

**From:** [Kim Wisdom](#)  
**To:** [Haine, Jonathan](#); [Development Management](#)  
**Subject:** LCC/2023/0030 - Land off Bourbles Lane, Preesall - Response from Lancashire Wildlife Trust  
**Date:** 28 September 2023 14:57:31  
**Attachments:** [image007.png](#)  
[image008.png](#)

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**FAO Jonathan Haine, Planning Officer**

Dear Mr Haine

Lancashire Wildlife Trust was not consulted in relation to this application but we would wish to make the following observations:

In common with the RSPB, we **OBJECT** to this application and we completely support the RSPB's reasons for objection, in summary:

**Potential impacts on the functioning of designated sites** - The application site clearly lies within an area of functionally linked land (FLL) mapped by Natural England (NERC361, 2021) & is defined as having moderate potential, with both Pink Footed Geese and Whooper Swan (SPA qualifying species) being SPA features of the following SPA's (Martin Mere, Ribble & Alt Estuaries and Morecambe Bay and Duddon Estuary).

**Lack of appropriate survey for SPA qualifying species** – The wintering bird survey methodology used does not comply with currently accepted best practice (Natural England Technical Note TIN069 as advocated by the Chartered Institute of Ecology and Environmental Management – CIEEM amongst many other bodies), which requires fortnightly feeding distribution surveys of wintering birds. A minimum of two years survey effort is also required. The RSPB deem this survey effort (only one season and 3-5 week survey intervals) insufficient to inform a Habitats Regulation Assessment (HRA), which should be required in these circumstances.

**Appropriateness of proposed mitigation** – The RSPB have highlighted inconsistencies in the proposed mitigation surrounding cold weather/winter activity (excavation not in operation anyway, cessation of waterfowling required by SPA legislation during prolonged periods of cold weather and uncertainty about the control of land required in order to deliver mitigation measures (the Applicant is not the landowner). The Applicant's EIA Conclusion (page 71, section 10, para 10.1.4) specifically notes the potential for disturbance/displacement for Whooper Swan from adjacent fields within the Zone of Influence & the fact that the population recorded is significant. It also concludes that with both embedded and additional mitigation, the impact can be reduced to a level that is not considered significant **BUT** in para 10.1.7, it cautions that "The above is contingent upon the implementation of the mitigation outlined within this report and its implementation via a CEMP and BEMP". This is where the landowner (not the same as the Applicant) would have to enter a legal agreement (planning condition) to deliver whatever mitigation is finally agreed VIA a CEMP/BEMP. We also share the RSPB's reservations about the effectiveness of Visitor information Packs (termed Lodge Owner Packs in this application) in reducing recreational disturbance around Morecambe Bay (another suggested mitigation measure). The restoration proposals are disappointing, with their emphasis on restoration to horse pasture/improved grassland and arable seeming like a missed opportunity to deliver meaningful Biodiversity Net Gain. There will be direct habitat loss from Pilling Moss – Head Dyke BHS (34NEW1) according to the ES (p 67, 9.2.2). This BHS is designated for its importance for overwintering wildfowl, namely pink-footed geese and Whooper Swan.

**Scoping Opinion - Ecology (10/8/22)** – We note that some Scoping Opinion requirements have simply been omitted from the Applicant’s Ecological Assessment without explanation or scoping out e.g. Water Vole survey. There are also questions around whether the ES contains sufficient information to allow an assessment of impacts on the European Marine Site and whether the surveys were compliant in terms of methodology and frequency.

In conclusion, the impact of the proposal on wintering birds & by extension, the SPAs to which the birds and application site are functionally linked, is the fundamental ecological issue and we believe that there is insufficient information provided with which to determine this application or to inform a HRA.

Yours sincerely,

Kim

Kim Wisdom

She/her/hers, *find out why I use pronouns* [here](#)

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**Currently hybrid working**

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**Please note that I work part-time (usually Tuesday, Wednesday, Thursday, Friday)**

**Upcoming leave: 2<sup>nd</sup> to 16<sup>th</sup> October 2023**



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