Atlantic and Baltic coasts	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Salicornia and other annuals colonising mud and sand	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Atlantic salt meadows (Glauco-Puccinellietalia maritimae)	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Embryonic shifting dunes	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Shifting dunes along the shoreline with Ammophila arenaria ("white dunes")	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.

The Dee Estuary Ramsar					
Based on Natural England & Countryside Council for Wales's 'advice given under Regulation 33(2) of the Conservation (Natural Habitats &c.) Regulations 1994', January, 2010					
Feature	Sub-Feature	Site-specific target	Possible impacts from the project	Possible 'in combination' effects	Conclusion
Fixed dunes with herbaceous vegetation ("grey dunes")	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.
Humid dune slacks	All sub-features	Various	Habitat not present within the proposal area. No likely significant effects.	No likely 'in combination' effects.	Appropriate Assessment not required. This element can be screened out.