

Date: 01 December 2022
Our ref: 414268
Your ref: LCC/2022/0003



Jonathan Haine
Lancashire County Council

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Mr Haine

Planning consultation: Demolition of existing building and erection of purpose built building (and ancillary structures) to house high temperature treatment facility for the management of medical waste.

Location: Ulzean W2E Ltd, Tower House, Stopgate Lane, Simonswood Industrial Park, Simonswood.

Thank you for your consultation on the above which was received by Natural England on 30 November 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would have an adverse effect on:

- Martin Mere Special Protection Area (SPA)
- Martin Mere Ramsar
- Ribble & Alt Estuaries SPA
- Ribble & Alt Estuaries Ramsar
- Martin Mere, Burscough Site of Scientific Interest (SSSI)

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures should be secured:

- Timing restriction of demolition works between to avoid the wintering bird

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites is set out below.

Internationally and nationally designated sites

The application site is within 12.8km of Martin Mere SPA and Martin Mere Ramsar. It is also within 16km of Ribble & Alt Estuaries SPA and Ribble & Alt Estuaries Ramsar.

Special Protection Areas (SPAs) are classified for rare and vulnerable birds. Many of these sites are designated for mobile species that may also rely on areas outside of the site boundary. These supporting habitats (also referred to as functionally linked land/habitat) may be used by SPA populations or some individuals of the population for some or all of the time, such as Simonswood Moss Biological Heritage Site (BHS) which is within 1km of the proposal site. These supporting habitats can play an essential role in maintaining SPA species populations, and proposals affecting them may therefore have the potential to affect the European site.

Please see the subsequent sections of this letter for our advice relating to SSSI features.

Habitats Regulations Assessment (HRA)

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

The appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

- Timing restriction of demolition works between to avoid the wintering bird (September to March inclusive). We advise this should be secured by a suitably worded planning condition to avoid disturbance on qualifying species of the above designated sites.

Martin Mere, Burscough SSSI

Our concerns regarding the potential impacts upon the Martin Mere, Burscough SSSI coincide with our concerns regarding the potential impacts upon the international designated sites, therefore we are content that providing the application is undertaken in strict accordance with the details submitted and providing the above conditions are secured, the development is not likely to damage the interest features for which the site have been notified.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

If you have any queries relating to the advice in this letter please email consultations@naturalengland.org.uk, quoting the reference number at the top of this letter.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Should the proposal change, please consult us again.

Yours sincerely

Alice Watson
Sustainable Development Lead Adviser
Cheshire, Greater Manchester, Merseyside & Lancashire