

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78  
TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE) RULES 2000  
REDETERMINATION OF APPEAL BY THE KENSINGTON PT PARTNERSHIP  
SITE AT LAND SOUTH OF QUEENSWAY, ST ANNES, LANCASHIRE**

**Appeal reference: APP/M2325/A/09/2103453  
Application reference: APP/Q2371/V/11/2157314**

Dear Sir,

Further to our written representation submitted on the 13<sup>th</sup> December 2011 into the Public Inquiry for the above cases, we wish to make a further representation following the publication of the Proof of Evidences from the main parties in the Inquiry. We also reference further changes since December 13<sup>th</sup> 2011.

Please see attached addendum to the December representation which we trust will be taken into consideration.

Where no comments are made on Proofs of Evidence, we believe that our written submission addresses any matters.

Yours faithfully,  
QED.

## 1. Matters raised in Mr McAteer's Proof of Evidence

### 1.1 Fylde Borough Council – Development Management Committee, Oct 2011

Sections 4.34 to 4.42 in Mr McAteer's proof of evidence make reference to the Fylde Borough Planning Officer's recommendations into the Development Management Committee in October 2011 whereby the Council decided on their approach to the case, and advise that they are putting the document into the Public Inquiry to support their case.

Regardless of the recommendations made by a planning officer, the Council resolved to maintain their objection. The Council are perfectly entitled to do so.

If there was a presumption that the planning officers were always correct, then there would be no need for any Development Management Committee process at all and all decisions could be taken by officers. Clearly that is not correct.

The appellants have taken Fylde Borough Council to many appeals in recent years arguing that, in each instance, Fylde Council's planning officers were in the wrong. Now that one produced a report which supported their view, they now argue that the officers are correct. That seems to be a little selective.

However, in the opinion of QED, the report made by the officer was completed in haste and as a result failed to make reference to many material changes and was consequently imbalanced.

The report outlines the original reasons for refusal and provides considerable coverage as to why those reasons are no longer applicable, stating that Counsel advice is that they wouldn't be able to sustain many of the reasons. However, the explanation of this, fails to point out that those reasons were resolved before the end of the last Inquiry and that Fylde defended its case based on the 3 reasons for refusal which still existed at the time of the October DMC meeting (and to which the Secretary of State had agreed with).

The report gives the impression that the most of reasons for refusal have been resolved when the report should have made much clearer that the reasons in the Council's case defended at the last Inquiry were still applicable and hadn't changed.

Furthermore, the DMC report uses the "presumption in favour of sustainable development" as rationale for the change in stance. However, it is clear that little weight should have been given to this, as the matter was being debated in the House of Commons Communities & Local Government Committee. The recent report from the Committee recommended that this clause was changed to include a reference to the Local Plan (*and obviously the Queensway application is not compatible with the Local Plan*). The Minister of State for Communities and Local Government, Greg Clark MP, through press statements stated that he welcomed the committee's report and would give due consideration to the matters raised.

In addition, in the DMC report there is no reference to:

- The Localism Bill (now Act) and the impact that may have on the Queensway case
- The Inspector's recommendation in the 2011 Mowbreck Lane Case in Fylde – and endorsed by the Secretary of State - where he concluded, on an application of ¼ the size of Queensway, that:

- *“There are sites within the existing settlement boundaries provided in the FBLP which could accommodate a significant level of housing development while a properly considered approach to meeting the identified housing need is developed through the LDF.” (IR.11.95)*
- *“it would pre-empt decisions on revised settlement boundaries; and it would predetermine the issue of the release of a significant area of agricultural land”. (IR.11.96)*
- Government statements that *“Government has made it clear that its intention is to return decision making powers in housing and planning to local authorities”* and *“This is a key planning priority for the Government”*
- The recent appeal decision on a similar case - Cala Homes in Winchester made in September 2011.

In QED’s view, had the planning officer considered the above in the planning balance, he would likely have drawn a different conclusion.

## 1.2 Consultation

In 8.3.6 of his proof, Mr McAteer’s references the 2008 survey from an informal public exhibition. This was referred to and assessed in the 2009 Public Inquiry. He claims 83% support and uses this to justify a statement that *“It is therefore clear a large majority of local residents support the proposals.”* (para 8.3.7). However, a very small number of people attended the exhibition and therefore whilst the figures maybe interesting they are not statistically significant and cannot be used to justify a *“clear and large majority”*.

As Mr McAteer highlights in 8.3.10, throughout November and December, the appellant has deployed staff to stand at various locations within (and outside) the borough and asked members of the public whether they supported or opposed the proposals for the housing and road.

In QED’s view the surveys have been one-side and unbalanced. We make these observations based on our own encounters with the staff and from representations sent into QED from members of the public and press reports.

For example:

- One initial question was *“Would you like to support a scheme to relieve congestion”?* (The form could have been signed at this point with no mention of any housing scheme. Members of the public reported comments that they had been told statements such as:
  - *“less than 1000 houses will be built”*
  - *“only 375 houses will be built”*
  - *“there will be no development on the green belt”*

One member of the public wrote: *“He told me that he was from Kensingtons and are asking people to sign a petition in favour of the new link road they had made plans for, within the development plans. I asked him where was the road they had promised almost 10 years ago, to which he replied that they made a promise to build it, but only so far, then the LCC was supposed to build the rest, but they cancelled it. Never once whilst talking about the link road did he mention the building of 1150 new properties they want to build. until I asked him why he wasnt telling everyone he stopped and getting them to sign an "In Favour" petition. He was flustered and said that the building had not been mentioned because no one had asked.”*

QED were also made aware that some people signed the petition believing it to be a petition in objection to the scheme.

QED members stood on two occasions (outside B&Q and in St Anne's Town Centre) observing the number of people approached and the number of people signing the forms. In two separate spells, no-one signed the petition despite the persistent approaches to members of the public. No record was made of anyone who did not support the scheme.

QED have previously conducted a similar survey in the past and in the space of two hours received hundreds of signatures with only two people being in favour of the scheme.

However, we recognised that in the same way the current surveys have been carried out by numerous staff over many weeks, our survey was not a sound way of conducting a public opinion survey. Had a similar survey to Kensington's asked the question, do you want to have development on the green belt to get the M55 Link Road, or would you prefer the road to be kept outside the green belt, or would you prefer LCC to fund the link road instead of 1150 homes in the countryside, then we are confident the answers would tell a completely different picture.

Mr McAteer also references in 8.3.12 an online poll in the online version of a local paper to allow the public to comment. Again, this is informal, unscientific and again made with little reference in the question to scale and harm.

The surveys are only as good as the quality of the survey and the questions asked. That is why the correct place for fair and balanced consultation which considers all the options available to Fylde is within the statutory consultation process within the Local Development Framework. It should not be carried out by anybody who is not independent whether for or against any particular scheme.

It is evident that one-sided consultation should carry little weight, as it merely reflects the way the consultation is carried out and the considerable resources invested to achieve it.

The application should be measured against the local plan which was to subject to the full public consultation and by the public opinion measured through the views of the local Councillors who can provide a balanced consideration of the complex issues involved in a planning application of this scale and having listened to views expressed by people for and against the scheme.

The Councillors have consistently voted to object to the Queensway scheme.

### 1.3 Other matters

In paragraph 8.3.16, Mr McAteer states,

*“The Government recognise, in the Draft National Planning Policy Framework, that up to date plans are essential, but that in the absence of such a plan, there should be a presumption in favour of sustainable development. Whilst I accept that at the present time little weight can be given NPPF, it nevertheless is a clear indication of the way in which policy is travelling and likely to unfold.”*

However, it is clear from the Government Committee report from Dec 2011 and the ministerial response, that the “presumption in favour of sustainable development” will be balanced to take into account compatibility with the local plan and prefer sites of low environmental value.

In 8.4.7, Mr McAteer argues that

*“it is clear that the Council has, despite its protestations, done nothing to move its LDF forward. It sets dates then does nothing to meet them. I am of the opinion that such an approach is contrary to national policy and should not be condoned.*

It is clear from documents on Fylde’s website, that the Council are now making good progress with the LDF and updating its evidence base, including the revised Strategic Flood Risk Assessment. QED are of the opinion that the process would be speeded up if the Council did not have to regularly deflect its resources to defend planning matters at appeals.

In 8.4.13, Mr McAteer argues that “I consider that it is clear that without the funding being provided by the appeal proposals, the prospects of this road being delivered are non-existent, a fact accepted by Lancashire County Council”

Firstly, this is not a view shared by Fylde Borough Council. Having chosen not to fund the road centrally and decided that other road schemes are more important, LCC have discharged the responsibility for identifying schemes to fund the M55 Link Road to Fylde Borough Council. FBC are of the firm opinion that the harm caused by the Queensway scheme does not outweigh the need to fund the road.

Secondly, Lancs County Council’s Environmental Statement says that the road doesn’t have to be funded by Queensway. Indeed, Jonathan Haine’s proof of evidence does not conclude that prospects of the road being delivered to be ‘non-existent’. In fact, he makes provision for the scenario where the road goes ahead without the Queensway scheme.

Having classified the road as of lower importance than other schemes in the 2010 Local Transport Plan update without identifying any material congestion issues, perhaps if LCC are now so sure the road is needed, then maybe the transport plan should be updated again to reflect the revised and restated need so that the scheme can be re-considered and re-prioritised amongst all the other roads schemes in Lancashire which are to be funded centrally.

In 9.19 Mr McAteer states that:

*“Neither Lancashire County Council nor Fylde Borough Council consider that the M55 Link Road (T6) is unacceptable because of its location in the Green Belt. I am somewhat surprised therefore, that one of the reasons given by Fylde Borough*

*Council in continuing to oppose the appeal proposals is the fact that they involve development in the Green Belt.”*

QED are equally surprised by this claim. Fylde’s reasons for their stance on the T5 and the T5/T6 roundabout were fully laid out in the 2009 Inquiry and it is really up to them to decide what it considers acceptable and what it doesn’t. The T6 is a strategic road on the very edge of the green belt. The T5 and the T5/T6 roundabout have no local plan status and the reasons for it in the green belt are debatable.

## 2. Matters relating to Francis Hesketh's Proof of Evidence

### 2.1. PPS9

In Mr Hesketh's Proof of Evidence, in paragraph 9.12 he assesses PPS9 and asserts that "*QED do not produce any evidence as to which sites might have a lesser impact on biodiversity while still delivering major new housing and funding for the Link Road*"

As far as QED is aware, there is no reference in PPS9 to fund the link road and it is not a matter that should be judged in the PPS9 assessment.

Regardless, it is clear from Fylde's Council's Proof of Evidence, that they believe that there are other sites which could both provide houses and funding towards the link road.

Para 5.14 states "*Therefore it is not the case that a single major planning application is the only means by which the scheme could be delivered*". QED expect that Fylde Council are the definitive authority on the subject.

Furthermore, the M55 Hub (i.e. not the Whyndyke Farm scheme) report which outlined a strategy for the M55 Junction 4 area – which can be considered under Fylde's LDF options – clearly concludes that funding of the M55 Link Road can be provided from this LDF option (i.e. without a single house being built on Queensway).

Regardless, as far as QED are aware, it is for the applicant to provide the evidence and the decision maker to assess. It is not for members of the public to carry out the comparator analysis of alternative sites to demonstrate incompatibility with PPS9. An EIA assessment would be carried out within the LDF process, establishing a sequential approach similar to other considerations including agricultural land and flooding, for example.

However, in the 2009 Inquiry, QED did indeed submit a comparison of a subset of the SHLAA sites (the SHLAA was not complete at the time). An ornithological comparison of 16 sites was produced in September 2009 by Fylde Bird Club. It was produced without surveys except for sites 1 and 14, although the view of Fylde Bird Club was that if any of the sites were of high value then it was likely that there would already be records. (They recommended that a definitive position should be established by formal surveys, but in the absence of survey data, their accumulated knowledge of these sites informed the Bird Club's best estimates. Fylde Bird Club is the recognised authority on birds in Fylde. It is the Bird Club data that has informed both the appellant's and the Lancashire County Council's position on these applications).

The comparison table outlined:

Rating	Site no, name and commentary
1	1 Queensway: Whoopers, Bewicks, Barn Owl, Grasshopper Wblr Stonechat etc. Note the map area much smaller than land affected/changed
1	14 Moss Hall Lane StAnnes - part of Lytham Moss - Whoopers Bewicks etc - priority site 1
2	3 Wyndyke Barn Owl, Grey Partidge, Kestrel breeding Reed Warblers (west end at Mythop Road)
2	10 Riversleigh Warton - breeding Tree Sparrows & Stock Doves
2	13 Saltcotes - wet meadow, Black tailed godwit large passage flocks at times
3	2 Bamber /Cropper Whitehills few records. Little and Barn Owl recorded
3	4 Peel: Barn Owl, Buzzard, Whoopers Swans occasional

3	5 Brook Wood - Barn Owl hunts here, wood survey required - no records
4	6 Carr Farm - no records
4	7 N or Dowbridge - no records
4	8 N or Mowbreck - negative affect on Wesham Marsh
4	9 S of Mowbreck - unknown -no records
4	11 S of Hillock Lane Warton - no records but close to Yellowhammers & Tree Sparrows
4	12 N of Freckleton Bypass - Barn Owl hunts here
5	15 Hollywood Westby
5	16 Lytham Quays

Key to rating (1-5) is as follows:

1	Regular records of numerous important and/ or SPA species
2	Regular records of important species
3	Occasional records of important species
4	No records, which implies not of significance
5	No reason to believe important species occur

From the table above, Queensway site ranks as the most important site and where the impacts of risks may be greater than other sites.

In their objection to the original planning application, Fylde Bird Club outlined “the proposed development is sited on the last remaining example of wet peat moss still used for arable farming in Fylde Borough” and “Lytham Moss is one of the worst sites in Fylde on which to allow development”. They went on to add in further representation that Lytham Moss is “by far the most biologically diverse area of farmland within Fylde Borough from an ornithological consideration”

The 2009 Inspector also stated:

*“However ecological considerations do not, in my judgement, count positively in favour of allowing the appeal. Indeed, I have some sympathy for the argument advanced by QED that, given the choice, it would make sense to avoid building on sites that have nature conservation interest”.* (IR.375)

## 2.2 Adequacy of the mitigation scheme.

In the 2009 Inquiry, all the main parties (Natural England, Lancashire County Council, RPSB and the appellant) agreed that the ecological mitigation scheme was “adequate”. In 2009, the mitigation scheme was presented as a combined mitigation scheme for both the Queensway development and the M55 Link Road.

The matter was debated at great length and the Inspector agreed with this conclusion of NE and LCC stating:

*“That said, I do not share the appellants’ view that with the mitigation proposed there would be a net improvement in nature conservation terms... However, in practice it seems that in many respects farming practices within it would not be greatly different to what presently occurs and which is already attractive to swans and other wildlife. I agree therefore with NE, the RSPB and the County Council that it would be more appropriate to regard the effect of the appeal scheme, including mitigation, on nature conservation interests as being broadly neutral.”.* (IR.373)

In 2011, the combined (Queensway and M55 Link Road) ecological mitigation report was updated and presented to the Lancashire County Council Development Control Committee.

LCC's own assessment in 2011 of the combined mitigation scheme was reported in the DCC report's conclusion stating:

*"The road would have some impacts on ecology and protected species. However, **these impacts are adequately mitigated** for within the road alignment and through the offsite mitigation, both of which are subject to long term management to ensure that they are effective in ensuring that there will be no net loss of ecological value."*

As part of the re-opened Queensway Inquiry in November 2011, further information was provided into the combined schemes ES produced by LCC. It was claimed that there were no material changes. The changes are relisted here in appendix 1. The changes are to confirm that there were no undue impacts from the Flood Conservation Area and to bring the ES up-to-date with the changes agreed during the previous assessment processes leading up to the March 2011 LCC DCC.

In Dec 2011 written representation, QED submit that the assessment of Whooper Swans in the ES is wrong as there has been an incorrect assumption made about the BTO's National Thresholds.

There have been no significant changes since the previous formal combined scheme assessments in March 2011.

In Dec 2011, Natural England wrote to the Planning Inspectorate advising their conclusion that the mitigation was adequate.

In QED's view, it seems somewhat disingenuous for Mr Hesketh to now argue in his Dec 2011 Proof of Evidence that the mitigation scheme *"in combination, will deliver enhancement. ....now that detailed ecological assessment has been carried out for the M55 Link Road, including its mitigation scheme"*

Mr Hesketh appears unaware that:

- The scheme assessed in the 2009 Queensway Inquiry was the combined Queensway and M55 Link Road scheme.
- The scheme assessed in LCC's 2011 M55 Link Road application was the combined Queensway and M55 Link Road scheme.
- Natural England's view one month ago was that the combined scheme was that *"Adequate and suitable mitigation could be achieved for the Queensway housing development and the M55 to Heyhouses link road development."*

If LCC's ecologist is also now of the view that the ecological scheme is an enhancement, then QED are most surprised. Her stance throughout the 2009 Inquiry, and the 2011 M55 Link Road application was that the combined scheme represented adequate mitigation. In QED's view, there have been no material changes which warrant such a change of view.

In QED's view, this merely raises our concerns of a potential conflict of interest and why independent assessment is a good thing.

The Queensway application is directly removing 30 hectares of ecological habitat under houses. It is removing more under the school site, if it gets built. Two new trunk roads are dissecting large areas of important ecological habitat. It does not seem to be unrealistic to believe that ecological mitigation is not an enhancement, especially in the 2009 Inspector's own words, referring to the combined ecological mitigation scheme, *"However, in practice it seems that in many respects farming practices within it would not be greatly different to what presently occurs and which is already attractive to swans and other wildlife"*

### 3. Matters raised in LCC's Mr Haine's and Mr Cleave's Proof of Evidence

In discussing funding for the T6 M55 Link Road, Mr Haine states in paragraph 4.23 "..... Due to the funding relationships between the Queensway housing scheme and the road, it is expected that the road would only be constructed should the housing development proceed."

Mr Cleave outlines the funding of the road under section 4.2 the Scheme Funding and Delivery,

In 4.2.6 Mr Cleave states that "the remaining section of the road to be completed, often referred to as the Central Section, is the subject of this planning application. The whole of the land and funding for the proposed scheme will be provided by private sector developments"

However, earlier he states in paragraph 4.2.4 that "financial contributions to the proposed road south of Whitehill Road (up to its junction with Anna's Road) will be required as when the land west of the existing planning permission at Whitehills Park is developed. "

The roads referred to in para 4.2.4 and 4.2.6 are the same road, although if the reader is not familiar with the area it would be easy to misunderstand and believe the descriptions were of two different roads. The section of road "south of Whitehill Road (up to its junction with Anna's Road)" amounts to half of the Central Section of the M55 Link Road application.

The financial contributions identified (from Employment land and not residential development) are the same as those quoted in Fylde Borough's Local Plan under policy TR13.

Despite what Mr Haine claims, Lancashire County Council clearly understands that half of the road on the central section should be funded by contributions from employment land, so it seems to be an error to claim the absolute dependency on the residential Queensway application to fund the T6 M55 Link Road, when both the Fylde Local Plan and LCC's own expectation are that financial contributions for half of the "Central Section" of the M55 Link Road should be funded by employment land.

Clearly using Queensway (a residential development) to fund the whole of the Central Section is contrary to the funding proposals laid out in the Fylde Local Plan. The Local Plan clearly expects some of the funding to come from employment land. The Queensway application has been sized to fund the M55 Link Road, and the appellant claims that the size and scale are necessary as is the development of the T5 Heyhouses Bypass in the Green Belt as a consequence. Clearly, the size and scale are not necessary as other schemes are specifically outlined to fund the T6 M55 Link Road.

The consequence of ignoring the required employment land funding contribution is the resulting harm to the green belt (from the T5 Heyhouses Bypass road), and excessive harm to the countryside and agricultural land.

#### 4. Other Matters

##### 4.1 Strategic Flood Risk Assessment (SFRA)

Further to QED's submission on Dec 13<sup>th</sup> 2011 which referenced the revisions to the SFRA in November 2011, the minutes of the November LDF Steering Group have now been published on Fylde's website. They state:

*"Matthew Park (Planning Policy Officer) presented an updated report on the Strategic Flood Risk Assessment (SFRA) which was originally published in June 2008.*

*Mr Park stated that the purpose of the SFRA is to set out the potential levels of risk from flooding throughout the borough. The document formed an important part of the evidence base for the Local Development Framework. He went on to say that since the SFRA was published, there had been changes to the Environment Agency Flood Maps and it had therefore become necessary to update the SFRA in line with the updated flood maps.*

*IT WAS AGREED to endorse the updated Strategic Flood Risk Assessment."*

In addition, QED queried the 2011 SFRA document status with Fylde Borough Council. The response was as follows:

*"The existing SFRA is in the course of being updated for us by Wyre. We are awaiting some additional information from them, primarily relating to sea defence survey work, before finalising the update. The study has been considered by the LDF Steering group and accepted – subject to the completion of the additional work mentioned above. It is expected that the revised survey will be published on our website early in the new year."*

##### 4.2 National Planning Policy Framework (NPPF) – Committee Report Dec 2011

The House of Commons Communities & Local Government Committee was published on December 21 2011 making many relevant recommendations.

In relation to the "presumption in favour" the report stated, "The presumption in favour of sustainable development should be redefined as 'a presumption in favour of sustainable development consistent with the Local Plan'" (para 80)

In relation to brownfield the report stated, "We welcome the Government's openness to reinstating the familiar and well-understood term 'brownfield' in the NPPF, whilst recognising that more sophistication is needed in its definition to avoid unintended consequences. There is a danger, nevertheless, that the removal of the brownfield target and the 'brownfield first' policy—in conjunction with the introduction of the presumption in favour of sustainable development and changes to requirements for allocating land for housing—will result over time in less importance being attached to the use of previously-developed land first where possible. This principle should be strongly stated in the NPPF, and reiterated by requiring local authorities to set their own targets for the use of brownfield land. This would allow for adaptation to particular circumstances and would in addition be a useful mechanism for local accountability." (para 143)

The committee also called for a sensible transition period to the new planning system, with a realistic timetable to allow councils to get "local plans" in place which will guide development in their areas

Greg Clark, The Minister of State for Communities and Local Government, stated "The government will consider carefully each of the suggestions that have been made, along with all responses to the consultation,".

In various television interviews, Mr Clark continually highlighted that the framework expects that sites with the least environmental value will be built first. He expressed the view that there was a key intention to ensure that brownfield sites are preferred to greenfield sites.

Clearly, the Queensway site is a site of very high environmental value for its green field site, countryside, agricultural land, green belt, and its extensive biodiversity.

#### 4.3 Fylde's Chief Executive Interview – Dec 2011

In the local newspaper, the Lytham St Anne's Express, dated December 29th 2011, an interview with Fylde's new Chief Executive, Mr Alan Oldfield, was published. In it, he outlined a number of key objectives for Fylde, including striving to keep Fylde "green".

Mr Oldfield stated that protecting Fylde's countryside was important and specifically highlighted that the Queensway application "is an issue for us locally".

Mr Oldfield highlighted also the need for affordable housing in the borough. As per QED's written representation, the cost of delivering this application with the T5 road, the M55 Link Road, the construction challenges and all the flooding, ecological and transport mitigation come at the considerable cost of a huge under-delivery against Fylde's 30% target for affordable homes.

#### 4.4 Annual Monitoring Report Dec 2011

Since the Dec 13th submissions, Fylde Council have issued its 2011 Annual Monitoring Report. It confirms that the Housing Needs Survey indicates that: "

- *There is a high need throughout the borough but the highest need is in Lytham/St Annes;*
- *There is a need for all sizes of dwellings but particularly 2/3 bedroom accommodation;*
- ***Low cost market housing cannot meet any housing need (assuming a 25% discount of the market price);***
- ***Shared ownership housing would only be able to help a fraction of the households in need;***
- ***The overriding need is for social rented housing;***

*In more detail, up to 37% of households in Fylde have an income of less than £20,000. These households, at the threshold of £20,000, will not be able to afford any 2, 3 or 4 bed 'affordable rent' property or any private rented sector property. As the household income drops to below £15,000 the household will only be able to afford an RSL 1 or 2 bed property, and will not be able to afford a 1 bed 'affordable rent' property or any public sector rented property."*

## Appendix 1 - LCC ES Updates since October 2010

The ecological assessment (originally written in October 2010) has been updated to take account of:

1. The need for a compensatory floodplain associated with the M55 Link Road and (should it go ahead) some roads within the Queensway development – this will involve lowering of ground levels in farmland west of North Houses Lane, with deposition of arisings on adjoining land. The total area subject to lowering will be 13.37ha, of which 12.05ha lies within the Lytham Moss Biological Heritage Site.
2. The deletion from the scheme (on Natural England's request) of the new bridleway proposed between Anna's Lane and the Moss Sluice crossing.
3. The Water Vole Conservation Strategy (agreed with Environment Agency in February 2011)..
4. Publication of the British Trust for Ornithology's national wildfowl count data for the winter of 2009/10; which allows a slightly more contemporary comparison of bird numbers on Lytham Moss in terms of national trends.
5. Findings from bird and water vole surveys in 2011.
6. The conclusions and recommendations of an appropriate assessment under the Habitats Regulations 2010, prepared by Lancashire County Council in February 2011, in consultation with Natural England.