



Aldham Neighbourhood Plan Second Draft

Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment (HRA) / Appropriate Assessment (AA):

Screening Report – February 2019





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1. Introduction

1.1 The Purpose of This Report

This screening report is an assessment of whether or not the contents of the Aldham Neighbourhood Plan Second Draft (January 2019) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/ EC and associated Environmental Assessment of Plans and Programmes Regulations. A SEA is required if the Neighbourhood Plan is deemed to have a likely significant effect on the environment.

This report will also screen to determine whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) 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. A HRA is required when it is deemed that likely adverse significant effects may occur on protected European Sites (Natura 2000 sites or 'Habitats Sites') as a result of the implementation of a plan/project.

1.2 The Aldham Neighbourhood Plan Second Draft

The Neighbourhood Plan will set out planning policies for Aldham and within the confines of the Aldham Parish boundary. Once formally adopted, a Neighbourhood Plan carries the same legal weight as Local Development Plans adopted up by the Local Planning Authority (LPA), in this case Babergh District Council.

The Plan does not include a clear Vision or any related aims or objectives; however the following Policies have been established for the Plan which allude to the Plan's main goals:

Policies	
ALD1	Spatial Strategy
ALD2	Housing Development
ALD3	Land west of Hadleigh Road
ALD4	Land north of The Street
ALD5	Affordable Housing on Rural Exception Sites
ALD6	Local Green Space
ALD7	Mitigating the Impact of Development on Protected Habitats

1.3 The Babergh Core Strategy (2014)

The adopted Babergh Core Strategy (2014) contains the current strategic planning policy for the District and thus Aldham. The Core Strategy was adopted in 2014 and includes a number of policies related to a strategy for growth in the District, the delivery of growth and the provision of



infrastructure. A Sustainability Appraisal was carried out for the Core Strategy as well as 'Appropriate Assessment' in accordance with the Habitats Directive and Regulations.

The Core Strategy categorised the settlement of Aldham as a Hinterland Village. It establishes that Hinterland Villages should accommodate some development in the District. Policy CS2 Settlement Pattern Policy of the Core Strategy states that;

'Hinterland Villages will accommodate some development to help meet the needs within them. All proposals will be assessed against Policy CS11.'

1.4 The Emerging Babergh Local Plan

Work has been underway for a new Joint Local Plan with Babergh and Mid Suffolk District Council. At the time of writing, a Regulation 18 stage consultation had most recently closed on the 10th November 2017. This was accompanied by a Sustainability Appraisal.

The Regulation 18 stage Local Plan also identifies Aldham within the 'Hinterland Villages' category of the settlement hierarchy. A number of strategic options were explored relevant to Hinterland Villages. These were:

- County Town Focus – 5% district growth in Hinterland Villages
- Market town / rural area balance – 15% district growth in Hinterland Villages
- Transport corridor focus – 10% district growth in Hinterland Villages
- New Settlement focus – 5% district growth in Hinterland Villages

The emerging Local Plan has reviewed Settlement Boundaries. The Plan states that,

'At the next consultation stage of the Joint Local Plan Hinterland Villages, Hamlets and Countryside villages will have boundary flexing to accommodate sites deemed appropriate for development. Maps identifying 'committed boundaries' and potential SHELAA sites can be viewed in Appendix 3 and 4'

Within Appendix 3 of the Local Plan, there is included a map of Aldham. The map shows one potential development site.

Since then, one further site has been submitted for consideration as a potential allocation within the emerging Local Plan (through the Regulation 18 consultation) in the Neighbourhood Plan area. A total of two sites have therefore been identified for development purposes within the Aldham Neighbourhood Plan area.

Of Neighbourhood Plans, the emerging Local Plan states that,

'Neighbourhood plans can be brought forward at any time and can be developed before or at the same time as the local planning authority is producing its Local Plan. It is for the local planning authority to work closely with neighbourhood planning groups to minimise any conflicts between policies in the neighbourhood plan and the emerging Local Plan.'

There is an opportunity for local communities to bring forward sites for development in neighbourhood plans in parallel with the developing local plan process and in



accordance with the emerging level of growth agreed with the local planning authority and share evidence the evidence being prepared by the Local Planning Authority and vice versa.'

The Local Plan at the current stage of process (at the time of writing) outlines high level options with initial preference for approaches included, however there is currently an absence of draft policy wording at this stage. With this in mind, the emerging Local Plan is unlikely to have any identifiable conflict with any of the content within the emerging Aldham Neighbourhood Plan regarding the principle of development. Indeed, the Neighbourhood Plan is being prepared at a comparably advanced stage to that of the Local Plan and its evidence base.



2. Legislative Background

2.1 Strategic Environmental Assessment (SEA)

Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment states that,

'Environmental assessment is an important tool for integrating environmental considerations into the preparation and adoption of certain plans and programmes which are likely to have significant effects on the environment.

(10) All plans and programmes which are prepared for a number of sectors and which set a framework for future development consent of projects listed in Annexes I and II to Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment(7), and all plans and programmes which have been determined to require assessment pursuant to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna(8), are likely to have significant effects on the environment, and should as a rule be made subject to systematic environmental assessment. When they determine the use of small areas at local level or are minor modifications to the above plans or programmes, they should be assessed only where Member States determine that they are likely to have significant effects on the environment.

(11) Other plans and programmes which set the framework for future development consent of projects may not have significant effects on the environment in all cases and should be assessed only where Member States determine that they are likely to have such effects.'

The Aldham Neighbourhood Plan may influence frameworks for future development, or become used ancillary to those plans and programmes that do set such a framework, and as such it has been determined that the principle of the Neighbourhood Plan should be screened for the necessary application of the SEA Directive.

The Report from the Commission to The Council, The European Parliament, The European Economic and Social Committee and the Committee of the Regions states, on the application and effectiveness of the Directive on Strategic Environmental Assessment (Directive 2001/42/EC), that

'the following P&P, and modifications to them, are covered when prepared and/or adopted by an authority[2] and required pursuant to legislative, regulatory or administrative provisions:

- P&P prepared for certain sectors and which set the framework for future development consent in respect of projects under the Environmental Impact Assessment-EIA-Directive.*
- P&P requiring an assessment under the Habitats Directive (92/43/EEC).*
- P&P setting the framework for development consent in respect of projects (not limited to those listed in the EIA Directive; see above) and determined by "screening"*



as being likely to have significant environmental effects.'

This report represents this screening process in regard to the content and influence of the Aldham Neighbourhood Plan.

2.2 Habitats Regulations Assessment (HRA)

Under the provisions of the EU Habitats Directive and translated into English law by the Habitats Regulations (The Conservation of Habitats and Species Regulations 2017), a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any European Site, in terms of impacting the site's conservation objectives.

HRA is the screening assessment of the impacts of a land use proposal against the conservation objectives of European sites. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would potentially damage the internationally designated features of that site. European sites are also known as Natura 2000 sites and Habitats Sites (NPPF 2019).

This HRA Screening Report has been undertaken in order to support the Aldham Neighbourhood Development Plan which is being produced by Aldham Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012.

The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA.

In line with the recent 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.



3. SEA Screening

3.1 When is SEA Required?

Planning Practice Guidance – Strategic environmental assessment requirements for neighbourhood plans (Paragraph: 026 Reference ID: 11-026-20140306) states that,

'In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment. Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This process is commonly referred to as a "screening" assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

If likely significant environmental effects are identified, an environmental report must be prepared in accordance with paragraphs (2) and (3) of regulation 12 of those Regulations.

One of the basic conditions that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with European Union obligations (including under the Strategic Environmental Assessment Directive).

To decide whether a draft neighbourhood plan might have significant environmental effects, it must be assessed (screened) at an early stage of the plan's preparation according to the requirements set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. These include a requirement to consult the environmental assessment consultation bodies.

Each consultation body will be able to advise on particular topics relevant to its specific area of expertise and responsibility, and the specific information that it holds.

Where it is determined that the plan is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for the determination should be prepared. A copy of the statement must be submitted with the neighbourhood plan proposal and made available to the independent examiner.'

Articles 2 and 3 of the SEA Directive set out the circumstances in which an SEA is required. Table 1 sets out the assessment of whether the principle of the Aldham Neighbourhood Plan will require a 'full SEA', culminating in a SEA Environmental Report.

Table 1: Exploring whether the Principle of the Plan would warrant SEA

Q	Criteria	Response	Outcome	Commentary
1	Is the Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through legislative procedure by Parliament or Government	Yes	Go to question 2	The Neighbourhood Plan has been prepared for adoption through legislative procedure.
2	Is the Plan required by legislative, regulatory or <u>administrative provision</u> Typical characteristics of "administrative provisions" are that they are publicly available, prepared in a formal way, probably involving consultation with interested parties. The administrative provision must have sufficient formality such that it counts as a "provision" and it must also use language that plainly requires rather than just encourages a Plan to be prepared.	Yes	Go to question 3	The Neighbourhood Plan would be considered as falling within the category of an 'administrative provision'.
		No	DOES NOT REQUIRE SEA	
3	Is the Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive?	Yes to both criteria	Go to question 5	The Neighbourhood Plan has been prepared for town and country planning and sets a framework for future development consent.
		No to either criteria	Go to question 4	
4	Will the Plan, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive?	Yes	Go to question 5	N/A
		No	Go to question 6	
5	Does the Plan determine the use of small areas at local level, OR is it a minor modification of a Plan likely to require assessment under the Habitats Directive?	Yes to either criteria	Go to question 8	The policies of the Neighbourhood Plan can be considered to determine the use of small areas at a local level commensurate with their status in determining local planning applications.
		No to both criteria	Go to question 7	

Q	Criteria	Response	Outcome	Commentary
6	Does the Plan set the framework for future development consent of projects (not just projects in the Annexes of the EIA Directive)?	Yes	Go to question 8	N/A
		No	DOES NOT REQUIRE SEA	
7	Is the Plans sole purpose to serve national defence or civil emergency, OR is it a financial or budget Plan, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7	Yes to any criteria	DOES NOT REQUIRE SEA	N/A
		No to all criteria	REQUIRES SEA	
8	Is it likely to have a significant effect on the environment?	Yes	REQUIRES SEA	Likely significant effects are explored in more detail elsewhere in this Screening Report.
		No	DOES NOT REQUIRE SEA	

The following section looks at the criteria for assessing the effects of the Neighbourhood Plan and the identified effects of the Neighbourhood Plan in line with the criteria. Crucially, it will determine whether there are any likely significant effects on the environment.



3.2 Criteria for Assessing the Effects of the Neighbourhood Plan

Criteria for determining the likely significant effects on the environment, referred to in Article 3(5) of Directive 2001/42/EC are set out below.

Annex II of SEA Directive 2001/42/EC – Significant Effects

1. The characteristics of plans and programmes, having regard, in particular, to

- the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
- the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
- the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
- environmental problems relevant to the plan or programme,
- the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

- the probability, duration, frequency and reversibility of the effects,
- the cumulative nature of the effects,
- the transboundary nature of the effects,
- the risks to human health or the environment (e.g. due to accidents),
- the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
- the value and vulnerability of the area likely to be affected due to:
 - * special natural characteristics or cultural heritage,
 - * exceeded environmental quality standards or limit values,
 - * intensive land-use,
 - * the effects on areas or landscapes which have a recognised national, Community or international protection status.



3.3 Likely Significant Effects on the Environment resulting from the Neighbourhood Plan

The following assessment will consider the likelihood of the Aldham Neighbourhood Plan Second Draft (at the time of writing) to have significant effects on the environment.

Table 2: Assessment of Likely Significant Effects on the Environment

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</p>	<p>The Plan sets out relevant policies which will be used to determine proposals for development within the Neighbourhood Plan area once adopted. Policy ALD1 - Spatial Strategy specifies that development should be located within a defined Built-Up Area Boundary and specifies under which circumstances any forthcoming proposals outside this area would be supported. The Plan also allocates two sites for residential development purposes, one of which does not have planning permission (Policy ALD4 – Land north of The Street).</p> <p>The principle of development within the Neighbourhood Plan area is supported by the District Council through their categorisation of Aldham as a Hinterland Village within the settlement hierarchy of their emerging Local Plan. The Local Plan is not yet at a stage to identify a quantum of development for Aldham or allocate sites for development within the Neighbourhood Plan area, however the August 2017 Consultation document does identify a single site within Aldham for consideration (reference number SS0258). Since then, the Local Plan progress has identified another site within the Aldham through an extended call-for-sites exercise which is also allocated through Neighbourhood Plan Policy ALD3.</p> <p>The degree to which the Plan sets a framework for projects <i>could</i> be considered relatively high from a procedural viewpoint, in allocating land (as a resource) for development purposes; however it should be acknowledged that Policy ALD4 – Land north of The Street is only allocated for five dwellings. It is also a small site located within a larger site option identified within the Babergh & Mid Suffolk Joint Local Plan August 2017 Consultation document (SS0258).</p> <p>The allocation of a site for housing that does not have planning permission would normally warrant the full application of the SEA Directive in the form of a SEA Environmental Report, in order to justify the allocation of site(s) in light of reasonable alternatives. Despite this, the Neighbourhood Plan allocates all (both) of the sites identified within Aldham through the LPA's Local Plan process. Additionally, the size of the Policy ALD4 allocation allows consideration that the degree to which the Neighbourhood Plan sets a framework for projects by allocating resources as relatively low.</p>

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.</p>	<p>The Neighbourhood Plan provides policies for the Plan area, relevant to a local level only. The policies of the Neighbourhood Plan influence the emerging Babergh and Mid Suffolk Local Plan in so far as there is an intention for it to be 'made' prior to the adoption of the Local Plan, which is currently at the Regulation 18 stage.</p> <p>The Plan is however in general conformity to policies CS1, CS2 and CS3 of the Mid Suffolk adopted Core Strategy.</p> <p>The emerging Babergh and Mid-Suffolk Local Plan recognises that many of the settlements (within Babergh and Mid Suffolk) have already expanded beyond defined settlement boundaries and that these have been / are being reviewed through the plan-making process. Further, the Councils establish that Hinterland Villages should receive some growth as espoused in the emerging Local Plan. The stance of the Neighbourhood Plan in allocating land for development purposes to the tune of 15 dwellings is therefore not considered a strong influence on the emerging Local Plan.</p>
<p>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.</p>	<p>Neighbourhood Plans are required to contribute to the achievement of sustainable development. The Neighbourhood Plan policies seek to ensure environmental considerations are taken into account. The Neighbourhood Plan is compatible and does not conflict with adopted Babergh Core Strategy policies CS1 and CS15 which have been subject to a thorough process of plan preparation and accompanying Sustainability Appraisal.</p> <p>The following policy exists within the Neighbourhood Plan relevant to environmental protection:</p> <ul style="list-style-type: none"> • Policy ALD7 – Mitigating the Impact of Development on Protected Habitats <p>Additionally, the Plan's housing allocation policies include criteria relevant to environmental protection on site. The policies contained within the Plan in addition to those adopted and emerging within the District Council's Core Strategy / Local Plan are considered to be sufficient to ensure that effects on the environment are minimised.</p>
<p>Environmental problems relevant to the plan.</p>	<p>The Neighbourhood Plan reflects a small area. The policy content of the adopted BDC Core Strategy will additionally apply to any proposals within the Neighbourhood Plan area. These policies have been subject to Sustainability Appraisal And Habitats Regulations Assessment Screening within the context of the Core Strategy. The potential environmental problems relevant to the Neighbourhood development Plan area include:</p> <ul style="list-style-type: none"> • Aldham has a small area of flood risk zone 3, located on the western side of the plan area. • There are six listed buildings within the Plan area. • Listed Buildings include the Grade I listed Church of St Mary.



Criteria for determining the likely significance of effects (Annex II SEA Directive)		Likelihood and summary of significant effects
	<ul style="list-style-type: none"> The Plan area is within a number of SSSI Impact Risk Zones that may render some types of development unsuitable, pending consultation with Natural England as required. The Wolves Wood SSSI is located in the south east corner of the plan area. Wolves Wood is also a designated area of Ancient Woodland. The plan area contains areas of priority habitats. These being Deciduous Woodland, traditional orchards and Good quality semi-improved grassland. The Aldham plan area is primarily within Zone II of a Source Protection Zone which emanates from the south, beginning in the Parish of Layham. The Plan area contains Grade 3 (good to moderate) agricultural land, which is defined as the “best and most versatile agricultural land” within the wider District. 	
<p>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).</p> <p>The probability, duration, frequency and reversibility of the effects on the following factors:</p>	<p>The content of the Neighbourhood Plan is not in conflict with those relevant planning documents within the wider district and county area related to waste management or water protection.</p> <p>The following impacts have been identified within this Screening Assessment:</p>	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Sustainability Theme</p>	<p>- Biodiversity</p>	<p>There is a wildlife designation within the Plan area (a SSSI). The Plan area contains a number of scattered priority habitats located around the settlement boundary. The Plan area is within the Impact Risk Zones of numerous SSSIs; however there are no identified incompatibilities with any development relevant to Neighbourhood Planning in and around the settlement of Aldham identified by Natural England.</p> <p>Of the Plan’s two residential site allocations, neither of them would lead to the loss of any priority habitats.</p> <p>The HRA Screening element of this Report determines that two European Sites lie within 13km of Aldham parish, which is the largest Zone of Influence for any Habitats Site in Suffolk and the distance recently confirmed by Natural England as the zone of influence to identify potential recreational impacts on coastal Habitats sites in Suffolk. Significant effects that would warrant the application of the SEA Directive can therefore not be ruled out.</p>



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<ul style="list-style-type: none"> - Population - Human health 	<p>The Neighbourhood Plan allocates two sites for residential development and also a policy related to affordable housing on rural exception sites (Policy ALD5). There is therefore expected to be some positive impacts the general population resulting from the Plan.</p> <p>The Plan does not allocate any land for development purposes that could have any implications regarding human health. The Plan seeks to safeguard a local green space within the Plan area in Policy ALD6 – Local Green Space in order to ensure that this space is preserved for the purposes of health and well-being.</p> <p>It can be considered that no significant effects will occur upon human health in the Neighbourhood Plan area. Any potential impacts regarding contamination of any future proposals are best addressed at the ‘project level’, through the development management process and in adherence to relevant policies at the LPA level.</p>
<ul style="list-style-type: none"> - Fauna - Flora - Soil 	<p>The impacts of the Neighbourhood Plan on fauna are not considered significant. It is possible that developments that could be forthcoming within the Plan area could have negative impacts on protected species; however these cannot be identified as strategically significant to warrant Strategic Environmental Assessment at the Plan level. Such issues are more appropriate to be considered on a case-by-case application basis at the development management stage in consideration of the Neighbourhood Plan policies and relevant policies contained within Babergh’s adopted Core Strategy and emerging Local Plan (commensurate to the level of weight those policies would have at the time of application).</p> <p>Although Priority Habitats exist in close proximity to the Aldham development boundary, no specific policy exists that seeks their protection. Policy ALD1: Spatial Strategy does however seek to protect the rurality of the Plan area by advocating development within the Built-Up Area Boundary in the first instance, and policy criteria exist relevant to the protection of flora in the Plan’s housing allocation policies. Further protection in regard to flora exists within relevant policies contained within Babergh’s adopted Core Strategy and emerging Local Plan (commensurate to the level of weight those policies would have at the time of application). There is not considered to be any likely effects on Flora that would be of a significance that would warrant the application of the SEA Directive.</p> <p>The Plan area contains Grade 3 (good to moderate) agricultural land (ALC), which is defined as the “best and most versatile agricultural land” within the wider District. Of the Plan’s allocations, Policy ALD3: Land west of Hadleigh Road and Policy ALD4: Land north of The Street would see a loss of greenfield land.</p>

Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>- Water</p> <p>- Air</p> <p>- Climatic factors</p> <p>- Material assets</p>	<p>The Plan's greenfield allocations are on Grade 3 ALC. The Plan does not directly seek the protection of Grade 2 or 3 soils through any policy approach; however no significant effects on soil can be expected as a result of the Plan content.</p> <p>Land within Zone II – outer protection zone radiates out from Zone I and is wholly within the settlement boundary. Source Protection Zones (SPZs) respond to sources such as wells, boreholes and springs used for public drinking water supply. These zones show the risk of contamination from any activities that might cause pollution in the area. The Neighbourhood Plan allocates land for residential development purposes; however such uses are not considered to give rise to ground water pollutants (e.g. give rise to hazardous substances such as pesticides, oils, petrol and diesel, solvents, arsenic, mercury or chromium VI; or non-hazardous substances such as ammonia or nitrates).</p> <p>No AQMAs or other identified air quality issues exist within or in close proximity to the Neighbourhood Plan area. As such, no significant effects on air quality have been deemed likely.</p> <p>The majority of the Neighbourhood Plan area is not designated within flood risk zones, however a small area of flood risk zone 3 exists in the western area of Aldham, affecting only a small area of undeveloped land. As such, no significant effects have been identified.</p> <p>The Neighbourhood Plan area is partially within a Minerals Consultation Area, indicating that potential mineral deposits are present. Despite this, the content of the Neighbourhood Plan is not considered to have any significant impacts on material assets due to the extent / size of the Neighbourhood Plan Area. Such issues are more appropriate to be considered on a case-by-case basis at the development management stage and in accordance with relevant development management policies contained within Babergh's adopted Core Strategy and adopted Minerals & Waste Local Plan policies at the County level.</p>
<p>- Cultural heritage</p>	<p>There are six listed buildings in Aldham. Of the Plan's allocations, Policy ALD3 – West of Hadleigh Road is in close proximity to Eleys Cottage, a grade II listed building; however the site has planning permission and such effects will have been considered at the development management stage in regard to existing Local Plan policies. Policy ALD4 – Land north of The Street is not in close proximity to any heritage assets.</p> <p>No thematic policies exist within the Plan that are relevant to the protection or enhancement of the historic environment. Irrespective of</p>



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>- Landscape</p>	<p>this, further policy can be found in relevant policies at the LPA level. The Plan’s allocation without planning permission (Policy ALD4) is not in close proximity to any heritage assets and therefore, significant effects on cultural heritage / the historic environment can be ruled out.</p> <p>The Joint Babergh and Mid-Suffolk District Council Landscape Guidance includes the parish of Aldham within one Landscape area: the Ancient Plateau Claylands. These character types includes the following key characteristics and recommendations:</p> <ul style="list-style-type: none"> • The Ancient Plateau Claylands contain an important array of moated sites and farmsteads, both multi-period collections of buildings and some planned estate-type farmsteads <p>Objectives related to this Landscape Character Area, include:</p> <ul style="list-style-type: none"> • Maintain and enhance the landscape areas and settlement pattern, ensuring the sense of separation between settlements is maintained where appropriate. • Reinforce and enhance the existing field boundaries. • Safeguard the plantation and ancient woodland areas. • Safeguard the parkland area. <p>The policies found within the Neighbourhood Plan do not currently reiterate the recommendations and objectives above, however policies exist at the District level.</p>
<p>The cumulative nature of the effects.</p>	<p>The Plan allocates land for development purposes and therefore cumulative effects have not been formally identified and assessed to date. Despite this, the Plan allocates only one site (for five residential units) that does not have planning permission. The small scale of this development, as well as a policy criterion stating that it will come forward in 2026 at the earliest, helps to ensure that any cumulative effects with the Plan’s other allocation (with planning permission) will be minimal. Additionally, both of the Plan’s housing allocation policies ensure that mitigation will be forthcoming in regard to any recreational disturbance effects on Habitats Sites. As such, it is considered that any significant cumulative effects of the Plan’s allocations can be ruled out at this stage.</p>
<p>The trans boundary nature of the effects.</p>	<p>The findings of the HRA Screening element of this Report do not indicate any trans boundary effects.</p>
<p>The risks to human health or the environment (e.g. due to accidents).</p>	<p>There is limited risk to human health or the environment as a result of the Neighbourhood Plan. This is in consideration of the above screening requirements related to sustainability themes. The Neighbourhood Plan is primarily focused on ensuring appropriate residential development through any forthcoming non plan-led</p>



Criteria for determining the likely significance of effects (Annex II SEA Directive)	Likelihood and summary of significant effects
<p>The magnitude spatial extent of the effects (geographical area and size of the population likely to be affected).</p> <p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> - special natural characteristics or cultural heritage - exceeded environmental quality standards - intensive land use <p>The effects on areas or landscapes which have a recognised national, community or international protection status.</p>	<p>schemes that may come forward within the Plan period, whilst retaining the character of Aldham. This land use is unlikely to give rise to any accidents that can be considered to have a significant risk to human health or the environment.</p> <p>The magnitude of effects can be considered small in the wider District and local context.</p> <p>As highlighted above in the screening of the Plan per sustainability theme, the Neighbourhood Plan has not been screened as having potential significant effects on environmental quality standards that would warrant further assessment through SEA.</p> <p>As highlighted above in the screening of the Plan per sustainability theme, the Neighbourhood Plan has been assessed as not having any significant effects on areas or landscapes which have a recognised national, community or international protection status.</p>



4. HRA Screening

4.1 Habitat Regulations Assessment of Development Plans

This section forms a plan level Habitats Regulations Assessment (HRA) as required by Regulation 63 of The Conservation of Habitats and Species Regulations 2017.

Under the provisions of the EU Habitats Directive and translated into English law by the Habitats Regulations (The Conservation of Habitats and Species Regulations 2017), a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any Habitats (European) Site, in terms of impacting the site's conservation objectives.

The first stage of HRA is the screening assessment of the impacts of a land use proposal against the conservation objectives of Habitats sites. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would result in a likely significant effect on any Habitats (European) site. European sites are also known as Natura 2000 sites and Habitats Sites in the NPPF (2019).

This HRA Screening Report has been undertaken in order to support the Aldham Neighbourhood Plan which is being produced by Aldham Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012. The area covered by the Plan is shown in Appendix 1.

The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA.

This section of this Report aims to:

- Identify the Habitats sites within 20km of Aldham Neighbourhood Plan area.
- Summarise the reasons for designation and Conservation Objectives for each site to be considered in this assessment.
- Screen the Aldham Neighbourhood Plan for its potential to impact upon a Habitats site.
- 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.

4.2 Recent Court Judgements and their consideration in this Report

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

As previously mentioned, in line with the recent 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 Screening Report does not therefore consider mitigation measures within the assessment of Likely Significant Effects resulting from the Aldham Neighbourhood Plan.

4.2.2 CJEU Holohan C- 461/17

This recent Court judgement 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.

Within this HRA Screening report, the assessment determines the requirement for whether an Appropriate Assessment is needed for the Aldham Neighbourhood Plan.

4.3 Habitats (European) Sites

Habitats Sites is the term used in the NPPF (2019) to describe any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations. European sites are the centrepiece of EU nature and biodiversity policy. It is an EU wide network of 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).

The Birds Directive requires the establishment of Special Protection Areas (SPAs) for birds. 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 Natura 2000 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 Natura 200 network in England.

4.3.1 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: The Stour & Orwell Estuaries are internationally important for wintering waterfowl. 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 and Little Ouse Valley Fens for calcareous fens, *Molinia* meadows and Desmoulin's whorl snail. Legislation: EU Habitats Directive.

Wetlands of International Importance (Ramsar Sites)

Ramsar Sites are designated to protect the biological and physical features of wetlands, especially for waterfowl habitats. For example, Redgrave and South Lopham Fens is an extensive example of lowland base-rich valley, remarkable for its lack of fragmentation which supports many rare and scarce invertebrates, including a population of the fen raft spider *Dolomedes plantarius*. 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.

4.3.2 European Sites to be considered

There are two European sites which lie within 20 km of Aldham parish.

Table 3: European Sites within 20km of the development

SPA	SAC	Ramsar
Stour & Orwell Estuaries	None	Stour & Orwell Estuaries

The Zones of Influence (ZOI) for the Habitats sites listed have been mapped to identify which overlap with the Aldham parish boundary. A map of the SSSI Impact Risk Zones has been provided



within Appendix 2 and only the 13km ZOI for the Stour & Orwell Estuaries SPA and Ramsar are triggered.

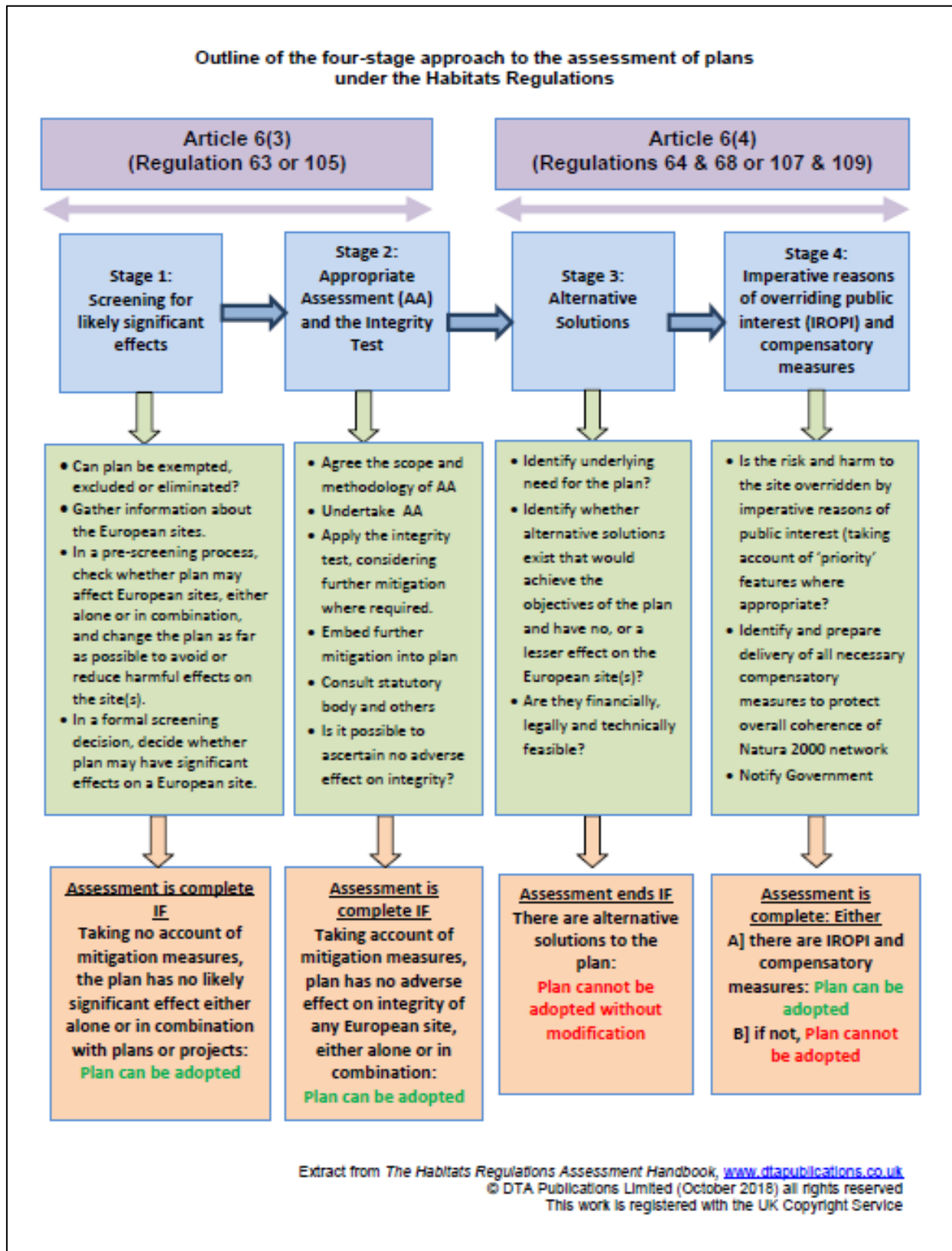
There are therefore only these two Habitats sites to be considered to be within scope for this assessment.

4.4 Method and Approach

The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA screening report; this is necessary to ensure the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

This document relates only to Stages 1 and 2 of the HRA process as set out in Figure 1 below.

Figure 1: Outline of the Four Stage Approach to the Assessment of Plans under the Habitats Regulations (taken from the DTA handbook).





4.4.1 Stage 1: HRA Screening

The screening stage identifies if alternatives are needed because any policies or projects will have an impact on a Habitats Site, amendments need to be made in Neighbourhood Development Plans. Table 6 identifies the different categories assigned to each policy in the plan: Category A identifies those policies or projects that may not result in a Likely Significant Effect and are considered to have No Negative Effect. Category B identifies those policies or projects that will have No Likely Significant Effect. Category C identifies those policies or projects that might have Likely Significant Effect and thus upon a European Site either alone or in combination with other plans or projects. Section 4 considers each policy or projects and the results of the screening exercise recorded.

Table 4: Screening categorisation

Category A : No negative effect

Policies or projects that will not be likely to have any negative effect on a European site.

Category B : No Likely Significant Effect

Policies or projects that could have an effect but would not be likely to have a *significant* negative effect on a European site alone or in combination. This conclusion could only be reached if the effects, even in combination and taking the precautionary principle into account, are considered trivial.

Category C : Likely Significant Effect

Policies or projects which are predicted to have a likely significant effect on their own or in combination with other plans and projects.

4.3.2 Potential impacts of Aldham Neighbourhood Plan on Habitats sites

There are a wide range of impacts and these can be summarised as -

- Land take by developments;
- Impact on protected species found within but which travel outside the protected sites may be relevant where development could result in effects on qualifying interest species within the European site, for example through the loss of feeding grounds for an identified species.
- Increased disturbance, for example from recreational use resulting from new housing development and / or improved access due to transport infrastructure projects;
- Changes in water availability, or water quality as a result of development and increased demands for water treatment, and changes in groundwater regimes due to increased impermeable areas;
- 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.

In line with the HRA for Babergh District Council Core Strategy, each policy will be assessed against the criteria in the table below.

Table 5: Assessment of potential impacts

Nature of potential impact	How the Aldham Neighbourhood Plan (alone or in combination with other plans and project) could affect a Natura 2000 site?	Why these effects are not considered significant?
Land take by development	Aldham is outside the boundaries of any N2k sites	N/A
Impact on protected species outside the protected sites	Whilst Aldham lies within the ZOI of the Stour & Orwell Estuaries PSA and Ramsar site, this is not triggered for impacts on protected species.	N/A
Recreational pressure and disturbance	Aldham parish lies within the Zone of Influences for the Stour & Orwell Estuaries SPA and Ramsar site.	Natural England advice to the LPA is that in combination with other plans and projects, impacts are likely to be significant and these will require mitigation measures
Water quantity and quality	Whilst Aldham lies within the ZOI of the Stour & Orwell Estuaries SPA and Ramsar site, this is not triggered for impacts on water quantity and quality	N/A
Changes in pollution levels	Whilst Aldham lies within the ZOI of the Stour & Orwell Estuaries SPA and Ramsar site, this is not triggered for impacts from changes in pollution levels	N/A

4.5 Results from HRA Screening of Draft Neighbourhood Plan Policies

The Screening exercise explores whether there will be any Likely Significant Effect resulting from the Plan's policies. These Policies are:

- Policy ALD1: Spatial Strategy
- Policy ALD 2: Housing Development
- Policy ALD3: Land west of Hadleigh Road
- Policy ALD4: Land north of The Street
- Policy ALD5: Affordable Housing on Rural Exception Sites
- Policy ALD6: Local Green Space
- Policy ALD7: Mitigating the Impact of Development on Protected Habitats

Each of the policies in the Aldham Neighbourhood Plan has been screened to identify whether they would have any impact on a Habitats Site. This assessment can be found in the following table.

Table 6: Assessment of potential impacts

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the European Sites?	Recommendations
Policy ALD1 – Spatial Strategy	<p>The Neighbourhood Plan area will accommodate development commensurate with Aldham’s designation of a Hinterland Village. The focus for new development will be within the defined Built-Up Area Boundary, as defined on the Policies Map.</p> <p>Proposals for development located outside the Built-Up Area Boundary (BUAB) or will only be permitted where it can be satisfactorily demonstrated that there is an identified local need for the proposal and that it cannot be satisfactorily located within the BUAB.</p>	No, Category A	No specific recommendations
Policy ALD2 – Housing Development	<p>This Plan provides for around 15 dwellings to be developed in the Neighbourhood Plan area between 2017 and 2036. This growth will be met through:</p> <ul style="list-style-type: none"> i) the allocation of sites as identified in separate policies in the Plan and on the Policies Map; and ii) small “windfall” sites and infill plots of one or two dwellings within the Built-Up Area Boundary that come forward during the plan period and are not identified in the Plan; and iii) conversions and new development opportunities outside the Built-Up Area Boundary in accordance with paragraph 79 of the NPPF. 	Yes, Category C	Further assessment is triggered for recreational disturbance impacts
Policy ALD3 – Land west of Hadleigh Road	<p>Land to the west of Hadleigh Road, as identified on the Policies Map, is allocated for seven single storey dwellings as permitted by Babergh District Council in June 2018 (Ref DC/18/00799). Detailed proposals for this site should:</p> <ul style="list-style-type: none"> i) retain the existing trees and hedgerows along the boundaries of the site; ii) provide new screen planting of native species on the western boundary; iii) ensure that measures are included for the capture of surface water run-off that minimise any potential for increasing surface water flooding resulting from the development; and 	No, Category A	<p>No specific recommendations</p> <p>Text needs to refer to Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy. And remove reference to Habitats Directive (or add Birds Directive and Ramsar Convention).</p> <p>BDC as competent authority will secure the</p>

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the European Sites?	Recommendations
	<p>iv) where necessary, having regard to the emerging Suffolk Coast Recreational Avoidance and Mitigation Strategy, deliver measures identified through project level HRAs, or otherwise, to mitigate any recreational disturbance impacts in compliance with the Habitat Regulations and Habitats Directive.</p>		<p>proportionate financial contribution for this consented development as it is considered to be “relevant development” in the context of the Suffolk Coast RAMS and so required further consideration through the Appropriate Assessment stage to secure any mitigation measures necessary to avoid adverse effects on site integrity.</p>
<p>Policy ALD4 – Land north of The Street</p>	<p>A site of xx hectares north of The Street is allocated for a mix of five two and three bedroomed dwellings;</p> <p>The development will not be permitted to be commenced before 2026.</p> <p>Detailed proposals for this development should having regard to the concept plan illustrated in Map 5:</p> <p>i) provide new screen planting of native species on the western boundary;</p> <p>ii) ensure that measures are included for the capture of surface water run-off that minimises any potential for increasing surface water flooding resulting from the development. and</p> <p>iii) where necessary, having regard to the emerging Suffolk Coast Recreational Avoidance and Mitigation Strategy, deliver measures identified through project level HRAs, or otherwise, to mitigate any recreational disturbance impacts in compliance with the Habitat Regulations and Habitats Directive.</p>	<p>Yes, Category C</p>	<p>Further assessment is triggered for recreational disturbance impacts</p>
<p>Policy ALD5 – Affordable Housing on Rural Exception Sites</p>	<p>Proposals for the development of small-scale affordable housing schemes on rural exception sites outside the main village Built-Up Area Boundary, where housing would not normally be permitted by other policies, will be supported where there is a proven local need and provided that the housing:</p>	<p>No, Category A</p>	<p>No specific recommendations</p>

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the European Sites?	Recommendations
	<p>i. remains affordable in perpetuity;</p> <p>ii. is for people that are in housing need by virtue that they are unable to buy or rent properties in the villages at open-market prices;</p> <p>iii. is offered, in the first instance, to people with a demonstrated local connection, as identified in paragraph 4.4 of the Babergh Choice Based Lettings Scheme 2016. Where there is no local connection, a property should then be offered to those with a demonstrated need for affordable housing in neighbouring villages.</p> <p>These restrictions should be delivered through a legal agreement attached to the planning consent for the housing. Applications for such development will be considered in relation to the appearance and character of the surrounding area, the potential impact on residential amenity and highway safety.</p> <p>To be acceptable, proposals should demonstrate that a local need exists which cannot be met by applying normal planning policy for the provision of affordable homes in association with market housing. Any application for affordable housing in respect of this policy should be accompanied by a detailed needs assessment and the accommodation proposed should contribute to meeting this proven need.</p> <p>In exceptional circumstances, a small number of market homes will be permitted where demonstrated that these are financially essential to facilitate the delivery of affordable units.</p>		
Policy ALD6 – Local Green Space	<p>The Common Land south of The Street, as identified on the Policies Map, is designated as Local Green Space.</p> <p>Development on this site will only be permitted in exceptional circumstances. Permitted development rights, including the operational requirements of infrastructure providers, are not affected by this designation.</p>	No, Category A	No specific recommendations

Policy Number	Policy Wording	Will Policy have Likely Significant Effects on the European Sites?	Recommendations
Policy ALD7 – Mitigating the Impact of Development on Protected Habitats	All new housing development shown to contribute, through a project level Habitats Level Assessment, to recreational disturbance and visitor pressure within the Stour and Orwell Estuary SPA and SAC will be required to provide appropriate on-site mitigation measures or, where not feasible, contribute towards management projects within the SPA/SAC.	No, Category A	Amend text to remove references in text to SAC and replace with Ramsar site; Clarify policy refers to Habitats (European) sites, not protected habitats

4.5.3 Recommendations

There are recommendations for the site allocation policies in this draft Neighbourhood Plan as they have all been assigned to Category C. There will therefore be a need for any residential development subsequently coming forward to be subject to a project level HRA and secure sufficient mitigation measures for delivery at the Stour & Orwell Estuaries, to avoid a Likely Significant Effect on any Habitats sites. As such there is a requirement for this Plan to progress to Appropriate Assessment.

Natural England has provided interim advice to Babergh DC to ensure that impacts are minimised to the coastal Habitats Sites (European designated sites) from new residential development. The LPA therefore needs to secure a proportionate financial contribution in line with the emerging Suffolk coast RAMS, from the residential development within the 13km ZOI specified.

This contribution will need to be secured by legal agreement by the LPA with any consent. As the competent authority, the LPA will also need to prepare a HRA Appropriate Assessment Record to determine any adverse effect on site integrity and secure the developer contribution for delivery of visitor management at the Stour & Orwell Estuaries SPA and Ramsar site.

The in-combination effects from other plans and projects are considered in the following section.

4.6 Other Plans and Projects – In-combination Effects

There are no relevant Plan level HRAs that have been carried out by Babergh & Mid Suffolk DCs or other organisations and none have been found to have a likely significant effect on the Habitats sites being assessed.

In the context of this HRA, the relevant other plans to be considered are listed below in combination with Aldham Neighbourhood Plan HRA.

Table 7: 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.
St Edmundsbury Borough Council	Core Strategy HRA screening (2010)	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 have been adequately mitigated.	It is considered that in combination likely significant effects are not predicted.
Babergh District Council	Habitat 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 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.	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
Suffolk Coastal District Council	Suffolk Coastal Core Strategy and Development Management Policies Document HRA (2011)	N/A	It is considered that in combination likely significant effects are not predicted.

As the Plan area for Aldham Neighbourhood Plan lies within the 13km Zone of Influence (ZOI) for the Stour & Orwell Estuaries SPA and Ramsar site, this HRA screening concludes that it is not possible to rule out likely significant effects in terms of increased recreational disturbance in combination with other plans and projects. Within this ZOI, residents of new housing are considered likely to regularly visit relevant designated sites for recreation.

There is therefore a need for an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 and Test 2, the integrity test, is considered in Chapter 5 of this report.



5. Appropriate Assessment

5.1 Introduction

Stage 2 of the HRA process is Appropriate Assessment which requires the competent authority to consider the Integrity test. For this test 2, the applicant must provide sufficient evidence to allow the Appropriate Assessment to be made, which is the stage at which avoidance and/or mitigation measures can be considered.

5.2 Policies / Allocations and Habitats Sites within Scope

The Likely Significant Effects considered at screening stage relating to site allocations for residential development have been carried forward for consideration at Appropriate Assessment. The policies and their potential to have adverse effects on any Habitats Site due to recreational disturbance pathway are now considered in more detail.

At the Screening stage the only Habitats Sites listed as having the potential for likely significant effects as a result of disturbance, is the Stour & Orwell Estuaries SPA and Ramsar site.

While much disturbance would be localised, the extent of disturbance reflects the 13km Zone of Influence (ZOI) that have been identified in the Suffolk Coast RAMS in relation to recreational disturbance. However this is only triggered in combination with other plans and projects (Natural England advice to LPAs Nov 2016 and June).

Therefore, this is addressed below.

5.3 Recreational Disturbance

The two policies in the Aldham Neighbourhood Plan for housing development without an existing consent issued by Babergh DC (ALD2 and ALD4), are screened in as having the potential for Likely Significant Effect on the Stour & Orwell Estuaries SPA and Ramsar site.

Wetland birds are particularly vulnerable to disturbance, including recreational disturbance. Non-breeding wetland birds are particularly vulnerable to disturbance, including recreational disturbance and trampling of sensitive vegetation e.g. saltmarsh, and nutrient enrichment and erosion of habitats is a likely result of increased visitors to the coastal Habitats sites. For breeding SPA birds, different issues result from recreational disturbance. Key breeding roosts are known on particular estuaries/shorelines and in specific locations where habitat and conditions enable territories to become established. Recreational pressure adds to the stresses of defending a territory, laying eggs and rearing chicks which means that SPA birds are often more vulnerable, and levels of public access to breeding areas can rise in the summer months too. During the breeding season, recreational disturbance can affect breeding success as it can result in nest desertion, potential trampling of eggs and an increase in predation rates etc. (Liley & Sutherland 2007).

The majority of the HRAs produced by Suffolk LPAs as part of the production of their respective Local or Strategic Plans identified that the level of planned housing growth may lead to disturbance

of designated non-breeding & breeding birds and sensitive habitats in coastal designated Habitats (European) sites within and beyond each individual LPA boundary.

All residential development with the 13km ZOI of the emerging Suffolk Coast RAMS will require mitigation to avoid Adverse Effects on the integrity of the Stour & Orwell Estuaries SPA and Ramsar site

Table 8: Assessment of mitigation to meet the Integrity Test

Policy Number	In-combination effects - potential impacts and comments	With mitigation, will the Policy avoid any Adverse Effect on Site Integrity of the Habitats Sites?	Residual effects
Policy ALD2 – Housing Development	<p>Trigger to assess policy for in-combination effects</p> <p>Residential development is within 13 km of the Stour & Orwell Estuaries SPA & Ramsar site.</p> <p>It is considered that the following applications are, without mitigation, likely to lead to significant in-combination effects on the SPA & Ramsar site, in combination with the proposed development:</p>	Yes. Significant impacts can be avoided from the Plan ‘in combination’ with other plans and projects by the delivery of effective visitor management and monitoring measures will be secured e.g. through a legal agreement.	None if mitigation measures for recreational disturbance impacts are secured in perpetuity through the emerging Suffolk Coast RAMS.
Policy ALD4 – Land north of The Street	<p>Trigger to assess policy for in-combination effects:</p> <p>Residential development is within 13 km of the Stour & Orwell Estuaries SPA & Ramsar site.</p> <p>It is considered that the following applications are, without mitigation, likely to lead to significant in-combination effects on the SPA and Ramsar site, in combination with the proposed development.</p>	Yes. Significant impacts can be avoided from the Plan ‘in combination’ with other plans and projects by the delivery of effective visitor management and monitoring measures will be secured e.g. through a legal agreement.	None if mitigation measures for recreational disturbance impacts are secured in perpetuity through the emerging Suffolk Coast RAMS.

5.3.1 Use of Mitigation Measures

The policies identified will trigger a proportionate financial contribution in line with the Suffolk Coast RAMS Strategy. The contribution towards visitor access management and monitoring at the SPA / Ramsar site will need to be paid in line with the emerging strategic level mitigation scheme. This mitigation aims to avoid impacts from the development in combination with other plans and projects.

5.3.2 Applying the Integrity Test

With the mitigation proposed, the Plan is not likely to result in any adverse effects on site integrity.



5.3.3 Embedding Mitigation into the Neighbourhood Plan

With revised text, Policy ALD7 will ensure that all new housing developments within the ZOI of the Stour & Orwell Estuaries SPA and Ramsar site will need to provide mitigation measures to avoid recreational disturbance impacts. In line with Natural England's advice, relevant development will be required to provide a mixture of appropriate mitigation measures both on-site or nearby as well as off-site within the coastal Habitats Site. This will either be secured through a project level Habitats Regulations Assessment or a proportionate financial contribution in line with or towards the emerging Suffolk Coast RAMS.

References

- Aldham Neighbourhood Plan Second Draft (January 2019)
- Atkins (2011) Habitats Regulations Assessment for Babergh District Council Core Strategy
- Habitats Regulations Assessment (Appropriate Assessment) for Mid Suffolk District Council Core Strategy(2007)
- Atkins (2010) St. Edmundsbury Borough Council Core Strategy HRA screening
- Babergh District Council (2014) Local Plan Core Strategy and Policies
- Natural England Conservation objectives for European Sites: East of England Website
- Natural England letter to Babergh DC (Jack Haynes, June 2017) ref 218775
- The Landscape Partnership (2011) Suffolk Coastal District Council Habitats Regulations Assessment for Core Strategy and Development Management Policies Document
- Tydlesley, D., and Chapman, C., (2013) The Habitats Regulations Assessment Handbook, (Feb 2019) edition UK: DTA Publications Limited



6. Conclusions

6.1 Strategic Environmental Assessment (SEA)

The Neighbourhood Plan has been prepared for town and country planning purposes and sets a framework for future development consent. The policies of the Neighbourhood Plan can be considered to determine the use of small areas at local level commensurate with their status in determining local planning applications.

Planning Practice Guidance on SEA of Neighbourhood Plans indicates that a strategic environmental assessment may be required, for example, where a neighbourhood plan allocates sites for development; the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan; or the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

The Plan allocates two sites for development in advance of the emerging Babergh & Mid Suffolk Local Plan however one of these does have planning permission. Further, the emerging Local Plan has identified only two possible sites for consideration as allocations through its call-for-sites process and both of these are allocated within the Neighbourhood Plan. There are therefore not any 'reasonable alternatives' within Aldham that the Neighbourhood Plan could additionally consider through a SEA Environmental Report.

Significant effects on the environment could not be ruled out due to the Plan area being within the 13km Zones of Influence for the Stour & Orwell Estuaries SPA and Ramsar site and the Plan allocating land for development purposes, as per the HRA Screening element of this Report (Section 4). However, Appropriate Assessment has been undertaken (Section 6 of this Report) which includes a specific recommendation to embed mitigation into the Neighbourhood Plan. Once included within the Neighbourhood Plan, significant effects on the environment can be wholly ruled out in this regard.

As such, and based on an assumption that the recommendation of the Appropriate Assessment is embedded into the Plan, the Aldham Neighbourhood Plan can be **screened out** for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.

6.2 Habitats Regulations Assessment (HRA) / Appropriate Assessment (AA)

Subject to Natural England's review, this HRA report, which includes Appropriate Assessment, indicates that the Aldham Neighbourhood Plan is predicted, without mitigation, to have any likely significant effect on a Habitats Site. The requirement for the Plan to undertake further assessment under the Habitats Regulations 2017 was therefore **screened in**.

Having considered the proposed avoidance and mitigation measures above and compared these against Natural England's advice in Annexes I and II, it can be concluded that with the implementation of these mitigation measures, the Aldham Neighbourhood Plan will not have an



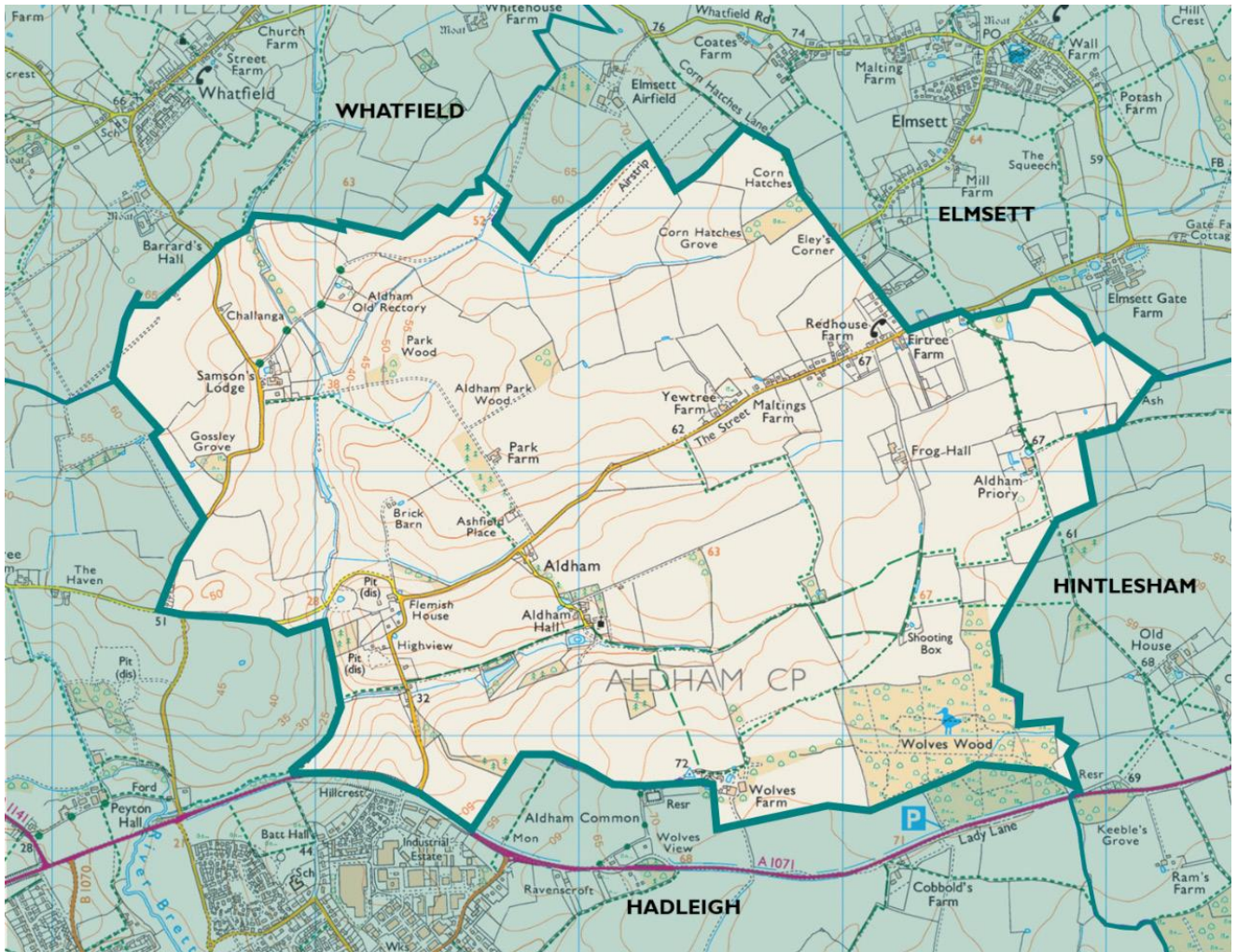
Adverse Effect on the Integrity of the Habitats (European) sites included within the emerging Suffolk Coast RAMS Strategy, either alone or in combination with other plans and projects.

Having made this Appropriate Assessment of the implications of the Plan on the Habitats sites in view of those sites' conservation objectives, the LPA must consult Natural England and fully consider any representation received (where necessary) before the Neighbourhood Plan can be made under Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

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Appendix 1

Aldham Neighbourhood Plan Area

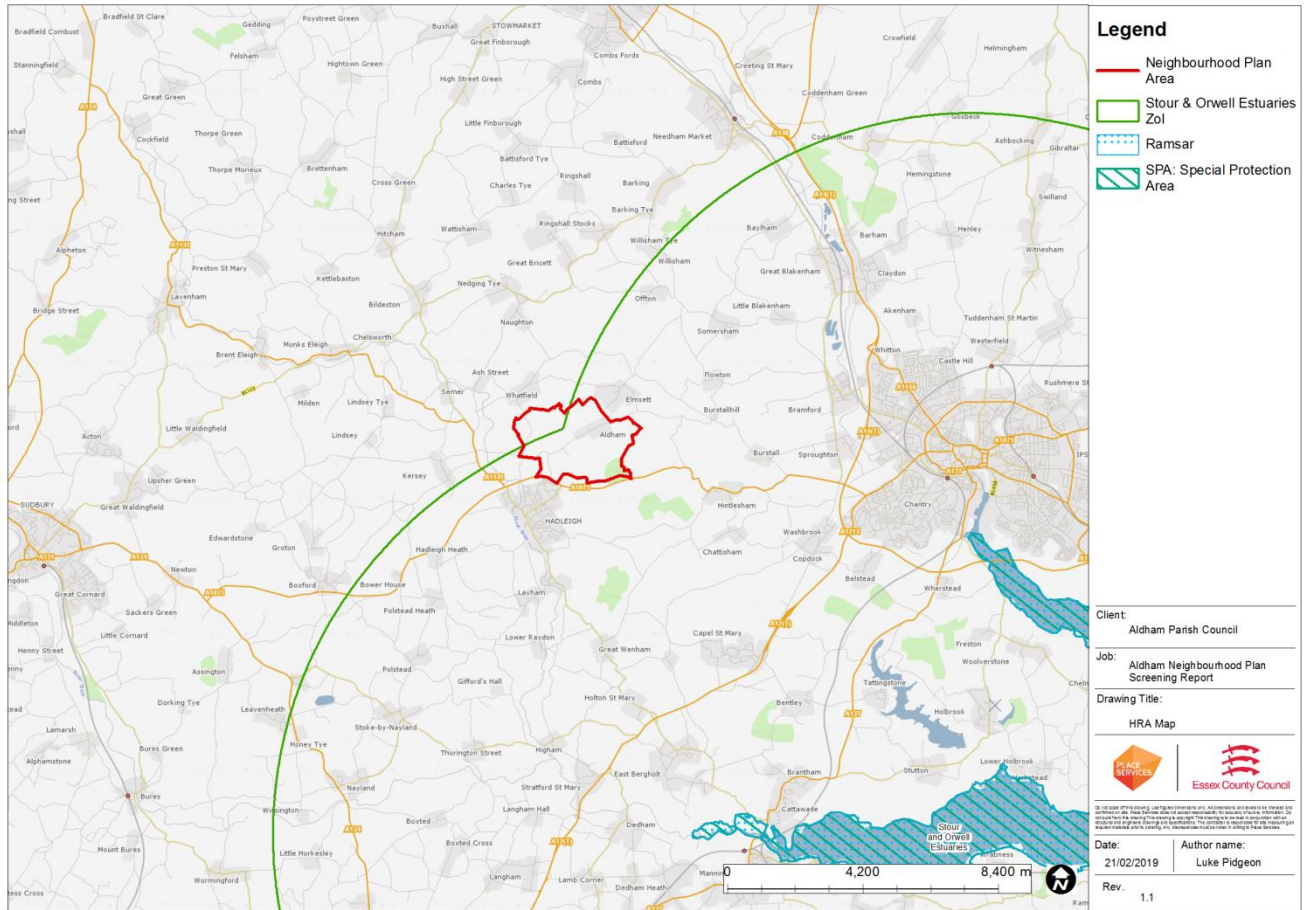


Source: Babergh District Council, 2018



Appendix 2

Aldham Parish and Locations of the Habitats Sites' Zones of Influence



Source: Place Services, 2019



Place Services

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