



Babergh and Mid Suffolk Joint Local Plan: Pre-Submission (Regulation 19) **Habitats Regulations Assessment** including **Appropriate Assessment**

October 2020





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Glossary of Acronyms

AA	Appropriate Assessment
BDC	Babergh District Council
CEMP	Construction Environmental Management Plan
DC	District Council
EA	Environment Agency
EC	European Commission
EU	European Union
Ha	Hectare
HRA	Habitats Regulations Assessment
IRZ	Impact Risk Zones (for SSSIs)
Km	Kilometre
LPA	Local Planning Authority
MSDC	Mid Suffolk District Council
NE	Natural England
NPPF	National Planning Policy Framework
PRoW	Public Right of Way
RAMS	Recreational disturbance Avoidance and Mitigation Strategy
RIS	Ramsar Information Sheet
SAC	Special Area of Conservation
SPA	Special Protection Area
SSSI	Site of Specific Scientific Interest
WFD	Water Framework Directive
WRC	Water Recycling Centres
ZOI	Zone of Influence



Summary

A Habitats Regulations Assessment (HRA) has been prepared by Place Services for the Joint Local Plan to enable Babergh and Mid Suffolk District Councils to comply with Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). This report has reviewed and updated the HRA screening of the Reg 18 Joint Local Plan (2019) and incorporates new evidence in particular the Water Cycle Study to support the Local Plan.

As the policies contained in the Local Plan cannot rule out Likely Significant Effects on Habitats (European) Sites at Stage 1 HRA Screening, there is a need for further assessment of impacts and Stage 2 Appropriate Assessment is necessary.

This report is the first stage of the HRA process: it aims to consider the elements of the Local Plan which need to be screened in as having the potential for Likely Significant Effect (LSE) and hence requiring further assessment of their potential to result in adverse effects on the integrity of one of more Habitats (European) Sites.

There are a wide range of potential impacts upon Habitats Sites which could arise as a result of components of the Local Plan; the following have been considered most likely to cause a Likely Significant Effect:

- Habitat loss and fragmentation / land take by development;
- Loss of functionally linked land (land outside the SPA and Ramsar site);
- Increase of any type of *disturbance*;
- Changes in *water availability, or water quality*;
- Changes in *atmospheric pollution levels*.

The following Habitats Sites have been scoped in as it has been identified that they may be affected by impacts relating to Babergh and Mid Suffolk Joint Local Plan.

- Stour and Orwell Estuaries SPA
- Stour and Orwell Estuaries Ramsar site
- Deben Estuary SPA
- Deben Estuary Ramsar site
- Minsmere – Walberswick SPA
- Minsmere – Walberswick Ramsar site
- Minsmere to Walberswick Heaths & Marshes SAC
- Redgrave and South Lopham Fens Ramsar site
- Waveney & Lt Ouse Valley Fens SAC



A number of policies within the Plan require further assessment and consideration of mitigation: this will be undertaken at appropriate assessment stage. The complete list of policies screened in for further assessment is set out within Appendix 2. HRA Screening Policies



1. Introduction

1.1 The Purpose of This Report

- 1.1.1 This report is to provide a Habitats Regulations Assessment (HRA) for the Babergh and Mid Suffolk Joint Local Plan: Pre-submission (Regulation 19) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 1.1.2 The Conservation of Habitats and Species Regulations 2017 (as amended) require the Competent Authority (in this instance Babergh and Mid Suffolk District Councils) to undertake a HRA before making a decision about permission for any plan or project that may result in an adverse effect on the integrity of a European Site¹ as defined in the National Planning Policy Framework (NPPF, 2019).
- 1.1.3 In line with the Court judgement (CJEU People Over Wind v Coillte Teoranta C- 323/17), mitigation measures cannot be taken into account when carrying out a HRA Screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats (Natura 2000) Site. As the policies relate to land within the Zone of Influence (ZOI) for a number of Habitats Sites, it is not possible to rule out Likely Significant Effects, without mitigation in place.
- 1.1.4 The Court judgement (CJEU Holohan C- 461/17) now imposes more detailed requirements on the competent authority at Appropriate Assessment stage:
2. [...] an 'Appropriate Assessment' must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.
 3. [...] the competent authority is permitted to grant to a plan or project consent which leaves the developer free to determine subsequently certain parameters relating to the construction phase, such as the location of the construction compound and haul

¹ Habitats Site: Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 (as amended) for the purpose of those regulations and those listed in paragraph 176 of the NPPF (2019). This includes potential Special Protection Areas and possible Special Areas of Conservation; listed or proposed Ramsar sites; and sites identified, or required, as compensatory measures for adverse effects on Habitats Sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.



routes, only if that authority is certain that the development consent granted establishes conditions that are strict enough to guarantee that those parameters will not adversely affect the integrity of the site.

4. [...] where the competent authority rejects the findings in a scientific expert opinion recommending that additional information be obtained, the 'Appropriate Assessment' must include an explicit and detailed statement of reasons capable of dispelling all reasonable scientific doubt concerning the effects of the work envisaged on the site concerned.

- 1.1.5 This report therefore provides an updated (plan level) Stage 1 HRA Screening and Stage 2 Appropriate Assessment as required by Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended).
- 1.1.6 The Conservation of Habitats and Species Regulations 2017 (as amended), are commonly known as the 'Habitats Regulations'. Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect Habitats Sites. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the HRA process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>
- 1.1.7 It demonstrates how the Plan or Project is compatible with EU obligations, which includes the need to undertake a HRA and forms a plan level HRA as required by Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended).
- 1.1.8 Plans and projects should only be permitted when it has been proven that there will be no adverse effects on the integrity of Habitats Sites. The legal process can allow projects that may result in negative impacts on the integrity of a site if the competent authority is satisfied that, there are no alternative solutions, the plan or project must be carried out for Imperative Reasons of Overriding Public Interest (IROPI) (Regulation 64). However, this will require suitable compensation to ensure that the overall coherence of the series of such sites is retained.
- 1.1.9 The HRA should be undertaken by the 'competent authorities' - in this case Babergh and Mid Suffolk District Councils - and Place Services has been commissioned to complete this on behalf of the Councils. The HRA also requires close working with Natural England as the statutory nature conservation body.



1.1.10 This HRA report aims to:

- Consider the elements of the Plan screened in as having potential for Likely Significant Effect (LSE) for further assessment of their potential to result in adverse effects on the integrity of the Habitats Sites.
- Assess the potential for in combination effects from other projects and plans in the area.
- Identify if there are any outstanding issues that need further investigation.

1.1.11 It is not considered that there are any serious limitations to this HRA.

1.2 Babergh and Mid Suffolk Joint Local Plan: Pre Submission (Regulation 19)

- 1.2.1 Babergh and Mid Suffolk are predominantly rural districts covering the geographical centre of Suffolk, running from the boundary with Essex in the south to the boundary with Norfolk in the north. This covers a total area of approximately 565 square miles.
- 1.2.2 Babergh and Mid Suffolk Councils work collectively to deliver shared priorities as set out in the Joint Strategic plan (2016 – 2020). The main priority areas are the economy, environment, housing and communities. The Consultation Plan provides the mechanism to enable the delivery of the spatial elements of vision and priorities.
- 1.2.3 The population of Babergh District is 87,740; Mid Suffolk population is 96,731 (Census, 2011). Across Babergh and Mid Suffolk more than half the population live in villages and rural areas. In combination both districts have six main centres; which include Eye, Needham Market and Stowmarket in Mid Suffolk; Pinewood, Hadleigh and Sudbury in Babergh. The historic market towns are surrounded by a rural hinterland comprising 198 rural parishes.
- 1.2.4 The Local Plan comprises the vision and objectives for future development and change within Babergh and Mid Suffolk Districts, accompanied by policies that set out the strategic approach to growth and distribution of development across the Districts in order to achieve a sustainable development. In addition, it includes 131 policies, including strategic policies, allocation policies and development management policies.



Strategic Housing Land Area Assessment

- 1.2.5 96 land parcels have been allocated in the Local Plan; these are shown in Appendix 1. They can also be viewed spatially within the Local Plan.

1.3 Habitats (European) Sites

- 1.3.1 Habitats Sites is the term used in the NPPF (2019) to describe the network of sites of European designated nature protection areas. The aim of the network is to assure the long-term survival of Europe's most valuable and threatened species and Habitats. The sites are designated under the European Union (EU) Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) and the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora).
- 1.3.2 The Birds Directive requires the establishment of Special Protection Areas (SPAs). The Habitats Directive similarly requires Special Areas of Conservation (SACs) to be designated for other species, and for Habitats. Wetlands of International Importance (Ramsar sites) are also part of the Habitats (Sites) network. This is because all SPAs and SACs are comprised of Sites of Special Scientific Interest (SSSIs) and all Ramsar sites in England are SSSIs. Together, SPAs, SACs and Ramsar Sites make up the Habitats Sites in England. The following offers a description and explanation of SPAs, SACs and Ramsar Sites.
- 1.3.3 The following table (Table 1) offers a description and explanation of SPAs, SACs and Ramsar sites.

Table 1. Description and Explanation of SPAs, SACs and Ramsar Sites

Special Protection Areas (SPAs)

SPAs are areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within EU countries. Example: Stour and Orwell Estuaries SPA. straddle the eastern part of the Essex/Suffolk border and include extensive mudflats, low cliffs, saltmarsh and small areas of vegetated shingle on the lower reaches *Legislation: EU Birds Directive.*

Special Areas of Conservation (SACs)



SACs are areas designated to protect habitat types that are in danger of disappearance, have a small natural range, or are highly characteristic of the region; and to protect species that are endangered, vulnerable, rare, or endemic. Example: Waveney & Lt Ouse Valley Fens SAC has calcareous fens, Purple moor-grass meadows and Desmoulin`s Whorl Snail *Legislation: EU Habitats Directive.*

Ramsar Sites (Wetlands of International Importance)

Ramsar Sites are designated to protect the biological and physical features of wetlands, especially for waterfowl Habitats. For example, Stour and Orwell Estuaries Ramsar site is important due to the extent and diversity of saltmarsh and which supports 7 species of nationally scare plants. Ramsar sites often overlap with SACs and SPAs and UK planning policy determines that they should be accorded the same importance when developments are proposed. *Legislation: Ramsar Convention (1971) – Wetlands of International Importance.*

- 1.3.4 Following public consultation on the Babergh & Mid Suffolk Joint Local Plan Reg 18 (2019), comments were submitted in relation to the need for further assessment of water quality and air quality issues which could adversely affect the integrity of Habitats sites within scope of the HRA Appropriate Assessment.
- 1.3.5 As Appropriate Assessment is an iterative process, this report has taken on board comments from consultees in relation to likely impacts on Habitats sites and reviewed the updated policies now contained in the Babergh & Mid Suffolk Districts Joint Local Plan: Pre-Submission (Regulation 19). The impact pathways and additional evidence including the Draft Babergh & Mid Suffolk Districts Councils Water Cycle Study (JBA Ltd, July 2020) have been reviewed to support re-screening for likely significant effects predicted from the Joint Local Plan either alone or in-combination with other plans and projects.



2. Method and Approach

- 2.1.1 HRAs are a statutory requirement and should be undertaken by the competent authority to ensure that it plans and projects comply with EU Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) and the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora). In England and Wales these are transposed into The Conservation of Habitats and Species Regulations 2017 (as amended).
- 2.1.2 HRA is the process by which the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) are implemented and ensures that plans or projects will not adversely affect Habitats Sites.
- 2.1.3 The legal process does not require a fixed method, but case law has shaped the way it should be undertaken. The HRA is a sequential process and it is generally divided into four stages, which are set out below in Table 2. Each of the stages contains a number of sequential steps, comprising the tests or procedures required by the Habitats Directive. This report addresses Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). which covers the first stage, *i.e.* HRA Screening.
- 2.1.4 Each of the stages contains a number of sequential steps, comprising the tests or procedures required by the Habitats Directive. This report addresses Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended). which covers the first stage, *i.e.* HRA Screening.
- 2.1.5 Figure 1 below shows the recommended approach taken in the DTA Publications Handbook². This has been used in the approach of this HRA, as shown in Table 2.

² The DTA Publications Handbook can be found at www.dtapublications.co.uk



Figure 1. Outline of the Four Stage Approach to the Assessment of Plans under the Habitats Regulations

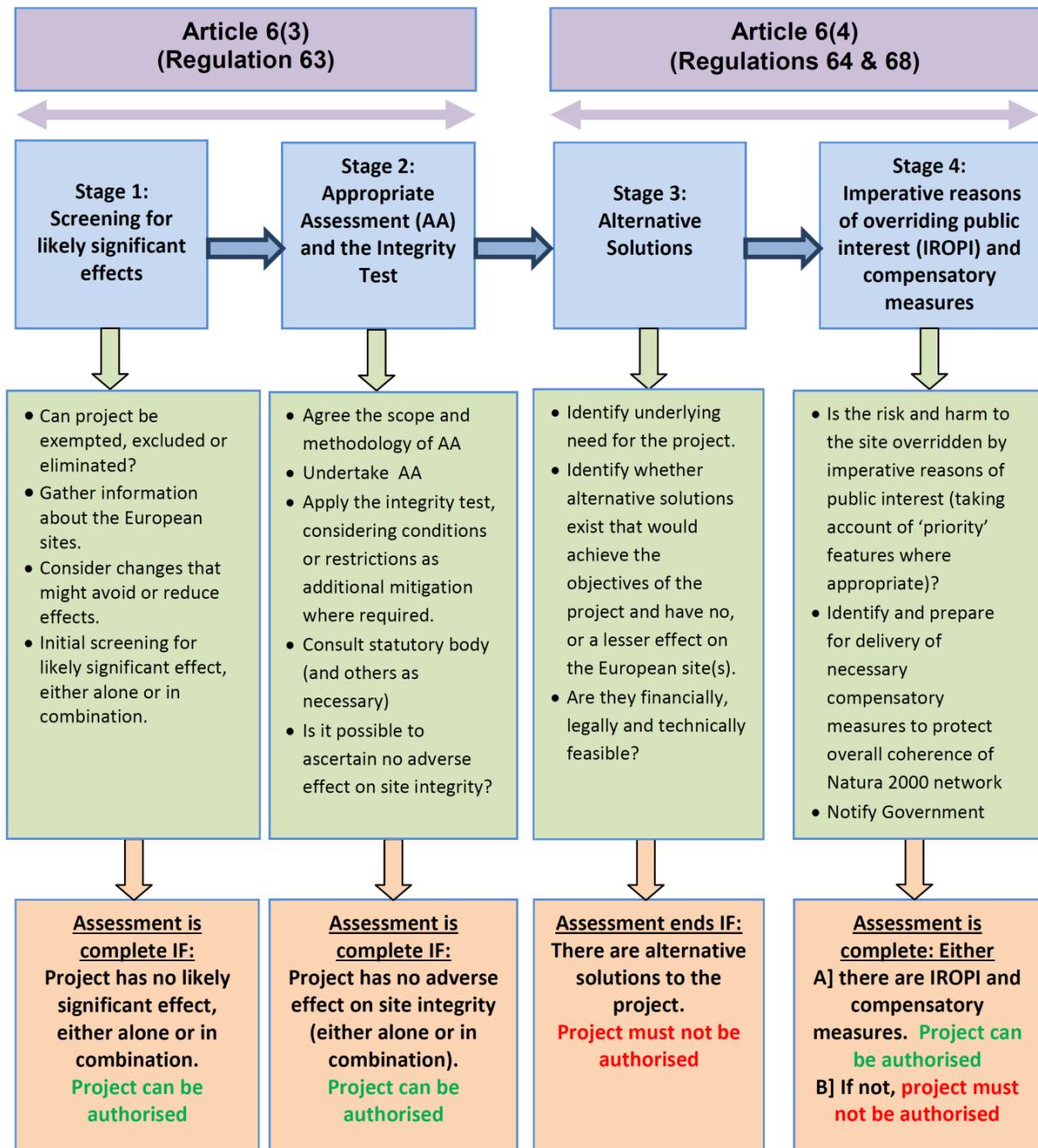




Table 2. Stages of the Habitats Regulations Assessment Process

Stage	Tasks	Outcome
Stage 1 HRA Screening (Regulation 63)	<ul style="list-style-type: none"> • List the policies and allocations. • Identify potential effects to a Habitats Site from the Local Plan. • Assess if any significant effects on a Habitats Site from the Plan, either alone or in combination, with other plans or projects. 	<ul style="list-style-type: none"> • Where significant effects are unlikely, prepare a 'finding of no significant effect' report and Local Plan can be adopted. • Where significant effects are judged likely, either alone or in combination or there is a lack of information to prove otherwise, go to Stage 2. <p><i>People over Wind CJEU ruling (April 2018) means that it is not possible to consider mitigation measures when screening for impacts.</i></p>
Stage 2 Appropriate Assessment (Regulation 63)	<ul style="list-style-type: none"> • List policies and allocations within scope. • List Habitats Sites within scope. • Set out methodology of the AA and agree with Natural England. • Assess the implication of the policies and allocations against the designated features and species not listed but which could be using the habitat features. • Apply the integrity test. • Where there may be adverse effects on the ecological integrity of Habitats Sites, in view of the Site's conservation objectives, consider mitigation measures. • Ensure mitigation is embedded into the Local Plan. • Assess in combination effects with other plans and projects. • Apply the integrity test. Where there may be adverse effects on the ecological integrity of 	<ul style="list-style-type: none"> • If no adverse effect on site integrity either alone or in combination, the Local Plan can be adopted. • If it is not possible to ascertain no adverse effect on site integrity, go to Stage 3. <p><i>Holohan CJEU ruling (November 2018) now imposes more detailed requirements on the competent authority at Appropriate Assessment stage.</i></p>



	<p>Habitats Sites, in view of the Site’s conservation objectives, consider mitigation measures.</p> <ul style="list-style-type: none"> Formerly Consult Natural England. 	
<p>Stage 3 Assessment of alternative solutions (Regulation 64)</p>	<ul style="list-style-type: none"> Identify whether alternative solutions exist that would achieve the objectives of the Local Plan and have no or a lesser effect on the integrity of a Habitats Site(s). If effects remain after alternative solutions been considered, consider whether the policies and/or projects should proceed with modification or the policies (and projects) be removed from the Local Plan. 	<ul style="list-style-type: none"> If there are alternative solutions to the Local Plan, it cannot be adopted without modification. If no financially, legally or technically viable alternatives exist, go to Stage 4.
<p>Stage 4 IROPI (Regulation 64)</p>	<ul style="list-style-type: none"> Consider if the risk and harm to the Habitats Site is over-ridden by Imperative Reasons of Over-riding Public Interest. Identify and prepare delivery of compensatory measures to protect the overall coherence of the Natura 2000 network and notify Government. 	<ul style="list-style-type: none"> If there are IROPI and compensatory measures, the Local Plan can be adopted If there are no IROPI and the Local Plan cannot be adopted.

2.1.6 Plans should not contain proposals that would be vulnerable to failure under the Habitats Regulations at project assessment stage, as this would be regarded as ‘faulty planning’.

2.1.7 ‘Significant effects’ has been defined through case law. A significant effect is any effect that would undermine the conservation objectives for the qualifying features of Habitats Sites potentially affected, alone or in combination with other plans or projects. There must be a causal connection or link between the Local Plan and the qualifying features of the site (s) which could result in possible significant effects on the site (s). Effects may be direct or indirect and a judgement must be taken on a case-by-case basis. The decision as to whether or not a potential impact is significant depends on factors such as: magnitude of impact, type, extent, duration, intensity, timing, probability, cumulative effects and the vulnerability of the habitats and species concerned. So, what may be significant in relation to one site may not be in relation to another.



- 2.1.8 An effect which is not significant can be described as ‘insignificant’, ‘de minimis’ or ‘trivial’- *i.e.* it would not undermine the conservation objectives.
- 2.1.9 A risk-based approach involving the application of the precautionary principle has been used in the assessment. A conclusion of ‘no significant effect’ was only reached where it was considered very unlikely, based on current knowledge and the information available, that a proposal in the Local Plan would have a significant effect on the integrity of a Habitats Site.
- 2.1.10 Key advice guidance and information has also come from the following sources:
- DTA Publications Handbook: <https://www.dtapublications.co.uk/>
 - Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) emerging Strategy
 - HRAs of neighbouring authorities Local Plans
 - Extensive experience of producing other HRAs
 - Government information regarding Habitats Sites and their ‘zones of influence’, *e.g.* www.magic.gov.uk

2.1 Assessment of Likely Significant Effects

- 2.1.11 The screening stage identifies whether the Local Plan may result in a Likely Significant Effect to any Habitat Site, alone or in combination with other plans or projects. The screening process should identify all aspects of the Local Plan that are:
- Exempt from assessment
 - Excluded from assessment
 - Eliminated from further assessment
 - Have no Likely Significant Effects, alone or in combination with other plans or projects and therefore be screened out
 - Screened in as it is not possible to rule out Likely Significant Effects. In line with the 2018 Court judgment (CJEU People Over Wind v Coillte Teoranta C-323/17) mitigation measures cannot be taken into account when carrying out a screening assessment. Consequently, any aspect of the Local Plan which cannot be ruled out as having Likely Significant Effects should continue to Stage 2 Appropriate Assessment.
- 2.1.12 Habitats Sites which have been included for assessment are those which are within the ZOI for the underpinning Site of Special Scientific Interest (SSSIs) as identified on MAGIC www.magic.gov.uk.



2.1.13 It has been established that this Plan requires an HRA for the following reasons:

- Can the plan be exempt? - No, the Local Plan is not directly connected with or necessary to management of any Habitats Sites.
- Can the plan be excluded? - No, the Local Plan cannot be excluded as it falls within the definition of being a plan within the Habitats Regulations.
- Can the plan be eliminated? - No, the Local Plan as a whole cannot be eliminated as it proposes a number of policies which may have a Likely Significant Effect on one or more Habitats Site. However, individual policies can be eliminated.

2.2 Identifying Habitats Sites, their Conservation Objectives and Qualifying Features

2.2.1 The qualifying features and conservation objectives of the Habitats Sites, together with current pressures on and potential threats, was drawn from the Standard Data Forms for SACs and SPAs and the Information Sheets for Ramsar Wetlands as well as Natural England's Site Improvement Plans (SIP) and the most recent conservation objectives. An understanding of the designated features of each Habitats Site and the factors contributing to its integrity has informed the assessment of the potential Likely Significant Effects of the Local Plan.

2.2.2 Key sources of the Habitats Sites information were found at:

- JNCC: <http://jncc.defra.gov.uk/>
- Site Designation features and Conservation Objectives- Designated Sites View: <https://designatedsites.naturalengland.org.uk/>
- Site Improvement Plans, e.g.: <http://publications.naturalengland.org.uk/publication/6270737467834368>
- MAGIC (the Multi Agency Geographic Information website): www.magic.gov.uk
- "Managing Natura 2000 sites- The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC" http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/Provisions_Art_6_nov_2018_endocx.pdf

2.2.3 The list of Habitats Sites, their qualifying features and conservation objectives can be found in Appendix 3 including web links to further information.

2.2.4 The list of key vulnerabilities / factors affecting site integrity can be found in Appendix 4, including links to further information.



2.2.5 A distance of 20km was used to identify Habitats Sites likely to be affected by impacts relating to Babergh and Mid Suffolk Local Plan. There are 35 Habitat Sites which lie within 20 km of the Babergh and Mid Suffolk Districts authorities including some marine sites. However, the Impact Risk Zones can be interrogated on MAGIC and these show which elements may have an effect. Those sites not identified as being within any IRZ have been scoped out for any further assessment. The sites scoped in and out are shown in Table 3.

Table 3. Habitats Sites within 20 km for Babergh and Mid Suffolk

Site	Location	Scoped in or out
Deben Estuary SPA & Ramsar Site	Estuary in Suffolk located from Woodbridge to Felixstowe	Scoped in This Habitat site falls partly within Mid Suffolk District. Within the ZOI as identified on MAGIC.
Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar site	Heaths and marshes on the east coast of Suffolk	Scoped in This Habitat site falls partly within Mid Suffolk District. Within the ZOI as identified on MAGIC.
Redgrave & South Lopham Fens Ramsar Site	Fens located to the north of Mid Suffolk	Scoped in This Habitat site falls partly within Mid Suffolk District. Within the ZOI as identified on MAGIC.
Stour & Orwell Estuaries SPA & Ramsar site	Two estuaries to the south of Suffolk. The Orwell Estuary is located from Ipswich to Shotley. The Stour Estuary is located from Manningtree to Shotley	Scoped in This Habitat site falls partly within both Babergh and Mid Suffolk Districts. Within the ZOI as identified on MAGIC.
Waveney & Lt Ouse Valley Fens SAC	Fens located to the north of Mid Suffolk	Scoped in This Habitat site falls partly within Mid Suffolk District. Within the ZOI as identified on MAGIC.
Alde-Ore (& Butley) Estuary SAC, SPA & Ramsar site	Estuary located on south-east Suffolk coast	Scoped out Outside the ZOI of the Alde-Ore (& Butley) Estuary SAC, SPA & Ramsar site as identified on MAGIC.



Site	Location	Scoped in or out
Benacre to Easton Bavents SAC & SPA	Lagoons located on the north -east Suffolk coast	Scoped out Outside the ZOI of the Benacre to Easton Bavents SAC & SPA as identified on MAGIC.
Blackwater Estuary SPA & Ramsar site	Estuary in Essex located from Maldon to Mersea Island	Scoped out Outside the ZOI of the Blackwater Estuary SPA & Ramsar site as identified on MAGIC.
Broadlands & Broads SAC, SPA & Ramsar	Designated for a variety of Protected habitats and species and located to the north-east Suffolk coast.	Scoped out Outside the ZOI of Broadlands & Broads SAC, SPA & Ramsar as identified on MAGIC.
Colne Estuary SPA & Ramsar site	Estuary located in north Essex, situated from Colchester to East Mersea.	Scoped out Outside the ZOI of the Colne Estuary SPA & Ramsar site as identified on MAGIC.
Dew's Ponds SAC	A group of ponds situated near the east coast of Suffolk	Scoped out Outside the ZOI of the Dew's Ponds SAC as identified on MAGIC.
Essex Estuaries SAC	Estuaries from Clacton on Sea to Southend	Scoped out Outside the ZOI of the Essex Estuaries SAC as identified on MAGIC.
Hamford Water SAC, SPA & Ramsar site	Estuary situated to the north-east of Essex.	Scoped out Outside the ZOI of the Hamford Water SAC, SPA & Ramsar site as identified on MAGIC.
Norfolk Valley Fens SAC	Group of fens situated to the south-west of Norfolk	Scoped out Outside the ZOI of the North Valley Fens SAC as identified on MAGIC.
Orfordness Shingle-Street SAC	Shingle structure and Lagoons situated to the south-east of Suffolk	Scoped out Outside the ZOI of the Orfordness Shingle-Street SAC as identified on MAGIC.
Outer Thames Estuary SPA	Covers most marine areas near to Essex coast	Scoped out Outside the ZOI of the Outer Thames Estuary SPA as identified on MAGIC.
Rex Graham Reserve SAC	Dry grassland and conifer forest situated	Scoped out Outside the ZOI of the Rex Graham Reserve SAC as identified on MAGIC.



Site	Location	Scoped in or out
	to the east of Mildenhall	
Sandlings SPA	Heathland and commercial conifer forest situated to the south-east of Suffolk	Scoped out Outside the ZOI of the Sandlings SPA as identified on MAGIC.
Southern North Sea (cSAC)	Covers the entire coast of East Anglia	Scoped out Outside the ZOI of Southern North Sea (cSAC) as identified on MAGIC.
Staverton Park & The Thicks, Wantisden SAC	Old acidophilous oak woods situated to the south-east of Suffolk.	Scoped out Outside the ZOI of Staverton Park & The Thicks, Wantisden SAC as identified on MAGIC.

2.2.6 A map of all 35 Habitats Sites with the 20 km radius of Babergh and Mid Suffolk Districts can be found in Appendix 5.

2.3 Screening and Impact Pathways

2.3.1 2.3.1 During the Screening stage each policy has been screened for Likely Significant Effects. Where it is not possible to rule out Likely Significant Effects we have moved straight to Appropriate Assessment.

2.3.2 There are a wide range of potential impacts and the following impacts summarised below, were considered most likely to cause a Likely Significant Effects:

- Loss of functionally linked land (land outside the SPA and Ramsar site). Impact on site features (species) which travel outside the protected sites may be relevant where development could result in effects on qualifying interest species within the Habitats Sites, for example through the loss of feeding grounds for an identified species.
- Increase of any type of disturbance, for example from recreational use resulting from new housing development and / or improved access due to transport infrastructure projects;
- Changes in water quality as a result of new development and greater pressure on water treatment services,
- Changes in water quantity as a result of increased surface runoff or increased groundwater extraction;



- Changes in atmospheric pollution levels due to increased traffic, waste management facilities etc. Pollution discharges from developments such as industrial developments, quarries and waste management facilities.

2.3.3 The ZOIs which are provided on the MAGIC website www.magic.gov.uk have been used as a starting point in determining Likely Significant Effect on Habitats Sites and spatial data has been used to determine the proximity of potential development locations to the Habitats Sites. There are many uncertainties associated with using trigger distances as there are very few standards available as a guide to how far impacts will travel. Therefore, during the screening stage a number of assumptions based on professional judgement have been applied in relation to assessing the Likely Significant Effects on Habitats Sites that may result from the Local Plan, as described below.

Loss of Functionally Linked Land (Land outside the SPA and Ramsar Site)

- 2.3.4 Loss of land may have the potential to result in Likely Significant Effects to Habitats Sites where the habitat affected contributes towards maintaining the interest feature for which the Habitats Sites is designated.
- 2.3.5 Mobile interest features listed in the relevant Habitats sites- *i.e.* the birds- may use off-site habitat (*i.e.* land outside of the SPA and Ramsar site boundary) for feeding, roosting, foraging and loafing, especially large fields comprising arable and pastoral land uses and coastal habitats. Natural England has advised that their recognised foraging distance threshold for the majority of wetland bird species is 2km from a designated site.
- 2.3.6 Loss of functionally linked land is therefore within scope of the HRA screening.

Water Quality

- 2.3.7 An important determinant of the nature of wetland Habitats sites and the species that they support is the quality of the water that feeds them. Poor water quality can have a range of environmental impacts.
- 2.3.8 High levels of toxic chemicals and metals can result in immediate death of aquatic life and have detrimental effects even at lower levels, including changes in wildlife behaviour and increased vulnerability to disease. Therefore, any discharge from construction sites into water sources which are functionally linked to designated sites could therefore result in a Likely Significant Effect if management plans or discharge consents from Environment Agency are not provided to support schemes.
- 2.3.9 Eutrophication, the enrichment of plant nutrients in water, increases plant growth and consequently results in oxygen depletion. In the marine environment, nitrogen is the



limiting plant nutrient, so eutrophication is often associated with discharges containing available nitrogen. Algal blooms, which commonly occur due to eutrophication, increase turbidity and decrease light penetration. The decomposition of organic wastes that often accompanies eutrophication deoxygenates water further, increasing the oxygen-depleting effects of eutrophication.

- 2.3.10 Sewage and industrial effluent discharges contribute to increased nutrients levels in Habitats Sites, particularly to phosphate levels in watercourses leading into them. Some components of sewage effluent, pesticides, and industrial chemicals, are suspected to interfere with hormones, possibly having negative effects on the reproduction and development of aquatic life. Diffuse pollution, including that from urban run-off, is considered to be a major factor in the unfavourable condition of some Habitats sites. Tidal mudflats, on which many SPA bird species depend, are vulnerable to smothering by increased macroalgal growth due to treated effluent discharge and scouring by increased flow volumes.
- 2.3.11 It is highlighted that a recent court judgement (R (on the Application of Preston) v Cumbria County Council [2019] EWCA 1362) indicates that local authorities have to consider impacts from the construction of sewage outfalls for applications that will have a direct impact pathway to designated sites. Therefore, local authorities will need to exercise their own judgment on applications involving the operational impacts of sewage water drainage, albeit giving due weight to the views of a body such as the Environment Agency. Consequently, project level Habitats Regulations Assessment should be undertaken by the local authority to support such schemes prior to the permission of development. As a result, any housing allocations which involve the provision of new sewage outfalls should be identified and screened in within this Habitats Regulations Assessment.
- 2.3.12 Furthermore, greater pressure on water treatment services due to new development, especially housing, may increase the risk of effluent entering aquatic environments. This is because the allocation of large numbers of new homes in certain locations may result in the capacity of existing available infrastructure being exceeded, a situation that could potentially cause service failures to water and wastewater customers. Wastewater treatment within the Districts is currently handled by Anglian Water and they are aiming to produce a Drainage and Wastewater Management Plan (DWMP) in 2024 to ensure that a long-term strategy is in place for the safe disposal of wastewater. Therefore, a Water Cycle Study (July 2020), including an Addendum to Water Cycle Study (October 2020) has been drafted by JBA Consulting to allow the Joint Local Plan to have a sufficient evidence base in this aspect. This study assesses the potential issues relating to future development within Babergh and Mid Suffolk and the impacts on water supply, wastewater collection and treatment and water quality. Therefore, future pressures upon



water treatment services can be predicted within the Joint Local Plan, including any Likely Significant Effects to the identified Habitats Sites.

- 2.3.13 The Water Cycle Study (July 2020) identified that the majority of the waterbodies within Babergh and Mid Suffolk Districts have a moderate or poor ecological status under the Water Framework Directive. In addition, sewage discharge was cited as one of the “reasons for not achieving good status” for all of the waterbodies that contain a Water Recycling Centres serving growth. However, the Water Cycle Study models the worst-case scenario for each Water Recycling Centres catchment to identify if deterioration in water quality from additional wastewater flow could be prevented by treatment at the technically achievable limit. This modelling determined that Water Framework Directive deterioration cannot be prevented for the Water Recycling Centres (WRC) for Chantry, Diss, Hadleigh, Halesworth and Mendlesham. It is highlighted that deterioration of the ecological status under the Water Framework Directive does not necessarily mean that Adverse Effects to Site Integrity will be caused to the identified Habitats Sites, but needs to be assessed to ensure planning decisions can avoid impacts from water quality with reasonable scientific doubt.
- 2.3.14 As a result, the further Addendum to Water Cycle Study (October 2020) was undertaken to update the models from a “worst case” scenario” approach to an approach where just the sites identified as Reg. 19 JLP allocations were adopted (alongside sites with extant planning permission, recent completions, windfall and neighbouring authority growth). Thus, giving a more realistic interpretation of the potential impacts from water quality from the JLP proposals. The new forecast identifies that Chantry, Diss, Hadleigh and Mendlesham no longer require further analysis as good ecological status under the Water Framework Directive is likely to be achieved in the future with additional growth predicted. Therefore, deterioration in water quality are no longer predicted from the revised modelling. However, it was identified that Halesworth and Thurston Water Recycling Centres require further investigation to identify impacts from water quality. In addition, Brettenham and Ringshall were considered to not have sufficient recorded data to determine impacts from water quality and therefore mitigation measures may be required to offset impacts from adverse water quality at these Water Recycling Centres.
- 2.3.15 This HRA has assumed that the potential for Likely Significant Effects due to reduced water quality, either from the development alone or in-combination of other plans and projects, only exists for Habitats Sites which are hydrologically connected and have been scoped in with Table 3. Any water pollution which may be caused from more distant development was assumed to be sufficiently diluted and dispersed as to cause a negligible impact. A map showing the proximity of main rivers to Habitat Sites and the Local Plan’s housing allocations can be found in Appendix 6. Therefore, any additional pollutant loads as Halesworth, Thurston, Brettenham and Ringshall were considered to



be negligible as the Water Recycling Centres are situated a sufficient distance away that no Likely Significant Effects are predicted to any Habitats Sites.

2.3.16 It is also indicated that water pollution, such as contaminated surface run-off, is assumed incapable of significant effects on Habitats Sites beyond the District boundary. Therefore, Likely Significant Effects could only affect the Stour and Orwell Estuaries SPA and Ramsar site, Redgrave & South Lopham Fens Ramsar site and Waveney & Lt Ouse Valley Fens SAC.

2.3.17 Furthermore, all housing allocations sites situated within the 5km ZOI of Redgrave and South Lopham Fens Ramsar site and Waveney & Lt Ouse Valley Fens SAC must also be considered for impacts of water quality. Adjacent to the settlement boundary of Botesdale & Rickinghall to the south east lays a Source Protection Zone (Zone I – inner protection zone). Land within Zone II – outer protection zone radiates out from Zone I further to the south east away from the settlement boundary. Therefore, the following polices have been screened into Appropriate Assessment stage:

- LA051 – Land between The Street and A143, Botesdale & Rickinghall
- LA052 – Land north of Mill Road, Botesdale & Rickinghall

Water Quantity

Surface Water Flooding

2.3.18 Development on green field locations can create impermeable surfaces which can increase surface drainage rates. This can cause changes in depth, duration, frequency, magnitude and timing of water supply or flow, which can have significant implications for some water birds in sensitive habitats. Such changes may affect the quality and suitability of habitats used by birds for drinking, preening, feeding or roosting.

2.3.19 The following policies were considered within the scope of the HRA, as magic.gov.uk indicates that the allocations underpinned within the policy are situated within the 5km ZOI for high levels water discharge for the for the Stour & Orwell Estuaries SPA and Ramsar. This includes consideration of any discharge of water or liquid waste of more than 20m³/day to ground (*i.e.* to seep away) or to surface water:

- LA001 - Land east of Norwich Road, Barham
- LA002 - Land north of Church Lane, Barham
- LA003 - Land south of Church Lane, Claydon
- LA005 - 6 Acre Field, Belstead
- LA006 - Land south of Fitzgerald Road, Bramford
- LA007 - Land east of The Street, Bramford
- LA008 - Land south east of Back Lane, Copdock and Washbrook



- LA009 - Land south west of London Road, Copdock and Washbrook
- LA010 - Land south of Chalk Hill Lane and West of Hood Drive, Great Blakenham
- LA011 - Land north of Gipping Road, Great Blakenham
- LA012 - Land north of Burstall Lane and west of B1113, Sproughton
- LA013 - Land north of the A1071, Sproughton
- LA014 - Land at Poplar Lane, Sproughton
- LA016 - Land West of Bourne Hill, Wherstead
- LA018 - Former Sugar Beet Site, Sproughton
- LA101 - Land north of The Street, Wherstead
- LA053 - Land south of Ipswich Road, Brantham
- LA054 - Land East of Longfield Road, Capel St Mary
- LA055 - Land south-west of Rembrow Road, Capel St Mary
- LA059 - Land west of Hadleigh Road, East Bergholt
- LA060 - Land north west of Moores Lane, East Bergholt
- LA061 - Land south of Heath Road, East Bergholt
- LA068 - Land east of Ipswich Road, Holbrook
- LA075 - Land south of The Street, Shotley
- LA101 - Land north of The Street, Wherstead

2.3.20 However, it is considered that these policies will not cause a Likely Significant Effect from impacts of increased water quantity to the Stour and Orwell Estuaries SPA and Ramsar. This is because the Stour and Orwell estuaries are a dynamic natural system, regularly exposed to rapid changes of depth, duration, frequency, magnitude and timing of water supply or flow due to tidal changes.

2.3.21 Therefore, it can be predicted with sufficient certainty that any changes to the water supply or flow from the proposed allocation sites, will cause negligible impacts to Stour and Orwell Estuaries SPA and Ramsar. Therefore, the above policies can be screened out from impacts from increased water quantity to the Stour and Orwell Estuaries SPA and Ramsar.

Reduced Water Resources

2.3.22 Housing growth is likely to increase regional water abstraction rates, which can have serious negative impacts on Habitats sites. This is because over-abstraction can reduce water levels in rivers, causing reduced flow velocity. This can have wide ranging effects on river and wetland habitat parameters, including increased temperatures and nutrient concentrations and reduced oxygen concentrations. Such impacts can be significantly detrimental to rivers' floristic characteristics and to notable species.

2.3.23 Increased use of water sources by a Local Plan also has the potential to affect terrestrial habitats. Excessive abstraction from underlying aquifers could cause a lowering of the



water table and affect the water quality of sensitive wetland habitats so this is restricted through Water Resources Management Plans for the two companies operating in Babergh & Mid Suffolk Districts.

- 2.3.24 Anglian Water 2015 Water Resources Management Plan indicates that there would be no significant negative effects predicted on water efficiency for the areas managed within Babergh and Mid Suffolk Districts. However, the recent Anglian Water 2019 Water Resources Management Plan Draft indicates that drought is currently an issue and will be addressed via a new Potable Water Transfer system.
- 2.3.25 Essex and Suffolk Water also have a Water Resources Management Plan (2014 to cover 2015-2020) and Draft 2019) as well as a Drought Plan (2018) in place to avoid impacts on Redgrave and South Lopham Fens Ramsar site & Waveney & Lt Ouse Valley Fens SAC. This is because water levels have significantly dropped over time, which has impacted the qualifying features of both Habitats Sites. Therefore, the Site Improvement Plans (SIPS) for Waveney & Lt Ouse Valley Fens SAC (Appendix 4) identifies that water quantity was a significant factor affecting site integrity.
- 2.3.26 As a result, the Wortham borehole (for potable supply) had to be located outside the impact risk zone for Redgrave and South Lopham Fens Ramsar and additional water needed for Category 1 demand is sourced from other boreholes. It is therefore considered that there will be no likely significant effect on these Habitats Sites from water abstraction and any nearby housing allocations can also be screened out from further assessment, as water abstraction will not be caused by these housing allocations. This includes the following polices:
- LA051 – Land between The Street and A143, Botesdale & Rickinghall
 - LA052 – Land north of Mill Road, Botesdale & Rickinghall

Air Quality

- 2.3.27 There are number of atmospheric pollutants which can result in direct or indirect impacts to Habitats sites. These impacts are usually caused when the qualifying features are plants, soils and wetland habitats. However, some species may also be indirectly impacted from air pollution causing changes in habitat composition. The primary contributor to atmospheric pollution is transport related activities. Therefore, the main pollutants to atmospheric pollution are considered to be oxides of nitrogen (NOx) or sulphur dioxide (SO2) from traffic emissions. However, high intensities of agricultural practices are also considered to have a significant impact to air pollution. Potential impacts from pollutants and their sources have been highlighted within Table 4.

**Table 4: Main sources and effects of air pollutants on Habitat Sites**

Pollutants	Source	Effects on habitats and species
Acid Deposition	SO ₂ , NO _x and ammonia all contribute to acid deposition. Although future trends in sulphur emissions and subsequent deposition to terrestrial and aquatic ecosystems will continue to decline, it is likely that increased nitrogen emissions may cancel out any gains produced by reduced sulphur levels	Can affect habitats and species from acid rain, as well as, dry deposition. Some habitats will be more susceptible depending on soil type, geology, weathering rate and buffering capacity.
Ammonia (NH ₃)	Ammonia is released following decomposition and volition of animal wastes. It is naturally occurring trace gas, but levels have increased considerably within increased agricultural practices (primarily pig or poultry farming). Ammonia reacts with acid pollutants such as the products of SO ₂ and NO _x emissions to produce fine ammonium (NH ₄) containing aerosol which may be transferred much longer distances (Can therefore be a significant trans-boundary issue).	Adverse effects are as a result of nitrogen deposition leading to eutrophication. As emissions mostly occur at ground level in the rural environment and NH ₃ is rapidly deposited, some of the most acute problems of NH ₃ are for small relict nature reserves located near to intensive agricultural landscapes.
Nitrogen oxides (NO _x)	Nitrogen oxides are mostly primarily produced in combustion processes, such as coal fire power stations.	Deposition of nitrogen compounds (Nitrates, nitrogen dioxide and nitrate acid), can lead to both soil and freshwater acidification. In addition, nitrogen compounds can cause eutrophication of soils and water. This alters the species composition of plant communities and can eliminate sensitive species.
Nitrogen deposition (N)	The pollutants that contribute to nitrogen deposition are derived mainly from NO _x and NH ₃ emissions. These pollutants cause acidification (see also acid deposition) as well as eutrophication.	Species-rich plant communities with relatively high proportions of slow growing perennial species and bryophytes are most at risk from Nitrogen eutrophication, due to its promotion of competitive and invasive species which can respond readily to elevated levels of N. N disposition can



Pollutants	Source	Effects on habitats and species
Ozone (O ₃)	A secondary pollutant generated by photochemical reactions from NO _x and volatile organic compounds. These are mainly released by the combustion of fossil fuels in the UK has led to a large increase in background ozone concentration, leading to an increased number of days when levels across the region are above 40ppb. Reducing ozone pollution is believed to require action at international level to reduce levels of the precursors that form ozone.	also increase the risk of damage from abiotic factors e.g. drought and frost. Concentrations of O ₃ above 40 ppb can be toxic to humans and wildlife, and can affect buildings. Increased ozone concentrations may lead to a reduction in growth of agricultural crops decreased forest production and altered species composition in semi-natural plant communities.
Sulphur Dioxide SO ₂	Main sources of Sulphur Dioxide emission are electricity generation, industry and domestic fuel combustion. May also arise from shipping and increased atmospheric concentrations in busy ports. Total sulphur dioxide emissions have decreased substantially in the UK since the 1980's.	Wet and dry depositions of Sulphur Dioxide acidify soils and freshwater, and alters the species composition of plant and associated animal communities. The significance of impacts depends on levels of deposition and the buffering capacity of soils.

2.3.28 The World Health Organisation³ has determined the critical threshold of NO_x concentrate for the protection of vegetation at 30 µgm⁻³ (one-millionth of a gram per cubic metre air). Consequently, studies have been undertaken to determine the 'critical loads' of atmospheric nitrogen deposition (that is, NO_x combined with ammonia NH₃) for various habitats within Habitats Sites.

2.3.29 Nitrogen deposition has been included as a key vulnerability/ factors affecting site integrity for the Site Improvement Plans for the Stour and Orwell Estuaries SPA and Minsmere to Walberswick Heaths & Marshes SPA, Deben Estuary SPA and Waveney and Little Ouse

³ World Health Organisation (2006). WHO Air quality guidelines for particulate matter, ozone, nitrogen dioxide and sulphur dioxide http://apps.who.int/iris/bitstream/handle/10665/69477/WHO_SDE_PHE_OEH_06.02_eng.pdf;jsessionid=E274B7697403E0EC4B008261B936A0F4?sequence=1



Valley Fens SAC because Nitrogen deposition exceeds relevant critical loads for these sites.

- 2.3.30 The leading cause of increased Nitrogen deposition at these Habitats Sites has been identified locally from agricultural practices, *i.e.* land spreading, outdoor pigs, high nutrient inputs on fields. This may result in protected habitats being altered, which may in turn, may impact the SPA Birds which rely on these specific habitats.
- 2.3.31 No other pollutants listed above have been identified as a factor affecting site integrity and the Local Plan will not relate to agricultural practices. However, impacts caused by these pollutants may not be known due to a lack of evidence on local impacts. Therefore, Air Quality has been scoped in for the HRA screening.

Disturbance

- 2.3.32 Disturbance concerns species, rather than habitats *e.g.* wetland birds. It may be limited in time (noise, source of light etc.). The intensity, duration and frequency of repetition of disturbance are therefore important parameters. The following factors can be regarded as significant disturbance.
- 2.3.33 Any event, activity or process contributing to the:
- The long-term decline of the population of the species on the site.
 - The reduction, or to the risk of reduction, of the range of the species within the site.
 - The reduction of the size of the available habitat of the species.
- 2.3.34 Factors such as noise, light, dust and vibration, litter are capable of causing significant disturbances for species, *e.g.* Wintering waterfowl populations.
- 2.3.35 *Managing Natura 2000 Sites* states that: “Disturbance of a species occurs on a site from events, activities or processes contributing, within the site, to a long-term decline in the population of the species, to a reduction or risk of reduction in its range, and to a reduction in its available habitat. This assessment is done according to the site’s conservation objectives and its contribution to the coherence of the network.”
- 2.3.36 Recreation can create increased pressure on the qualifying features of the Habitats Sites scoped in. They all have bird interest and / or associated habitats which have the potential to be adversely affected by increased recreational pressure.
- 2.3.37 The Site Improvement Plans identify the following as potentially disturbing activities: visual and noise disturbance of bird populations by walkers, especially those with dogs; marine activities such as angling, jet skiing and kite surfing, bait digging, powerboating and recreational boating. Localised damage to vegetation and soils by frequent pedestrian traffic, mountain bikes and trail bikes could also result in adverse effects, particularly if



there are qualifying habitats, and have been included as part of the consideration of recreational pressures.

- 2.3.38 Habitats Regulations Assessments for a number of residential developments (and neighbourhood plans) in Babergh and Mid Suffolk have established that proposed housing developments may cause a likely significant effect arising from recreational disturbance either alone, or in combination with other housing developments. The subsequent appropriate assessments have resulted in the development of the Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) to assess the potential impacts caused by housing growth in Suffolk and has involved extensive research, including visitor surveys. This is considered the most effective model to deliver mitigation to avoid adverse effects on site integrity from the Babergh and Mid Suffolk Joint Local Plan.
- 2.3.39 The Suffolk Coast RAMS has developed Zones of Influence (ZOI) for recreational disturbance, and those relevant to the Local Plan are set out in Table 5 below.
- 2.3.40 The Babergh and Mid Suffolk Joint Local Plan will therefore need to secure appropriate mitigation to ensure that it is sound. This mitigation is considered in the appropriate assessment and so all housing allocation policies are included for consideration at the next stage.

Table 5. Zones of Influence for Recreational Disturbance

European Designated Site	Underpinning SSSIs	Zone of Influence (km)
Stour and Orwell Estuaries SPA & Ramsar Site	Stour and Orwell Estuaries SSSI	13
Deben Estuary SPA & Ramsar Site	Deben Estuary SSSI	13
Minsmere - Walberswick SPA and Ramsar Site & Minsmere to Walberswick Heaths & Marshes SAC	Minsmere-Walberswick Heaths and Marshes SSSI	13

2.4 Screening categorisation

- 2.4.1 Screening is set out in Chapter 3 of this report and Appendix 2 considers each policy in the Local Plan and the results of the screening exercise recorded, using the precautionary principle. Each policy and land allocation included in the Local Plan has been categorised. A 'traffic light' system has been used to record the potential for policies and allocated sites to have a Likely Significant Effect, using the system of colours in Table 6 below.



Table 6. Habitats Regulations Assessment Screening Categorisation

Category A: Significant effects not likely
<p>Category A identifies those policies that would not result in a Likely Significant Effect and are considered to have no adverse effect. These policies can be 'screened out' and no further assessment is required. This is because, if there are no adverse effects at all, there can be no adverse effect to contribute to in combination effects of other plans or projects.</p>
Category B: Significant effects uncertain
<p>Category B identifies those policies which will have no significant adverse effect on the site. That is, there could be some effect but none which would undermine the conservation objectives, when the policy is considered on its own. Given that there may be some effect this now needs to be considered in combination with other plans or projects. If these effects can be excluded in combination, the policy can be screened out and no further assessment required. However, if the possibility of a significant adverse effect in combination cannot be ruled out there will be a Likely Significant Effect in combination, and Appropriate Assessment will be required.</p>
Category C: Likely Significant Effect
<p>Category C identifies those policies which cannot be ruled out as having a Likely Significant Effect upon a Habitat Site, alone, that is the effect could undermine the conservation objectives. In this case an Appropriate Assessment is triggered without needing to consider in combination effects at screening stage, although they may need to be considered at Appropriate Assessment.</p>

2.5 Appropriate Assessment and the Integrity Test

- 2.5.1 Where the Joint Local Plan for Babergh and Mid Suffolk Districts may cause Likely Significant Effects, the second stage is to undertake an 'Appropriate Assessment' of the implications of the plan (either alone or in combination with other plans or projects) and establish whether there may be an Adverse Effect on Integrity (AEOI) of any Habitats Sites in view of their Conservation Objectives. The process undertaken for the Appropriate Assessment is set out in Chapter 4 of this report.
- 2.5.2 Some policies of the Local Plan can be used to mitigate some of the potential Likely Significant Effects which have been identified. These can be considered at Appropriate Assessment. This stage thus becomes an iterative process as avoidance and reduction measures can be incorporated in order to be able to ascertain that there is *no Adverse Effect on Integrity* on any Habitats Site, before making a final assessment.



2.5.3 The Appropriate Assessment should be undertaken by the competent authority and should assess all aspects of the Local Plan which can by themselves, or in combination with other plans and projects, affect the sites' Conservation Objectives. The assessment must consider the implications for each qualifying feature of each potentially affected Habitats Site. Key vulnerabilities are set out in Appendix 4 and the Site Improvement Plans were used to obtain this information. Site Improvement Plans have been developed for each Habitats Site in England as part of the 'Improvement Programme for England's Natura 2000 sites (IPENS)'. The plan provides a high level overview of the issues (both current and predicted) affecting the condition of the Natura 2000 features on the site(s) and outlines the priority measures required to improve the condition of the features. These can be found at:

<http://publications.naturalengland.org.uk/category/5458594975711232>.

2.5.4 In order to identify potential in combination effects other plans and projects which may affect the Habitats Sites need to be identified. The list of county and district level plans which provide for development in Babergh and Mid Suffolk Districts as well as Nationally Strategic Infrastructure Projects (NSIPs) to be considered will be identified in liaison with the Sustainability Appraisal.

2.5.5 In accordance with the requirements of the Habitats Regulations, Natural England should be formally consulted on the Appropriate Assessment document.



3. Screening of Likely Significant Effects

3.1 Screening Policies for Likely Significant Effect

- 3.1.1. This chapter summarises the potential for Likely Significant Effects identified, based upon Chapter 2 and using Categories A, B and C above. It advises as to where Likely Significant Effects can be ruled out. The need for an 'Appropriate Assessment' is triggered where the HRA Screening stage identifies policies which may have a Likely Significant Effect on any Habitats Sites (see Appendix 1)
- 3.1.2. A number of impact pathways have been identified in Chapter 2 above and these have been screened in below. Nine Habitats Sites have been scoped in for HRA screening. Where this is likely to result in a significant effect, or where there is uncertainty, in line with the precautionary approach being applied in the HRA, until significant effects can be ruled out, they are treated as giving rise to Likely Significant Effects.
- 3.1.3. Policies are screened out where they would not result in development because they either set out criteria relating to development proposed under other policies are very general in nature or they seek to protect the natural environment.
- 3.1.4. A summary of the assessment is set out in Appendix 2. Conclusions take into account the potential effects of other plans and projects. Each policy was considered in the context of the policy Screening criteria above.
- 3.1.5. The Habitats Sites whose ZOI falls partly within Babergh and Mid Suffolk Joint Local Plan have been scoped in and are listed below:
- Stour and Orwell Estuaries SPA
 - Stour and Orwell Estuaries Ramsar site
 - Deben Estuary SPA
 - Deben Estuary Ramsar site
 - Minsmere – Walberswick SPA
 - Minsmere – Walberswick Ramsar site
 - Minsmere to Walberswick Heaths & Marshes SAC
 - Redgrave and South Lopham Fens Ramsar site
 - Waveney & Lt Ouse Valley Fens SAC
- 3.1.6. An initial assessment has been undertaken to identify whether the Local Plan's policies has the potential to have any Likely Significant Effects on any Habitats Sites. The notes in the RIS for Ramsar sites of factors affecting site's ecological character are not



considered as necessary for HRA screening purposes and noteworthy features are not treated as qualifying features in the application of HRA tests. The assessment under the provisions of the Habitats Regulations is strictly limited to the qualifying features which meet the Ramsar criteria.

3.1.7. The table below Table 7 lists the policies that have the potential to cause a Likely Significant Effect, before taking mitigation into account and therefore require Appropriate Assessment. All policies are shown in the Screening Table in Appendix 2.

Table 7. Policies that have the Potential to Cause a Likely Significant Effect and their Impact Pathways

Policy	Loss of Functionally Linked Land	Disturbance	Water Quality	Water Quantity	Air Pollution	Potential for In Combination Effects
Policy SP01 – Housing Needs		✓				✓
Policy SP05 – Employment Land		✓	✓			✓
Policy SP08 – Infrastructure Provision						✓
Policy LP09 - Provision for Gypsy and Traveller and Travelling Showpeople	✓	✓	✓			✓
Policy LP10 - Moorings and Marinas		✓	✓			✓
Policy LP24 – New Agricultural/ Rural Buildings	✓	✓	✓		✓	✓



Policy	Loss of Functionally Linked Land	Disturbance	Water Quality	Water Quantity	Air Pollution	Potential for In Combination Effects
in the Countryside						
LA001 – Allocation: Land east of Norwich Road, Barham						✓
LA002 – Allocation: Land north of Church Lane, Barham						✓
LA003 – Allocation: Land south of Church Lane, Claydon						✓
LA005 – Allocation: 6 Acre Field, Belstead						✓
LA006 – Allocation: Land south of Fitzgerald Road, Bramford						✓
LA007 – Allocation: Land east of The Street, Bramford						✓
LA008 - Allocation:						✓



Policy	Loss of Functionally Linked Land	Disturbance	Water Quality	Water Quantity	Air Pollution	Potential for In Combination Effects
Land south east of Back Lane, Copdock and Washbrook						
LA009 – Allocation: Land south west of London Road, Copdock and Washbrook						✓
LA010 – Allocation: Land south of Chalk Hill Lane and West of Hood Drive, Great Blakenham						✓
LA011 – Allocation: Land north of Gipping Road, Great Blakenham						✓
LA012 – Allocation: Land north of Burstall Lane and west of B1113, Sproughton						✓
LA013 – Allocation:						✓



Policy	Loss of Functionally Linked Land	Disturbance	Water Quality	Water Quantity	Air Pollution	Potential for In Combination Effects
Land north of the A1071, Sproughton						
LA014 – Allocation: Land at Poplar Lane, Sproughton						✓
LA016 – Allocation: Land West of Bourne Hill, Wherstead						✓
LA027 - Allocation: Former Babergh District Council Offices, Hadleigh						✓
LA028 – Allocation: Land north east of Frog Hall Lane, Hadleigh						✓
LA051 – Allocation: Land between The Street and A143, Botesdale & Rickinghall			✓			
LA052 – Land north of Mill			✓			



Policy	Loss of Functionally Linked Land	Disturbance	Water Quality	Water Quantity	Air Pollution	Potential for In Combination Effects
Road, Botesdale & Rickinghall						
LA053 – Allocation: Land south of Ipswich Road, Brantham						✓
LA054 – Land East of Longfield Road, Capel St Mary						✓
LA055 – Land south-west of Rembrow Road, Capel St Mary						✓
LA059 – Allocation: Land west of Hadleigh Road, East Bergholt						✓
LA060 – Allocation: Land north west of Moores Lane, East Bergholt						✓
LA061 – Land south of Heath Road, East Bergholt						✓



Policy	Loss of Functionally Linked Land	Disturbance	Water Quality	Water Quantity	Air Pollution	Potential for In Combination Effects
LA068 – Allocation: Land east of Ipswich Road, Holbrook						✓
LA075 – Land south of The Street, Shotley						✓
LA101 – Allocation: Land north of The Street, Wherstead						✓
LA102 – Allocation: Land west of Old Norwich Road, Whitton						✓
LA107 – Allocation: Land east of Bramford Road, Bramford						✓

3.2 Policies carried forward to Appropriate Assessment Stage

3.2.1. All policies are shown in the HRA Screening Table in Appendix 2 and those marked red or amber are screened in as having the potential for Likely Significant Effects, alone or in combination with other plans and projects, before taking mitigation into account and therefore require Appropriate Assessment.



3.3 Habitat Sites Screened in for Appropriate Assessment

3.3.1 The potential impact pathways, between Habitats Sites and Local Plan policies, identified at HRA Screening stage, are shown in Table 8 below.

Table 8. Habitats Sites, Impact Pathways and Examples of LSE Identified at Screening Stage

Nature of potential impact	Which Habitats Site(s) could the Babergh and Mid Suffolk Joint Local Plan affect (alone or in combination with other plans and project)?	How the Babergh and Mid Suffolk Local Plan (alone or in combination with other plans and projects) could affect a Habitats site?	Likely to result in Significant Effect and therefore require further assessment?
Habitat loss / Land take by development	N/A	Allocations are all outside the boundaries of any Habitats sites	No
Impact on features (protected species) outside the protected site boundary	<ul style="list-style-type: none"> Stour and Orwell Estuaries SPA & Ramsar Site 	Some allocations are within the Zone of Influence of Habitats sites & policies may affect features outside the protected site boundary.	Possible
Recreational disturbance Other Disturbance	<ul style="list-style-type: none"> Stour and Orwell Estuaries SPA & Ramsar Site Deben Estuary SPA & Ramsar Minsmere – Walberswick SPA & Ramsar site; Minsmere to Walberswick Heaths & Marshes SAC 	<p>Some residential allocations are within the Zone of Influence of Habitats sites</p> <p>Some allocations are within the Zone of Influence of Habitats sites & policies may affect features outside the protected site boundary</p>	Yes
		Some allocations are within the Zone of Influence of Habitats	Yes



Nature of potential impact	Which Habitats Site(s) could the Babergh and Mid Suffolk Joint Local Plan affect (alone or in combination with other plans and project)?	How the Babergh and Mid Suffolk Local Plan (alone or in combination with other plans and projects) could affect a Habitats site?	Likely to result in Significant Effect and therefore require further assessment?
Water quantity and quality (pollution)	<ul style="list-style-type: none"> Stour and Orwell Estuaries SPA & Ramsar Site Redgrave and South Lopham Fens Ramsar site Waveney & Lt Ouse Valley Fens SAC 	sites & policies may affect features outside the protected site boundary	
Air Quality	<ul style="list-style-type: none"> Stour and Orwell Estuaries SPA & Ramsar Site Redgrave and South Lopham Fens Ramsar site Waveney & Lt Ouse Valley Fens SAC 	Some allocations are within the Zone of Influence of Habitats sites & policies may affect features outside the protected site boundary.	Possible

3.3.2 Potential effects listed for the above Habitats Sites cannot be ruled out from being likely to be significant and the pathways require further consideration. The Table summarises the main ways in which the Local Plan could cause Likely Significant Effects. Some of the potential Likely Significant Effects could be mitigated through the implementation of other proposals in the Local Plan itself.

3.4 HRA Screening Conclusion and Considering the Next Stage

3.4.1 The range of potential impacts on Habitats Sites has been considered and assessed. In line with the *recent Court judgment (CJEU People Over Wind v Coillte Teoranta C-323/17)*, mitigation measures can no longer be taken into account when carrying out a HRA screening assessment to decide whether a plan or project is likely to result in Likely Significant Effects on a Habitats Site. Consequently, HRA screening has concluded that



it is not possible to rule out the potential for Likely Significant Effects without further assessment and possible mitigation for the indicated polices.

- 3.4.2 An Appropriate Assessment is therefore required under the UK Conservation of Habitats and Species Regulations 2017 (as amended). The Babergh and Mid Suffolk Local Plan may only be adopted after having ascertained that it will not result in adverse effect on integrity of the Habitats Sites within scope of this assessment.
- 3.4.3 This stage is an iterative process as measures can be incorporated in order to be able to ascertain that there is no significant adverse effect on the integrity, before re-screening and making a final assessment.



4. Appropriate Assessment and Considering Adverse Effects on Integrity of Habitats Sites

4.1 Introduction and Outline Methodology

- 4.1.1 As some of its Local Plan's policies have been screened in as having the potential to cause Likely Significant Effects without considering mitigation measures, Babergh and Mid Suffolk District Councils, as the competent authorities, need to undertake further assessment.
- 4.1.2 This should involve an 'Appropriate Assessment' of the implications of the Local Plan, either alone or in combination with other plans or projects, in order to establish whether there may be an Adverse Effect on the Integrity of any Habitats Sites in view of their Conservation Objectives. This stage is to undertake objective scientific assessment of the implications of the Local Plan on the Qualifying Features of the listed Habitats Sites using the best scientific knowledge in the field. It should apply the best available techniques and methods to assess the extent of the effects of the Local Plan on the integrity of the Habitat Sites. The description of the site's integrity and the impact assessment should be based on the best possible indicators specific to the Habitat Sites' qualifying features, which can also be useful in monitoring the impact of the Local Plan's implementation.
- 4.1.3 The Appropriate Assessment should assess all aspects of the Local Plan which can by themselves, or in combination with other plans and projects, affect the Conservation Objectives of one or more Habitats Sites although these are not set for Ramsar sites. The assessment must consider the implications for each qualifying feature of each potentially affected Habitats Site. The focus of the appropriate assessment is therefore on the species and / or the habitats for which the Habitats Site is designated.
- 4.1.4 The best scientific knowledge⁴ should be used when carrying out the Appropriate Assessment in order to enable the competent authority to conclude with certainty that there will be no Adverse Effect on the Integrity of any Habitats Site. This will therefore support a conclusion that is "beyond scientific doubt".
- 4.1.5 It is important that the Appropriate Assessment provides a better understanding of potential effects and can therefore assist in the identification of mitigation measures where possible to avoid, reduce or cancel significant effects on Habitats Sites which could be applied when undertaking the 'integrity test'. All mitigation measures built into the Local Plan can be taken into account. The Appropriate Assessment is an iterative process, re-

⁴ Waddenzee ruling (C-127/02 paragraphs 52-54, 59)



assessing changes and new or different mitigation measures before making its final conclusion. It must be clear which mitigation measures are being relied upon in order to meet the integrity test.

- 4.1.6 The integrity test must apply the precautionary principle. However, plan assessments are less precise than project assessments, and so it is important for the assessment process to eliminate the prospect of adverse effects integrity insofar as it is possible, given the level of specificity of this Local Plan.
- 4.1.7 In order to fulfil the above requirements, this Appropriate Assessment will therefore use the following process, and will be structured by the potential impact pathways.
- 4.1.8 It is also highlighted that advice has been provided from the European Court of Justice regarding the 'tiering' of HRAs where there are multiple levels of plan-making, recognising that the purpose of a high level plan is to set out broad policies and intentions without going into any detail. When the UK was first required to undertake HRA of plans, Advocate-General Kokott commented on the apparent tension between the requirements of the Habitats Directive and the intentionally vague nature of high-level strategic plans. She responded that to address this apparent tension 'It would ...hardly be proper to require a greater level of detail in preceding plans [rather than lower tier plans or planning applications] or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan [emphasis added]. This assessment is to be updated with increasing specificity in subsequent stages of the procedure' [*i.e.* for planning applications or lower tier plans] (Opinion of Advocate-General Kokott, 2005).
- 4.1.9 Explicitly enshrining the requirement for project-level HRA in the plans – since it is not possible to rule out adverse effects on the integrity of many European sites due simply to the high level nature of the plan policies, 'down-the-line' assessment becomes essential.
- 4.1.10 A monitoring and Iterative Plan Review (IPR) provision therefore needs to be embedded in the Local Plan. Monitoring is not mitigation; however, where there is a lack of detail over the precise effects of a plan (because, as in this case, the purpose of the plan is to set over-arching policy, not present specific proposals), an Iterative Plan Review process enables the delivery of development to be managed and the plan (and its HRA) to be updated in future reviews. It involves recognising the fact that development associated with policies in the plan will not be delivered all at once but piecemeal over the entire plan timetable. This process will involve a phased and iterative approach to plan-implementation which is linked to ongoing project developments and their associated monitoring work and with the findings from such project-level work feeding back into the



next phases of plan-implementation. This is done so that results from monitoring data from consented projects and on-going research programmes can be fed into subsequent developments in order for lessons to be learnt and evidence gaps filled, thus reducing potential impacts to Habitats sites.

Policies / Allocations and Habitats Sites within Scope

- 4.1.11 The Likely Significant Effects considered at screening stage have been carried forward for consideration at Appropriate Assessment. The policies and their potential to have adverse effects on any Habitats Site through a variety of impact pathways are now considered in more detail, for example disturbance, direct and indirect effects; extent of the effects (habitat area, species numbers or areas of occurrence); importance and magnitude (e.g. considering the affected area or population in relation to the total area and population size).
- 4.1.12 The policies and allocations listed in Table 7 have the potential to cause a likely significant effect and the Table lists their impact pathways.
- 4.1.13 Table 8 lists the Habitats Sites identified at screening stage and shows the potential impact pathways and key Likely Significant Effects identified.
- 4.1.14 Key vulnerabilities of each Habitats Site are set out in Appendix 4 using the relevant Site Improvement Plans. Site Improvement Plans have been developed for each Habitats (Natura 2000) Site in England as part of the 'Improvement Programme for England's Natura 2000 sites (IPENS)' but they do not include Ramsar sites. Each Site Improvement Plan provides a high level overview of the issues (both current and predicted) affecting the condition of the Natura 2000 features on the site(s) and outlines the priority measures required to improve the condition of the features These can be found at: <http://publications.naturalengland.org.uk/category/5458594975711232>.

4.2 Court Judgements and their consideration in this Report

CJEU People Over Wind v Coillte Teoranta C-323/17

- 4.2.1 As previously mentioned, in line with the Court judgement (CJEU People Over Wind v Coillte Teoranta C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats Site. This HRA Appropriate Assessment therefore considers mitigation measures for the assessment of Likely Significant Effects resulting from the Babergh & Mid Suffolk District Councils Joint Local Plan.



- 4.2.2 In accordance with this Judgement, all mitigation measures already built into the Local Plan can now be taken into account for the Appropriate Assessment. At this stage other policies of the Plan can be considered in order to mitigate some of the potential Likely Significant Effects which have been identified. This stage is an iterative process as avoidance and reduction measures can be incorporated in order to be able to avoid the potential impacts identified in the Appropriate Assessment or reduce them to a level where they will no longer adversely affect the site's integrity.
- 4.2.3 An example may include a requirement for Sustainable Drainage Schemes (SuDS) for new housing and employment sites which can help to mitigate for surface water flooding and prevent water pollution.
- 4.2.4 Where there may still be adverse effects on the ecological integrity of Habitats Sites, in view of the Site's conservation objectives, additional mitigation measures may also need to be proposed. Generic mitigation is used where possible. This should help to address water quality, air pollution, noise, and other (non-recreational) forms of disturbance. Construction Environment Management Plans (CEMP - Biodiversity) – often a condition of consent - can help to direct seasonal working, damping down of dust and measures to alleviate noise pollution.

CJEU Holohan C- 461/17

- 4.2.5 Court rulings include CJEU Holohan C-461/17 (7 November 2018) which now imposes more detailed requirements on the competent authority at Appropriate Assessment stage:
1. [...] an 'Appropriate Assessment' must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.
 2. [...] the competent authority is permitted to grant to a plan or project consent which leaves the developer free to determine subsequently certain parameters relating to the construction phase, such as the location of the construction compound and haul routes, only if that authority is certain that the development consent granted establishes conditions that are strict enough to guarantee that those parameters will not adversely affect the integrity of the site.
 3. [...] where the competent authority rejects the findings in a scientific expert opinion recommending that additional information be obtained, the 'Appropriate Assessment' must include an explicit and detailed statement of reasons capable of dispelling all reasonable scientific doubt concerning the effects of the work envisaged on the site concerned.



- 4.2.6 It is therefore necessary to consider species likely to be present on the Habitats sites, but for which that site has not been listed – e.g. birds which are designated features of the underpinning SSSI – and to consider the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site. Those species found outside the European designated site boundary are likely to be covered by the consideration of impacts on functionally linked land.
- 4.2.7 The designated features of the Stour Estuary SSSI have been assessed and it is not considered that there will be any additional impacts on the qualifying features that have not already been addressed within the Stour and Orwell Estuaries SPA and Ramsar.
- 4.2.8 However, the Orwell Estuary SSSI citation includes a number of breeding bird assemblages that are present during the summer. The breeding bird assemblages are concentrated in three main areas (Trimley Marshes, Shotley Marshes, and Loompit Lake, Levington) and contain the following species:
- Little Grebe *Tachybaptus ruficollis*;
 - Great Crested Grebe *Podiceps cristatus*;
 - Mute Swan *Cygnus olor*;
 - Shelduck *Tadorna tadorna*;
 - Gadwall *Mareca strepera*;
 - Garganey *Spatula querquedula*;
 - Shoveler *Spatula clypeata*;
 - Pochard *Aythya ferina*;
 - Tufted Duck *Aythya fuligula*;
 - Ringed Plover *Charadrius hiaticula*;
 - Reed bunting *Emberiza schoeniclus*;
 - Lapwing *Vanellus vanellus*;
 - Redshank *Tringa totanus*;
 - Pied Avocet *Recurvirostra avosetta* (a nationally important population); and
 - Cormorant *Phalacrocorax carbo* (an Inland nesting colony).
- 4.2.9 These summer breeding populations have not been considered within the assessment for the Stour and Orwell Estuaries SPA and Ramsar and therefore impacts on the above species must also be considered with this assessment.

CJEU Joined Cases C-293/17 and C-294/17 Coöperatie Mobilisation for the Environment and Vereniging Leefmilieu

- 4.2.10 These Dutch cases concerned authorisations schemes for agricultural activities in Habitats sites which cause nitrogen deposition and where levels already exceeded the



critical load. These are not directly connected with or necessary for the management of a Habitats site and “highlights” of the ruling include:

1. Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora must be interpreted as meaning that the grazing of cattle and the application of fertilisers on the surface of land or below its surface in the vicinity of Natura 2000 sites may be classified as a ‘project’ within the meaning of that provision, even if those activities, in so far as they are not a physical intervention in the natural surroundings, do not constitute a ‘project’ within the meaning of Article 1(2)(a) of Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment.

2. Article 6(3) of Directive 92/43 must be interpreted as meaning that a recurring activity, such as the application of fertilisers on the surface of land or below its surface, authorised under national law before the entry into force of that directive, may be regarded as one and the same project for the purposes of that provision, exempted from a new authorisation procedure, in so far as it constitutes a single operation characterised by a common purpose, continuity and, inter alia, the location and the conditions in which it is carried out being the same. If a single project was authorised before the system of protection laid down by that provision became applicable to the site in question, the carrying out of that project may nevertheless fall within the scope of Article 6(2) of that directive.

...

6. Article 6(3) of Directive 92/43 must be interpreted as meaning that an ‘appropriate assessment’ within the meaning of that provision may not take into account the existence of ‘conservation measures’ within the meaning of paragraph 1 of that article, ‘preventive measures’ within the meaning of paragraph 2 of that article, measures specifically adopted for a programme such as that at issue in the main proceedings or ‘autonomous’ measures, in so far as those measures are not part of that programme, if the expected benefits of those measures are not certain at the time of that assessment.

7. Article 6(3) of Directive 92/43 must be interpreted as meaning that measures introduced by national legislation, such as that at issue in the main proceedings, including procedures for the surveillance and monitoring of farms whose activities cause nitrogen deposition and the possibility of imposing penalties, up to and including the closure of those farms, are sufficient for the purposes of complying.

4.2.11 This ruling is relevant to projects which trigger appropriate assessment before any consents are issued so should be considered when identifying other plans and projects for an in- combination assessment.



(R (on the Application of Preston) v Cumbria County Council [2019] EWCA 1362)

4.2.12 This case relates to a High Court verdict which quashed a County Council's decision to vary a planning permission for a water company to construct a sewage outfall on a Special Area of Conservation (SAC). Therefore, planning authorities and other competent authorities cannot, in appropriate assessments, simply rely on the competence of other regulators to avoid conducting their own assessments. They must instead themselves satisfy their own HRA duties. The judgement concluded:

Regulation 63(1) provides that the trigger for making an appropriate assessment is that the relevant plan or project 'is likely to have a significant effect on a European site.

Regulation 63(3) envisages consultation with the appropriate nature conservation body taking place at the stage of the appropriate assessment and accordingly after the initial view that there is likely to be significant effect has been formed. The conclusion as to whether the integrity of the relevant site will be adversely affected is to be made 'in the light of the conclusions of the assessment'

(Regulation 63(5)) and it is at that stage that regard is to be had to the manner in which the project is to be carried out and to the conditions or restrictions which the authority is minded to impose.

(Regulation 63(6)) The effect of restrictions imposed by another regulatory body is seen as an aspect of the manner in which a project is to be carried out and so falling for consideration under Regulation 63(6) at the end of the assessment process rather than as removing the need for an appropriate assessment.

4.3 Applying the Integrity Test

4.3.1 Following the Appropriate Assessment and the consideration of all mitigation measures, the competent authority needs to make a judgement on whether any of the policies will have an Adverse Effect on Integrity on any Habitats Site, either alone or in combination with other plans and projects. This will be set out in Chapter 4 and summarised in Appendix 3. This test incorporates the precautionary principle.



4.4 In Combination Effects with other Plans and Projects

4.4.1 The Appropriate Assessment also includes a comprehensive identification of all the potential effects of the Local Plan likely to be significant, taking into account the combination of the effects of the Local Plan with those of other plans or projects. An example is the implementation of the Suffolk Coast RAMS through Policy SP09 – (Cross-boundary mitigation of effects on Protected Habitats) which will provide strategic mitigation measures for all new housing developments within the Zone of Influence for recreational disturbance, to avoid effects in combination with other plans and projects. This is necessary as it cannot be concluded that no new residents will visit the Habitats site so residual effects arising from the development cannot be scoped out.

4.5 Embedding Mitigation into the Local Plan

4.5.1 Babergh and Mid Suffolk District Councils, as the competent authorities, should consider the manner in which the Local Plan is to be implemented and any mitigation measures which could be relied upon when deciding whether it would have an Adverse Effect on Integrity, including when and how they can be embedded into the Local Plan. It needs to ensure that mitigation is embedded into the Plan through amendments to policies where necessary. It is not sufficient to rely on a general policy aimed at protecting Habitats Sites. Instead, explicit caveats need to be included where there may be conflicts between a general policy to protect Habitats Sites from development and another policy.

4.5.2 Each impact is assessed e.g. air quality, water quality, disturbance, and has a summary of the additional mitigation measures required to avoid adverse effect on site integrity (AEOI) and the recommendations are set out to embed the mitigation into the Local Plan.

4.6 Re-applying the Integrity Test

4.6.1 At this stage the integrity test should be re-applied. Where there may still be adverse effects on the ecological integrity of Habitats Sites, in view of the Site's conservation objectives, additional mitigation measures should be considered.



4.6.2 This AA provides tables for each potential impact pathway where it considers individual policies, how they might be mitigated and whether embedded mitigation is sufficient to avoid Adverse Effect on Integrity.

4.7 Monitoring

4.7.1 Recommendations for further monitoring have been recommended for Air Quality in section 4.14.

4.8 Consulting Natural England

4.8.1 Natural England will be informally and formerly consulted on the Local Plan during the public consultation process.

4.9 Loss of Functionally Linked Land / Impact on Features on Land outside Habitats Sites

Policies/Allocations and Habitats Sites within scope

4.9.1 At Screening stage, the Stour and Orwell Estuaries SPA and Ramsar Site was the only Habitats Site listed as having the potential for Likely Significant Effects as a result of functionally linked land issues. This is because the only functionally linked land within the Babergh and Mid Suffolk District Council is situated to the west of the River Orwell.

4.9.2 Policy LP09 (Provision for Gypsy and Traveller and Travelling Showpeople) is the only policy which has been carried forward to Appropriate Assessment stage as a precaution. This is because the HRA Screening stage could not rule out the potential for Likely Significant Effects through the loss of functionally linked land, as allocation sites have not been identified.

4.9.3 Therefore, without mitigation, Policy LP09 could impact on qualifying features (*i.e.* species) which travel outside the Habitats Sites. Consequently, the Local Plan could result in effects on qualifying interest species within the Habitats Sites, for example through the loss of feeding grounds for an identified species. Offsite habitat (in this case land outside of the Stour and Orwell Estuaries SPA and Ramsar) can be used by birds for feeding,



roosting, foraging and loafing, especially large fields comprising arable and pastoral land uses and coastal habitats.

Use of Mitigation Measures

- 4.9.4 It is recommended that as no Gypsy and Traveller and Travelling Showpeople sites are allocated, assessment of any application within functionally linked agricultural land in Wherstead would require project HRA screening. This will ensure that disturbance to Brent Geese, which use functionally linked land in this location, will be avoided. LP17. All planning applications will be assessed by all relevant Local Plan Policies including the Environmental Protection Policy LP17.

Applying the Integrity Test

- 4.9.5 With the mitigation proposed, the Plan should not result in any adverse effects on site integrity.

Embedding Mitigation into the Local Plan

- 4.9.6 To ensure certainty that a Loss of Functionally Linked Land will not be caused by Policy LP09, it is still recommended that the Policy wording is amended to ensure that any allocation sites for Gypsy and Traveller and Travelling Showpeople will be chosen in areas which will not impact Functionally Linked Land. This should outline that the LPA will need to prepare a project-level HRA to assess the likely impacts from development if proposed sites are situated within the SSSI ZOI of Habitats Sites.
- 4.9.7 All allocations sites must have a project level HRA if they are proposed within the ZOI of coastal Habitats Sites (Stour and Orwell Estuaries SPA and Ramsar & Deben Estuary SPA and Ramsar) to avoid impacts from recreational disturbance, in combination of other plans and projects. However, if an allocated site is situated within the agricultural land in Wherstead, a project level HRA will also assess the additional impacts from the development alone and therefore will also identify whether allocated sites will result in a likely significant effect to functionally linked land.



4.10 Water Quality

- 4.10.1 This section of the report considers the potential for adverse effects to Habitats Sites through changes in water quality as a result of development.
- 4.10.2 Contaminants may have a range of biological effects on different species within the supporting habitat, depending on the nature of the contaminant (**Joint Nature Conservation Committee (JNCC), 2004**), (**UK Technical Advisory Group on the Water Framework Directive (UKTAG), 2008**), (**Environment Agency, 2014**). This in turn can adversely affect the availability of bird breeding, rearing, feeding and roosting habitats, and potentially bird survival.

Policies / Allocations and Habitats Sites within Scope

- 4.10.3 At Screening stage, the following Habitats Sites were listed as having the potential for Likely Significant Effects as a result of water quality issues:
- Stour and Orwell Estuaries SPA and Ramsar
 - Redgrave & South Lopham Fens Ramsar
 - Waveney & Lt Ouse Valley Fens SAC
- 4.10.4 All of the above Habitats Sites support features which are dependent on water quantity and quality. Any changes in water quality therefore have the potential to significantly impact the Habitat sites.
- 4.10.5 An assessment of the key vulnerabilities contained within the Site Improvement Plans for the Habitats Sites within the scope of the HRA (Appendix 4) identified that water quality was a significant factor affecting site integrity for Waveney and Little Ouse Valley Fens SAC. The primary cause of this adverse impact has been identified as being caused by nutrient enrichment from agricultural run-off particularly from nearby outdoor poultry and pig units. However, to avoid further adverse impacts to Waveney and Little Ouse Valley Fens SAC, it is considered appropriate that a precautionary approach for water quality should be undertaken for any housing allocations within the 5km ZOI of the Habitats Site. This would include water quality mitigation measures during the construction and operation phases of a development to avoid impacts from development alone or in combination with other plans and projects. These measures would also apply for Redgrave & South Lopham Fens Ramsar as the site overlaps with Waveney and Little Ouse Valley Fens SAC and contains similar qualifying features.



- 4.10.6 The Site Improvement Plans for the Habitats sites listed above do not identify water quality as a significant factor affecting site integrity for the Stour and Orwell Estuaries SPA and Ramsar. However, a number of policies have still been considered within the appropriate assessment, because a Likely Significant Effect from water quality could be caused from the Stour and Orwell Estuaries SPA and Ramsar. This is because the impacts from policy are unknown and therefore a Likely Significant Effect cannot be ruled out or a policy has referenced a location which is within or nearby the Stour and Orwell SPA and Ramsar and therefore any significant changes to the hydrological regime may result in adverse effects to the highlighted Habitats Sites due to potential impacts from the development alone or in-combination.
- 4.10.7 Where the qualifying features of a Ramsar site would or could be adversely affected by a plan or project, the tests at Appropriate Assessment would need to be based on Article 4 of the Ramsar Convention, which allows a Contracting Party (in this case the UK government) to delete or restrict the boundaries of sites only “ in its urgent national interest”.
- 4.10.8 At HRA Screening stage the following Policies were listed as having the potential for Likely Significant Effects as a result of water quality issues:
- Policy SP05 – Employment Land
 - Policy LP09 – Provision for Gypsy and Traveller and Travelling Showpeople
 - Policy LP10 – Moorings and Marinas
 - Policy LP24 - New Agricultural/Rural Buildings in the Countryside
 - Policy LP28 – Water resources and infrastructure
 - Policy LA051 – Land between The Street and A143, Botesdale & Rickinghall
 - Policy LA052 – Land north of Mill Road, Botesdale & Rickinghall
- 4.10.9 The policy SP05 references employment land which is either close to coastal Habitats Sites or is close to a water source which would provide a direct impact pathway to the Stour and Orwell Estuaries SPA and Ramsar. Therefore, it is considered that without mitigation in place, an adverse impact on site integrity could be caused to the referenced Habitats Sites.
- 4.10.10 The policy LP09 was carried forward to Appropriate Assessment as a precaution. This is because the HRA Screening stage could not rule out the potential for Likely Significant Effects from water quality, as allocation sites have not been identified. However, impacts will only likely be caused if allocated sites are situated adjacent to Habitats Sites.
- 4.10.11 The Policy LP10 references that planning permission for house boats could be permitted at Pin Mill and Chelmondiston. These areas are located within the Stour and Orwell Estuaries SPA and Ramsar. Therefore, to avoid adverse impacts from site integrity to the



referenced Habitats Sites, water quality mitigation must be outlined prior to planning permission being granted for any houseboat application.

4.10.12 The policies LA051 and LA052 relate to housing allocations sites situated within the 5km ZOI of Redgrave and South Lopham Fens Ramsar site and Waveney & Lt Ouse Valley Fens SAC. Therefore, it is considered that without mitigation in place, it is likely that there will be an adverse impact on site integrity to the Habitats Sites. The other policies may result in water quality issues during the construction process depending on the location of the development.

4.10.13 The policy LP24 refers to the provision to the good design of new Agricultural buildings to increase the business operations of agricultural practices. It has partly been carried forward to appropriate assessment as the policy wording has not referenced measures to avoid impacts from water quality.

Use of Mitigation Measures

4.10.14 All planning applications will be assessed by all relevant Local Plan Policies including the Environmental Protection Policy LP17.

Policy SP05 – Employment Land

4.10.15 The following sites must undertake works following Policy LP17 - Environmental Protection and the Guidance for Pollution Prevention (GPPs) - Netregs.org.uk:

- a) Claydon & Great Blakenham – Claydon Business Park, Claydon Court, Addison Way,
- b) Bramford Rd/Lodge Lane Industrial Estate, Gipping Road Industrial Estate
- c) Wherstead – Wherstead Business Park
- d) Sproughton – Former Sugar Beet site, Farthing Road Industrial Estate, London Road A1214

4.10.16 Development proposals will need to demonstrate it protects groundwater, surface water features and controls aquatic pollution, which could be implemented via a Construction Environment Management Plan for Biodiversity covered by the Environmental Policy LP17.

Policy LP09 - Provision for Gypsy and Traveller and Travelling Showpeople

4.10.17 To avoid potential impacts from Gypsy and Traveller and Travelling Showpeople allocation sites, it is recommended that the Babergh and Mid Suffolk Local Plan Local Plan policy wording is amended. This should indicate that a project-level HRA to assess the likely impacts from development if proposed sites are situated within the ZOI of the



Stour and Orwell Estuaries SPA and Ramsar & Redgrave and South Lopham Fens Ramsar site and Waveney & Lt Ouse Valley Fens SAC. Any project level HRA provided for these allocated sites will then assess the potential impacts from Water quality and will determine the need for further mitigation if required. This will be covered by Environmental Policy LP17.

Policy LP10 – Moorings, Marinas and Houseboats

4.10.18 A project level HRA will need to be provided to identify any specific water quality requirements which need to be addressed for individual planning applications. Therefore, it is recommended that the policy wording is amended to ensure that a project level HRA is undertaken for each houseboat planning application. It is also recommended that the Stour and Orwell Estuaries SPA and Ramsar is referenced within the policy wording to highlight that specific mitigation is required to avoid impacts to this protected site. Mitigation implemented will need to be specific to each planning application and must involve demonstration that Policy LP17 - Environmental Protection and Guidance for Pollution Prevention GPPs – (Netregs.org.uk) have been adhered to throughout the development. If a permit is required from the Environment Agency, then this should be outlined prior to determination of a proposed scheme to ensure compliance with (R (on the Application of Preston) v Cumbria County Council [2019] EWCA 1362).

Policy LA051 – Land between The Street and A143, Botesdale & Rickinghall

4.10.19 To avoid impacts to site integrity to Redgrave and South Lopham Fens Ramsar site and Waveney & Lt Ouse Valley Fens SAC. The allocation site must demonstrate that it protects groundwater, surface water features and controls aquatic pollution. Therefore, compliance with Policy LP17 - Environmental Protection and Guidance for Pollution Prevention (GPPs) – (Netregs.org.uk) must be demonstrated. It is recommended that this could be secured via a Construction Environmental Management Plan, which could be secured as a condition of any consent to be secured prior to commencement.

Policy LA052 – Land north of Mill Road, Botesdale & Rickinghall

4.10.20 To avoid impacts to site integrity to Redgrave and South Lopham Fens Ramsar site and Waveney & Lt Ouse Valley Fens SAC. The allocation site must demonstrate that it protects groundwater, surface water features and controls aquatic pollution. Therefore, compliance with Policy LP17 - Environmental Protection and Guidance for Pollution Prevention (GPPs) – (Netregs.org.uk) must be demonstrated. It is recommended that this could be secured via a Construction Environmental Management Plan, which could be secured as a condition of any consent to be secured prior to commencement.



Policy LP24 - New Agricultural/Rural Buildings in the Countryside

4.10.21 To avoid adverse effects to site integrity to the Stour and Orwell Estuaries SPA & Ramsar, Redgrave and South Lopham Fens Ramsar site and Waveney & Lt Ouse Valley Fens SAC from policy LP24, it is recommended that the all agricultural applications must include a general Construction Environmental Management Plan demonstrating that Guidance for Pollution Prevention (GPPs) – (Netregs.org.uk) will be adhered to throughout the development. This should be secured as a condition of any consent to be secured prior to commencement, unless a project level Habitats Regulations Assessment is required to support the application. This will be covered by Environmental Policy LP17.

Applying the Integrity Test

4.10.22 With the mitigation proposed, the Plan should not result in any adverse effects on site integrity.

Embedding Mitigation into the Local Plan

4.10.23 In order to avoid Adverse Effect on the Integrity of Habitats Sites, the recommendations amendments for the above policies are:

Policy LP09 - Provision for Gypsy and Traveller and Travelling Showpeople

4.10.24 To ensure certainty that impacts from water quality to Habitats Sites will be avoided by Policy LP09, it is, as previously recommended, that the Policy wording is amended to ensure that any allocation sites for Gypsy and Traveller and Travelling Showpeople will be chosen in areas which will not impact Functionally Linked Land. This should outline: *if proposed sites are situated within the SSSI ZOI of Habitats Sites. then the LPA will need to prepare a project-level HRA to assess the likely impacts from development*, Any project level HRA provided for these allocated sites will then assess the potential impacts from Water quality and will determine the need for further mitigation if required. This will be covered by Environmental Policy LP17.

Policy LP24 - New Agricultural/Rural Buildings in the Countryside

4.10.25 To ensure certainty that adverse effects to site integrity will be avoided to Habitats Sites from the provision of new Agricultural Buildings, it is recommended that the Policy wording is amended to ensure that adverse effects to site integrity will be avoided via water quality. This is imperative for new or amended large scale and/or intensified agricultural practices for livestock (*i.e.* pig or poultry farming). This will be covered by Environmental Policy LP17.



4.10.26 As a result, it is proposed that bullet point '2.' is changed to the following wording: **The nature of any proposal in the locality and its relationship and impacts with surroundings (including but not limited to Habitats Sites and protected species, listed buildings and settings).** In addition, it is proposed that bullet point '6.' is changed to the following wording: **proposals for large scale and/or intensified agricultural activity within rural areas must provide safe access. It must be demonstrated that such proposal would not create or cause significant levels of traffic, particularly lorries/HGV's on rural roads. The proposal must also ensure the location, design and scale of the proposal does not have a significant adverse effect on the character and appearance of the locality; must not cause any significant amenity impacts; must avoid adverse effects to site integrity to Habitats Sites via reductions in air or water quality; and must not cause any conflict of uses through any impacts on existing rural commercial activity/business.**

4.11 Air Quality

4.11.1 This section of the report considers the potential for adverse effects to Habitats Sites through changes in air quality as a result of new development. It is highlighted that the main source of air pollution is typically from traffic emissions, particularly along the major routes, as stated within the Highways Agency Design Manual for Road and Bridges (DMRB). This assumes that air pollution from roads is unlikely to be significant beyond 200m from the road itself. As a result, as no allocations are situated within 200 metres of Habitats Site, it is considered that adverse effects to site integrity from traffic emissions will be avoided. However, twelve roads were identified to be present within 200m from a Habitats Site within Babergh and Mid Suffolk. As a result, further air quality monitoring has been proposed in section 4.14.2, in relation to ever increasing traffic volume within the districts. These monitoring proposals do not relate to any specific policy or allocation and will not be further considered within section 4.11.

Policies / Allocations and Habitats Sites within Scope

4.11.2 At Screening stage the following Habitats Sites were listed as having the potential for Likely Significant Effects as a result of water quality issues:

- Stour and Orwell Estuaries SPA and Ramsar
- Deben Estuary SPA & Ramsar
- Redgrave & South Lopham Fens Ramsar
- Waveney & Lt Ouse Valley Fens SAC



- 4.11.3 The Site Improvement Plan for the Stour and Orwell Estuaries SPA indicate that there is a risk of atmospheric nitrogen deposition. This is because nitrogen deposition exceeds the relevant critical loads for coastal dune habitats used by breeding terns and hence there is a risk of harmful effects from changes in coastal habitat that these qualifying features use. This is also the case for the Deben Estuary, as its Site Improvement Plan indicates that modelled aerial deposits of nitrogen within Deben Estuary exceed the threshold limit above which the diversity of saltmarsh vegetation begins to be altered (possibly to reed) and adversely impacted. It has been highlighted that this is likely being caused by in combination impacts from land spreading and land use practices with high nutrient inputs e.g. outdoor pig farms.
- 4.11.4 At HRA Screening stage the only policy listed as having the potential for Likely Significant Effects as a result of air quality issues was Policy LP24 - New Agricultural/Rural Buildings in the Countryside. Policy LP24 refers to the provision to the good design of new agricultural buildings to increase the business operations of agricultural practices. It has partly been carried forward to appropriate assessment as the policy wording has not referenced measures to avoid impacts from reductions of air quality. As new agricultural/rural buildings could relate to the provision of land use practices with high nutrient inputs (*i.e.* pig or poultry farms).

Use of Mitigation Measures

Policy LP24 - New Agricultural/Rural Buildings in the Countryside

- 4.11.5 To ensure certainty that impacts will be avoided to Habitats Sites from the provision of new Agricultural Buildings, it is recommended that the Babergh and Mid Suffolk Local Plan Local Plan policy wording is amended. This should indicate that impacts from air quality will need to be avoided from any submitted development. Application involving pig or poultry farming will require a project-level HRA will be required to assess the likely impacts if they are situated within the ZOI of the Stour and Orwell Estuaries SPA and Ramsar & Redgrave and South Lopham Fens Ramsar site and Waveney & Lt Ouse Valley Fens SAC. Any project level HRA provided will need to be supported by an appropriate air quality assessment to allow a sufficient evidence base and determine the need for further mitigation if required.

Applying the Integrity Test

- 4.11.6 With the mitigation proposed, the Plan should not result in any adverse effects on site integrity.



Embedding Mitigation into the Local Plan

Policy LP24 - New Agricultural/Rural Buildings in the Countryside

- 4.11.7 To ensure certainty that impacts will be avoided to Habitats Sites from the provision of new Agricultural Buildings, it is recommended that the Policy wording is amended to ensure that adverse impacts will not be caused via reduced air quality, water quality or to functionally linked land. This is imperative for new or amended large scale and/or intensified agricultural practices for livestock (*i.e.* pig or poultry farming).
- 4.11.8 Therefore, all applications which involve pig or poultry farming should contain an Air Quality Report to accompany the planning application. This should screen the proposal to check for the likelihood of significant effects from aerial emissions on the highlighted designated sites. This should particularly consider impacts from the development alone from ammonia and must conclude that the proposal will result in ammonia concentrations would be below the Natural England advisory criterion of 1% of the Critical Level OF 3.0 µg/m³ and the Critical Load of 10.0 kg/ha at the above designated sites. In addition, a project level Habitats Regulations Assessment – Appropriate Assessment should be undertaken by the Local Authority, to be reviewed by Natural England as the Nature Conservation Body.
- 4.11.9 As a result, it is proposed that bullet point ‘2.’ is changed to the following wording: **The nature of any proposal in the locality and its relationship and impacts with surroundings (including but not limited to Habitats Sites and protected species, listed buildings and settings).** In addition, it is proposed that bullet point ‘6.’ is changed to the following wording: **proposals for large scale and/or intensified agricultural activity within rural areas must provide safe access. It must be demonstrated that such proposal would not create or cause significant levels of traffic, particularly lorries/HGV’s on rural roads. The proposal must also ensure the location, design and scale of the proposal does not have a significant adverse effect on the character and appearance of the locality; must not cause any significant amenity impacts; must avoid adverse effects to site integrity to Habitats Sites via reductions in air or water quality; and must avoid any conflict of uses through any impacts on existing rural commercial activity/business.**

4.12 Disturbance

- 4.12.1 This section includes an increase of any type of physical disturbance, for example; improved access due to transport infrastructure projects or increased noise arising from construction work.



Policies/Allocations and Habitats Sites within scope

4.12.2 At Screening stage, the following Habitats Sites were listed as having the potential for Likely Significant Effects as a result of direct disturbances issues:

- Stour and Orwell Estuaries SPA and Ramsar
- Redgrave & South Lopham Fens Ramsar
- Waveney & Lt Ouse Valley Fens SAC

4.12.3 At Screening stage, the following Policies were listed as having the potential for Likely Significant Effects as a result of direct disturbance issues:

- Policy SP05 – Employment Land
- Policy SP08 – Infrastructure Provision
- Policy LP09 - Provision for Gypsy and Traveller and Travelling Showpeople
- Policy LP10 – Moorings, Marinas and Houseboats
- Policy LP24 - Agricultural buildings
- LA016 – Allocation: Land West of Bourne Hill, Wherstead
- LA075 – Land south of The Street, Shotley
- LA101 – Allocation: Land north of The Street, Wherstead

Use of Mitigation Measures

4.12.4 Where construction may cause potential impacts, measures proposed include a Construction Environment Management Plan (CEMP - Biodiversity) which can address seasonal working, damping down of dust, measures to alleviate noise and visual disturbance. This will be covered by Environmental Policy LP17.

4.12.5 Disturbance will therefore be avoided via submission of precautionary mitigation strategies for noise, visual, dust and light disturbance. This should be secured as a condition of any consent within a Construction Environmental Management Plan and lighting design schemes.

4.12.6 However, if an application is within or directly adjacent to Habitats Sites, further bespoke disturbance mitigation measures may also be required at application stage and a project level Habitats Regulations Assessment must be secured. This would likely involve the developer submitting evidence following the details contained within the Waterbird Disturbance Mitigation Toolkit Informing Estuarine Planning & Construction Projects



(Hemingway & Spencer)⁵. These additional measures will most likely be required for development which will comply with Policy LP10 – Moorings, Marinas and Houseboats.

- 4.12.7 In addition, Policy LP11 - Employment Development highlights that any employment areas will deliver good practices to avoid disturbance issues during the construction phase. Therefore, we are satisfied that sufficient precautionary measures are within the Local Plan to avoid impacts from direct disturbance to the allocated employment areas indicated within Policy SP05.
- 4.12.8 Consultation with Natural England on this Appropriate Assessment is required for advice on the proposed/ required mitigation before reaching a decision at application stage on adverse effects on the integrity of Habitats Sites

Applying the Integrity Test

- 4.12.9 With the mitigation proposed, the Plan should not result in any Adverse Effects on Site Integrity to Stour and Orwell Estuaries SPA and Ramsar, Redgrave & South Lopham Fens Ramsar and Waveney & Lt Ouse Valley Fens SAC

Embedding Mitigation into the Local Plan

- 4.12.10 The proposed mitigation measures for the indicated policies will be covered by Environmental Policy LP17.

4.13 Recreational Disturbance

- 4.13.1 This section particularly considers the predicted impacts from recreational use of an area resulting from new housing development.
- 4.13.2 Given the location of the eastern part of Babergh and southern part of Mid Suffolk Districts in relation to the coastal Habitats sites, without mitigation, the quantity of residential development allocated in the Joint Local Plan is likely to result in significant number of new residents visiting them for their daily recreational needs. Natural England advice reference 186522 (dated 25th May 2016) and the subsequent revised interim advice reference 218775 (22 June 2017) specifically applies to the recreational impacts that may occur on the bird interest features of the SPA. The Access to high quality natural

⁵ <http://bailey.persona-pi.com/Public-Inquiries/M4%20-%20Revised/11.3.67.pdf>



greenspace with from the Plan alone is therefore necessary to avoid adverse effect on site integrity of the Habitats sites within scope of this Appropriate Assessment

Policies/Allocations and Habitats Sites within scope

4.13.3 At Screening stage, the following Habitats Sites were listed as having the potential for Likely Significant Effects as a result of direct disturbances issues:

- Stour and Orwell Estuaries SPA and Ramsar
- Deben Estuary SPA and Ramsar

4.13.4 At Screening stage all of the Policies for residential allocations for over 50 dwellings within the 13km ZOI of Suffolk Coast RAMS, were listed as having the potential for Likely Significant Effects as a result of predicted recreational disturbance issues:

- LA003 - Land south of Church Lane, Claydon (Approximately 75 dwellings and associated infrastructure)
- LA006 - Land south of Fitzgerald Road, Bramford (Approximately 100 dwellings with associated infrastructure)
- LA007 - Land east of The Street, Bramford (Approximately 195 dwellings with associated infrastructure)
- LA008 - Land south east of Back Lane, Copdock and Washbrook (Approximately 226 dwellings with associated infrastructure)
- LA012 - Land north of Burstall Lane and west of B1113, Sproughton (Approximately 75 dwellings (and associated infrastructure)
- LA013 - Land north of the A1071, Sproughton (Approximately 1,100 dwellings and associated infrastructure)
- LA014 - Land at Poplar Lane, Sproughton (Approximately 475 dwellings and associated infrastructure)
- LA016 - Land West of Bourne Hill, Wherstead (Approximately 75 dwellings and associated infrastructure)
- LA027 - Former Babergh District Council Offices, Hadleigh (Approximately 50 dwellings with associated infrastructure)
- LA028 – Land north east of Frog Hall Lane, Hadleigh (Approximately 500 dwellings with associated infrastructure)
- LA054 - Land East of Longfield Road, Capel St Mary (Approximately 100 dwellings with associated infrastructure)
- LA055 - Land south-west of Rembrow Road, Capel St Mary (Approximately 550 dwellings with associated infrastructure)



- LA060 - Land north west of Moores Lane, East Bergholt (Approximately 144 dwellings with associated infrastructure)

4.13.5 In addition, further clarity is proposed for LP10 – Moorings, Marinas and Houseboats, to ensure the policy demonstrates compliance with the Suffolk Coast RAMS.

Use of Mitigation Measures

4.13.6 As per Natural England's advice letter, the Joint Local Plan needs to consider the availability of on-site (*i.e.* within development boundaries) avoidance measures (such as the recommended Green Infrastructure within Annex I of Natural England's referenced strategic letter).

4.13.7 Annex I Natural England's recommendations for larger scale residential developments within the Suffolk Coast RAMS Zone of Influence (ZoI) states that applications for 50 units + or equivalent, as a guide, should include provision of well-designed open space/green infrastructure, proportionate to its scale. Such provisions can help minimise any predicted increase in recreational pressure to the Habitats sites by containing the majority of recreation within and around the development site boundary away from Habitats sites. Suitable Accessible Natural Green Space (SANGS) guidance here can be helpful in designing this. As a minimum, Natural England advise that such provisions should include:

- High-quality, informal, semi-natural areas
- Circular dog walking routes of 2.7 km within the site and/or with links to the surrounding public rights of way (PRoW)
- Dedicated 'dogs-off-lead' areas
- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long-term maintenance and management of these provisions

4.13.8 Natural England would be happy to advise developers and/or their consultants on the detail of this at the pre-application stage through their charged Discretionary Advice Service (DAS).

4.13.9 There is a potential for population growth arising in the Districts to have an adverse effect on integrity of Habitats sites through increased recreational pressure. Whilst on-site green infrastructure provision can offset some of this pressure and impacts from the development alone, the coast will nonetheless be a unique draw to visitors as it provides an environment which cannot be replicated elsewhere. It is therefore important that high quality greenspace is provided within walking distance of residential site allocations.



4.13.10 Most of the residential site allocations do not have high-density and can provide green infrastructure within them, such as circular routes. However, mapping of residential site allocations has been prepared to show that open space is available within 1.3km walking distance for daily recreational needs with no restrictions on dogs. Provision of Green Infrastructure for residential development within the ZOI of the Stour and Orwell Estuaries SPA and Ramsar site is embedded into the Local Plan to support the project level HRAs at application stage to meet the recommended provision of avoidance measures within the individual developments. This green infrastructure provision aims to avoid adverse effect on site integrity from recreational disturbance/pressure impacts when the Local Plan is considered alone.

4.13.11 Furthermore, it is proposed that a minor amendment to Policy LP10 – Moorings, Marinas and Houseboats should be undertaken to ensure further clarity that recreational disturbance should be avoided at the defined locations, in line with the Suffolk Coast RAMS.

Applying the Integrity Test

4.13.12 With the mitigation proposed, the Plan should not result in any adverse effects on site integrity from the Plan alone.

Embedding Mitigation into the Local Plan

4.13.13 Residential allocations for over 50 dwellings within the 13km ZOI of Suffolk Coast RAMS

4.13.14 Policies for residential site allocations for over 50 dwellings listed above – need to secure access to sufficient greenspace at application stage in line with Annex I of Natural England advice referenced above by adding to supporting text & requiring project level HRA.

Policy LP10 – Moorings, Marinas and Houseboats

4.13.15 To ensure certainty that impacts from water quality to the Stour and Orwell Estuaries SPA & Ramsar, it is recommended that policy text has the following minor amendment as follows:

“Outside of the defined moorings and marinas located at Pin Mill, Woolverstone, Shotley and Fox’s at Wherstead, there will be no introduction or extension of moorings, marinas and houseboats or the ancillary land based activities across the Stour and Orwell estuaries SPA and Ramsar site (Suffolk Coast RAMS zone of influence) .



4.13.16 Within the defined moorings and marinas, planning permission will only be granted if all of the following criteria are met to the satisfaction of the LPA:

“The proposal will not result in any adverse effect (either through construction and or operation) on the integrity of the Stour and Orwell SPA and Ramsar and the Suffolk Coast and Heath AONB. If planning permission is granted a Construction Management Plan must be agreed prior to commencement of development to demonstrate mitigation of construction impacts.”

4.14 Assessment of Impacts in Combination with Other Plans and Projects

4.14.1 A series of individually modest impacts may, in combination, produce a significant impact. Cumulative impacts may only occur over time, so plans or projects which are completed, approved but uncompleted, or proposed should all be considered. The assessment should not be restricted to similar types of plans and projects.

4.14.2 In the context of this AA, the relevant other plans to be considered in combination with Babergh & Mid Suffolk Joint Local Plan are listed in Table 9 below.

Table 9. Other plans or projects considered for in combination effects

Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
Mid Suffolk District Council	Core Strategy Habitats Regulations Assessment (Appropriate Assessment) October 2007)	The HRA found no likely significant effects from the Plan on the Breckland SAC/SPA and Waveney and Little Ouse Valley Fens SAC.	It is considered that in combination likely significant effects are not predicted.
Babergh District Council	Habitats Regulations Assessment of Core Strategy 2011	The Core Strategy aims to minimise impacts on the Orwell and Stour estuaries, a European-designated site which supports species that are susceptible to	It is considered that in combination likely significant effects are not predicted.



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
		<p>disturbance. The principal potential impact on the European sites as a result of development proposed under the Core Strategy relates to increased recreational pressure. The Strategy therefore sets out a series of measures to ensure that the policies will not have a significant effect on the European sites.</p>	
<p>Babergh and Mid Suffolk Joint Local Plan</p>	<p>Babergh and Mid Suffolk Local Plan Reg 18: Habitat Regulations Assessment and Appropriate Assessment (Place Services, 2019)</p>	<p>The HRA report including Appropriate Assessment indicates that the Babergh & Mid Suffolk Joint Local Plan is not predicted to have any adverse effect on integrity (AEOI) on any Habitats Sites, either alone or in combination with other plans and projects.</p>	<p>N/A</p>
<p>St Edmundsbury Borough Council</p>	<p>Core Strategy HRA screening (2010)</p>	<p>The HRA found no potential for in combination effects as no other current plans or projects that are likely to lead to significant effects on the Breckland SAC/SPA or the Waveney and Little Ouse Valley Fens SAC have been identified, or where impacts have been identified they</p>	<p>It is considered that in combination likely significant effects are not predicted.</p>



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
		have been adequately mitigated.	
Suffolk Coastal District Council	Habitats Regulations Assessment of the Suffolk Coastal District Local Plan at Final Draft Plan Stage (Dec 2018)	It is recommended that the Suffolk authorities should be mindful of the potential issue for impacts from air quality and plan for more detailed analysis of risks across the county, to inform the next plan reviews. This should include air quality modelling that incorporates a specific consideration of potential deposition rates within 200m of European sites.	<p>Potential risk of traffic emissions to Habitats sites with features sensitive to air pollution.</p> <p>Recommendation that the Council commits to working with neighbouring authorities to gather more data to inform future Local Plan reviews.</p>
Ipswich Borough Council	HRA of Ipswich Borough Local Plan at Final Draft Plan stage (Jan 2020)	The HRA screening has identified key themes and a number of site allocations for more detailed assessment at the AA stage.	Recreational disturbance from residential developments within the 13km Zone of influence.
Tendring District Council	Habitats Regulation Assessment of Tendring District Local Plan Publication Draft Section 2 (LUC, October 2018)	Tendring District Draft Publication Local Plan Section 2, has been updated to include the specific policy safeguards and commitments previously recommended, and providing that the additional mitigation measures and	Recreational disturbance from residential developments within the 13km Zone of influence.



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
		<p>safeguards in relation to policies SAE5 and SAE6 are adopted and successfully implemented, it can be concluded that there will be no adverse effects on European sites either alone or in combination.</p> <p>Water Quality: Additional safeguards to water quality- by addressing water treatment capacity issues prior to specific developments.</p>	
Colchester Borough Council	HRA (AA) (June 2017, CBC Spatial Policy Team)	No adverse effect, once mitigation measures are in place.	None
Braintree District Council	HRA for North Essex Authorities Shared Strategic Part 1 for Local Plans - Pre-Submission (Regulation 19) (LUC, May 2017)	<p>Providing that key recommendations and mitigation requirements are adopted and implemented the Shared Strategic Part 1 for Local Plans will not result in adverse effects on the integrity of European sites either alone or in-combination. This used the Essex Minerals LP, Essex Waste LP & Essex Local Transport Plan (and many others) in its assessment.</p>	None.



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
		<p>Loss of off-site habitat: Wintering Bird surveys to ensure that parcels of land below the 1% threshold of significance; development phasing & mitigation</p> <p>Water Quality: Additional safeguards to water quality- by addressing water treatment capacity issues prior to specific developments.</p>	
<p>Greater Norwich Development Partnership</p>	<p>Habitats Regulations Assessment of the Greater Norwich Local Plan Draft Plan (Dec 2019)</p>	<p>Satisfactory completion of a Water Cycle Study; production of a Norfolk-wide GI and RAMS to deliver mitigation of recreational impacts; and clarification of Policy 6 noting the need for HRA for tourist accommodation.</p>	<p>There are three strands to providing satisfactory mitigation</p> <ul style="list-style-type: none"> • a tariff-based payment taken from residential, and other relevant accommodation e.g. tourist accommodation, to fund a mixture of mitigation measures, most likely consisting of: soft and hard mitigation measures at the designated Habitats sites themselves to increase their resilience to greater visitor numbers. • the provision of suitable alternative natural green space (SANGs), which would



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
			<p>be large enough to meet a range of needs and sufficiently well publicised for effective mitigation. The current Broadland District Council Development Management DPD policy EN3 may be considered as a precedent for housing growth in the emerging Greater Norwich Local Plan, although consideration will need to be given to new evidence emerging as part of plan production.</p> <ul style="list-style-type: none"> • Implementation of a wider programme of Green Infrastructure Improvements in accordance with current and emerging project plans so that residents of existing and proposed housing have an alternative to Habitats sites for daily activities such as dog walking.
Breckland Council	Breckland Local Plan Habitats Regulations Assessment at Main Modifications Stage (Feb 2019)	The buffer zones for Stone Curlew are established and understood, and continue to be a key mitigation measure	Growth at Attleborough will need to be considered alongside the findings and further recommendations of the Water Cycle Study and should have



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
		<p>(refined in light of the new data). It recommends a review of current air quality monitoring and add roads within 200m of Habitats sites. This would inform a trigger for requesting air quality assessments as part of planning applications, to determine whether this adequately protects Habitats sites from air quality impacts.</p>	<p>particular regard for the isolated site of the Norfolk Valley Fens SAC located to the south west of Attleborough.</p>
Babergh District Council	Orwell Food Enterprise Zone, Wherstead, HRA screening report (Sept 2016)	<p>Natural England advice stated that taking into account the location & current state of the proposal site (buildings and hard standings separated from the estuary by a main road), impacts on functional habitat (<i>i.e.</i> habitat used by SPA bird species outside the SPA boundary for foraging etc.) appears unlikely. Also, taking into account the proposed uses (B1, B2 and B8) recreational disturbance impacts also appear unlikely (<i>i.e.</i> no residential uses proposed which would typically present more of a concern). Car</p>	<p>None if measures secured for residential developments are implemented in full.</p>



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
		<p>parking will not be permitted with the exception of visitors parking and parking for the disabled” which eliminates another potential risk of attracting more visitors to that section of the estuary. Conditions for design and method of working will need to be secured for any applications under this LDO.</p>	
<p>Suffolk County Council</p>	<p>Suffolk Local Transport Plan Update Appropriate Assessment (2018)</p>	<p>There are six transport schemes and five enhancement schemes that, without mitigation, have potential for adverse effect on site integrity (AEOI). As the transport and enhancement schemes listed in Table 3 have not yet reached the design stage, it is recommended that in order for the LTP Update to progress, project level assessment are prepared when sufficient information is available in order to avoid an adverse effect on the integrity of any Habitats Sites.</p>	<p>There are potential impacts linked to water and air quality and disturbance to Annex 1 birds; measures to avoid or mitigate these impacts need to be embedded into projects at the design stage to avoid AEOI.</p>



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
Suffolk County Council	Suffolk Minerals and Waste Local Plan HRA (Dec 2018)	Allocations for mineral extraction at Barnham, Cavenham, and Wangford were found to be likely to have a significant effect on European sites. However, an assessment of potential impacts found evidence to demonstrate that the Local Plan would have no adverse effect upon the integrity of any European site.	No other plans or projects have been identified which would have effects in combination with the Suffolk Minerals and Waste local Plan. However, air quality monitoring has been recommended by other HRAs with other authorities.
Neighbourhood Development Plans	Individual Plan level HRA reports	All residential development within the Zone of Influence has been or will be considered by the relevant District Council and will be mitigated through project level AAs or under the strategic Suffolk Coast RAMS	None as strategic mitigation for in combination impacts from recreational disturbance will be delivered by the Suffolk Coast RAMS

There are no relevant projects to be considered in combination with the Babergh & Mid Suffolk Local Plan.

Recreational disturbance

4.14.3 In 2016, Natural England identified the Suffolk coast as a priority for strategic and proactive planning engagement and mitigation. This was due to the high numbers of dwellings that were likely to come forward for each Local Plan alone and also in combination within the relevant Local Plans by 2038 to meet projected housing needs. The concern was the potential recreational impacts that these new residents could have upon the Habitats sites.



- 4.14.4 Natural England proposed a strategic approach to LPAs and recommended identifying the scale of the disturbance and implementing measures to mitigate impacts through the preparation of a joint Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).
- 4.14.5 Based on existing evidence of visitor pressures, Natural England advised that the Councils should work together to prepare the Strategy. To reflect the differing Local Plan adoption dates of these authorities, Natural England advised that a Supplementary Planning Document should be the mechanism to secure developer contributions towards the mitigation measures identified as necessary by the Strategy.
- 4.14.6 Natural England's advice was that the Local Plans must have a clear policy commitment to producing a Mitigation Strategy, with a clear timeframe for its completion. This should be by the time the Local Plan is adopted to ensure any developments coming forward as part of the plan have certainty that there are mitigation measures which can be implemented as soon as the Local Plan is live.
- 4.14.7 The Suffolk Coast RAMS partner LPAs agreed that a strategic solution to mitigate the impacts of recreational disturbance from Local Plans was a sensible approach to take the support of Natural England. As a consequence, the Suffolk Coast RAMS Project has prepared a strategic approach to support the Local Plans and its implementation will deliver effective measures to avoid and mitigate for recreational disturbance from planned housing growth.
- 4.14.8 It is therefore considered that relevant residential development in Babergh & Mid Suffolk Districts requires mitigation to avoid adverse impacts on the integrity of the Habitats sites within scope through increased recreational pressure, when considered in combination with other plans and projects.
- 4.14.9 Formal advice issued to Babergh District Council by Natural England (August 2016) identified that, in combination with other plans and projects, all residential development within the zone of influence (Zol) for the Suffolk Coast RAMS would be likely to result in a significant effect on a number of Habitats Sites.
- 4.14.10 The housing policies allocate land within the zone of influence (Zol) for the Suffolk Coast RAMS and the development falls within the following development types:
- New dwellings of 1+ units (excludes replacement dwellings and extensions)
 - Houses in Multiple Occupancy (HMOs)
 - Student Accommodation
 - Residential care homes and residential institutions (excludes nursing homes)
 - Residential caravan sites (excludes holiday caravans and campsites)
 - Gypsies, travellers and travelling show people plots



4.14.11 Babergh & Mid Suffolk District Councils are two of the 4 Local Planning Authorities (LPAs) which are partners who are responsible for the delivery of the Suffolk Coast RAMS. This has identified a detailed programme of strategic mitigation measures which are to be funded by developer contributions for residential development schemes as identified above.

Air Quality Monitoring

4.14.12 Although there are potential risks in relation to traffic emissions, these predominantly relate to an ever-increasing volume of traffic on the A12 and A14 and it is not possible to pinpoint particular site allocations of concern. This issue relates to Habitats sites with features sensitive to air pollution e.g. Waveney & Lt Ouse Valley Fens SAC and Redgrave and South Lopham Fens Ramsar site.

4.14.13 Air quality has been identified as a relevant impact for Habitats Sites and the councils are committed to working with neighbouring authorities to gather data to inform future local plan reviews. This should include air quality monitoring points where roads are within 200m of a Habitats site which have been highlighted within Appendix 7 & 8

4.14.14 This includes the following locations for the Stour and Orwell Estuaries SPA and Ramsar:

- A137, Bridge across the Stour Estuary;
- Factory Lane, Brantham;
- Bergholt Road, Cattawade;
- Queech Lane, Stutton
- Shotley Pier, Kind Edward VII Drive, Shotley Gate;
- Shotley Marina, Kind Edward VII Drive, Shotley Gate;
- Old Hall Road, Shotley;
- Pin Mill Road, Pin Mill;
- B1456, South of the Orwell Bridge; and
- B1456, Adjacent to Foxes Marina.

4.14.15 This includes the following locations for the Waveney & Little Ouse Valley Fens SAC and Redgrave & South Lopham Fens Ramsar site:

- B1113, Redgrave; and
- Fen Street, Redgrave.

4.14.16 It is considered likely that clarification to remove the likelihood of AEOI from the Plan in combination with other plans and projects, can be achieved by adding to the supporting



text e.g. “strategic projects may require joint working by public bodies to ensure the requirements of Habitats Regulations are met.”

4.15 Re-applying the integrity test

- 4.15.1 Babergh & Mid Suffolk District Council are committed to ensuring that new residential development and any associated recreational disturbance impacts on European designated sites is avoided and mitigated to demonstrate compliance with the Conservation of Habitats and Species Regulations 2017 (as amended)
- 4.15.2 It can therefore be concluded that, the mitigation proposed, there will be no adverse effect on integrity as a result of recreational disturbance from Babergh & Mid Suffolk Joint Local Plan.
- 4.15.3 By working with other LPAs in monitoring air quality on roads within 200m of Habitats sites for potential impacts on Habitats Sites, these can be assessed for Local Plan reviews.



5. Recommendations

5.1.1 The Habitats Sites that have been considered within this HRA are:

- Stour and Orwell Estuaries SPA;
- Stour and Orwell Estuaries Ramsar site;
- Deben Estuary SPA;
- Deben Estuary Ramsar site;
- Minsmere – Walberswick SPA;
- Minsmere – Walberswick Ramsar site;
- Minsmere to Walberswick Heaths & Marshes SAC;
- Redgrave and South Lopham Fens Ramsar site; and
- Waveney & Lt Ouse Valley Fens SAC

5.1.2 Potential impact pathways between the above Habitats Sites and the Joint Local Plan have been identified, considered and assessed, *i.e.* water quality, air quality, disturbance and loss of functionally linked land (land outside an SPA and/ or Ramsar site).

5.1.3 This AA has recommended a number of wording amendments to the Babergh & Mid Suffolk Districts Joint Local Plan. These include the following types of changes:

- Recommended policy wording changes
- Recommend that the supporting text for the policy needs amending
- Recommend strategic mitigation is required (*e.g.* Suffolk Coast RAMS) for residential allocation policies for sites within the 13km Zone of Influence as well as site based mitigation.
- Recommend monitoring for potential air quality impacts for roads within 200m of a Habitats sites.

5.1.4 This AA identifies also recommends the need for project level HRAs at application stage *e.g.* to cover construction impacts and good practice in relation to run off, air quality during construction, on site silt management etc. to secure a Construction Environmental Management Plan (CEMP - Biodiversity) as a condition of any consent issued. This will be covered by Environmental Protection Policy LP17 within the Babergh and Mid Suffolk Joint Local Plan – Reg 19.

5.1.5 The recommendations from the Appropriate Assessment are precautionary, which will ensure that the Local Plan identifies clear mitigation needs and protects the Habitats sites from any project level impacts.

5.1.6 Where policies do not identify specific locations, set a fixed level of development or the potential for significant effects relates to the possibility of development coming forward in



a particular location or with particular characteristics is likely, the risks may be simply avoided with straightforward clarifications, which remove any uncertainty.

- 5.1.7 The recommendations to amend or add text to the policy include an explanation of how the policy should be implemented to prevent adverse effects on site integrity. This does not exclude the need for project level HRA but enables a conclusion of no adverse effects on integrity at the Plan level, because the identified risks to Habitats sites have been removed. Project level HRA provides a means of checking for any further risks unforeseen at the Plan level, and for developing project specific mitigation measures in greater detail within a project level AA. Clarification to remove AEOI can be achieved by adding to the supporting text *e.g.* “strategic projects may require joint working by public bodies to ensure the requirements of Habitats Regulations are met.”



6. Conclusion

- 6.1.1 This Habitats Regulation Assessment, including Appropriate Assessment, considers the impacts arising from the Babergh & Mid Suffolk Districts Joint Local Plan.
- 6.1.2 In applying the HRA Test 2 –the integrity test at AA stage - based on the development type and proximity to Habitats (European) sites, the potential for in combination effects resulting from other plans or projects has also been assessed and avoidance and/or mitigation measures have been considered. Embedded mitigation measures for projects will need to be considered in project level HRA/AA reports and secured by way of any planning consent. Therefore, there will be no need for further assessment for this Local Plan.
- 6.1.3 Consequently, this HRA report including Appropriate Assessment indicates that the Babergh & Mid Suffolk Districts Joint Local Plan is not predicted to have any adverse effect on integrity (AEOI) on any Habitats Sites, either alone or in combination with other plans and projects. A summary of policies after mitigation has been included is in Appendix 3.



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8. Appendix

Appendix 1. Strategic Housing Land Area Assessment

Local Plan Policy Reference	Allocation Name	Capacity
LA001	Land east of Norwich Road, Barham	Approximately 325 dwellings (with associated infrastructure)
LA002	Land north of Church Lane, Barham	Approximately 270 dwellings (and associated infrastructure)
LA003	Land south of Church Lane, Claydon	Approximately 75 dwellings (and associated infrastructure)
LA005	6 Acre Field, Belstead	Approximately 14 dwellings (and associated infrastructure)
LA006	Land south of Fitzgerald Road, Bramford	Approximately 100 dwellings (with associated infrastructure)
LA007	Land east of The Street, Bramford	Approximately 195 dwellings (with associated infrastructure)
LA008	Land south east of Back Lane, Copdock and Washbrook	Approximately 226 dwellings (with associated infrastructure)
LA009	Land south west of London Road, Copdock and Washbrook	Approximately 12 dwellings (with associated infrastructure)
LA010	Land south of Chalk Hill Lane and West of Hood Drive, Great Blakenham	Approximately 8 dwellings (with associated infrastructure)
LA011	Land north of Gipping Road, Great Blakenham	Approximately 20 dwellings (with associated infrastructure)
LA012	Land north of Burstall Lane and west of B1113, Sproughton	Approximately 75 dwellings (and associated infrastructure)
LA013	Land north of the A1071, Sproughton	Approximately 1,100 dwellings (and associated infrastructure)
LA014	Land at Poplar Lane, Sproughton	Approximately 475 dwellings (and associated infrastructure)
LA016	Land West of Bourne Hill, Wherstead	Approximately 75 dwellings (and associated infrastructure)



Local Plan Policy Reference	Allocation Name	Capacity
LA018	Former Sugar Beet Site, Sproughton	B1/B2/B8 uses
LA020	Land north of Magdalen Street, Eye	Approximately 80 dwellings (with associated infrastructure)
LA021	Land north of Church Street, Eye	Approximately 20 dwellings (with associated infrastructure)
LA022	Land north of Maple Way, Eye	Approximately 250 dwellings (with associated infrastructure)
LA027	Former Babergh District Council Offices, Hadleigh	Approximately 50 dwellings (with associated infrastructure)
LA028	Land north east of Frog Hall Lane, Hadleigh	Approximately 500 dwellings (with associated infrastructure)
LA030	Land west of Stowmarket Road, Needham Market	Approximately 66 dwellings (with associated infrastructure)
LA031	Former Needham Market Middle School, Needham Market	Approximately 40 dwellings (with associated infrastructure)
LA032	Former Mid Suffolk District Council Offices and Car Park, Needham Market	Approximately 80 dwellings (with associated infrastructure)
LA033	Land south of Gun Cotton Way, Stowmarket	Approximately 68 dwellings (with associated infrastructure)
LA034	Chilton Leys, Stowmarket	Approximately 600 dwellings (with associated infrastructure)
LA035	Ashes Farm, Stowmarket	Approximately 570 dwellings (with associated infrastructure)
LA036	Land south of Union Road, Stowmarket	Approximately 400 dwellings (with associated infrastructure)
LA037	Former Stowmarket Middle School, Stowmarket	Approximately 40 dwellings (with associated infrastructure)
LA038	Land south of Creting Road West, Stowmarket	Approximately 25 dwellings (with associated infrastructure)
LA039	Land west of Bures Road, Great Cornard	Approximately 8 dwellings (with associated infrastructure)



Local Plan Policy Reference	Allocation Name	Capacity
LA040	Land west of Bures Road, Great Cornard	Approximately 46 dwellings (with associated infrastructure)
LA041	Land north-west of Waldingfield Road, Chilton	Approximately 130 dwellings (with associated infrastructure)
LA042	Land at Tye Farm, Great Cornard	Approximately 500 dwellings (with associated infrastructure)
LA044	Land at Mill Lane, Stowmarket (Gateway 14)	Approximately 4ha of B1 offices, 4.5ha of Suit Generis Use and Class D commonly found on business parks, open space, leisure and recreation (with associated infrastructure).
LA045	Land south of Tamage Road, Acton	Approximately 100 dwellings (with associated infrastructure)
LA046	Former Bacton Middle School, Bacton	Approximately 50 dwellings (with associated infrastructure)
LA047	Land north east of Turkey Hall Lane, Bacton	Approximately 51 dwellings (with associated infrastructure)
LA048	Land south of Wattisham Road, Bildeston	Approximately 75 dwellings (with associated infrastructure)
LA049	Land south of Back Hills, Botesdale & Rickinghall	Approximately 40 dwellings (with associated infrastructure)
LA050	Land north of Gardenhouse Lane, Botesdale & Rickinghall	Approximately 42 dwellings (with associated infrastructure)
LA051	Land between The Street and A143, Botesdale & Rickinghall	Approximately 100 dwellings (with associated infrastructure)
LA052	Land north of Mill Road, Botesdale & Rickinghall	Approximately 69 dwellings (with associated infrastructure)
LA053	Land south of Ipswich Road, Brantham	Approximately 30 dwellings (with associated infrastructure)
LA054	Land East of Longfield Road, Capel St Mary	Approximately 100 dwellings (with associated infrastructure)
LA055	Land south-west of Rembrow Road, Capel St Mary	Approximately 550 dwellings (with associated infrastructure)



Local Plan Policy Reference	Allocation Name	Capacity
LA056	Land south of Low Road, Debenham	Approximately 35 dwellings (with associated infrastructure)
LA057	Land north of Ipswich Road, Debenham	Approximately 140 dwellings (with associated infrastructure)
LA058	Land east of Aspall Road, Debenham	Approximately 87 dwellings (with associated infrastructure)
LA059	Land west of Hadleigh Road, East Bergholt	Approximately 10 dwellings (with associated infrastructure)
LA060	Land north west of Moores Lane, East Bergholt	Approximately 144 dwellings (with associated infrastructure)
LA061	Land south of Heath Road, East Bergholt	Approximately 75 dwellings (with associated infrastructure)
LA062	Land East of Ashfield Road, Elmswell	Approximately 106 dwellings (with associated infrastructure)
LA063	Land south of Church Road, Elmswell	Approximately 60 dwellings (with associated infrastructure)
LA064	Land north of Church Road, Elmswell	Approximately 60 dwellings (with associated infrastructure)
LA065	Land north west of School Road, Elmswell	Approximately 50 dwellings (with associated infrastructure)
LA066	Land west of Station Road, Elmswell	Approximately 100 dwellings (with associated infrastructure)
LA067	Land South of Bacton Road, Haughley	Approximately 98 dwellings (with associated infrastructure)
LA068	Land east of Ipswich Road, Holbrook	Approximately 10 dwellings (with associated infrastructure)
LA069	Land north west of Melford Road, Lavenham	Approximately 20 dwellings (with associated infrastructure)
LA073	Land south of Glebe Way, Mendlesham	Approximately 25 dwellings (with associated infrastructure)
LA074	Land north-east of Chapel Road, Mendlesham	Approximately 50 dwellings (with associated infrastructure)
LA075	Land south of The Street, Shotley	Approximately 50 dwellings (with associated infrastructure)



Local Plan Policy Reference	Allocation Name	Capacity
LA076	Land south of The Street, Stonham Aspal	Approximately 35 dwellings (with associated infrastructure)
LA077	Land south of Church Road, Stowupland	Approximately 18 dwellings (with associated infrastructure)
LA078	Land south of Stowmarket Road, Stowupland	Approximately 300 dwellings (with associated infrastructure)
LA079	Land south of Gipping Road, Stowupland	Approximately 100 dwellings (with associated infrastructure)
LA080	Land west of Queen Street, Stradbroke	Approximately 75 dwellings (with associated infrastructure)
LA081	Land north of Laxfield Road, Stradbroke	Approximately 45 dwellings (with associated infrastructure)
LA082	Land south of New Street, Stradbroke	Approximately 60 dwellings (with associated infrastructure)
LA083	Land east of Farriers Close, Stradbroke	Approximately 35 dwellings (with associated infrastructure)
LA084	Land west of Meadow Lane, Thurston	Approximately 64 dwellings (with associated infrastructure)
LA085	Land east of Church Road and south of Old Post Office Lane, Thurston	Approximately 25 dwellings (with associated infrastructure)
LA086	Land south of Heath Road, Thurston	Approximately 110 dwellings (with associated infrastructure)
LA087	Land south of Beyton Road, Thurston	Approximately 200 dwellings (with associated infrastructure)
LA088	Land west of Ixworth Road, Thurston	Approximately 250 dwellings (with associated infrastructure)
LA089	Land east of Ixworth Road, Thurston	Approximately 200 dwellings (with associated infrastructure)
LA090	Land west of Barton Road, Thurston	Approximately 129 dwellings (with associated infrastructure)
LA091	Land west of Wattisfield Road, Walsham le Willows	Approximately 60 dwellings (with associated infrastructure)



Local Plan Policy Reference	Allocation Name	Capacity
LA092	Land east of Wattisfield Road, Walsham le Willows	Approximately 22 dwellings (with associated infrastructure)
LA093	Land East of Green Road, Woolpit	Approximately 49 dwellings (with associated infrastructure)
LA094	Land South of Old Stowmarket Road, Woolpit	Approximately 120 dwellings (with associated infrastructure)
LA095	Land north east of The Street, Woolpit	Approximately 500 dwellings (with associated infrastructure)
LA096	Land north east of Heath Road, Woolpit	Approximately 10 dwellings (with associated infrastructure)
LA097	Land west of Heath Road, Woolpit	Approximately 30 dwellings (with associated infrastructure)
LA098	Land south of High Road, Leavenheath	Approximately 40 dwellings (with associated infrastructure)
LA099	Land at Eye Airfield, Eye	Employment uses (with associated infrastructure)
LA100	Land north of B1115, Stowupland	Approximately 143 dwellings (with associated infrastructure)
LA101	Land north of The Street, Wherstead	3.3ha of B1 development.
LA102	Land west of Old Norwich Road, Whitton	Approximately 190 dwellings and associated infrastructure.
LA103	Land South of Barrells Road, Thurston	Approximately 6 dwellings (with associated infrastructure)
LA104	Land West of Fishponds Way, Haughley	Approximately 98 dwellings (with associated infrastructure)
LA105	Land north of Church Road, Bacton	Approximately 50 dwellings (with associated infrastructure)
LA106	Land south of Pretyman Avenue, Bacton	Approximately 85 dwellings (with associated infrastructure)
LA107	Land east of Bramford Road, Bramford	Approximately 14 dwellings (with associated infrastructure)
LA108	Land south of Gun Cotton Way, Stowmarket	Proposed allocation site with 11ha



Local Plan Policy Reference	Allocation Name	Capacity
LA109	Land south of Eye Airfield	Approximately 174 dwellings (with associated infrastructure)



Appendix 2. HRA Screening of Individual Policies

Where mitigation is necessary to avoid Likely Significant Effects (LSE), then in line with CJEU *People over Wind* court ruling, this cannot be taken into consideration at HRA Screening Stage 1. Any policies providing mitigation are therefore also carried forward to Stage 2 Appropriate Assessment.

Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
Policy SP01 – Housing Needs	✓	✓	✓	✓	✓	The policy must be screened as it includes reference to secure land for housing applications. Consequently, as the impacts from the locations are not currently known, there is a potential for LSE. This could include: Recreational disturbance & Non-recreational disturbance.
Policy SP02 – Affordable Housing						Screen out. This is a criteria-based policy relating to affordable housing developments and will cause no LSE.
Policy SP03 - Settlement Hierarchy						Screen out. This is a criteria-based policy relating to how the scale and location of



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
						development will be considered. Therefore, housing developments and will cause no LSE.
Policy SP04 - Housing Spatial Distribution						Screen out. This is a criteria-based policy relating to how the Spatial Distribution of new development will be considered. Therefore, this policy will cause no LSE.
Policy SP05 – Employment Land	✓					The policy must be screened as it includes reference to secure land for Employment within the Stour and Orwell Estuaries SSSI Impact Risk Zone. Consequently, as the impacts from the locations are not currently known, there is a potential for LSE. This could include: Water pollution & Non-recreational disturbance.
Policy SP06 – Retail and Town Centre Use						Screen out. The proposed retail and leisure locations are further 5 kilometres away, and therefore unlikely to cause impacts from Water and air pollution. Therefore, this policy will cause no LSE.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
Policy SP07 – Tourism						Screen out. The policy relates that well-designed tourism and leisure facilities will be encouraged. Therefore, this policy will cause no LSE.
Policy SP08 – Strategic Infrastructure Provision	✓	✓				Screen in. The policy relates to a strategic approach to deal with infrastructure within Habitats Sites ZOI. However, indication of how mitigation will be implemented has not been outlined. Therefore, the policy must be considered at appropriate assessment.
Policy SP09 - Enhancement and Management of the Environment						Screen out. The policy aims to outline when project level Habitat Regulations Assessments and a financial contribution to towards the Suffolk Coast Recreational Avoidance Mitigation Strategy are required for residential developments within the identified ZOI's.
Policy SP10 - Climate Change						Screen out. The Policy relates to ensuring a proactive approach to deal with climate change,



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
						which will benefit the identified Habitat Sites in the long-term.
LP01 - Windfall development in hamlets and dwellings clusters						Screen out. The policy relates to good design with small settlements. Therefore, this policy will cause no LSE.
LP02 - Residential Annexes						Screen out. The policy relates to good design of residential annexes. Therefore, this policy will cause no LSE.
Policy LP03 - Residential Extensions and Conversions						Screen out. The policy relates to good design of residential Extensions. Therefore, this policy will cause no LSE.
Policy LP04 - Replacement Dwellings In The Countryside (Outside						Screen out. The policy relates to preferred design criteria to replace existing dwellings or the conversion/erection of ancillary buildings or boundary treatments in the countryside. Therefore, this policy will cause no LSE.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
of Settlement Boundaries)						
Policy LP05 – Replacement Dwellings and Additional Dwellings on Sub-Divided Plots Within Settlement Boundaries						Screen out. The policy relates to preferred design Replacement Dwellings and Additional Dwellings on Sub-Divided Plots Within Settlement Boundaries. Therefore, this policy will cause no LSE.
LP06– Mix and type of composition						Screen out. The policy relates to the delivery of supported and special needs housing with new development proposals, to ensure scheme composition accommodates affordable housing, accessible and adaptable dwellings. As a result, this policy will cause no LSE.
Policy LP07 - Supported and						Screen out. The policy relates to preferred design residential nursing homes. Therefore, this policy will cause no LSE.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
Special Needs Housing						
Policy LP08 - Affordable Housing						Screen out. This is a criteria-based policy relating to affordable housing developments and will cause no LSE.
LP09 - Provision for Gypsy and Traveller and Travelling Showpeople	✓	✓	✓	✓	✓	Screened in. No locations are yet identified. Possible LSE if future Gypsy & Traveller provision are provided within areas close to European Sites. Water and air pollution, recreational disturbance.
Policy LP10 - Moorings and Marinas	✓					Screened in. The policy relates to the provision of house boats within the Orwell Estuary. It highlights that house boats must not have detrimental impact on the surrounding area in terms of pollution and biodiversity value. However, it has not considered detailed impacts to the Stour and Orwell Estuaries SPA and Ramsar. Therefore, impacts to this Habitats



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
						Sites need to be considered further at Appropriate Assessment.
Policy LP11 - Self-Build and Custom-Build						Screen out. This policy relates to the council supporting Self-build and custom-build houses. Therefore, the policy will not result in LSE.
Policy LP12 - Employment Development						Screen out. The policy relates to good design of employment development. Therefore, the policy will not result in LSE.
Policy LP13 - Safeguarding Economic Opportunities						Screen out. The policy relates to safeguarding employment development and also outlines the premises of which will be required to result in the loss of proposed employment areas. Therefore, the policy will cause no LSE.
Policy LP14 -Town Centre and Retail						Screen out. The proposed retail and leisure locations are further 5 kilometres away. Therefore, impacts from water and air pollution can be scoped out. Therefore, this policy will not result in LSE.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
Policy LP15 - Tourism and Leisure						Screen out. The policy relates to good design of new tourism and leisure facilities. Therefore, this policy will cause no LSE.
Policy LP16 - Countryside Tourist Accommodation						Screen out. The policy relates to restrictions on Countryside Tourist accommodation. Therefore, this policy will cause no LSE.
Policy LP17 - Environmental Protection						Screen out. The policy relates to good design of all developments to protect the environment. Therefore, this policy will not result in LSE, as it will likely have a positive benefit to Habitats Sites which have been screened in.
Policy LP18 - Biodiversity						Screen out. The policy relates to good design of all developments to undertaken to conserve and enhance biodiversity. Therefore, this policy will cause no LSE, as it will likely have a positive benefit to Habitats Sites which have been screened in.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
Policy LP19 - Landscape						Screen out. The policy ensures development will not negatively effect on the natural environment including landscape character sensitivity and visual impacts. It also aims to avoid disturbance from lighting to the wider landscape. Therefore, this policy will cause no LSE, as it will likely have a positive benefit to Habitats Sites which have been screened in.
Policy LP20 - Area of Outstanding Natural Beauty						Screen out. The policy relates to good design within the AONB. Therefore, this policy will cause no LSE.
Policy LP21 - The Historic Environment						Screen out. The policy relates to good practices involving heritage assets. Therefore, this policy will cause no LSE.
Policy LP22 - Change in Land Use for Equestrian or other						Screen out. The policy ensures good design for equestrian uses or other animal/rural land-based uses in the countryside. Therefore, this policy will cause no LSE.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
animal/rural land base uses						
Policy LP23 - Agricultural Land To Residential Garden Land						Screen out. The policy is criteria-based policy for the change in use of agricultural land to residential garden land or land ancillary to a residential dwelling and will not cause any LSE.
Policy LP24 – New Agricultural/Rural Buildings in the Countryside	✓	✓	✓	✓	✓	Screen in. The policy is a criteria-based policy for new agricultural/Rural buildings in the Countryside. It is indicated that planning applications must consider impacts in relation to biodiversity, which would include schemes which may result in adverse impacts to the identified Habitats Sites. This could include impacts on water pollution from discharges into watercourses or air pollution from pigs or poultry. As a result, there is a possibility that the provision of new agricultural and Rural buildings could result in LSE.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
Policy LP25 - Sustainable Construction and Design						Screen out. The policy relates to good design of new developments to ensure that a sustainable approach is delivered, to achieve reductions in CO2 emissions and meet the high-water efficiency standards. Therefore, this policy will cause no LSE, as it will likely have a positive benefit to Habitats Sites which have been screened in.
Policy LP26 - Design and Residential Amenity						Screen out. The policy ensures high quality design in relation to its character and context. It also ensures that any development will be sustainable. Therefore, the policy will not cause any LSE.
Policy LP27 - Energy Sources, Storage and Distribution						Screen out. The policy ensures good design in relation to alternative energy source. It also indicates that new proposals must demonstrate that conservation sites will not be adversely impacted to the LPA. Therefore, the policy will not cause any LSE.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
Policy LP26 - Flood Risk						Screen out. The policy ensures that new developments should be undertaken in areas with the least impact on flooding or water resources. Therefore, the policy will not cause any LSE.
Policy LP27 - Sustainable Drainage Systems						Screen out. The policy requires that all new developments must mitigate against existing and potential flood risks <i>i.e.</i> through a sequential approach and implementation of SUDs. Therefore, this policy will cause no LSE, as it will likely have a positive benefit to Habitats Sites which have been screened in.
Policy LP28 – Water resources and infrastructure						Screen out – The policy requires that all new developments must use appropriate water efficiency and re-use measures, together with surface water drainage, which provides environmental benefits. This includes consideration of water use and supply, as well as ensuring that the relevant authorities for



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						wastewater treatment are consulted. As a result, this policy will cause no LSE, as it will likely have a positive benefit to Habitats Sites which have been screened in.
Policy LP29 – Flood risk and vulnerability						Screen out – The policy relates to the flood risk and surface water strategies and sets out good design measures for proposed mitigation measures. Therefore, the policy will not cause any LSE.
Policy LP30 - Designated Open Spaces						Screen out. The policy ensures good design in relation to designated open spaces. Therefore, the policy will not cause any LSE.
Policy LP31 - Services and Facilities Within the Community – Provision / Retention						Screen out. The policy outlines when the provision of new or the removal of local community services and facilities will be supported. Therefore, the policy will not cause any LSE.



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Policy LP32 - Safe, Sustainable and Active Transport						Screen out. The policy promotes sustainable transport systems within the districts. Therefore, the policy will not cause any LSE.
Policy LP33 - Managing Infrastructure Provision						Screen out. The policy relates to the management of infrastructure provision strategically. Therefore, the policy will not cause any LSE.
Policy LP34 – Health and Education Provision						Screen out. The policy relates to the promotion and maintenance of health and education development. Therefore, the policy will not cause any LSE.
Policy LP35 - Developer Contributions and Planning Obligations						Screen out. The policy relates to developer contributions and planning obligations and will not cause any LSE.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA001 – Allocation: Land east of Norwich Road, Barham	✓	✓				The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA002 – Allocation: Land north of Church Lane, Barham	✓	✓				The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA003 – Allocation: Land south of Church Lane, Claydon	✓	✓				The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA005 – Allocation: 6 Acre Field, Belstead	✓	✓				The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
						for LSE without mitigation. Water and air pollution; recreational disturbance.
LA006 – Allocation: Land south of Fitzgerald Road, Bramford	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA007 – Allocation: Land east of The Street, Bramford	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA008 - Allocation: Land south east of Back Lane, Copdock and Washbrook	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.



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LA009 – Allocation: Land south west of London Road, Copdock and Washbrook	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA010 – Allocation: Land south of Chalk Hill Lane and West of Hood Drive, Great Blakenham	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA011 – Allocation: Land north of Gipping Road, Great Blakenham	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA012 – Allocation: Land north of Burstall	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential



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Lane and west of B1113, Sproughton						for LSE without mitigation. Water and air pollution; recreational disturbance.
LA013 – Allocation: Land north of the A1071, Sproughton	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA014 – Allocation: Land at Poplar Lane, Sproughton	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA016 – Allocation: Land West of Bourne Hill, Wherstead	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA018 – Allocation: Former Sugar Beet Site, Sproughton	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution.
LA020 – Allocation: Land north of Magdalen Street, Eye						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA021 – Allocation: Land north of Church Street, Eye						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA027 - Allocation: Former Babergh District Council Offices, Hadleigh	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance. In addition, the site is situated within an identified catchment of a Water Recycling Centre where Water



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						<p>Framework Directive deterioration cannot be prevented by treatment at the technically achievable limit. Therefore, the policy will need to be screened in, as the proposal may result in LSE from deterioration of water quality.</p>
<p>LA028 – Allocation: Land north east of Frog Hall Lane, Hadleigh</p>	<p>✓</p>					<p>The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance. In addition, the site is situated within an identified catchment of a Water Recycling Centre where Water Framework Directive deterioration cannot be prevented by treatment at the technically achievable limit. Therefore, the policy will need to be screened in, as the proposal may result in LSE from deterioration of water quality.</p>



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA030 – Allocation: Land west of Stowmarket Road, Needham Market						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA031 – Allocation: Former Needham Market Middle School, Needham Market						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA032 – Allocation: Former Mid Suffolk District Council Offices and Car Park, Needham Market						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA033 – Allocation: Land south of Gun Cotton Way, Stowmarket						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA034 – Allocation: Chilton Leys, Stowmarket						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA035 – Allocation: Ashes Farm, Stowmarket						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA036 – Allocation: Land south of Union Road, Stowmarket						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA037 – Former Stowmarket Middle School, Stowmarket						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA038 – Allocation: Land south of Creeting Road West, Stowmarket						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA039 – Allocation: Land west of Bures Road, Great Cornard						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA040 – Allocation: Land west of Bures Road, Great Cornard						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA041 – Allocation: Land north-west of Waldingfield Road, Chilton						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA042 – Allocation: Land at Tye Farm, Great Cornard						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA044 – Allocation: Land at Mill Lane, Stowmarket (Gateway 14)						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA045 – Allocation: Land south of Tamage Road, Acton						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA046 – Allocation: Former Bacton Middle School, Bacton						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA047 – Allocation: Land north east of Turkey Hall Lane, Bacton						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA048 – Allocation: Land south of Wattisham Road, Bildeston						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA049 – Allocation: Land south of Back						The allocated site is situated with the ZOI for Redgrave & South Lopham Fens Ramsar site & Waveney & Lt Ouse Valley Fens SAC.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
Hills, Botesdale & Rickinghall						However, the site has been screened out within the Botesdale and Rickinghall Neighbourhood Plan. Therefore, this policy can be screened out from further assessment.
LA050 – Allocation: Land north of Gardenhouse Lane, Botesdale & Rickinghall						The allocated site is situated with the ZOI for Redgrave & South Lopham Fens Ramsar site & Waveney & Lt Ouse Valley Fens SAC. However, the site has been screened out within the Botesdale and Rickinghall Neighbourhood Plan. Therefore, the policy can be screened out from further assessment.
LA051 – Allocation: Land between The Street and A143, Botesdale & Rickinghall				✓	✓	The allocated site is situated with the ZOI for Redgrave & South Lopham Fens Ramsar site & Waveney & Lt Ouse Valley Fens SAC. Therefore, the policy must be screened in as there is potential for LSE without mitigation.



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LA052 – Land north of Mill Road, Botesdale & Rickinghall				✓	✓	The allocated site is situated with the SSSI ZOI for Redgrave & South Lopham Fens Ramsar site & Waveney & Lt Ouse Valley Fens SAC. Therefore, the policy must be screened in as there is potential for LSE without mitigation.
LA053 – Allocation: Land south of Ipswich Road, Brantham	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA054 – Land East of Longfield Road, Capel St Mary	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA055 – Land south-west of Rembrow Road, Capel St Mary	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential



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						for LSE without mitigation. Water and air pollution; recreational disturbance.
LA056 – Allocation: Land south of Low Road, Debenham						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA057 – Allocation: Land north of Ipswich Road, Debenham						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA058 – Allocation: Land east of Aspall Road, Debenham						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA059 – Allocation: Land west of Hadleigh Road, East Bergholt	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.



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LA060 – Allocation: Land north west of Moores Lane, East Bergholt	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA061 – Land south of Heath Road, East Bergholt	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA062 – Allocation: Land East of Ashfield Road, Elmswell						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA063 – Allocation: Land south of Church Road, Elmswell						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



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LA064 – Allocation: Land north of Church Road, Elmswell						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA065 – Allocation: Land north west of School Road, Elmswell						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA066 – Allocation: Land west of Station Road, Elmswell						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA067 – Allocation: Land South of Bacton Road, Haughley						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA068 – Allocation: Land east of Ipswich Road, Holbrook	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential



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						for LSE without mitigation. Water and air pollution; recreational disturbance.
LA069 – Land north west of Melford Road, Lavenham						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA073 – Allocation: Land south of Glebe Way, Mendlesham						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. However, the site is situated within an identified catchment of a Water Recycling Centre where Water Framework Directive deterioration cannot be prevented by treatment at the technically achievable limit. Therefore, the policy will need to be screened in, as the proposal may result in LSE from deterioration of water quality.
LA074 – Land north-east of Chapel Road, Mendlesham						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. However, the site is situated within an identified catchment of a Water Recycling Centre where Water Framework Directive deterioration cannot be



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
						prevented by treatment at the technically achievable limit. Therefore, the policy will need to be screened in, as the proposal may result in LSE from deterioration of water quality.
LA075 – Land south of The Street, Shotley	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA076 – Land south of The Street, Stonham Aspal						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA077 – Allocation: Land south of Church Road, Stowupland						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA078 – Allocation: Land south of						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
Stowmarket Road, Stowupland						
LA079 – Allocation: Land south of Gipping Road, Stowupland						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA080 – Allocation: Land west of Queen Street, Stradbroke						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA081 – Allocation: Land north of Laxfield Road, Stradbroke						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA082 – Allocation: Land south of New Street, Stradbroke						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA083 – Allocation: Land east of Farriers Close, Stradbroke						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA084 – Land west of Meadow Lane, Thurston						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA085 – Land east of Church Road and south of Old Post Office Lane, Thurston						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA086 – Allocation: Land south of Heath Road, Thurston						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA087 – Land south of Beyton Road, Thurston						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA088 – Land west of Ixworth Road, Thurston						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA089 – Land east of Ixworth Road, Thurston						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA090 – Land west of Barton Road, Thurston						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA091 – Allocation: Land west of Wattisfield Road, Walsham le Willows						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA092 – Allocation: Land east of Wattisfield Road, Walsham le Willows						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA093 – Allocation: Land East of Green Road, Woolpit						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA094 – Allocation: Land South of Old Stowmarket Road, Woolpit						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA095 – Allocation: Land north east of The Street, Woolpit						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA096 – Land north east of Heath Road, Woolpit						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA097 – Land west of Heath Road, Woolpit						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA098 – Allocation: Land south of High Road, Leavenheath						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA099 – Allocation: Land at Eye Airfield, Eye						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA100 – Allocation: Land east and west of Prentice Road, Stowmarket						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA101 – Allocation: Land north of The Street, Wherstead	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA102 – Allocation: Land west of Old Norwich Road, Whitton	✓	✓				The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA103 – Allocation: Land South of Barrells Road, Thurston						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA104 – Allocation: Land West of Fishponds Way, Haughley						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA105 – Allocation: Land north of Church Road, Bacton						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



Policy	Stour and Orwell SPA & Ramsar	Deben Estuary SPA & Ramsar	Minsmere to Walberswick Heaths & Marshes SAC, SPA & Ramsar Site	Redgrave & South Lopham Fens Ramsar Site	Waveney & Lt Ouse Valley Fens SAC	Will Policy have Likely Significant Effect (LSE) on Habitats Sites?
LA106 – Allocation: Land south of Pretyman Avenue, Bacton						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA107 – Allocation: Land east of Bramford Road, Bramford	✓					The allocated site is situated within the SSSI ZOI for ticked Habitats Sites. Therefore, the policy must be screened in, as there is potential for LSE without mitigation. Water and air pollution; recreational disturbance.
LA108 – Allocation: Land south of Gun Cotton Way, Stowmarket						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.
LA109 – Allocation: Land south of Eye Airfield						The allocated site is situated outside the SSSI ZOI for any Habitats Sites. Therefore, the policy can be screened out.



Appendix 3. Results of embedding mitigation within the Appropriate Assessment

Policy	Loss of Functionally Linked Land	Disturbance	Water Quality	Water Quantity	Air Pollution	Potential for In Combination Effects	With proposed mitigation embedded, can adverse impacts on site integrity of the identified Habitats Sites be avoided?
Policy SP01 – Housing Needs		✓				✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
Policy SP05 – Employment Land		✓	✓			✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
Policy SP08 – Infrastructure Provision						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.



Policy LP09 - Provision for Gypsy and Traveller and Travelling Showpeople	✓	✓	✓		✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
Policy LP24 – New Agricultural/Rural Buildings in the Countryside	✓	✓	✓		✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
Policy LP10 - Moorings and Marinas		✓	✓		✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA001 – Allocation: Land east of Norwich Road, Barham					✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA002 – Allocation: Land north of					✓	No adverse effects on site integrity to identified Habitats



Church Lane, Barham							sites with mitigation embedded.
LA003 – Allocation: Land south of Church Lane, Claydon						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA005 – Allocation: 6 Acre Field, Belstead						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA006 – Allocation: Land south of Fitzgerald Road, Bramford						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA007 – Allocation: Land east of The Street, Bramford						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA008 - Allocation:						✓	No adverse effects on site integrity to identified Habitats



Land south east of Back Lane, Copdock and Washbrook							sites with mitigation embedded.
LA009 – Allocation: Land south west of London Road, Copdock and Washbrook						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA010 – Allocation: Land south of Chalk Hill Lane and West of Hood Drive, Great Blakenham						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA011 – Allocation: Land north of Gipping						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.



Road, Great Blakenham							
LA012 – Allocation: Land north of Burstall Lane and west of B1113, Sproughton						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA013 – Allocation: Land north of the A1071, Sproughton						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA014 – Allocation: Land at Poplar Lane, Sproughton						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA016 – Allocation: Land West of Bourne Hill, Wherstead						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.



LA027 - Allocation: Former Babergh District Council Offices, Hadleigh						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA028 – Allocation: Land north east of Frog Hall Lane, Hadleigh						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA051 – Allocation: Land between The Street and A143, Botesdale & Rickinghall			✓				No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA052 – Land north of Mill Road,			✓				No adverse effects on site integrity to identified Habitats sites with mitigation embedded.



Botesdale & Rickingham							
LA053 – Allocation: Land south of Ipswich Road, Brantham						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA054 – Land East of Longfield Road, Capel St Mary						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA055 – Land south-west of Rembrow Road, Capel St Mary						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA059 – Allocation: Land west of Hadleigh Road, East Bergholt						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.



LA060 – Allocation: Land north west of Moores Lane, East Bergholt						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA061 – Land south of Heath Road, East Bergholt						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA068 – Allocation: Land east of Ipswich Road, Holbrook						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA075 – Land south of The Street, Shotley						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.
LA101 – Allocation: Land north of The Street, Wherstead						✓	No adverse effects on site integrity to identified Habitats sites with mitigation embedded.



<p>LA102 – Allocation: Land west of Old Norwich Road, Whitton</p>						<p>✓</p>	<p>No adverse effects on site integrity to identified Habitats sites with mitigation embedded.</p>
<p>LA107 – Allocation: Land east of Bramford Road, Bramford</p>						<p>✓</p>	<p>No adverse effects on site integrity to identified Habitats sites with mitigation embedded.</p>



Appendix 4. Characteristics of Habitats Sites

Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
<p>The Stour and Orwell estuaries</p> <p>These estuaries straddle the eastern part of the Essex/Suffolk border in eastern England. The estuaries include extensive mud-flats, low cliffs, saltmarsh and small areas of vegetated shingle on the lower reaches. The mud-flats hold <i>Enteromorpha</i>, <i>Zostera</i> and <i>Salicornia</i> spp. The site also includes an area of low-lying grazing marsh at Shotley Marshes on the south side of the Orwell. In summer, the site supports important numbers of breeding Avocet <i>Recurvirostra avosetta</i>, while in winter they hold major concentrations of water birds, especially geese, ducks and waders. The geese also feed, and waders roost, in surrounding areas of agricultural land outside the SPA. The site has close ecological links with the Hamford Water and Mid-Essex Coast SPAs, lying to the south on the same coast.</p>				
<p><u>Stour and Orwell Estuaries SPA</u></p> <p>EU Code: UK9009121</p>	3676.92	<p><u>Qualifying Features</u> potentially affected:</p> <p>Annex I species:</p> <p>Over winter: Hen Harrier <i>Circus cyaneus</i></p> <p>This site also qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species: Over winter:</p>	<p>With regard to the individual species and/or assemblage of species for which the site has been classified ("the Qualifying Features" listed below);</p> <p>Avoid the deterioration of the Habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.</p>	<p>Coastal squeeze – Coastal defences are present along most of the Orwell coastline to mitigate for impacts from climate change, such as rising sea level. Unless changes are made to the management of the coastline, Habitats supporting qualifying SPA birds will be lost or degraded through coastal squeeze, sedimentation and reduced exposure.</p> <p>Public access/disturbance – Stour and Orwell Estuaries is subject to land- and water-based activities, including boating and water sports; walking; bait-digging;</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		<ul style="list-style-type: none"> • Black-tailed Godwit <i>Limosa limosa islandica</i> • Dunlin <i>Calidris alpina alpina</i> • Grey Plover <i>Pluvialis squatarola</i> • Pintail <i>Anas acuta</i> • Redshank <i>Tringa totanus</i> • Ringed Plover <i>Charadrius hiaticula</i> • Shelduck <i>Tadorna tadorna</i> • Turnstone <i>Arenaria interpres</i> <p>The area qualifies under Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl including:</p> <ul style="list-style-type: none"> • Cormorant <i>Phalacrocorax carbo</i> 	<p>Subject to natural change, to maintain or restore:</p> <p>The extent and distribution of the Habitats of the qualifying features;</p> <p>The structure and function of the Habitats of the qualifying features;</p> <p>The supporting processes on which the Habitats of the qualifying features rely;</p> <p>The populations of the qualifying features;</p> <p>The distribution of the qualifying features within the site.</p>	<p>fishing; wildfowling; and military overflight training. These activities are likely to impact Habitats supporting breeding and overwintering water birds. A better understanding of which species and Habitats are most susceptible; which types of activity are most disturbing; and which locations and times of year are most sensitive is required to ensure the Estuaries are appropriately managed.</p> <p>Changes in species distribution – Declines in the number of bird species present at Orwell coastline have occurred. This is likely to be the result of changes in population and distribution on an international scale, due to climate change.</p> <p>Invasive species – An increase in <i>Spartina anglica</i> may be affecting the growth of <i>Spartina maritima</i>, a key habitat feature for qualifying bird roosting and feeding areas of saltmarsh and mudflat.</p> <p>Planning permission: General – The issue of development in combination with</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		<ul style="list-style-type: none"> • Pintail <i>Anas acuta</i> • Ringed Plover <i>Charadrius hiaticula</i> • Grey Plover <i>Pluvialis squatarola</i> • Dunlin <i>Calidris alpina alpina</i> • Black-tailed Godwit <i>Limosa limosa islandica</i> • Redshank <i>Tringa totanus</i> • Shelduck <i>Tadorna tadorna</i> • Great Crested Grebe <i>Podiceps cristatus</i> • Curlew <i>Numenius arquata</i> • Dark-bellied Brent Goose <i>Branta bernicla bernicla</i> • Wigeon <i>Mareca penelope</i> • Goldeneye <i>Bucephala clangula</i> • Oystercatcher <i>Haematopus ostralegus</i> 		<p>other factors is not fully understood. To ensure management is appropriate to the SPA a better understanding of the sensitivities relating to each habitat, species and location to different types of development is required. Difficult issues highlighted by the SIP include; a) Assessing the cumulative effects of numerous, small and often 'non- standard' developments. b) Development outside the SPA boundary can have negative impacts, particularly on the estuaries' birds. c) Assessing the indirect, 'knock-on' effects of proposals. d) Pressure to relax planning conditions on existing developments.</p> <p>Air pollution: impact from atmospheric nitrogen deposition – Atmospheric nitrogen deposition exceeds the relevant critical loads for coastal dune Habitats used by breeding terns and hence there is a risk of harmful effects.</p> <p>Inappropriate coastal management – Due to the presence of existing hard sea</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		<ul style="list-style-type: none"> • Lapwing <i>Vanellus vanellus</i> • Knot <i>Calidris canutus</i> • Turnstone <i>Arenaria interpres</i> 		<p>defences, such as sea walls there is little scope for adaptation to rising sea levels. Any freshwater Habitats behind failing seawalls are likely to be inundated by seawater, which would result in the loss of this habitat within the SPA.</p> <p>Fisheries: Commercial and estuarine – Commercial fishing activities can be very damaging to inshore marine Habitats and the bird species dependent on the communities they support. Any ‘amber or green’ categorised commercial fishing activities in Habitats Marine Sites are assessed by Kent and Essex Inshore Fisheries Conservation Authority (IFCA). This assessment takes into account any in-combination effects of amber activities and/or appropriate plans or projects.</p>
<u>Stour and Orwell Estuaries Ramsar site</u>	3676.92	Ramsar criterion 2 Contains seven nationally scarce plants:	There are no Conservation Objectives set for Ramsar sites.	Similar to Stour and Orwell Estuaries SPA (See above). A key threat identified by RIS was erosion.



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
EU Code: UK11067		<ul style="list-style-type: none"> Stiff Saltmarsh-grass <i>Puccinellia rupestris</i> Small Cord-grass <i>Spartina maritima</i> Perennial Glasswort <i>Sarcocornia perennis</i> Lax-flowered Sea Lavender <i>Limonium humile</i> Eelgrasses <i>Zostera angustifolia</i>, <i>Z. marina</i> and <i>Z. noltei</i>. <p>Ramsar criterion 5</p> <p>Assemblages of international importance; species with peak counts in winter; 63,017 waterfowl.</p> <p>Ramsar criterion 6</p> <p>Species/ populations occurring at levels of international importance:</p>		<p>Erosion - Natural coastal processes exacerbated by fixed sea defences, port development and maintenance dredging. Erosion is being tackled through sediment replacement for additional erosion that can be attributed to port development and maintenance dredging. A realignment site has been created on-site to make up for the loss of habitat due to capital dredging. General background erosion has not been tackled although a Flood Management Strategy for the site is being produced.</p> <p>The notes in the RIS for Ramsar sites of factors affecting site's ecological character are not considered as necessary for HRA screening purposes. The assessment under the provisions of the Habitats Regulations is strictly limited to the qualifying features which meet the Ramsar criteria. Where the qualifying features of a Ramsar site would or could be adversely affected by a plan or project, the tests at Appropriate Assessment would need to be based on Article 4 of the</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		<p>Species with peak counts in spring/autumn:</p> <ul style="list-style-type: none"> • Redshank, <i>Tringa totanus totanus</i> • Species with peak counts in winter: • Dark-bellied Brent Goose, <i>Branta bernicla bernicla</i> • Northern Pintail, <i>Anas acuta</i> • Grey Plover, <i>Pluvialis squatarola</i> • Red Knot, <i>Calidris canutus islandica</i> • Dunlin, <i>Calidris alpina alpina</i> • Black-tailed Godwit, <i>Limosa limosa islandica</i> • Redshank , <i>Tringa totanus totanus</i> 		<p>Ramsar Convention, which allows a Contracting Party (in this case the UK government) to delete or restrict the boundaries of sites only “ in its urgent national interest”.</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
<p>The Deben Estuary</p> <p>The Deben Estuary lies within Suffolk Coastal District at the southern border of Suffolk. The estuaries include extensive mud-flats, low cliffs, saltmarsh and small areas of vegetated shingle on the lower reaches. The mud-flats hold <i>Enteromorpha</i>, <i>Zostera</i> and <i>Salicornia spp.</i> In summer, the site supports important numbers of breeding Avocet while in winter they hold major concentrations of waterbirds, especially geese, ducks and waders. The geese also feed, and waders roost, in surrounding areas of agricultural land outside the SPA.</p>				
<p><u>Deben Estuary SPA</u></p> <p>EU Code: UK9009261</p>	978.93	<p><u>Qualifying Features</u> potentially affected:</p> <ul style="list-style-type: none"> A046a Dark-bellied Brent Goose <i>Branta bernicla bernicla</i> (Non-breeding); A132 Pied Avocet , <i>Recurvirostra avosetta</i> (breeding) 	<p>With regard to the individual species and/or assemblage of species for which the site has been classified (“the Qualifying Features” listed below);</p> <p>Avoid the deterioration of the habitats of the Qualifying Features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of The Birds Directive.</p> <p>Subject to natural change, to maintain or restore:</p> <p>The extent and distribution of the habitats of the qualifying features;</p>	<p>Coastal squeeze –The Deben Estuary coastline is undergoing widespread decline in the quality of saltmarsh, and an increase in lower marsh habitats at the expense of mid and upper marsh vegetation communities. This is likely due to impacts from climate change, such as rising sea level. Unless changes are made to the management of the coastline, Habitats supporting qualifying SPA birds will be lost or degraded through coastal squeeze, sedimentation and reduced exposure.</p> <p>Public access/disturbance – The Deben Estuary is subject to land and water-based activities, including boating and water sports; walking; wildfowling; and low flying</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
			<p>The structure and function of the habitats of the qualifying features;</p> <p>The supporting processes on which the habitats of the qualifying features rely;</p> <p>The populations of the qualifying features;</p> <p>The distribution of the qualifying features within the site.</p>	<p>aircrafts. These activities are likely to impact Habitats supporting breeding and overwintering water birds. A better understanding of which species and Habitats are most susceptible; which types of activity are most disturbing; and which locations and times of year are most sensitive is required to ensure the Estuaries are appropriately managed</p> <p>Changes in species distribution - <i>Spartina anglica</i> is encroaching onto estuarine muds. This may reduce bird roosting and feeding areas of saltmarsh and mudflat.</p> <p>Air Pollution: Impacts of atmospheric nitrogen deposition -</p> <p>Modelled aerial deposits of nitrogen within Deben Estuary exceed the threshold limit above which the diversity of saltmarsh vegetation begins to be altered (possibly to reed) and adversely impacted. This is likely being caused by in combination impacts from land spreading and land use</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
				<p>practices with high nutrient inputs e.g. outdoor pig farms.</p> <p>Water Pollution - Inappropriate water quality may impact on the supporting habitats of SPA birds. Eutrophication may be having an influence on reed growth and saltmarsh composition.</p> <p>Increased flood events could lead to habitat change/loss of diversity. Nutrient run off from farming operations could exacerbate the issue. Further monitoring and management of key issues are required.</p> <p>Fisheries: Commercial marine estuarine – In combination impacts from fisheries in European Marine Sites need to be monitored and appropriately managed to avoid potential threats to site condition.</p>
<u>Deben Estuary Ramsar site</u>	978.93	Qualifying Species/populations (as identified at designation)	There are no Conservation Objectives set for Ramsar sites.	<p>Similar to Deben Estuary SPA (See above).</p> <p>A key threat identified by RIS was erosion.</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
EU Code: UK11017		<p>Ramsar criterion 2</p> <p>Supports a population of the mollusc <i>Vertigo angustior</i> (Habitats Directive Annex II (S1014); British Red Data Book Endangered). Martlesham Creek is one of only about fourteen sites in Britain where this species survives</p> <p>Species with peak counts in winter:</p> <p>Dark-bellied Brent Goose, <i>Branta bernicla bernicla</i>, 1953 individuals, representing an average of 1.9% of the GB population (5-year peak mean 1998/9-2002/3)</p> <p>Species currently occurring at levels of national importance:</p> <p>Species with peak counts in spring/autumn:</p>		<p>Erosion - English Nature provides advice to the Environment Agency and coastal local authorities in relation to flood and coastal protection management. This will inform the development of the Suffolk Estuaries strategies and the second generation shoreline management plan.</p> <p>The notes in the RIS for Ramsar sites of factors affecting site's ecological character are not considered as necessary for HRA screening purposes. The assessment under the provisions of the Habitats Regulations is strictly limited to the qualifying features which meet the Ramsar criteria. Where the qualifying features of a Ramsar site would or could be adversely affected by a plan or project, the tests at Appropriate Assessment would need to be based on Article 4 of the Ramsar Convention, which allows a Contracting Party (in this case the UK government) to delete or restrict the boundaries of sites only "in its urgent national interest".</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		<p>Black-tailed Godwit , <i>Limosa limosa islandica</i>, Iceland/W Europe 307 individuals, representing an average of 1.9% of the GB population (5 year peak mean 1998/9-2002/3) Common Greenshank, <i>Tringa nebularia</i>, Europe/W Africa 22 individuals, representing an average of 3.6% of the GB population (5 year peak mean 1998/9- 2002/3)</p> <p>Species with peak counts in winter:</p> <p>Bean Goose, <i>Anser fabalis fabalis</i>, NW Europe - Wintering 5 individuals, representing an average of 1.2% of the GB population (Source period not collated)</p> <p>Common Shelduck, <i>Tadorna tadorna</i>, NW Europe 832</p>		



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		<p>individuals, representing an average of 1% of the GB population (5-year peak mean 1998/9-2002/3) Pied Avocet, Europe/Northwest Africa 167 individuals, representing an average of 4.9% of the GB population (5-year peak mean 1998/9-2002/3) Spotted Redshank, <i>Tringa erythropus</i>, Europe/W Africa 3 individuals, representing an average of 2.2% of the GB population (5-year peak mean 1998/9-2002/3) Redshank, <i>Tringa totanus totanus</i>, 2124 individuals, representing an average of 1.8% of the GB population (5-year peak mean 1998/9- 2002/3)</p> <p>Species Information</p>		



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		Nationally important species occurring on the site. Invertebrates: <i>Vertigo angustior</i> (Nationally Scarce) & <i>Vertigo pusilla</i> (Nationally Scarce)		
<p>Minsmere – Walberswick</p> <p>Minsmere – Walberswick is situated to the East of Suffolk within Suffolk Coastal District. This composite, Suffolk coastal site contains a complex mosaic of habitats, notably, areas of marsh with dykes, extensive reedbeds, mudflats, lagoons, shingle and driftline, woodland and areas of lowland heath. The site supports the largest continuous stand of reed in England and Wales and demonstrates the nationally rare transition in grazing marsh ditch plants from brackish to fresh water. The combination of habitats creates an exceptional area of scientific interest supporting nationally scarce plants, British Red Data Book invertebrates and nationally important numbers of breeding and wintering birds.</p>				
<u>Minsmere-Walberswick SPA</u> EU Code: UK9009101		<u>Qualifying Features</u> potentially affected: <ul style="list-style-type: none"> • A021 <i>Botaurus stellaris</i>; Great Bittern (Breeding) • A051 <i>Mareca strepera</i>; Gadwall (Non-breeding) 	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring; The extent and distribution of the habitats of the qualifying features	Coastal squeeze – Coastal defences are present along most of the Minsmere - Walberswick coastline to mitigate for impacts from climate change, such as rising sea level. Unless changes are made to the management of the coastline, Habitats supporting qualifying SPA birds will be lost or degraded through coastal



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		<ul style="list-style-type: none"> • A051 <i>Mareca strepera</i>; Gadwall (Breeding) • A052 <i>Anas crecca</i>; Eurasian Teal (Breeding) • A056 <i>Spatula clypeata</i>; Northern Shoveler (Breeding) • A056 <i>Spatula clypeata</i>; Northern Shoveler (Non-breeding) • A081 <i>Circus aeruginosus</i>; Eurasian Marsh Harrier (Breeding) • A082 <i>Circus cyaneus</i>; Hen Harrier (Non-breeding) • A132 <i>Recurvirostra avosetta</i>; Pied Avocet (Breeding) 	<p>The structure and function of the habitats of the qualifying features</p> <p>The supporting processes on which the habitats of the qualifying features rely</p> <p>The population of each of the qualifying features, and, The distribution of the qualifying features within the site.</p>	<p>squeeze, sedimentation and reduced exposure.</p> <p>Public access/disturbance – Minsmere - Walberswick is subject to land and water-based activities, including boating and water sports; walking; wildfowling; and low flying Private and MOD aircrafts. These activities are likely to impact Habitats supporting breeding and overwintering water birds. A better understanding of which species and Habitats are most susceptible; which types of activity are most disturbing; and which locations and times of year are most sensitive is required to ensure the Estuaries are appropriately managed.</p> <p>Changes in species distribution – Declines in the number of bird species present at Minsmere - Walberswick coastline have occurred. This is likely to be the result of changes in population and distribution on an international scale, due to climate change.</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		<ul style="list-style-type: none"> • A195 <i>Sterna albifrons</i>; Little Tern (Breeding) • A224 <i>Caprimulgus europaeus</i>; European Nightjar (Breeding) • A394 <i>Anser albifrons albifrons</i>; Greater White-fronted Goose (Non-breeding) 		<p>Invasive species – <i>Spartina anglica</i> is encroaching onto estuarine muds. This may reduce bird roosting and feeding areas of saltmarsh and mudflat.</p> <p>Inappropriate Pest Control: Pest species, particularly Corvids and gulls, are attracted by feed of nearby outdoor pig farming. The increased populations of these species likely cause increased predation and disturbance of SPA/SAC features.</p> <p>Air Pollution - Impacts of atmospheric nitrogen deposition: Modelled aerial deposits of nitrogen within Minsmere - Walberswick exceed the threshold limit above which the diversity of heathland vegetation begins to be altered and adversely impacted. This is likely being caused by in combination impacts from land spreading and land use practices with high nutrient inputs e.g. outdoor pig farms.</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
				<p>Water Pollution: Inappropriate surface and ground water quality may impact on SPA/SAC features. The estuary water is nutrient rich with high pollutant levels. Eutrophication is having an influence on reed. Increased flood events could lead to habitat change/loss of diversity. Nutrient run off from outdoor pig farming could exacerbate the issue locally. Ground water pollution on light lands from land use practices such as treatment plants, land spreading, outdoor pigs, high nutrient inputs</p> <p>on fields may be an issue locally. Further monitoring and management of key issues are required.</p> <p>Deer: High numbers of red deer are damaging reedbed, woodland and heathland habitat. Minsmere RSPB Reserve has started a culling programme to control deer populations.</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
<u>Minsmere- Walberswick Ramsar Site</u> EU Code: UK11044		<p>Ramsar criterion 1</p> <p>The site contains a mosaic of marine, freshwater, marshland and associated habitats, complete with transition areas in between. Contains the largest continuous stand of reedbeds in England and Wales and rare transition in grazing marsh ditch plants from brackish to fresh water.</p> <p>Ramsar criterion 2</p> <p>This site supports nine nationally scarce plants and at least 26 red data book invertebrates. Supports a population of the mollusc <i>Vertigo angustior</i> (Habitats Directive Annex II; British Red Data Book Endangered), recently discovered on the Blyth estuary river walls. An</p>	<p>There are no Conservation Objectives set for Ramsar sites.</p>	<p>The RIS identified the following Factors affecting the site's ecological character:</p> <p>Erosion: Onsite impacts, major impact - Coastal squeeze within the Blyth Estuary.</p> <p>Recreational/tourism disturbance (unspecified): Onsite impacts, major impact - Trampling damage to vegetated shingle and driftline communities, and disturbance of little tern nesting habitat.</p> <p>The notes in the RIS for Ramsar sites of factors affecting site's ecological character are not considered as necessary for HRA screening purposes. The assessment under the provisions of the Habitats Regulations is strictly limited to the qualifying features which meet the Ramsar criteria. Where the qualifying features of a Ramsar site would or could be adversely affected by a plan or project, the tests at Appropriate Assessment would need to be based on Article 4 of the Ramsar Convention, which allows a Contracting Party (in this case the UK</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		important assemblage of rare breeding birds associated with marshland and reedbeds including: <i>Botaurus stellaris</i> , <i>Mareca strepera</i> , <i>Anas crecca</i> , <i>Spatula clypeata</i> , <i>Circus aeruginosus</i> , <i>Recurvirostra avosetta</i> , <i>Panurus biarmicus</i>		government) to delete or restrict the boundaries of sites only “ in its urgent national interest”.
<u>Minsmere to Walberswick Heaths & Marshes SAC</u> EU Site Code:	1256.57	<u>Qualifying Features</u> potentially affected: <u>H1210</u> . Annual vegetation of drift lines <u>H1220</u> . Perennial vegetation of stony banks; Coastal shingle vegetation outside the reach of waves <u>H4030</u> . European dry heaths	With regard to the SAC and the natural habitats and/or species for which the site has been designated (the ‘Qualifying Features’ listed below), and subject to natural change; Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; The extent and distribution of qualifying natural habitats and habitats	Same as Minsmere- Walberswick SPA (See above)



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
			<p>The structure and function (including typical species) of qualifying natural habitats, and</p> <p>The supporting processes on which qualifying natural habitats rely</p>	



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
<p>Redgrave & South Lopham Fens</p> <p>The site lies to the North-West of Suffolk within Mid Suffolk District. It is an extensive example of lowland base-rich valley, remarkable for its lack of fragmentation. The diversity of the site is due to the lateral and longitudinal zonation of the vegetation types characteristic of valley mires, such as dry birch woodland, scrub and carr, floristically-rich fen grassland, mixed fen, wet heath and areas of reed and saw sedge. The site supports many rare and scarce invertebrates, including a population of the fen raft spider <i>Dolomedes plantarius</i></p>				
<p><u>Redgrave & South Lopham Fens Ramsar Site</u></p> <p>EU Code: UK11056</p>	<p>127.09</p>	<p>Ramsar criterion 1</p> <p>The site is an extensive example of spring-fed lowland base-rich valley, remarkable for its lack of fragmentation</p> <p>Ramsar Criterion 2</p> <p>The site supports many rare and scarce invertebrates, including a population of the fen raft spider <i>Dolomedes plantarius</i>.</p> <p>Ramsar criterion 3</p> <p>The site supports many rare and scarce invertebrates, including a population of the</p>	<p>There are no Conservation Objectives set for Ramsar sites.</p>	<p>The Ramsar Information Sheet (RIS) identified the following Factors affecting the site's ecological character:</p> <ul style="list-style-type: none"> • Dredging – On site with major impact to qualifying features • Eutrophication – An onsite impact. Catchment nutrient-loading hoped to be investigated to address eutrophication. • Pollution – Offsite agricultural fertilisers - Catchment nutrient-loading hoped to be investigated to address fertiliser pollution. • Pollution - Offsite pesticides/agricultural runoff



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
		fen raft spider <i>Dolomedes plantarius</i> . The diversity of the site is due to the lateral and longitudinal zonation of the vegetation types characteristic of valley mires.		The notes in the RIS for Ramsar sites of factors affecting site's ecological character are not considered as necessary for HRA screening purposes. The assessment under the provisions of the Habitats Regulations is strictly limited to the qualifying features which meet the Ramsar criteria. Where the qualifying features of a Ramsar site would or could be adversely affected by a plan or project, the tests at Appropriate Assessment would need to be based on Article 4 of the Ramsar Convention, which allows a Contracting Party (in this case the UK government) to delete or restrict the boundaries of sites only "in its urgent national interest".



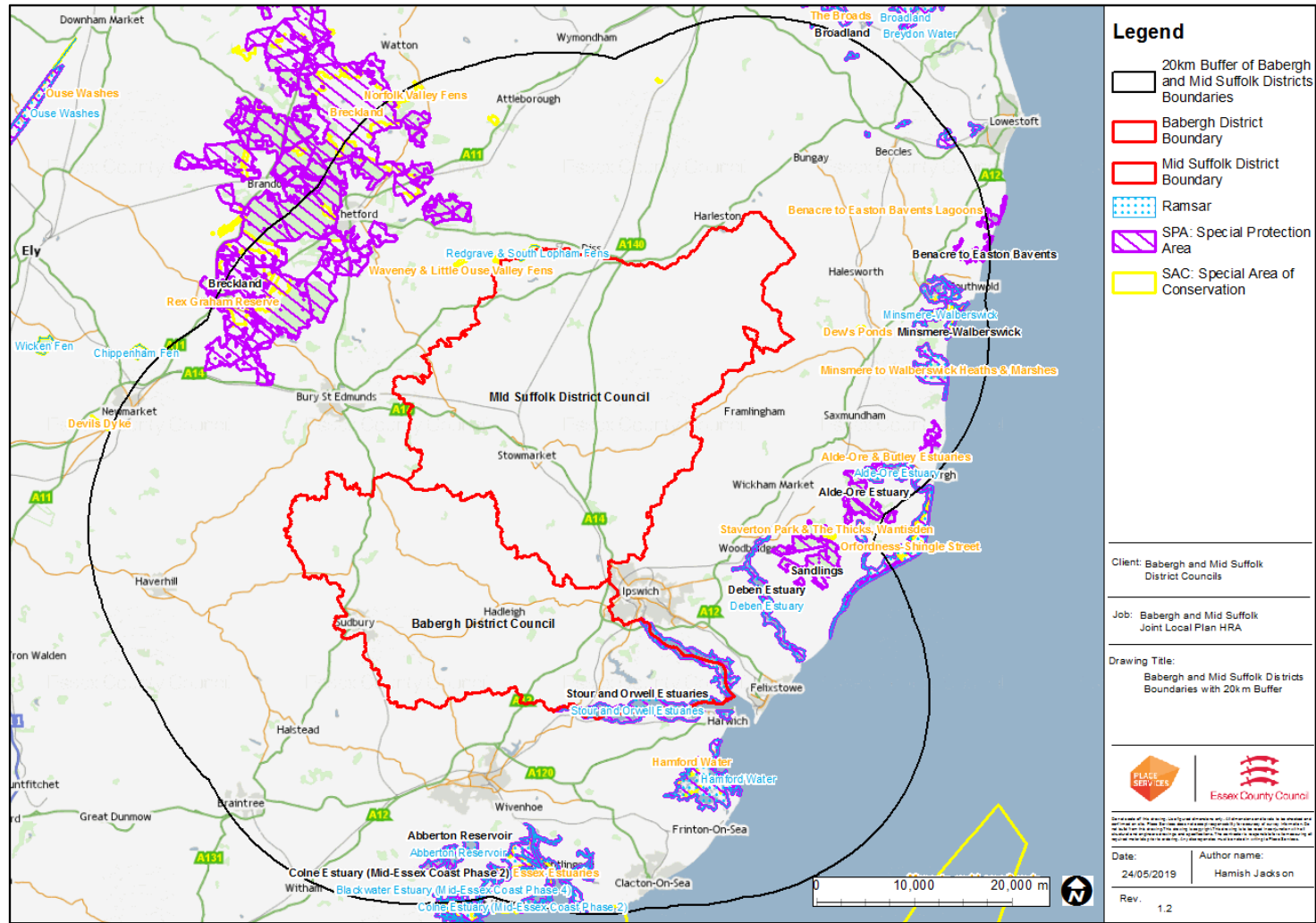
Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
Waveney & Lt Ouse Valley Fens				
<u>Waveney & Lt Ouse Valley Fens SAC</u> EU Code: UK0012882	192.37	<p><u>H6410</u>. Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae); Purple moor-grass meadows</p> <p><u>H7210</u>. Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae; Calcium-rich fen dominated by Great Fen Sedge (Saw Sedge) <i>Cladium mariscus</i>*</p> <p><u>S1016</u>. Desmoulin`s whorl snail <i>Vertigo moulinsiana</i></p>	<p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <p>The extent and distribution of qualifying natural habitats and habitats of qualifying species</p> <p>The structure and function (including typical species) of qualifying natural habitats</p> <p>The structure and function of the habitats of qualifying species</p>	<p>Inappropriate Scrub Control: Historically sections of the fen have been allowed to scrub over. These now form wet woodland and scrub with glades containing the remnants of the qualifying features.</p> <p>The aim is to ensure the site includes the same area of <i>Cladium</i> fen (H7210 Calcium-rich fen dominated by great fen sedge (saw sedge)) present at the time of designation.</p> <p>Inappropriate Water Levels: Concerns have been expressed about water levels in the SAC. Some areas such as Redgrave and Lopham Fens have already been worked on. Others (Blo' Norton and Thelnetham Fens) are currently being investigated through the Water Level Management Plan process. Historical evidence suggests that water levels have significantly dropped over time and as a result habitats and features have been</p>



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
			<p>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</p> <p>The populations of qualifying species, and,</p> <p>The distribution of qualifying species within the site.</p>	<p>damaged. Parts of the fen supported swingmoor habitats and these are a poor representation of their former selves.</p> <p>Air Pollution - impact of atmospheric nitrogen deposition: Nitrogen deposition exceeds site relevant critical loads.</p> <p>Water Pollution: Poor water quality arising from agricultural run-off particularly from nearby outdoor poultry and pig units causes nutrient enrichment and can lead to a reduction in biodiversity.</p>

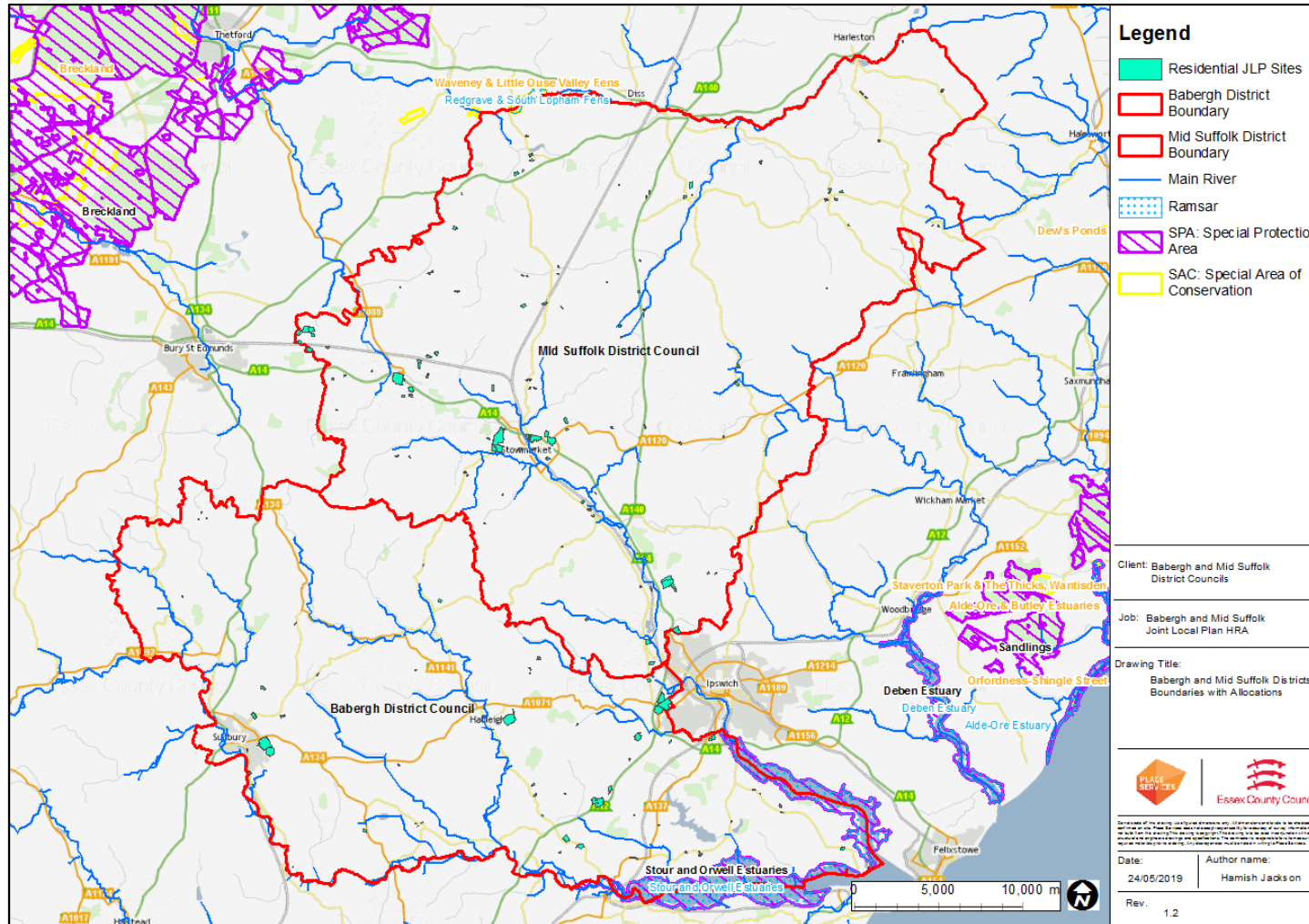


Appendix 5. Habitats Sites within 20km of the Babergh and Mid Suffolk Districts Boundaries



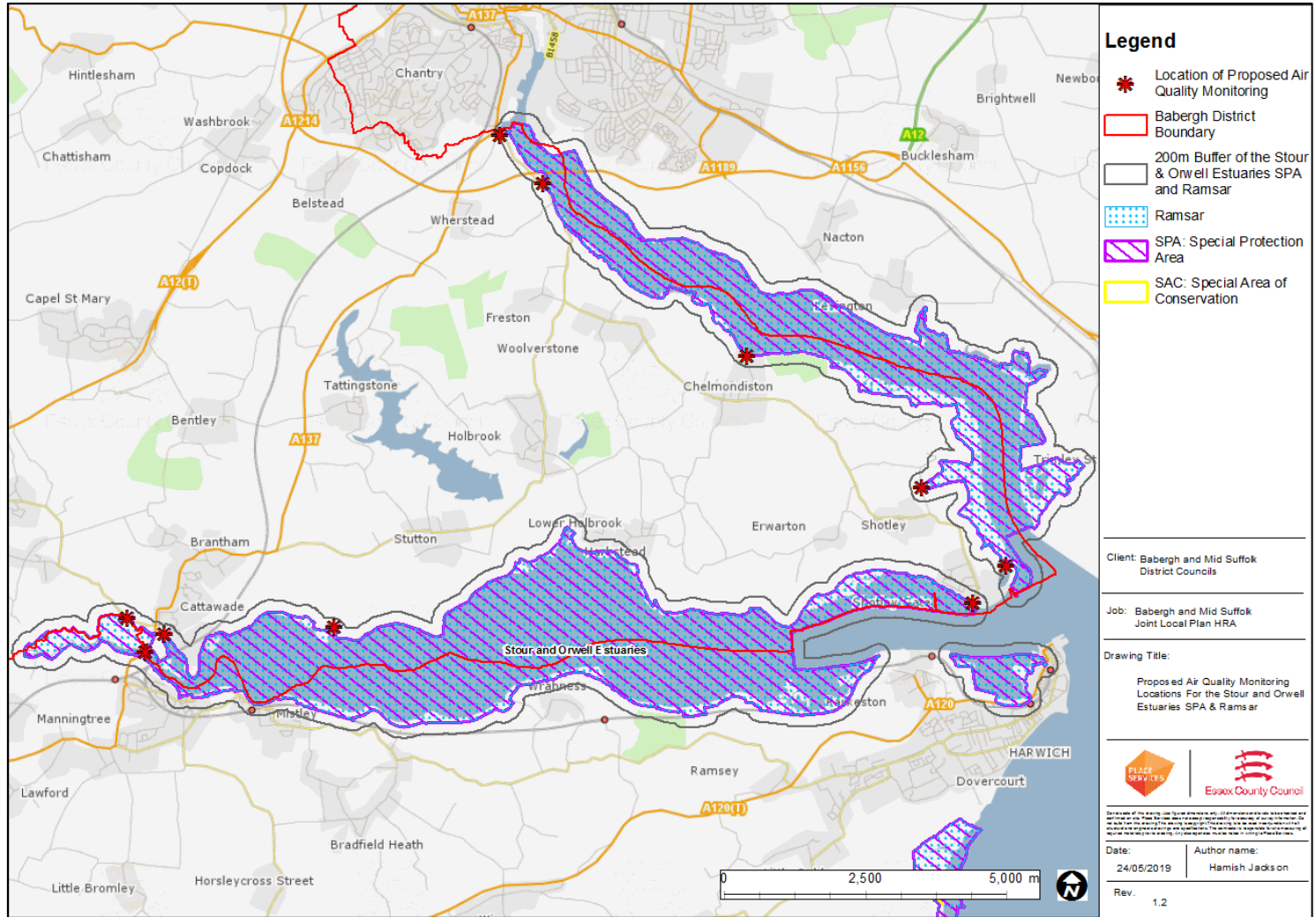


Appendix 6. Babergh and Mid Suffolk Local Plan Allocation Sites in relation to Habitats Sites



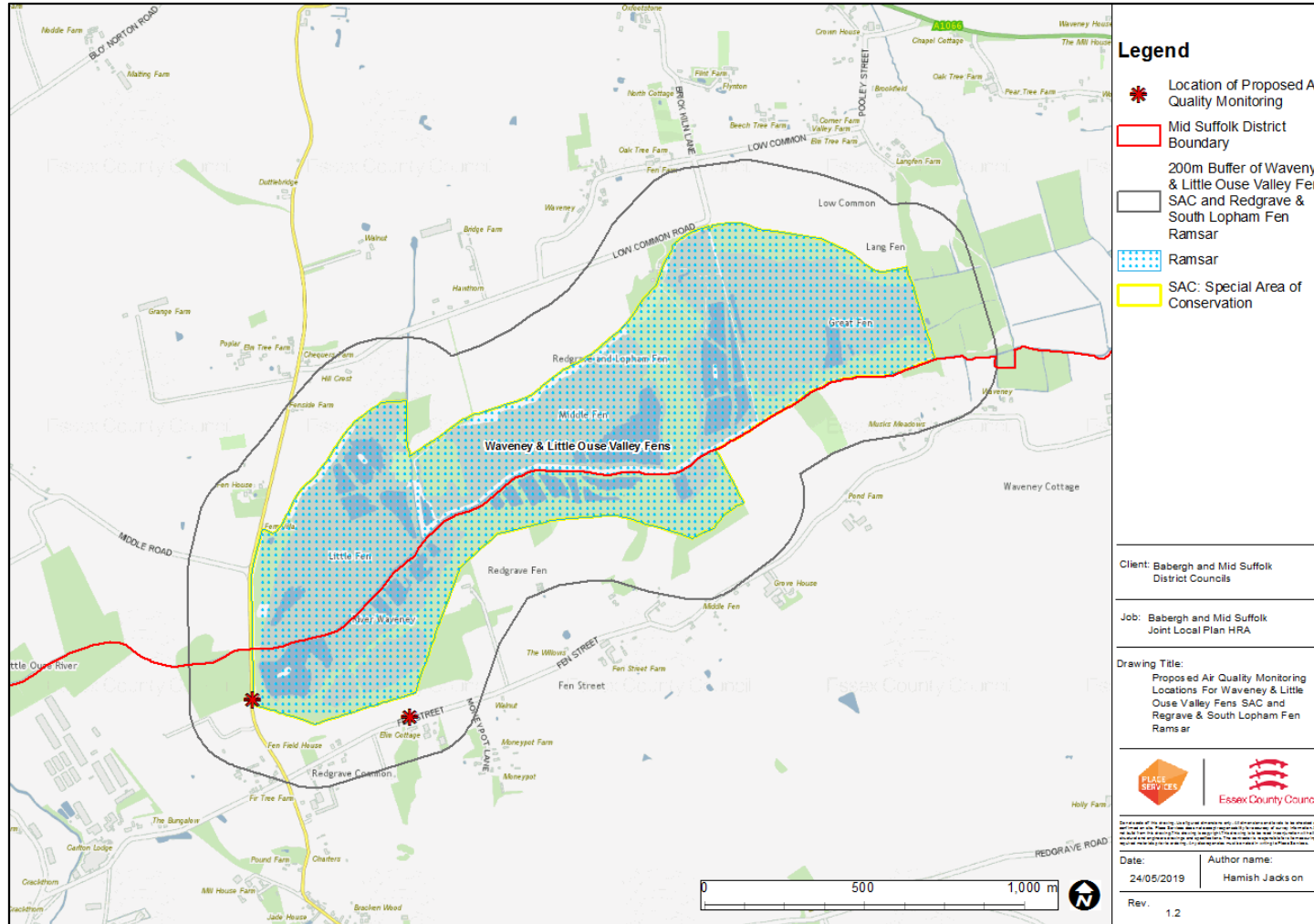


Appendix 7. Proposed Air Quality Monitoring Locations for the Stour and Orwell Estuaries SPA & Ramsar





Appendix 8. Proposed Air Quality Monitoring for Waveney & Little Ouse Valley Fens SAC and Redgrave & South Lopham Fens Ramsar





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