

<b>13. NATURE CONSERVATION</b>
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## PART ONE POLICY

**POLICY NCO1 - PRINCIPLES FOR NATURE CONSERVATION**

**THE LOCAL PLANNING AUTHORITY WILL ONLY PERMIT PROPOSALS WHICH WILL NOT ADVERSELY AFFECT, DIRECTLY OR INDIRECTLY, THE INTEGRITY OF THE BOROUGH'S INTERNATIONAL, NATIONAL AND LOCALLY DESIGNATED SITES FOR NATURE CONSERVATION AND EARTH SCIENCE. IN CONSIDERING THE WEIGHT TO BE ATTACHED TO NATURE CONSERVATION OR EARTH SCIENCE ISSUES WHEN ASSESSING PLANNING APPLICATIONS, THE LOCAL PLANNING AUTHORITY WILL HAVE REGARD TO THE RELATIVE SIGNIFICANCE WITHIN WIRRAL OF INTERNATIONAL, NATIONAL AND LOCAL NATURE CONSERVATION DESIGNATIONS.**

**WHEREVER POSSIBLE, NETWORKS OF LINEAR NATURAL HABITAT AND OTHER CORRIDORS OF IMPORTANCE TO WILDLIFE WILL ALSO BE RETAINED AND PROTECTED.**

## POLICY NCO1 - REASONED JUSTIFICATION

- 13.1 Natural and semi-natural habitats are a diminishing resource in Wirral. They now account for only 11% of the Borough's land area. Nevertheless, many of Wirral's remaining natural habitats are of special value for nature conservation. Indeed English Nature (The Nature Conservancy Council for England) consider that "of the fifteen boroughs of Merseyside and Greater Manchester, Wirral ranks as one of the highest in terms of quality and accessibility." Natural habitats do not, however, only have scientific value. They form an essential part of the distinctive natural beauty, attractiveness and varied interest of the Borough.
- 13.2 National planning policy guidance recognises that providing for the conservation of wildlife is an essential task for Government. The key to the protection of wildlife is, however, the protection of the habitat on which it depends. Important nature conservation sites are rare. Few are replaceable once lost. Policy NCO1, therefore, expresses the intention to protect important habitats and other significant natural features from permanent damage.
- 13.3 At the national and international level, the procedure for recognising important sites is already established through formal designation in accordance with agreed scientific criteria. These sites represent areas of outstanding value for wildlife and conservation. In Wirral, such sites include the majority of the intertidal coastal and estuarine areas, coastal cliffs and dunes within the remaining natural coastline of the Dee Estuary, and areas of lowland heath, species-rich unimproved grassland and ancient woodland. Local Planning authorities are required to provide for the continued protection of such sites and this is, therefore, specifically provided for within Policy NCO1.

- 13.4 Areas of special importance for wildlife and earth science are not, however, only confined to sites designated under national or international procedures. Rare species of plants and animals protected under national wildlife legislation are, for example, also found in many locations throughout Wirral which fall outside formally designated areas. Policy NCO1, therefore, also allows for the protection of sites which may not qualify in the terms of national criteria but which may nevertheless be of great significance within a more local or sub-regional context.
- 13.5 Impacts on sites of nature conservation importance can be both direct, such as construction activity, and indirect, such as upstream development affecting a river SSSI. The approach towards such sites has to be precautionary and Policy NCO1 aims to protect sites from both direct and indirect adverse impacts. Where appropriate, applicants will be required to demonstrate that proposals, both within and outside designated sites, will not adversely affect the integrity of sites of importance for nature conservation or earth science.
- 13.6 Policy NCO1 also provides for the protection of important wildlife corridors and for the retention of other linkages which may contribute to the continued viability of the wider network of wildlife sites throughout the Borough. Many wildlife sites, even those with greatest value and diversity, cannot exist in isolation, but are sustained as part of a network of interrelated habitats and other natural and semi-natural features. Linear continuous structures, for example, such as rivers with their banks, rural footpaths, hedgerows or other sites such as small woods or ponds, function as "stepping stones" for wildlife and are essential for the dispersal of species and the continued replenishment of designated sites. In accordance with Policy NCO1, the Local Planning Authority will pay particular regard to the need to protect such features when granting planning permission and will, where appropriate, normally seek their retention as a condition of planning consent

#### **Policy NC1 - The Protection of Sites of International Importance for Nature Conservation**

**Development proposals which may affect a European Site, a proposed European site or a Ramsar site will be subject to the most rigorous examination.**

**Development proposals, either individually or when combined with others, which seem likely to significantly affect a European Site, a proposed European site or a Ramsar site, and which are not directly connected with or necessary to site management for nature conservation, will be assessed in terms of the nature conservation objectives for the site. Development proposals identified as having an adverse effect on the integrity of the site will not be permitted, except when:**

- (i) there are no alternative solutions; and
- (ii) there are imperative reasons of overriding public interest, including those of a social or economic nature, which are sufficient to override the ecological importance of the site.

Where a European site hosts a priority natural habitat type and/ or a priority species, development proposals will not be permitted unless the Local Planning Authority is satisfied that it is necessary for reasons of human health or public safety or for beneficial consequences of primary importance to the environment.

In the case of European sites, development proposals satisfying these requirements will be subject to planning conditions and/ or planning obligations in order to secure any compensatory measures necessary to protect the coherence of the network of European sites.

#### POLICY NC1 - REASONED JUSTIFICATION

- 13.7 As signatories to international conventions and the Directives of the European Union, the UK Government is obliged to make special provision for nature conservation in relation to certain types of species and habitat. These obligations normally fall on national government. However, it is important that any local land-use implications are identified within the UDP to enable applicants to be made aware of any increased responsibilities that may fall upon proposals located within or adjacent to a specially designated area. Policy NC1, therefore, sets out the approach that the local planning authority will normally adopt towards applications within or adjacent to areas where international designations apply.
- 13.8 Where the Local Planning Authority consider that a proposal might affect a designated or candidate international site, the applicant will be required to provide additional information on the environmental impact of the proposal in order to enable a full assessment of the proposal on the integrity of the site to be undertaken. In particular, it will be important for an applicant to demonstrate that the proposal does not conflict with the nature conservation objectives for the site. This information will be in addition to any statutory Environmental Assessment which may be required.
- 13.9 Designations made to meet international obligations are normally made with reference to internationally agreed scientific criteria. Many internationally designated sites are already recognised as sites of national importance for nature conservation. However, the conservation objectives associated with such designations often introduce requirements which go beyond those normally attached to national sites of conservation importance. These objectives vary from convention to convention. Policy NC1 indicates that the Local Planning Authority will not permit proposals which, when assessed in terms of the conservation objectives for the site concerned, are identified as having a significant affect on the integrity of the site, except in the

circumstances highlighted, which reflects national guidance relating to European sites.

### **Proposal NC2 - Sites of International Importance for Nature Conservation**

The following are sites of international importance for nature conservation. Their boundaries are shown on the Proposals Map:

1. **The Dee Estuary Wetland of International Importance and Special Protection Area**
2. **The Mersey Estuary Wetland of International Importance and Special Protection Area**

Proposals which have potential to damage the nature conservation interests which underlie the designation of these sites will be dealt with in accordance with Policy NC1.

#### **PROPOSAL NC2 - REASONED JUSTIFICATION**

- 13.10 Policy NC1 provides for the special protection of areas designated by the UK Government under international conventions or under the Directives of the European Union. Proposal NC2, therefore, lists those sites to which international obligations for conservation are known to apply.
- 13.11 The Dee Estuary has been designated as a Wetland of International Importance under the Ramsar Convention and as a Special Protection Area under the EC Wild Birds Directive (79/409/EEC) in recognition of its importance for wintering wildfowl and waders. It regularly supports internationally important numbers of wintering shelduck, teal, pintail oystercatcher, knot, dunlin, black-tailed godwit, curlew, redshank and turnstone and nationally important numbers of wintering scaup, grey plover, sanderling and breeding little tern.
- 13.12 The Mersey Estuary is similarly designated as a Wetland of International Importance under the Ramsar Convention and as a Special Protection Area under the EC Wild Birds Directive (79/409/EEC). The Estuary supports internationally important populations of wintering Shelduck, Teal, Pintail, Dunlin and Redshank, together with nationally important numbers of wintering Widgeon, Grey Plover, Black-Tailed Godwit and Curlew.
- 13.13 As designated Special Protection Areas, the Dee and Mersey Estuaries form part of the Natura 2000 network under the EC Habitats Directive (92/43/EEC). National Governments are specifically required to protect such areas in order to avoid any deterioration of the natural habitat and to prevent disturbance to the species for which the area has been designated, unless the project is of over-riding public interest and appropriate compensatory measures can be secured.

### **Policy NC3 - The Protection of Sites of National Importance For Nature Conservation**

Development proposals likely to affect, directly or indirectly, sites of national importance for nature conservation will be subject to special scrutiny and will not be permitted unless it can be demonstrated that the reasons for the development clearly outweigh the nature conservation or earth science value of the site and the national policy to safeguard the national network of such sites.

Where such development proposals are to be approved, the Local Planning Authority may impose planning conditions and/ or planning obligations to secure the protection and enhancement of the site's value for nature conservation or earth science. In this respect the Local Planning Authority will need to be satisfied that:

- (i) the development proposals are sited and designed in such a way as to conserve the integrity of the site;
- (ii) adequate provision has been made to minimise the potential for damage or injury to any part of the site during construction and after the development proposed is occupied; and
- (iii) adequate measures have been taken in order to safeguard compliance with these requirements and where appropriate to provide for the reinstatement of damaged areas.

#### **POLICY NC3 - REASONED JUSTIFICATION**

13.14 Policy NCO1 provides for the protection of sites which can be demonstrated to have national importance for nature conservation or earth science. These sites are designated by English Nature under the Wildlife and Countryside Act 1981 (as amended) and are subject to additional legal controls, outside the Town and Country Planning Acts, which are intended to preserve special features from damage. As planning consent can, under certain circumstances, override this protection, national planning policy guidance recognises that provision for their continued protection also needs to be incorporated within the UDP.

13.15 Policy NC3, therefore, sets out the criteria that the Local Planning Authority will normally apply when considering proposals which may affect such sites. This specifically includes proposals which, although located outside an area designated for protection, may, owing to their nature or proximity, have direct or indirect implications for the continued preservation of the relevant feature, habitat or species. Policy NC3 does not, however, exclude the prospect of development altogether. Consistent with national planning guidance, only proposals which would cause significant and irreversible damage to features specifically designated for protection will be restricted. This will, therefore, only apply to proposals where damage would be inevitable, or where it could not be adequately prevented by measures such as planning conditions, management agreements or other legal controls.

### Proposal NC4 - Sites of National Importance for Nature Conservation

The following sites have been designated as Sites of Special Scientific Interest under Section 28 of the Wildlife and Countryside Act 1981 (as amended). Their boundaries are shown on the Proposals Map.

Applications for development with potential to have an adverse affect on the nature conservation importance of these sites will be determined in accordance with Policy NC3 :

1. The Dee Estuary
2. The Mersey Estuary
3. North Wirral Foreshore
4. Red Rocks, Hoylake
5. Dee Cliffs, Thurstaston
6. Heswall Dales
7. The Dungeon, Heswall
8. Thurstaston Common
9. Dibbinsdale, Bromborough
10. Meols Meadows, Moreton

### PROPOSAL NC4 - REASONED JUSTIFICATION

- 13.16 Sites of Special Scientific Interest (SSSIs) are designated under Section 28 of the Wildlife and Countryside Act 1981 (as amended) and represent sites of outstanding national value for wildlife, geology or landform. National planning policy guidance states that owing to their national significance development in or near an SSSI must be very strictly controlled. They are, therefore, identified under Proposal NC4 as sites to which Policy NC3 will apply.
- 13.17 SSSIs are formally notified to the Local Planning Authority by English Nature as biological or earth science SSSIs and special consultation arrangements apply to development proposals which are likely to affect them. Biological SSSIs are designated in order to set aside the best examples of the major natural or semi-natural ecosystems present throughout the Country so that their characteristic features and communities of plants and animals can continue to be maintained. Earth science SSSIs similarly represent the best, most typical or rarest examples of the landforms and geological features which they are chosen to illustrate.
- 13.18 Of the ten SSSIs currently notified in Wirral only The Dungeon SSSI in Heswall is specifically designated for its value for earth science. The other designated areas contain rare or important examples of lowland heath, semi-natural and ancient broadleaved woodland, intertidal wetland and saltmarsh, clay cliff and bank habitat, sand dunes with brackish dune slack and reedbed, herb rich neutral grassland, damp unimproved neutral grassland, tall fen, reed swamp, and fen pasture. Sites at Thurstaston Common, Dibbinsdale, Heswall Dales and at Hilbre Island (within the Dee Estuary SSSI) are also specifically managed as statutory Local Nature Reserves.

- 13.19 The justification for the designation and boundary of each of the sites identified under Proposal NC4 is set out within the notification document issued by English Nature when the formal designation of each site was confirmed. It is not, therefore, repeated within the UDP itself, but can be inspected during normal working hours at the offices of the Local Planning Authority and at the offices of English Nature. Despite their international importance, the Mersey SSSI and Dee SSSI also appear within the Proposal NC4 list. This is because they contain additional features which do not qualify for protection under international designations, but which are nevertheless still of considerable national interest.

### **Policy NC5 - The Protection of Sites of Local Importance for Nature Conservation**

Outside areas protected under Policy NC1 and Policy NC3 the Local Planning Authority will protect habitats of special local importance for nature conservation where they represent scarce, rare or threatened habitat, good examples of habitats typical to Wirral, diverse or rich habitats which actively support a wide range of important species, or areas known to provide for the shelter, breeding or foraging of legally protected species.

In evaluating proposals which may affect such habitats the Local Planning Authority will in particular consider:

- (i) the nature, layout, and density of development proposed;
- (ii) the impact on the long-term ecological viability of the habitat affected;
- (iii) the appropriateness of measures taken to minimise damage to the habitat and disturbance to wildlife; and
- (iv) the appropriateness of provision for the future maintenance of the site.

Development affecting such habitats will only be permitted where the Local Planning Authority is satisfied that the continued ecological viability of the habitat or wildlife interest of the site can be adequately safeguarded by means of appropriate conditions and/ or legal agreements.

Appropriate conditions will include, where necessary, the requirement to provide an adequate "buffer zone" of a scale and nature appropriate to the interest to be protected and the retention of linkages to other wildlife sites within the surrounding area.

### **POLICY NC5 - REASONED JUSTIFICATION**

- 13.20 Policy NCO1 provides for the protection of areas which can be demonstrated to have local importance for nature conservation. Policy NC5, therefore, sets out the general criteria that will be used to judge whether a site contains

features of local importance and the planning criteria that will be used in governing proposals likely to affect such sites. The objective of Policy NC5 is to ensure that the biological and wildlife value of land is fully taken into account and that any special features of importance are adequately protected as a condition of planning consent.

- 13.21 The criteria used to define local importance have been prepared by Cheshire Wildlife Trust in consultation with the Local Planning Authority and have been endorsed by English Nature. They are consistent with those used by neighbouring authorities in Cheshire and are intended to ensure that the definition of local importance is established upon a consistent and scientific basis. They therefore embrace habitats which are locally rare, typical, or especially diverse in terms of the range of plants and animal species regularly supported. They also include habitats known to play an essential role in the life cycle and continued preservation of protected species.
- 13.22 Policy NC5 will normally require such sites to be preserved undamaged within the layout and design of development proposals. Development does not always have to be incompatible with retaining the special wildlife interest of a site. Policy NC5, therefore, provides for issues such as the nature and layout of the proposals, and measures proposed to minimise direct damage and other related disturbance to be taken into account along with the special character, long-term viability and future maintenance of the site. Proposals will only be refused where their impact cannot be reconciled with conserving the ecological or wildlife value of the area.
- 13.23 Areas of special importance for nature conservation may be set aside as part of the overall contribution to landscaping and greenspace required under Policy GR5 and Policy GR6, which can be found in Section 8 of the Plan, or as required under Policy WA2, which can be found in Section 19. This approach, however, may not always be appropriate. This is especially the case where increased levels of public access would be incompatible with conservation objectives. In these circumstances, provision for accessible public open space should be provided, in addition, elsewhere.
- 13.24 A greater area of land than Policy GR5 or Policy GR6 would normally allow may also need to be set aside in order to protect the full expanse of the habitat concerned, to provide for a reasonable buffer zone to be retained and to retain any necessary natural linkages or corridors between the site and other areas of importance for wildlife within the surrounding area. Special attention will, in particular, be required in relation to preserving the natural character of ponds, watercourses and their margins, subject to Policy WA2; trees and woodlands, subject to Policy GR7; and the requirements of protected species, which may be dependent upon neighbouring land as feeding and foraging areas.
- 13.25 The Local Planning Authority, in conjunction with the Cheshire Wildlife Trust and other interested parties, will continue to seek the co-operation of the



landowner or tenant of each site of biological importance and provide advice, as necessary, on the protection of the nature conservation value of the site.

### **Proposal NC6 - Sites of Biological Importance**

The following sites are areas of special local importance for nature conservation. Their boundaries are shown on the Proposals Map. Proposals which have potential to damage or disturb the habitat or wildlife interest of these sites will be dealt in accordance with Policy NC5:

1. Royal Liverpool Golf Course, Hoylake
2. Grange Hill, West Kirby
3. Caldy Hill, West Kirby
4. Stapledon Wood, West Kirby
5. Newton Common, West Kirby
6. Caldy Golf Course
7. Caldy Hospital Grounds
8. Irby Common
9. Irby Quarry
10. Irby Pond
11. Harrock Wood, Irby
12. Backford Road Pond, Irby
13. Royden Park, Frankby
14. Roberts Wood, Thurstaston
15. Wirral Way (Caldy to Heswall)
16. Wirral Way (Heswall to Borough Boundary)
17. Dungeon Pond, Thurstaston
18. The Dungeon, Thurstaston
19. Pipers Lane, Heswall
20. Quarry Road East, Heswall
21. The Beacons, Heswall
22. Wittering Lane, Heswall
23. The Dales Heswall
24. Gayton Wood
25. Gayton Hall Wood
26. Backwood Hall Farm, Gayton
27. Raby Ponds
28. Benty Heath Lane Ponds, Raby
29. Willaston Copse, Raby
30. Barnston Dale
31. Murrayfield Hospital, Thingwall
32. Manor Wood, Thornton Hough
33. Thornton Hough Ponds
34. Stanley Wood, Landican Lane, Storeton
35. Rake Hey Covert Pond, Brimstage
36. Gorse Covert and Nicolson's Plantation, Arrowe Park
37. Limbo Lane pond, Irby
38. Arrowe Brook Farm Ponds, Greasby
39. Greasby Copse and Ponds
40. Storeton Wood, Higher Bebington
41. Old Sewage Works, Clatterbridge
42. Willow Farm Ponds, Thornton Common Road
43. Raby Mere
44. The Marfords, Brookhurst
45. Bromborough Golf Course Pond

46. Hargrave House Farm ponds, Brookhurst
47. Plymyard Dale, Brookhurst
48. Lowfields, Eastham
49. Holm Hill, West Kirby
50. Eastham Woods and Long Plantation, Eastham
51. Old Hall Road Woods, Bromborough
52. Woodslee Pond, Bromborough
53. Alma Street Goods Yard, New Ferry
54. New Ferry Shore
55. Burrell Road, Prenton
56. Wirral Ladies Golf Course, Noctorum
57. Bidston Hill
58. New Brighton Foreshore
59. Wallasey Golf Course and Leasowe Gun Site
60. Old Birket, Leasowe
61. Leasowe Pond
62. Bidston Marsh
63. Sandbrook Lane Pond, Upton
64. Paulsfield Drive Woodland, Overchurch
65. Overchurch Park Woodland, Upton
66. Leasowe Common
67. Meols Field
68. Pasture Farm pond, Moreton
69. Upton Bridge Wood, Upton
70. Colley's Farm, Thurstaston

#### PROPOSAL NC6 - REASONED JUSTIFICATION

- 13.26 Policy NC5 sets out the level of protection that will be given to sites which can be demonstrated to have special local importance for nature conservation. Proposal NC6, therefore, lists those sites which the Local Planning Authority consider merit protection under Policy NC5. The objective of Proposal NC6 is to ensure that potential applicants are aware of the location of areas known to be of special local importance for nature conservation and that their land-use implications can be fully taken into account when considering new proposals.
- 13.27 Sites currently identified as having special local importance for nature conservation are shown as Sites of Biological Importance (SBIs) on the Proposals Map and are listed under Proposal NC6. They have been identified by the Local Planning Authority based on advice and survey information provided by Cheshire Wildlife Trust, the Wirral and Cheshire Badger Group, the Merseyside and West Lancashire Bat Group and the British Trust for Ornithology.
- 13.28 SBIs reflect priority habitats, such as remnant areas of heathland, semi-natural non-plantation woodlands with species-rich ground flora, coastal dunes and other associated coastal habitats, non-agricultural or unimproved grassland, important groups of ponds retaining species diversity, and the few remaining wetlands such as bogs, swamps and marshes, which were identified as rare or under threat within the Wirral Habitat Survey. They also reflect ornithological value and contain sites and habitats known to regularly support protected and endangered species such as badgers, bats and newts.

- 13.29 Sites not currently identified, but which can be demonstrated to meet the criteria specified, will, therefore, also be subject to protection as SBIs under Policy NC5. Further information with regard to the selection of SBIs and the status of sites listed under Proposal NC6 can be found within Supplementary Planning Guidance Note 39.

#### **Policy NC7 - Species Protection**

**Development which would have an adverse effect on wildlife species protected by law will not be permitted unless the Local Planning Authority is satisfied that the protection of the species can be secured through the use of planning conditions and/ or planning obligations.**

#### **POLICY NC7 - REASONED JUSTIFICATION**

- 13.30 Certain plant and animal species, including all wild birds, are protected under Part 1 of the Wildlife and Countryside Act 1981 (as amended). It is, therefore, an offence to ill-treat any animal; to kill injure, sell or take protected species (with certain exceptions); or intentionally to damage, destroy or obstruct their places of shelter.
- 13.31 The presence of a protected species is a material consideration. The Local Planning Authority will, therefore, only permit proposals likely to affect a protected species when its protection can be secured through the use of planning conditions or planning obligations. Additional protection is given to the feeding and foraging areas of some protected species through their designation as Sites of Biological Importance under Proposal NC6.

#### **Policy NC8 - Local Nature Reserves**

**Within formally designated Local Nature Reserves, proposals for small scale visitor facilities and similar developments essential to the management, study or enjoyment of the Reserve will be permitted providing they are unobtrusive, carefully designed and located and do not compromise the natural features of the Reserve and their value for nature conservation.**

#### **POLICY NC8 - REASONED JUSTIFICATION**

- 13.32 Local Nature Reserves (LNRs) are designated under the National Parks and Access to the Countryside Act 1949. Their main purpose is to preserve the natural features of special interest in an area and to provide for the study, research and appreciation of nature. As part of the furtherance of these aims it is often appropriate to provide viewing areas, educational centres and other visitor facilities; providing these are small in scale, carefully designed and located, and do not compromise the special interest of the site. Policy NC8, therefore, makes specific provision for such development within both

statutory LNRs and within informal nature reserves set up under the same basic principles, such as Red Rocks Marsh, Hoylake.

- 13.33 Wirral currently has four statutory Local Nature Reserves based upon the existing Sites of Special Scientific Interest at Hilbre Islands, Brotherton Park/ Dibbinsdale, Thurstaston Common, and Heswall Dales, and a further Reserve at Bidston Moss. All are managed by Wirral Borough Council's Leisure Services and Tourism Department. These sites represent some of the most accessible and representative nature conservation habitats within the Borough and offer considerable potential for educational purposes.

#### **Proposal NC9 - Dibbinsdale Nature Centre**

**Land at Woodslea, Brotherton Park is allocated for the development of a nature centre to provide an educational and interpretation facility for the Dibbinsdale Local Nature Reserve.**

#### **PROPOSAL NC9 - REASONED JUSTIFICATION**

- 13.34 A proposal to develop a nature centre at Brotherton Park, Bromborough, is within the Council's approved capital programme but awaits resources to be formally allocated. The proposal complies with the provisions of Policy NC3 and Policy NC8 and is expected to be brought forward within the UDP period. The site is, therefore, allocated within the Plan and shown on the Proposals Map.

#### **Policy NC10 - The Protection of Sites of Importance for Earth Science**

**The Local Planning Authority will safeguard sites of local importance for earth science not protected under other statutory designations where they represent significant exposures of Wirral's underlying geology, good examples of geological formations or geomorphological processes, and especially where they possess special value for education.**

**The Local Planning Authority will only permit proposals affecting sites of local importance for earth science where:**

- (i) the nature, scale, density and design of the proposal is compatible with retaining the earth science interest of the site;**
- (ii) the proposal provides an opportunity to enhance the earth science interest of the site; and**
- (iii) the proposal is compatible with public access to the site for educational purposes.**

**Proposals which would damage or obscure a site of local importance for earth science or which would preclude continued public access to such a site will be refused.**

## POLICY NC10 - REASONED JUSTIFICATION

- 13.35 Policy NCO1 provides for the protection of sites which can be demonstrated to have special local value for earth science conservation. Policy NC10, therefore, identifies the type of site the Local Planning Authority will protect and sets out the criteria that will be applied to proposals which may damage or obscure them.
- 13.36 The significance of Wirral's exposed geology and geomorphology is unusual with respect to the surrounding area. This is because of the range of features available for study and the extent to which they have been retained without harm. Sites of importance do not, therefore, only include hard outcrops of rock exposed along Wirral's distinctive sandstone ridges, but also good examples of faults and other sedimentary features, glacial deposits, soft eroding coastal cliffs and other natural erosion features, as well as man made exposures in quarries and cuttings.
- 13.37 Development activity is not always incompatible with the conservation of important earth science features. Rock faces and outcrops, for example, can often be preserved within the design and layout of a proposal. Some development proposals can even enhance the scientific value of a site by exposing a new rock face or by bringing previously hidden features to view. However, in all cases it will be important that the features of greatest significance continue to be made accessible for the educational or research purposes which underlie the formal designation of many earth science sites. Policy NC10, therefore, normally permits development subject to these issues being satisfactorily resolved.
- 13.38 Where "improvements" to earth science sites are proposed, the Local Planning Authority will need to be satisfied that the action required would be genuinely appropriate in terms of the scientific characteristics of the site and will normally require this to be verified by a competent, independent authority on geology *and* the RIGs group before planning approval is considered. The Local Planning Authority may also seek legal agreement to provide for the appropriate recording of the site to take place as development progresses. This will especially be the case for proposals involving major excavations, where features of importance for earth science would be uncovered for a short period, only to be obscured once more through subsequent earth movement, tipping or other approved programmes of restoration.
- 13.39 The objective of Policy NC10 is to ensure that earth science features of special local importance are adequately protected from unnecessary loss or harm so that their enduring value for education, research and more general public enjoyment can be conserved or enhanced. Policy NC10, therefore, indicates that proposals which are not compatible with this approach will normally be refused.

### Proposal NC11 - Sites of Local Importance for Earth Science

The following sites are sites of local importance for earth science. Their boundaries are shown on the Proposals Map. Applications for development with potential to have an adverse affect on these sites will be determined in accordance with Policy NC10:

1. Red and Yellow Noses, New Brighton
2. Grange Hill, West Kirby
3. Irby Quarry
4. Mill Road, Bromborough
5. Hilbre Point/Red Rocks, Hoylake
6. Hilbre (Main Island, Middle Island, Little Eye and Tansky Rocks) Hoylake, West Kirby
7. Caldly Hill, Thurstaston
8. Thurstaston Hill and Telegraph Road cutting
9. Dee Cliffs, Caldly
10. Storeton Hill, Bebington
11. Bidston Hill
12. The Beacons, Heswall

### PROPOSAL NC11 - REASONED JUSTIFICATION

- 13.40 Policy NC10 sets out the criteria that the Local Planning Authority will normally apply to proposals affecting sites of special local importance for earth science. Proposal NC11, therefore, lists those sites which the Local Planning Authority consider merit protection under Policy NC10. Sites not currently identified under the Proposal NC11 list, but which can be shown to meet the criteria specified, will also be subject to protection under Policy NC10.
- 13.41 A list of Sites of Local Geological Importance for Merseyside was originally published in 1983 by Merseyside County Council for protection through policies within the Merseyside Structure Plan. It was drawn up by the keeper of Geology at Merseyside County Museum in Liverpool in consultation with local geological societies. This list has now been revised by the Cheshire RIGS Group, co-ordinated by the Cheshire Wildlife Trust, in accordance with national guidelines for the identification of Regionally Important Geological and Geomorphological sites (RIGS) issued by English Nature. This revision now forms the basis of the Proposal NC11 list.
- 13.42 In a number of cases, sites of local importance for earth science also correspond to biological SSSIs listed under Proposal NC4 and SBIs listed under Proposal NC6. Where this occurs, the Local Planning Authority will normally consider biological and earth science characteristics as distinct and separate features of the site, unless the relationship between special biological characteristics and underlying geology cannot be separated.
- 13.43 Further information with regard to the selection of RIGs and the status of sites listed under Proposal NC11 can be found within Supplementary Planning Guidance Note 40.