

Response 310

Respondent Details

Information	
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

PART A - About You

1. Please complete the following: Please note the email address (if provided below) will be sent a full copy of the submitted response and a unique ID number for future reference (pdf attachment).

Name of person completing the form: Dermot Smith

Email address: [REDACTED]

2. What type of respondent are you? Please select all that apply.

A local resident who lives in Warrington

A person who works in Warrington

3. Please complete the following:

Contact details
Organisation name (if applicable)
Agent name (if applicable)
Address 1
Address 2
Postcode
Telephone number

PART B - Representation Form 1

1. To which part of the Local Plan does this representation relate? From the drop down list please select one option.

Policy MD1 Waterfront (including Port Warrington)

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

A paragraph number (s)

If a paragraph or policy sub-number then please use the box below to list:
10.1.11

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	X	
Sound		X
Compliant with the Duty to Co-operate	X	

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Policy DC4 Ecological network says

1. The council will protect biodiversity and protect the ecological network. this includes local wildlife sites.

the policy also says that sites can be developed when it can be clearly demonstrated that there are reasons for the development which outweigh the need to safeguard the substantive nature

conservation value of the site or feature and the loss can be mitigated through off-site habitat creation to achieve a net gain in biodiversity/geodiversity assessed against the latest version of the DEFRA metric.

it also says that it will protect priority species and habitats.

Moore Nature Reserve is a Local Wildlife Site, it contains Wet Woodland which is a UK Biodiversity Action Plan Priority Habitat, it also home to breeding lesser-spotted woodpeckers, a species of Red-listed as "Birds of Conservation Concern 4" (ie it has declined by over 50% in the last 25 years). it regularly breeds in the area and is probably the only place in the Borough where it occurs regularly.

The proposal for an Employment Area as part of the Warrington Port Development on Moore Nature Reserve is unsound as it contradicts policies the above policies.

The area of Moore Nature Reserve for which the Employment land is proposed is the very best wet woodland and the main breeding area for lesser spotted woodpeckers. Providing replacement habitat will be very difficult and the proposed country park on Arpley Landfill will in no way compensate for the loss. Arpley is an old landfill site and is composed of hills and slopes; wet woodlands require low lying, flat, wet areas, so wetland woodland cannot be re-created on Arpley landfill site.

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I would like the proposal for Employment Land on Moore Nature Reserve to be removed and the whole of Moore Nature Reserve to be protected from development. The following paragraph will be impossible to achieve with regard to wet woodland and the lesser spotted woodpecker. Even if could be achieved, ie low-lying, flat, wet land could be found in proximity to the Waterfront Area it would take over 50 years for the created woodland to be suitable for lesser spotted woodpeckers and so the development could not take place until the habitat has been created and is functioning.

10.1.11 Agreement of mitigation for the loss of part of Moore Nature Reserve will be required before any development at Port Warrington is permitted. The mitigation package will ensure a net gain in biodiversity with new and improved habitat for local wildlife to be created within and in close proximity to the Waterfront area, including at the new Country Park.

If the employment land were to be reduced to the narrow strip of land between the canal and the lane down to Norton Marsh this would allow compliance with the above policies.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

No, I do not wish to participate at the oral examination

You have just completed a Representation Form for Policy MD1 Waterfront (including Port Warrington). What would you like to do now? Please select one option.

Complete the rest of the survey (Part C)