**Babergh and Mid Suffolk District Councils**

**Habitats Regulations Assessment (HRA) Record**

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| **Application details** | |
| Local Planning Authority: |  |
| Case officer |  |
| Application reference: |  |
| Application description: |  |
| Application address: |  |
| Type of Application: |  |
| **HRA Stage 1: screening assessment** | |
| **Test 1 – the significance test:** Based on the development type and proximity to Habitats sites (Natura 2000 sites), a judgement should be made as to whether the development constitutes a ‘likely significant effect’ (LSE) to a Habitats site in terms of increased recreational disturbance | |
| **NO**  **NO**  **YES**  ***Is the development within the Zones of influence (ZoI) for the adopted Suffolk Coast RAMS with respect to the below sites?***   * Deben Estuary SPA and Ramsar site * Stour and Orwell Estuaries SPA and Ramsar site (Stour on the Suffolk side only) * Minsmere - Walberswick SPA and Ramsar Site & Minsmere to Walberswick Heaths & Marshes SAC * Sandlings SPA   Conclude no LSE to the above designated sites in terms of recreational disturbance:   * An Appropriate Assessment (AA) is not required where recreational disturbance to these sites is the only issue or recreational disturbance to these sites can be scoped out of any HRA covering other issues. * Check NE [IRZs](https://www.gov.uk/guidance/protected-sites-and-areas-how-to-review-planning-applications) to see whether recreational disturbance is an issue for non-coastal Habitats Sites or Sites of Special Scientific Interest (SSSIs). If so, this will also need assessing outside of this HRA form.   The proposal is outside the scope of the adopted Suffolk Coast RAMS.  Conclude LSE. This proposal is within scope of the adopted Suffolk Coast RAMS as it falls within the ‘zone of influence’ for likely impacts and is a relevant residential development type as listed above. It is anticipated that such development in this area is ‘likely to have a significant effect’ upon the interest features of the aforementioned designated site(s) through increased recreational pressure, when considered either alone or in combination. Therefore:   * Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites1 * Check [IRZs](https://www.gov.uk/guidance/protected-sites-and-areas-how-to-review-planning-applications) to see whether recreational disturbance is an issue for non-coastal Habitats sites (N2k sites) or Sites of Special Scientific Interest (SSSIs). If so, this will also need assessing outside of this HRA form.   **YES**  ***Does the planning application fall 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 * All tourism development (hotels, permanent camping / caravan sites, temporary caravan / campsites, holiday lets, permanent accommodation etc) | |
| *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 development is likely to result in significant effects on a Natura 2000 site. Therefore, all proposals which are within the scope of the emerging Suffolk Coast RAMS must proceed to HRA Stage 2 (Appropriate Assessment).* | |
| **HRA Stage 2: Appropriate Assessment** | |
| **Test 2 – the integrity test:** 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 | |
| ***Is the proposal for 50 houses + (or equivalent)?***  **Annex I** includes Natural England’s suggested scope of mitigation requirements for development of this scale. Where it has not already been provided, seek the necessary information from the developer in line with that advice. If needed, Natural England are able to offer advice to developers and/or their consultants on the detail of this at this through their charged Discretionary Advice Service (DAS), further information on which is available [here](https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals).  Record the recreational disturbance mitigation package in the ‘Summary’ section below.  **Consult Natural England on this Appropriate Assessment for advice on the proposed/ required mitigation before reaching a decision on adverse effects on the integrity of Habitats sites**  ***Is the proposal within or directly adjacent to one of the above Habitats sites?***  A proportionate financial contribution should be secured in line with the adopted Suffolk Coast RAMS requirements (see **Annex II**). Record evidence that this mitigation measure has been secured in the ‘Summary’ section below.  Consideration of further bespoke recreational disturbance mitigation measures may also be required in this case.  **Consult Natural England on this Appropriate Assessment for advice on the proposed/ required mitigation before reaching a decision on adverse effects on the integrity of Habitats sites**  A proportionate financial contribution should be secured in line with the adopted Suffolk Coast RAMS requirements (see **Annex II**). Record evidence that this mitigation measure has been secured in the ‘Summary’ section below.  A bespoke approach may be considered appropriate for specific tourism development (e.g. campsites, hotels) by the competent authority.  **Provided this mitigation is secured, it can be concluded that this planning application will not have an adverse effect on the integrity of the above Habitats sites from recreational disturbance, when considered ‘in combination’ with other development. In this scenario, Natural England is unlikely to have further comment regarding the Appropriate Assessment, in relation to recreational disturbance.**  **YES**  **NO**  **YES**  **NO** | |
| **Summary of the Appropriate Assessment:** To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England. | |
| **Brief description of the Habitats sites**  **Summary of recreational disturbance mitigation package**  **Conclusion** | |
| **Local Planning Authority ecologist comments, signed and dated:** | |
| **Approving Ecologist**:  **Date:** | |

**Annex I – Natural England’s recommendations for larger scale residential developments within the Suffolk Coast RAMS zone of influence (50 units +, or equivalent, as a guide)**

Developments of this scale 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 European sites. We advise that the Suitable Accessible Natural Green Space (SANGS) guidance [here](http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKEwjx8--Jr8DXAhVIVhoKHQ2JBcsQFggtMAE&url=http%3A%2F%2Fwww.threerivers.gov.uk%2Fdownload%3Fid%3D23189&usg=AOvVaw0whWTqgOBjqNOCGxBNjHK-) can be helpful in designing this; it should be noted that this document is specific to the SANGS creation for the Thames Basin Heaths, although the broad principles are more widely applicable. As a minimum, we advise that such provisions should include:

* High-quality, informal, semi-natural areas
* Circular dog walking routes of 2.7 km[[1]](#footnote-1) within the site and/or with links to 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

Natural England would be happy to advise developers and/or their consultants on the detail of this at the pre-application stage through our charged Discretionary Advice Service (DAS), further information on which is available [here](https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals).

However, the unique draw of the above Habitats sites means that, even when well-designed, ‘on-site’ provisions are unlikely to fully mitigate impacts when all residential development within reach of the coast is considered together ‘in combination’. We therefore advise that consideration of ‘off-site’ measures (i.e. in and around the relevant Habitats sites is also required as part of the mitigation package for predicted recreational disturbance impacts in these cases.

As the RAMS has now been adopted, a financial contribution should be secured from these developments prior to commencement.

**Annex II – Natural England’s recommendations for smaller scale residential developments within the Suffolk Coast RAMS zone of influence (0-49 units, or equivalent, as a guide) which are not within/directly adjacent to a European designated site**

Whilst the provision of well-designed open space/green infrastructure on site or contributions towards strategic green infrastructure in your district is to be welcomed for developments of this scale, a proportionate financial contribution in line the Suffolk Coast RAMS should be secured as a minimum to help fund strategic ‘off site’ measures.

As the RAMS has now been adopted, a financial contribution should be secured from these developments prior to commencement.

1. 1 Taken from *Jenkinson, S., (2013), Planning for dog ownership in new developments: reducing conflict – adding value. Access and greenspace design guidance for planners and developers* [↑](#footnote-ref-1)