



Sproughton Neighbourhood

Plan 2018-2037

HRA Report

Babergh & Mid Suffolk District Councils

Final report

Prepared by LUC

June 2022

Version	Status	Prepared	Checked	Approved	Date
1	Draft for client comment	H Ennis	R Turner	J Pearson	09.06.2022
2	Final report	H Ennis	R Turner	J Pearson	24.06.2022



Land Use Consultants Limited

Registered in England. Registered number 2549296. Registered office: 250 Waterloo Road, London SE1 8RD. Printed on 100% recycled paper

Contents

Chapter 1 **1**

Introduction

Previous HRA work	1
The requirement to undertake Habitats Regulations Assessment of development plans	1
Stages of Habitat Regulations Assessment	4
Requirements of the Habitat Regulations Assessment	6
Case law changes	8
Structure of this report	11

Chapter 2 **12**

Sproughton Neighbourhood Plan

Vision	12
Objectives	12
Policies	16

Chapter 3 **18**

Method

Screening assessment	18
Assessment of 'likely significant effects' of the plan	20
Interpretation of 'likely significant effects'	22
Mitigation provided by the plan	23
Assessment of potential in-combination effects	23

Chapter 4 **26**

Contents

Screening assessment

HRA screening of policies	26
HRA screening of impacts	26
Summary of Screening assessment	34

Chapter 5 **36**

Conclusion and next steps

Recommendations	36
Next steps	37

Appendix A **38**

Map of European sites within 20km of the Sproughton Neighbourhood Plan Area

Appendix B **40**

Attributes of European sites

Stour and Orwell Estuaries SPA	40
Stour and Orwell Estuaries Ramsar Site	48
Deben Estuary SPA	50
Deben Estuary Ramsar Site	54
Hamford Water SAC Site	56
Hamford Water SPA	58
Hamford Water Ramsar Site	63
Sandlings SPA	64

Appendix C **68**

Detailed screening assessment of policies

Contents

Spatial Strategy 68
Housing 69
Business and Employment 70
Natural Environment 72
Historic Environment 77
Development Design 79
Infrastructure 81
Highways and Movement 83

References 84

Chapter 1

Introduction

1.1 LUC has been commissioned by Babergh & Mid Suffolk District Councils (the Councils) to carry out a Habitats Regulations Assessment (HRA) of the Sproughton Neighbourhood Plan. The Neighbourhood Plan was commissioned by the Neighbourhood Plan Sub-committee (SNPSC) on behalf of Sproughton Parish Council. This iteration of the HRA report assesses the impacts of the Sproughton Neighbourhood Plan Pre-Submission Consultation Plan (September 2021). The May 2022 post-consultation Modifications have also been considered.

Previous HRA work

1.2 In January 2022, Place Services carried out an HRA of the Regulation 14 Pre-submission consultation version of the Sproughton Neighbourhood Plan 2018-2037. This was submitted for comment to Natural England as the statutory consultee. Subsequently, the Councils identified potential shortcomings in the original HRA work and commissioned LUC to produce a new HRA of the Plan. LUC's assessment is entirely independent of the earlier HRA.

The requirement to undertake Habitats Regulations Assessment of development plans

1.3 The requirement to undertake HRA of development plans was confirmed by the amendments to the Habitats Regulations published for England and Wales in 2007 [**See reference 1**]; the currently applicable version is the Habitats Regulations 2017 [**See reference 2**], as amended. Neighbourhood Plans, once

approved at referendum, become part of the statutory development plan therefore an HRA is required by law to be carried out by the ‘competent authority’ (the Councils). The Councils can commission consultants to undertake HRA work on their behalf and this (the work documented in this report) is then reported to and considered by the Councils as the competent authority. The Councils consider this work and would usually [See reference 3] only progress a plan if it considers that the plan will not adversely affect the integrity [See reference 4] of any ‘European site’, as defined below. The requirement for authorities to comply with the Habitats Regulations when preparing a plan is also noted in the Government’s online Planning Practice Guidance (PPG) [See reference 5].

1.4 HRA refers to the assessment of the potential effects of a development plan on one or more sites afforded the highest level of protection in the UK: Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). These were classified under European Union (EU) legislation but since 1 January 2021 are protected in the UK by the Habitats Regulations 2017 (as amended). Although the EU Directives from which the UK’s Habitats Regulations originally derived are no longer binding, the Regulations still make reference to the lists of habitats and species that the sites were designated for, which are listed in annexes to the EU Directives:

- SACs are designated for particular habitat types (specified in Annex 1 of the EU Habitats Directive [See reference 6]) and species (Annex II).
- SPAs are classified for rare and vulnerable birds (Annex I of the EU Birds Directive [See reference 7]), and for regularly occurring migratory species not listed in Annex I.

1.5 The term ‘European sites’ was previously commonly used in HRA to refer to ‘Natura 2000’ sites [See reference 8] and Ramsar sites (international designation under the Ramsar Convention). However, a Government Policy Paper [See reference 9] on changes to the Habitats Regulations 2017 post-Brexit states that:

- Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new ‘national site network’.

- The national site network includes existing SACs and SPAs; and new SACs and SPAs designated under these Regulations.
- Designated Wetlands of International Importance (known as Ramsar sites) do not form part of the national site network. Many Ramsar sites overlap with SACs and SPAs and may be designated for the same or different species and habitats.

1.6 Although Ramsar sites do not form part of the new national site network, the Government Policy Paper [\[See reference 10\]](#) confirms that all Ramsar sites remain protected in the same way as SACs and SPAs. In LUC's view and unless the Government provides any guidance to the contrary, potential effects on Ramsar sites should continue to form part of the HRA of plans and projects since the requirement for HRA of plans and projects that might adversely affect Ramsar sites forms an essential part of the protection confirmed by the Government Policy Paper. Furthermore, the NPPF [\[See reference 11\]](#) and practice guidance [\[See reference 12\]](#) currently still state that competent authorities responsible for carrying out HRA should treat Ramsar sites in the same way as SACs and SPAs.

1.7 The requirement for HRA does not apply to other nationally designated wildlife sites such as Sites of Special Scientific Interest or National Nature Reserves. This report uses the term 'European sites' rather than 'national site network', which takes into account SAC, SPA and Ramsar sites, the latter which does not form part of the national site network.

1.8 The overall purpose of the HRA is to conclude whether or not a proposal or policy, or whole development plan would adversely affect the integrity of the European site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated). Significantly, HRA is based on the precautionary principle. Where uncertainty or doubt remains, an adverse effect should be assumed.

Stages of Habitat Regulations Assessment

1.9 The section below summarises the stages involved in carrying out an HRA, based on various guidance documents [See reference 13 and 14]. This HRA presents the methodology and findings of Stage 1: Screening.

Stage 1: Screening (the ‘Significance Test’)

Tasks

- Description of the development plan and confirmation that it is not directly connected with or necessary to the management of European sites.
- Identification of potentially affected European sites and their conservation objectives [See reference 15].
- Review of other plans and projects.
- Assessment of likely significant effects of the development plan alone or in combination with other plans and projects, prior to consideration of avoidance or reduction (‘mitigation’) measures [See reference 16].

Outcome

- Where effects are unlikely, prepare a ‘finding of no significant effect report’.
- Where effects judged likely, or lack of information to prove otherwise, proceed to Stage 2.

Stage 2: Appropriate Assessment (the ‘Integrity Test’)

Task

- Information gathering (development plan and data on European sites [See reference 17]).
- Impact prediction.
- Evaluation of development plan impacts in view of conservation objectives of European sites.
- Where impacts are considered to directly or indirectly affect qualifying features of European sites, identify how these effects will be avoided or reduced (‘mitigation’).

Outcome

- Appropriate Assessment report describing the plan, European site baseline conditions, the adverse effects of the plan on the European site, how these effects will firstly, be avoided and secondly, be reduced, including the mechanisms and timescale for these mitigation measures.
- If effects remain after all alternatives and mitigation measures have been considered, proceed to Stage 3.

Stage 3: Assessment where no alternatives exist and adverse impacts remain taking into account mitigation

Task

- Identify and demonstrate 'imperative reasons of overriding public interest' (IROPI).
- Demonstrate no alternatives exist.
- Identify potential compensatory measures.

Outcome

- This stage should be avoided if at all possible. The test of IROPI and the requirements for compensation are extremely onerous.

Requirements of the Habitat Regulations Assessment

1.10 In assessing the effects of the Plan in accordance with Regulation 105 of the Habitats Regulations (as amended), there are potentially two tests to be applied by the competent authority: a 'Significance Test', followed, if necessary, by an Appropriate Assessment which will inform the 'Integrity Test'. The relevant sequence of questions is as follows:

- Step 1: Under Reg. 105(1)(b), consider whether the plan is directly connected with or necessary to the management of the sites. If not:
- Step 2: Under Reg. 105(1)(a) consider whether the plan is likely to have a significant effect on the site, either alone or in combination with other plans

or projects (the ‘Significance Test’). [These two steps are undertaken as part of Stage 1: Screening shown above.] If so:

- Step 3: Under Reg. 105(1), make an Appropriate Assessment of the implications for the site in view of its current conservation objectives (the ‘Integrity Test’). In so doing, it is mandatory under Reg. 105(2) to consult Natural England, and optional under Reg. 105(3) to take the opinion of the general public. [This step is undertaken during Stage 2: Appropriate Assessment shown above.]
- Step 4: In accordance with Reg.105(4), but subject to Reg.107, give effect to the land use plan only after having ascertained that the plan will not adversely affect the integrity of the European site.

1.11 It is normally anticipated that an emphasis on Stages 1 and 2 of this process will, through a series of iterations, help ensure that potential adverse effects are identified and eliminated through the avoidance of likely significant effects at Stage 1, and through Appropriate Assessment at Stage 2 by the inclusion of mitigation measures designed to avoid or reduce effects. The need to consider alternatives could imply more onerous changes to a plan document. It is generally understood that so called ‘imperative reasons of overriding public interest’ (IROPI) are likely to be justified only very occasionally and would involve engagement with the Government.

1.12 The HRA should be undertaken by the ‘competent authority’, in this case Babergh & Mid Suffolk District Councils, and LUC has been commissioned to do this on their behalf. The HRA also requires close working with Natural England as the statutory nature conservation body in order to obtain the necessary information and agree the process, outcomes and any mitigation proposals.

Case law changes

1.13 This HRA has been prepared in accordance with relevant case law findings, including most notably the ‘People over Wind’ and ‘Holohan’ rulings from the Court of Justice for the European Union (CJEU).

1.14 The People over Wind, Peter Sweetman v Coillte Teoranta (April 2018) judgment ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment and should not be taken into account at the screening stage. The precise wording of the ruling is as follows:

“Article 6(3)must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site.”

1.15 In light of the above, the HRA screening stage does not rely upon avoidance or mitigation measures to draw conclusions as to whether the Neighbourhood Plan could result in likely significant effects on European sites. Instead, any such measures are considered at the Appropriate Assessment stage, as relevant.

1.16 The approach to this HRA is also consistent with the Holohan v An Bord Pleanala (November 2018) CJEU judgement which stated that:

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 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.

Article 6(3) of Directive 92/43 must be interpreted as meaning that 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.

Article 6(3) of Directive 92/43 must be interpreted as meaning that, 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.

1.17 In undertaking this HRA, LUC considered the potential for effects on species and habitats, including those not listed as qualifying features, to result in secondary effects upon the qualifying features of European sites, including the potential for complex interactions and dependencies. In addition, the potential for offsite impacts, such as through impacts to functionally linked land, and/or species and habitats located beyond the boundaries of European site that may be important in supporting the ecological processes of the qualifying features, has also been fully considered in this HRA.

1.18 The approach to the HRA also takes into consideration the ‘Wealden’ judgement and the ‘Dutch Nitrogen Case’ judgements from the Court of Justice for the European Union.

1.19 Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority (2017) ruled that it was not appropriate to scope out the need for a detailed assessment for an individual plan or project based on the annual average daily traffic (AADT) figures detailed in the Design Manual for Roads and Bridges or the critical loads used by Defra or Environmental Agency without considering the in-combination impacts with other plans and projects.

1.20 In light of this judgement, the HRA therefore considers traffic growth based on the effects of development from the plan in combination with other drivers of growth such as development proposed in neighbouring districts and demographic change.

1.21 The 2018 ‘Coöperatie Mobilisation for the Environment and Vereniging Leefmilieu (Dutch Nitrogen)’ judgement stated that:

“...the positive effects of the autonomous decrease in the nitrogen deposition...be taken into account in the appropriate assessment..., it is important that the autonomous decrease in the nitrogen deposition be monitored and, if it transpires that the decrease is less favourable than had been assumed in the appropriate assessment, that adjustments, if required, be made.”

1.22 The Dutch Nitrogen judgement also states that according to previous case law:

“...it is only when it is sufficiently certain that a measure will make an effective contribution to avoiding harm to the integrity of the site concerned,

by guaranteeing beyond all reasonable doubt that the plan or project at issue will not adversely affect the integrity of that site, that such a measure may be taken into consideration in the ‘appropriate assessment’ within the meaning of Article 6(3) of the Habitats Directive.”

1.23 The HRA of the Sproughton Neighbourhood Plan therefore only considers the existence of conservation and/or preventative measures if the expected benefits of those measures are certain at the time of the assessment.

Structure of this report

1.24 This chapter (Chapter 1) described the background to the production of the plan and the requirement to undertake HRA. The remainder of the report is structured as follows:

- Chapter 2: Sproughton Neighbourhood Plan summarises the content of the plan, which is the subject of this report.
- Chapter 3: Method sets out the approach used, and the specific tasks undertaken during the screening stage of the HRA.
- Chapter 4: Screening assessment describes the findings of the screening stage of the HRA.
- Chapter 5: Conclusions and next steps summarises the HRA conclusions for the Sproughton Neighbourhood Plan and describes the next steps to be undertaken.

Chapter 2

Sproughton Neighbourhood Plan

Vision

2.1 The overarching vision for Sproughton by the end of the Neighbourhood Plan Period in 2037 is:

“In 2037 Sproughton will be a thriving, safe parish that will have balanced the provision of housing growth with the need to maintain and enhance its special character, historic landscape and environment and ensuring that the needs of existing and future residents and businesses are respected.”

2.2 The overarching vision is supported by a series of objectives under six themes, which provide a benchmark for the preparation of its planning policies:

- Housing
- Business and Employment
- Natural Environment
- Built Environment and Design (including Heritage)
- Infrastructure and Service
- Highways and Movement

Objectives

2.3 The objectives for the Sproughton Neighbourhood Plan are as follows:

Housing

Objective 1: To maintain a strong community by ensuring an adequate supply and mix of housing types and the integration between different types and tenures of housing within the parish.

Objective 2: To enable local people to stay in or return to the village throughout their lifetime and as their needs change.

Business and Employment

Objective 3: To support small-scale business creation and retention.

Objective 4: To encourage the provision of services and infrastructure that enables business development.

Objective 5: To ensure that the employment sector engages with the community with regard to business and employment developments.

Objective 6: To encourage opportunities for home working and local employment, particularly through having a fast, reliable fibre broadband network for all.

Natural Environment

Objective 7: To minimise the impact of development on the best and most versatile agricultural land.

Objective 8: To protect and enhance biodiversity, through net gains in wildlife habitat and wildlife corridors.

Objective 9: To maintain the village's rural landscape setting, the distinctive views and visual connectivity with the surrounding countryside from within the built-up area.

Objective 10: To protect the identity of the parish and prevent coalescence with Ipswich and surrounding villages.

Objective 11: To protect open green spaces, woodland, countryside, mature trees and ancient hedgerows.

Historic Environment

Objective 12: To conserve and enhance the heritage assets and their settings.

Objective 13: To protect and improve the features which contribute to the historic character.

Development Design

Objective 14: To reduce the environmental impact of new buildings.

Objective 15: To ensure development complements and enhances the diverse character of the parish.

Objective 16: To ensure new development is of a high quality design, eco-friendly, 'fit for life' and of a scale (size/height) and type that reinforces local character.

Infrastructure, Services and Facilities

Objective 17: To improve and sustain high quality local facilities for existing and future residents.

Objective 18: To protect existing community, retail, education, and leisure facilities and support further growth where appropriate.

Objective 19: To ensure that sufficient community and leisure facilities are maintained to serve the needs of all sectors of the community including new complementary provision in association with new development.

Transport

Objective 20: To promote measures to improve the safety of the roads and footways through the parish.

Objective 21: To maintain, develop and enhance cycle routes through the parish.

Objective 22: To ensure that new development provides sufficient off-street parking.

Objective 23: To minimise the impact of future development within the parish on the existing local highway network.

Objective 24: To encourage sustainable travel modes, including public transport.

2.4 The objectives are used as a framework for 21 policies.

Policies

2.5 The policies within the Sproughton Neighbourhood Plan are as follows:

Spatial Strategy

- Policy SPTN 1: Spatial Strategy

Housing

- Policy SPTN 2: Housing Mix
- Policy SPTN 3: Affordable Housing on Rural Exception Sites

Business and Employment

- Policy SPTN 4: Employment Sites
- Policy SPTN 5: New Businesses and Employment Development
- Policy SPTN 6: Farm Diversification

Natural Environment

- Policy SPTN 7: Area of Local Landscape Sensitivity
- Policy SPTN 8: Settlement Gaps
- Policy SPTN 9: Protection of Important Views
- Policy SPTN 10: Local Green Spaces
- Policy SPTN 11: Biodiversity Protection and Enhancement
- Policy SPTN 12: Recreational Disturbance Avoidance and Mitigation

Historic Environment

- Policy SPTN 13: Heritage Assets
- Policy SPTN 14: Non-Designated Heritage Assets
- Policy SPTN 15: Sproughton Special Character Area

Development Design

- Policy SPTN 16: Development Design Considerations
- Policy SPTN 17: Flooding and Sustainable Drainage

Infrastructure, Services and Facilities

- Policy SPTN 18: Protecting Existing Services and Facilities
- Policy SPTN 19: Open Space, Sport and Recreation Facilities
- Policy SPTN 20: Utilities and Infrastructure

Highways and Movement

- Policy SPTN 21: Public Rights of Way

Chapter 3

Method

Screening assessment

3.1 HRA Screening of the plan was undertaken in line with current available guidance and sought to meet the requirements of the Habitats Regulations. The tasks that were undertaken during the screening stage of the HRA and the conclusions reached are described in detail below. This section of the HRA report sets out policies and impact types for which likely significant effects are predicted or cannot be ruled out prior to consideration of mitigation and avoidance measures.

3.2 The purpose of the screening stage is to:

- Identify all aspects of the plan that would have no effect on a European site. These can be eliminated from further consideration in respect of this and other plans.
- Identify all aspects of the plan that would not be likely to have a significant effect on a European site (i.e. would have some effect because of links/connectivity but the effect is not significant), either alone or in combination with other aspects of the same plan or other plans or projects. These do not require 'Appropriate Assessment'.
- Identify those aspects of the plan where it is not possible to rule out the risk of significant effects on a European site, either alone or in combination with other plans or projects. This provides a clear scope for the parts of the plan that will require Appropriate Assessment.

Identifying European sites that may be affected and their conservation objectives

3.3 As a first step in identifying European sites that could potentially be affected by a development, it is established practice in HRA to consider sites within the local planning authority area covered by the plan, and other sites that may be affected beyond this area.

3.4 A distance of 20km from the boundary of the plan area was used in the first instance to identify European sites with the potential to be affected by the proposals within a development plan. Additional European sites were included when considering the effects on recreation and water quantity and quality. Consideration was then given to whether any more distant European sites may be connected to the plan area via effects pathways, for example through hydrological links or recreational visits by residents. The 20km distance has been agreed with Natural England for HRAs in this region [\[See reference 18\]](#) and is considered precautionary. All European sites within 20km were assessed in this HRA.

3.5 The assessment also takes into account areas that may be functionally linked to the European sites. The term 'functional linkage' is used to refer to the role or 'function' that land beyond the boundary of a European site might fulfil in terms of supporting the species populations for which the site was designated or classified. Such an area is therefore 'linked' to the site in question because it provides a (potentially important) role in maintaining or restoring a protected population at favourable conservation status.

3.6 While the boundary of a European site will usually be drawn to include key supporting habitat for a qualifying species, this cannot always be the case where the population for which a site is designated or classified is particularly mobile. Individuals of the population will not necessarily remain in the site all the time. Sometimes, the mobility of qualifying species is considerable and may extend so far from the key habitat that forms the SAC or SPA that it would be entirely impractical to attempt to designate or classify all of the land or sea that

may conceivably be used by the species [See reference 19]. HRA therefore considers whether any European sites make use of functionally linked habitats, and the impacts that could affect those habitats.

3.7 European sites identified for inclusion in the HRA are listed below in **Table 3.1** and their locations illustrated in **Figure A.1** in Appendix A. Detailed information about each European site is provided in Appendix B, described with reference to Standard Data Forms for the SPAs and SACs, and Natural England’s Site Improvement Plans [See reference 20]. Natural England’s conservation objectives [See reference 21] for the SPAs and SACs have also been reviewed. These state that site integrity must be maintained or restored by maintaining or restoring the habitats of qualifying features, the supporting processes on which they rely, and populations of qualifying species.

Table 3.1: European sites within 20km of Sproughton Neighbourhood Plan boundary

European site	Closest distance / location from Neighbourhood Plan Area
Stour and Orwell Estuaries SPA and Ramsar site	3.1km southeast
Deben Estuary SPA and Ramsar site	13.5km east
Hamford Water SPA, SAC and Ramsar site	19.2km southeast
Sandlings SPA	17.8km east

Assessment of ‘likely significant effects’ of the plan

3.8 As required under Regulation 105 of the Conservation of Habitats and Species Regulations 2017 [See reference 22] (as amended), an assessment

has been undertaken of the 'likely significant effects' of the plan. The assessment has been prepared in order to identify which policies or site allocations would be likely to have a significant effect on European sites. The screening assessment has been conducted without taking mitigation into account, in accordance with the 'People over Wind' judgment.

3.9 Consideration was given to the potential for the development proposed to result in significant effects associated with:

- Physical loss or damage to habitat.
- Non-physical disturbance (noise, vibration and light pollution).
- Non-toxic contamination.
- Air pollution.
- Recreational pressure.
- Changes to hydrology, including water quantity and quality.

3.10 This thematic/impact category approach also allowed for consideration to be given to the cumulative effects of any site allocations, rather than focussing exclusively on individual developments provided for by the plan.

3.11 A risk-based approach involving the application of the precautionary principle was adopted in the assessment, such that a conclusion of 'no significant effect' was only reached where it was considered unlikely, based on current knowledge and the information available, that a development plan policy or site allocation would have a significant effect on the integrity of a European site.

3.12 A screening assessment was prepared (Appendix C), to document consideration of the potential for likely significant effects resulting from each policy and site allocation in the plan.

3.13 For some types of impacts, the potential for likely significant effects was determined on a proximity basis. This approach and the assumptions applied are described in more detail in Chapter 4.

Interpretation of ‘likely significant effects’

3.14 Relevant case law helps to interpret when an effect should be considered a likely significant effect, when carrying out HRA of a land use plan.

3.15 In the Waddenzee case [See reference 23], the European Court of Justice ruled on the interpretation of Article 6(3) of the Habitats Directive (transposed into Reg. 102 of the Habitats Regulations), including that:

An effect should be considered ‘likely’, “if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site” (para 44). An effect should be considered ‘significant’, “if it undermines the conservation objectives” (para 48). Where a plan or project has an effect on a site “but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on the site concerned” (para 47).

3.16 A relevant opinion delivered to the Court of Justice of the European Union commented that:

“The requirement that an effect in question be ‘significant’ exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans or projects capable of having any effect whatsoever on the site were to be caught by Article 6(3),

activities on or near the site would risk being impossible by reason of legislative overkill.”

3.17 This opinion (the ‘Sweetman’ case) therefore allows for the authorisation of plans and projects whose possible effects, alone or in combination, can be considered ‘trivial’ or de minimis; referring to such cases as those “that have no appreciable effect on the site”. In practice such effects could be screened out as having no likely significant effect – they would be ‘insignificant’.

3.18 The HRA screening assessment therefore considers whether the Proposed Submission Neighbourhood Plan policies could have likely significant effects either alone or in combination.

Mitigation provided by the plan

3.19 Some of the potential effects of the plan could be mitigated through the implementation of other policies in the plan itself, such as the provision of green infrastructure within new developments (which could help mitigate increased pressure from recreation activities at European sites). Nevertheless, in accordance with the ‘People over Wind’ judgment, avoidance and mitigation measures cannot be relied upon at the Screening Stage, and therefore, where such measures exist, they were considered at the Appropriate Assessment stage for impacts and policies where likely significant effects, either alone or in-combination, could not be ruled out.

Assessment of potential in-combination effects

3.20 Regulation 105 of the Habitats Regulations 2017 requires an Appropriate Assessment where “a land use plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is

not directly connected with or necessary to the management of the site”. Therefore, where likely insignificant effects are identified for the plan alone, it is necessary to consider whether these may become significant effects in combination with other plans or projects.

3.21 Where the plan is likely to have an effect on its own (due to impact pathways being present), but it is not likely to be significant, the in-combination assessment at Screening stage needs to determine whether there may also be the same types of effect from other plans or projects that could combine with the plan to produce a significant effect. If so, this likely significant effect arising from the plan in combination with other plans or projects, would then need to be considered through the Appropriate Assessment stage to determine if the impact pathway would have an adverse effect on integrity of the relevant European site. Where the screening assessment has concluded that there is no impact pathway between development proposed in the plan and the conditions necessary to maintain qualifying features of a European site, then there will be no in-combination effects to assess at the Screening or Appropriate Assessment stage. This approach accords with recent guidance on HRA [[See reference 24](#)].

3.22 If impact pathways are found to exist for a particular effect but it is not likely to be significant from the plan alone, the in-combination assessment will identify which other plans and programmes could result in the same impact on the same European site. This will focus on planned growth (including housing, employment, transport, minerals and waste) around the affected site, or along the impact corridor.

3.23 The potential for in-combination impacts will therefore focus on plans prepared by local authorities that overlap with European sites that are within the scope of this HRA. The findings of any associated HRA work for those plans will be reviewed where available. Where relevant, any strategic projects in the area that could have in-combination effects with the plan will also be identified and reviewed.

3.24 The online HRA Handbook [See reference 25] suggests the following plans and projects may be relevant to consider as part of the in-combination assessment:

- Applications lodged but not yet determined, including refusals subject to an outstanding appeal or legal challenge.
- Projects subject to periodic review e.g. annual licences, during the time that their renewal is under consideration.
- Projects authorised but not yet started.
- Projects started but not yet completed.
- Known projects that do not require external authorisation.
- Proposals in adopted plans.
- Proposals in draft plans formally published or submitted for final consultation, examination or adoption.

3.25 The need for in-combination assessment also arises at the Appropriate Assessment stage. This will be discussed in more detail if an Appropriate Assessment is required.

Chapter 4

Screening assessment

4.1 As described in the Chapter 3, a screening assessment was carried out in order to identify the likely significant effects of the plan on the scoped-in European sites. The detailed screening assessment, which sets out the decision-making process used for this assessment can be found in Appendix C and the findings are summarised below.

HRA screening of policies

No 'likely effect' predicted

4.2 The Sproughton Neighbourhood Plan does not allocate any sites for residential development. Instead, some of the policies within it set out criteria that any residential and/or employment development that comes forward must meet. Should schemes which are supported by the Sproughton Neighbourhood Plan move forward, individual project-level HRAs should be carried out to determine any likely significant effects.

4.3 Since none of the policies of the Sproughton Neighbourhood Plan are expected to directly result in development, they will not result in significant effects on European sites. Therefore, no likely significant effects are predicted as a result of the plan.

HRA screening of impacts

4.4 For some types of impacts, screening for likely significant effects was determined on a proximity basis, using GIS data to determine the distance of

potential development locations to the European sites that were the subject of the assessment. However, there are many uncertainties associated with using set 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 were applied in relation to assessing the likely significant effects on European sites that may result from the plan, as described below.

Physical damage and loss (on-site)

4.5 Any development resulting from the plan would take place within Sproughton neighbourhood plan area; therefore only European sites within the boundary of the neighbourhood plan area could be affected through physical damage or loss of habitat from within the site boundaries. No European sites were identified within the boundary of the neighbourhood plan area and therefore no likely significant effect is predicted in relation to physical damage and loss.

Conclusion

4.6 No likely significant effects will occur from the plan as a result of physical damage and loss to onsite habitat, either alone or in-combination with other plans and policies, as a result of proposed development in the plan.

Physical damage and loss (offsite)

4.7 Habitat loss from development in areas outside of the European site boundaries may result in likely significant effects where that habitat contributes towards maintaining the interest feature for which the European site is designated. This includes land which that may provide offsite movement corridors or foraging and sheltering habitat for mobile species such as birds, bats and fish. European sites susceptible to the indirect effects of habitat loss

are restricted to those sites with qualifying species that rely on offsite habitat. These were identified as:

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

4.8 Therefore, these European sites were considered susceptible to impacts from proposed development in the plan area. However, as no policies will directly result in development and therefore likely significant effects as a result of physical damage and loss to offsite habitat can be ruled out.

4.9 All other European sites were screened out of the assessment as they do not support qualifying features that are reliant on offsite functionally linked habitat.

Conclusion

4.10 No likely significant effects will occur from the plan as a result of physical damage and loss to offsite habitat, either alone or in-combination with other plans and policies, as a result of proposed development in the plan.

Non-physical disturbance (noise, vibration and light)

4.11 Noise and vibration effects are most likely to disturb bird species and thus are a key consideration with respect to potential effects on European sites where birds are the qualifying features. Artificial lighting at night has the potential to affect species where it occurs in close proximity to key habitat areas, such as key roosting sites of SPA birds.

4.12 It has been assumed that the effects of noise, vibration and light are most likely to be significant within a distance of 500 metres from the source. There is

also evidence of 300 metres being used as a distance up to which certain bird species can be disturbed by the effects of noise [See reference 26]; however, it has been assumed (on a precautionary basis) that the effects of noise, vibration and light pollution are capable of causing an adverse effect if development takes place within 500 metres of a European site with qualifying features sensitive to these disturbances.

4.13 All European sites were located over 500m from the neighbourhood plan area and therefore were not considered susceptible to impacts from development in the plan area. These European sites were screened out of the assessment.

Conclusion

4.14 No likely significant effects will occur from the plan as a result of non-physical disturbance, either alone or in-combination with other plans and policies, as a result of proposed development in the plan.

Non-toxic contamination

4.15 Non-toxic contamination can include the creation of dust. This can smother terrestrial habitats, preventing natural processes, and as increased sediment, can potentially affect the turbidity of aquatic habitats. Dust/sediment may also contribute to nutrient enrichment, which can lead to changes in the rate of vegetative succession and habitat composition.

4.16 The effects of non-toxic contamination are most likely to be significant if development takes place within 500m of a European site with qualifying features sensitive to these effects, such as riparian and wetland habitats, or sites designated for habitats and plant species. This is the distance that, in our experience, provides a robust assessment of effects in plan-level HRA and meets with the agreement of Natural England.

4.17 All European sites were located over 500m from the neighbourhood plan area and therefore were not considered susceptible to impacts from development in the plan area. These European sites were screened out of the assessment.

Conclusion

4.18 No likely significant effects will occur from the plan as a result of non-toxic contamination, either alone or in-combination with other plans and policies, as a result of proposed development in the plan.

Air pollution

4.19 Air pollution is most likely to affect European sites where plant, soil and water habitats are the qualifying features, but some qualifying animal species may also be affected, either directly or indirectly, by deterioration in habitat as a result of air pollution. Deposition of pollutants to the ground and vegetation can alter the characteristics of the soil, affecting the pH and nitrogen levels, which can then affect plant health, productivity and species composition.

4.20 In terms of vehicle traffic, nitrogen oxides (NO_x, i.e. NO and NO₂) are considered to be the key pollutants. Deposition of nitrogen compounds may lead to both soil and freshwater acidification, and NO_x can cause eutrophication of soils and water.

4.21 Based on the Highways England Design Manual for Road and Bridges (DMRB) LA 105 Air quality (which sets out the requirements for assessing and reporting the effects of highway projects on air quality), it is assumed that air pollution from roads is unlikely to be significant beyond 200m from the road itself. Where increases in traffic volumes are forecast, this 200m buffer needs to be applied to the relevant roads in order to make a judgement about the likely geographical extent of air pollution impacts.

4.22 For highways developments within 200m of sensitive receptors, the DMRB provides the following screening criteria to ascertain whether there are likely to be significant impacts:

- Daily traffic flows will change by 1,000 AADT (Annual Average Daily Traffic) or more; or
- Heavy duty vehicle (HDV) flows will change by 200 AADT or more; or
- There will be a change in speed band; or
- Road carriageway alignment will change by 5m or more.

4.23 Thus, where significant increases in traffic are possible on roads within 200m of European sites, traffic forecast data may be needed to determine if increases in vehicle traffic are likely to be significant. In line with the Wealden judgment [See reference 27], the traffic growth considered by the HRA should be based on the effects of development provided for by the plan in combination with other drivers of growth such as development proposed in neighbouring districts and demographic change.

4.24 It has been assumed that only those roads forming part of the primary road network (motorways and 'A' roads) are likely to experience any significant increases in vehicle traffic as a result of development (i.e. greater than 1,000 AADT). As such, where a site is within 200m of only minor roads, no significant effect from traffic-related air pollution is considered to be the likely outcome.

4.25 The strategic roads identified within the neighbourhood plan area are A14, A1071 and A1214. The A1214 runs along the eastern side of the neighbourhood plan area boundary.

4.26 The following European sites within 20km of the neighbourhood plan area and within 200m of a strategic road:

- Stour and Orwell Estuaries SPA and Ramsar (A14).

4.27 All other European sites were situated over 200m from a road and were not considered to be susceptible to impacts from air pollution and were therefore screened out of the assessment.

4.28 No policies will directly result in development and therefore likely significant effects as a result of air pollution can be ruled out at this stage.

Conclusion

4.29 No likely significant effects will occur from the plan as a result of air pollution, either alone or in-combination with other plans and policies, as a result of proposed development in the plan.

Recreation

4.30 Recreational activities and human presence can result in significant effects on European sites. European sites with qualifying bird species are likely to be particularly susceptible to recreational disturbances from walking, dog walking, angling, illegal use of off-road vehicles and motorbikes, wildfowling, and water sports. In addition, recreation can physically damage habitat as a result of erosion, trampling, fire or vandalism.

4.31 Each European site will typically have a 'Zone of Influence' (ZOI) within which increases in population would be expected to result in likely significant effects. ZOIs are usually established following targeted visitor surveys and the findings are therefore typically specific to each European site (and often to specific areas within a European site). The findings are likely to be influenced by a number of complex and interacting factors and therefore it is not always appropriate to apply a generic or non-specific ZOI to a European Site.

4.32 Existing visitor survey work available for European sites is summarised in **Table 4.1** below:

Table 4.1: Zone of Influence (ZOI) derived from existing visitor survey work

European site	ZOI
Stour and Orwell Estuaries SPA and Ramsar site	13km [See reference 28]
Deben Estuary SPA and Ramsar site	13km [See reference 29]
Hamford Water SPA, SAC and Ramsar site	8km [See reference 30]
Sandlings SPA	13km [See reference 31]

4.33 A review of the European sites and their recreational ZOI determined that the following European sites do not have a recreational ZOI that extends into the neighbourhood plan area and can therefore be scoped out of further assessment:

- Deben Estuary SPA and Ramsar.
- Hamford Water SPA, SAC and Ramsar.
- Sandlings SPA.

4.34 No policies will directly result in development and therefore likely significant effects as a result of recreation can be ruled out at this stage for Stour and Orwell Estuaries SPA and Ramsar.

Conclusion

4.35 No likely significant effects will occur from the plan as a result of recreation, either alone or in-combination with other plans and policies, as a result of proposed development in the plan.

Reduced water quantity and quality

4.36 An increase in demand for water abstraction and treatment resulting from the growth proposed in the Neighbourhood Plan area could result in changes in hydrology at European sites. Depending on the qualifying features and particular vulnerabilities of the European sites, this could result in likely significant effects, for example, due to changes in environmental or biotic conditions, water chemistry and the extent and distribution of preferred habitat conditions.

4.37 All scoped-in European sites have been identified to support habitats and/or qualifying species, which are susceptible to impacts from changes in water quantity and quality.

4.38 No policies will directly result in development and therefore likely significant effects as a result of water quantity and quality can be ruled out at this stage.

Conclusion

4.39 No likely significant effects will occur from the plan as a result of water quantity and quality, either alone or in-combination with other plans and policies, as a result of proposed development in the plan.

Summary of Screening assessment

4.40 **Table 4.2** below summarises the Screening conclusions reached in this HRA. Impact types for which a conclusion of no likely significant effect (no LSE) was reached are shown with no colour. No potential impacts were identified for which likely significant effects (potential LSE) could not be ruled therefore it was not necessary to proceed to the Appropriate Assessment stage.

Table 4.2: Summary of screening assessment

European site	Physical damage and loss	Non-physical disturbance	Non-toxic contamination	Air pollution	Recreation	Reduced water quality and quantity
Stour and Orwell Estuaries SPA	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE
Stour and Orwell Estuaries Ramsar site	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE
Deben Estuary SPA	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE
Deben Estuary Ramsar site	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE
Hamford Water SAC	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE
Hamford Water SPA	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE
Hamford Water Ramsar site	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE
Sandlings SPA	No LSE	No LSE	No LSE	No LSE	No LSE	No LSE

Chapter 5

Conclusion and next steps

5.1 At the Screening stage of HRA, no likely significant effects are predicted on European sites, either alone or in combination with other policies and proposals.

Recommendations

5.2 No changes to the Sproughton Neighbourhood Plan are assumed in reaching the conclusion of this HRA of no likely significant effects. However, to strengthen the protection for European sites provided by Sproughton Neighbourhood Plan governing residential development, it is recommended that the following policy amendments are made:

SPTN 12: Recreational Disturbance Avoidance and Mitigation

- **Amendment 1:** Correct policy heading to:
 - “Recreational disturbance Avoidance and Mitigation Strategy”
- **Amendment 2:** The following amendment to the policy text:
 - “All residential development within the Zones of Influence (ZOI) of European sites will be required to make a financial contribution towards mitigation measures, as detailed in the Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS), to avoid adverse in combination recreational disturbance effects on the integrity of the European sites.”
- **Amendment 3:** The following text should be added to the policy:

- “Large residential developments (50 units or more) provide Suitable Alternative Natural Greenspace (SANG) on site or access to sufficient greenspace. All development should not have an adverse impact on the integrity of the Stour & Orwell Estuaries SPA and Ramsar site from the development alone.”
- **Amendment 4:** The supporting text is amended to refer to Natural England’s advice on natural greenspace requirements for residential development of more than 50 units to avoid adverse effects on site integrity from the Plan alone, as follows:
 - “Given that the Stour & Orwell Estuary SPA and Ramsar site is within walking distance for residents of Sproughton, on-site natural greenspace or access to sufficient greenspace must be provided for any residential development of more than 50 units in order to avoid adverse effects on the integrity of Stour & Orwell Estuaries SPA and Ramsar site from the development alone.”

5.3 Amendment 3 has been addressed within the Sproughton Neighbourhood Plan Proposed post-consultation modifications to policies (May 2022).

Next steps

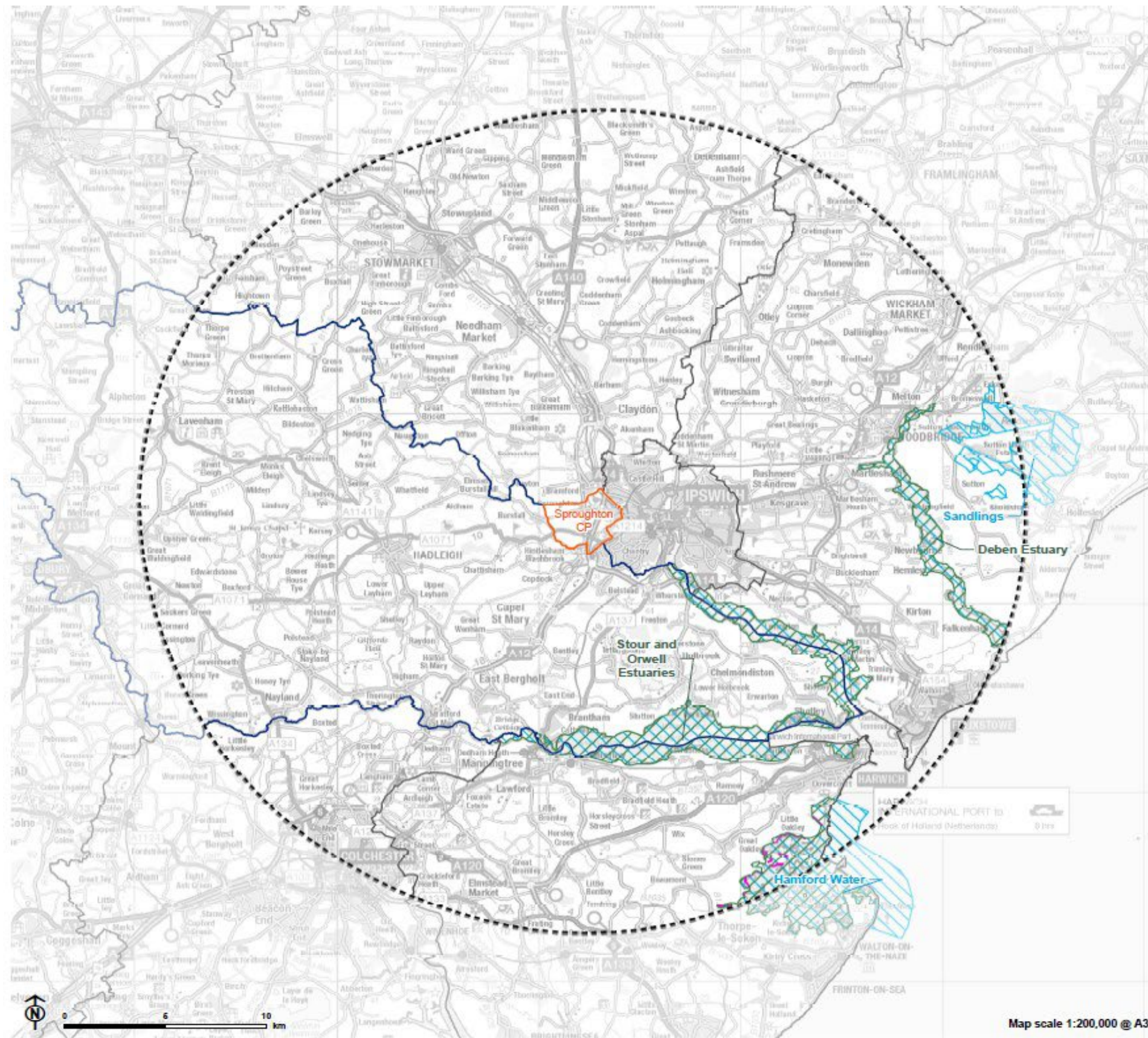
5.4 An Appropriate Assessment is not required for the Sproughton Neighbourhood Plan as none of the policies will result in development and likely significant effects from the plan can therefore be ruled out.

5.5 HRA is an iterative process and as such, this assessment should be updated if any relevant, newly available evidence or comments from key consultees are received prior to the plan being finalised. It is recommended that this report is subject to consultation with Natural England and the Environment Agency to confirm that the conclusions of the assessment are considered appropriate at this stage of plan-making.

Appendix A

Map of European sites within 20km of the Sproughton Neighbourhood Plan Area

Figure A.1: European Designated Sites within 20km of Sproughton CP



Habitat Risk Assessment Screening
for Babergh Mid Suffolk Neighbourhood Plans



European Designated Sites within 20km of
Sproughton CP

- Neighbourhood Plan
- 20km buffer from Neighbourhood Plan
- Babergh District Council
- Other Local Authority
- RAMSAR
- SAC
- SPA



Map scale 1:200,000 @ A3

Contains Ordnance Survey data © Crown copyright and database right 2022

CB:AHB EB Hardie-Brown_A LUC FIG1_10994_00_EuropeanSites_A3L 28/05/2022
Source: OS, NE

Appendix B

Attributes of European sites

This appendix contains information on the European sites scoped into the HRA. Site areas and designated features are drawn from SAC and SPA Standard Data Forms and Ramsar Site Information Sheets [See reference 32]. The overviews of sites and their locations are drawn from Natural England's Site Improvement Plans [See reference 33]. Site conservation objectives are drawn from Natural England's website and are only available for SACs and SPAs [See reference 34].

Stour and Orwell Estuaries SPA

Overview of site and its location

The Stour and Orwell 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 *Enteromorpha*, *Zostera* and *Salicornia* 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 *Recurvirostra avosetta*, 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.

The site has close ecological links with the Hamford Water and Mid-Essex Coast SPAs, lying to the south on the same coast.

Qualifying features

Annex I species:

- Over winter: Hen Harrier; *Circus cyaneus*

This site also qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of Habitats importance of the following migratory species:

- Over winter: Black-tailed Godwit; *Limosa limosa islandica*
- Over winter: Dunlin; *Calidris alpina alpina*
- Over winter: Grey Plover; *Pluvialis squatarola*
- Over winter: Pintail; *Anas acuta*
- Over winter: Redshank; *Tringa totanus*
- Over winter: Ringed Plover; *Charadrius hiaticula*
- Over winter: Shelduck; *Tadorna tadorna*
- Over winter: Turnstone; *Arenaria interpres*

The area qualifies under Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl including:

- Cormorant; *Phalacrocorax carbo*
- Pintail; *Anas acuta*
- Ringed Plover; *Charadrius hiaticula*
- Grey Plover; *Pluvialis squatarola*
- Dunlin; *Calidris alpina alpina*
- Black-tailed Godwit; *Limosa limosa islandica*
- Redshank; *Tringa tetanus*
- Shelduck; *Tadorna tadorna*

- Great Crested Grebe; *Podiceps cristatus*
- Curlew; *Numenius arquata*
- Dark-bellied Brent Goose; *Branta bernicla bernicla*
- Wigeon; *Anas Penelope*
- Goldeneye; *Bucephala clangula*
- Oystercatcher; *Haematopus ostralegus*
- Lapwing; *Vanellus vanellus*
- Knot; *Calidris canutus*
- Turnstone; *Arenaria interpres*

Conservation objectives

With regard to the individual species and/or assemblage of species for which the site has been classified (“the Qualifying Features” listed below).

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.

Subject to natural change, to maintain or restore:

- The extent and distribution of the habitats of the qualifying features.
- The structure and function of the habitats of the qualifying features.
- The supporting processes on which the habitats of the qualifying features rely.
- The populations of the qualifying features.
- The distribution of the qualifying features within the site.

Key vulnerabilities

- **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.
- **Public access/disturbance** – Stour and Orwell Estuaries is subject to land- and water-based activities, including boating and water sports; walking; bait- digging; 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.
- **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.
- **Invasive species** – An increase in *Spartina anglica* may be affecting the growth of *Spartina maritima*, a key habitat feature for qualifying bird roosting and feeding areas of saltmarsh and mudflat.
- **Planning permission: General** – The issue of development in combination with 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.
- **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.

- **Inappropriate coastal management** – Due to the presence of existing hard sea 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.
- **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.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

In general, the qualifying bird species of the SPA rely on:

- The sites ecosystem as a whole (see list of habitats below).
- Maintenance of populations of species that they feed on (see list of diets below).
- Off-site habitat, which provide foraging habitat for these species.
- Open landscape with unobstructed line of sight within nesting, foraging or roosting habitat.

Black-tailed Godwit; *Limosa limosa islandica*

- Habitat Preference: Marshy grassland and steppe, and on migration mudflats.

- Diet: Insects, worms and snails, but also some plants, beetles, grasshoppers and other small insects during the breeding season.

Dunlin; *Calidris alpina alpina*

- Habitat Preference: Tundra, moor, heath, and on migration estuaries and coastal habitat.
- Diet: Tundra, moor, heath, and on migration estuaries and coastal habitat.

Grey Plover; *Pluvialis squatarola*

- Habitat Preference: Tundra, and on migration pasture and estuaries.
- Diet: In summer, invertebrates and in winter primarily marine worms, crustaceans and molluscs.

Pintail; *Anas acuta*

- Habitat Preference : Lakes, rivers, marsh and tundra.
- Diet: A variety of plants and invertebrates.

Redshank; *Tringa totanus*

- Habitat Preference: Rivers, wet grassland, moors and estuaries.
- Diet: Invertebrates, especially earthworms, crane-fly larvae (inland) crustaceans, molluscs, marine worms (estuaries).

Ringed Plover; *Charadrius hiaticula*

- Habitat Preference: Sandy areas with low vegetation, and on migration estuaries.
- Diet: Mostly invertebrates, especially insects, molluscs and crustaceans.

Shelduck; *Tadorna tadorna*

- Habitat Preference: Coasts, estuaries and lakes.
- Diet: Mostly invertebrates, especially insects, molluscs and crustaceans.

Turnstone; *Arenaria interpres*

- Habitat Preference: On migration beaches and rocky coasts.
- Diet: Insects, crustaceans and molluscs.

Cormorant; *Phalacrocorax carbo*

- Habitat Preference: Larger lakes and coastal.
- Diet: Fish.

Great Crested Grebe; *Podiceps cristatus*

- Habitat Preference: Reed-bordered lakes, gravel pits, reservoirs and rivers. In the winter, they are also found along the coast.
- Diet: Mostly fish, some aquatic invertebrates especially in summer.

Curlew; *Numenius arquata*

- Habitat Preference: Marsh, grassland and on migration mudflats.
- Diet: Worms, shellfish and shrimps.

Dark-bellied brent goose; *Branta bernicla bernicla*

- Habitat Preference: Tundra, and on migration marshes and estuaries.

- Diet: Vegetation, especially eel-grass.

Wigeon; *Anas Penelope*

- Habitat Preference: Marsh, lakes, open moor, on migration estuaries.
- Diet: Mostly leaves, shoots, rhizomes and some seeds.

Goldeneye; *Bucephala clangula*

- Habitat Preference: Lakes, rivers, and on migration seacoasts.
- Diet: Insects, molluscs and crustaceans.

Oystercatcher; *Haematopus ostralegus*

- Habitat Preference: Sandy, muddy and rocky beaches.
- Diet: Mussels and cockles on the coast, mainly worms inland.

Lapwing; *Vanellus vanellus*

- Habitat Preference: Pasture, arable land, wet meadow, on migration estuaries.
- Diet: Worms and insects.

Red knot; *Calidris canutus islandica*

- Habitat Preference: Tundra, and on migration coastal habitat.
- Diet: In summer, insects and plant material, and in winter inter-tidal invertebrates, esp molluscs.

Knot; *Calidris canutus*

- Habitat Preference: Coastal habitat.
- Diet: Insects and plant material during the summer; and inter-tidal invertebrates, especially molluscs during the winter.

Stour and Orwell Estuaries Ramsar Site

Overview of site and its location

Refer to Stour and Orwell Estuaries SPA above.

Qualifying features

Ramsar criterion 2

Contains seven nationally scarce plants:

- Stiff saltmarsh-grass; *Puccinellia rupestris*
- Small cord-grass; *Spartina maritima*
- Perennial glasswort; *Sarcocornia perennis*
- Lax-flowered sea lavender; *Limonium humile*
- Eelgrasses; *Zostera angustifolia*, *Z. marina* and *Z. noltei*

Ramsar criterion 5

Assemblages of international importance; species with peak counts in winter; 63,017 waterfowl.

Ramsar criterion 6 – species/populations occurring at levels of international importance

Species with peak counts in spring/autumn:

- Common redshank; *Tringa totanus tetanus*

Species with peak counts in winter:

- Dark-bellied brent goose; *Branta bernicla bernicla*
- Northern pintail; *Anas acuta*
- Grey plover; *Pluvialis squatarola*
- Red knot; *Calidris canutus islandica*
- Dunlin; *Calidris alpina alpina*
- Black-tailed godwit; *Limosa limosa islandica*
- Common redshank

Conservation objectives

None available.

Key vulnerabilities

Similar to Stour and Orwell Estuaries SPA (see above).

A key threat identified by RIS was erosion.

- **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.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

- **Plants** – Plant communities are reliant on the coastal habitats within the Ramsar site. These habitats are dependent on a range of coastal factors and processes, including salinity, sedimentation, sea level, turbidity and elevation.
- **Birds** – Refer to Stour and Orwell Estuaries SPA above.

Deben Estuary SPA

Overview of site and its location

The Deben Estuary is located on the coast of Suffolk in eastern England. It extends south-eastwards for over 12km from the town of Woodbridge to the sea just north of Felixstowe. It is relatively narrow and sheltered, and has limited amounts of freshwater input. The estuary mouth is the narrowest section and is

protected by the presence of shifting sandbanks. The intertidal areas are constrained by sea walls. The saltmarsh and intertidal mud-flats that occupy the majority of the site, however, display the most complete range of saltmarsh community types in Suffolk. The estuary holds a range of swamp communities that fringe the estuary, and occasionally form larger stands. In general, these are dominated by Common Reed *Phragmites australis*. The estuary is of importance for its wintering waterbirds, especially Avocet *Recurvirostra avosetta*.

Qualifying features

- Dark-bellied brent goose; *Branta bernicla bernicla* (Non-breeding)
- Pied avocet; *Recurvirostra avosetta* (Non-breeding)

Conservation objectives

With regard to the individual species and/or assemblage of species for which the site has been classified (“the Qualifying Features” listed below).

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.

Subject to natural change, to maintain or restore:

- The extent and distribution of the habitats of the qualifying features.
- The structure and function of the habitats of the qualifying features.
- The supporting processes on which the habitats of the qualifying features rely.
- The population of each of the qualifying features.
- The distribution of the qualifying features within the site.

Key vulnerabilities

- **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.
- **Public access/disturbance** – The Deben Estuary is subject to land and waterbased activities, including boating and water sports; walking; wildfowling; and low flying 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.
- **Changes in species disturbances** – *Spartina anglica* is encroaching onto estuarine muds. This may reduce bird roosting and feeding areas of saltmarsh and mudflat.
- **Air pollution: risk of atmospheric nitrogen deposition** – 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 practices with high nutrient inputs e.g. outdoor pig farms.
- **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. 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.

- **Fisheries: Commercial marine and estuarine** – In combination impacts from fisheries in European Marine Sites need to be monitored and appropriately managed to avoid potential threats to site condition.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

In general, the qualifying bird species of the SPA rely on:

- The sites ecosystem as a whole (see list of habitats below).
- Maintenance of populations of species that they feed on (see list of diets below).
- Off-site habitat, which provide foraging habitat for these species.
- Open landscape with unobstructed line of sight within nesting, foraging or roosting habitat.

Dark-bellied brent goose (Non-breeding); *Branta bernicla bernicla*

- Habitat Preference: Tundra, and on migration marshes and estuaries.
- Diet: Vegetation, especially eel-grass.

Pied avocet; *Recurvirostra avosetta*

- Habitat Preference: Mudflats, lagoons, sandy beaches.
- Diet: Invertebrates, especially insects, crustaceans, worms and small fish.

Deben Estuary Ramsar Site

Overview of site and its location

Refer to Deben Estuary SPA above.

Qualifying features

Ramsar criterion 2

Supports a population of the mollusc *Vertigo angustior* (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.

Ramsar criterion 6 – species/populations occurring at levels of international importance

Species with peak counts in winter:

- Dark-bellied brent goose; *Branta bernicla bernicla*

Species currently occurring at levels of international importance.

Species with peak counts in spring/autumn:

- Black-tailed godwit; *Limosa limosa islandica*
- Common greenshank; *Tringa nebularia*

Species with peak counts in winter:

- Bean goose; *Anser fabalis fabalis*

- Common shelduck; *Tadorna tadorna*
- Pied avocet; *Recurvirostra avosetta*
- Spotted redshank; *Tringa erythropus*
- Common redshank; *Tringa totanus totanus*

Nationally important species occurring on the site:

- Invertebrates:
 - *Vertigo angustior* (Nationally Scarce)
 - *Vertigo pusilla* (Nationally Scarce)

Conservation objectives

None available.

Key vulnerabilities

Refer to Deben Estuary SPA above.

A key threat identified by RIS was erosion.

- **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.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

Refer to Similar to Deben Estuary SPA (above).

Hamford Water SAC Site

Overview of site and its location

Hamford Water is a large, shallow estuarine basin comprising tidal creeks and islands, intertidal mud- and sand-flats.

Qualifying features

- Fisher's estuarine moth; *Gortyna borellii lunata*

Conservation objectives

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.

Subject to natural change, to maintain or restore:

- The extent and distribution of the habitats of qualifying species.
- The structure and function of the habitats of qualifying species.
- The supporting processes on which the habitats of qualifying species rely.

- The populations of qualifying species.
- The distribution of qualifying species within the site.

Key vulnerabilities

- **Inappropriate scrub control** – Scrub encroachment results in a loss of habitat for Fisher’s Estuarine Moth, as the moth’s larval foodplant (hog’s fennel) is a species of open grassland. Although there are plans in place for scrub reduction/control in several areas, more action is likely to be needed to get/keep it under control.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

In general, the qualifying species of the SAC rely on:

- The sites ecosystem as a whole (see list of habitats below).
- Maintenance of populations of species that they feed on (see list of diets below).

Fisher’s Estuarine Moth

- Habitat Preference: Sea-walls and coastal grassland.
- Diet: Hog’s Fennel.

Hamford Water SPA

Overview of site and its location

Refer to Hamford Water SAC above.

Qualifying features

Annex I species present as a qualifying feature:

- Little Tern; *Sterna albifrons*

Over winter:

- Avocet; *Recurvirostra avosetta*
- Golden plover; *Pluvialis apricaria*
- Ruff; *Philomachus pugnax*

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:

- On passage: Ringed plover; *Charadrius hiaticula*
- Over winter: Black-tailed Godwit; *Limosa limosa islandica*
- Over winter: Dark-bellied Brent Goose; *Branta bernicla bernicla*
- Over winter: Grey Plover; *Pluvialis squatarola*
- Over winter: Ringed Plover; *Charadrius hiaticula*
- Over winter: Teal; *Anas crecca*
- Over winter: Common shelduck; *Tadorna tadorna*

- Over winter: Common redshank; *Tringa tetanus*

Conservation objectives

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.

Subject to natural change, to maintain or restore:

- The extent and distribution of the habitats of the qualifying features.
- The structure and function of the habitats of the qualifying features.
- The supporting processes on which the habitats of the qualifying features rely.
- The population of each of the qualifying features.
- The distribution of the qualifying features within the site.

Key vulnerabilities

- **Coastal squeeze** – The Essex coastline is subject to rising sea levels and increasing frequency in coastal and tidal surges, as a result of climate. To prevent intertidal habitats from shifting landward hard sea defences have been implemented. The combination of climate change, sea defences and subsidence are likely to contribute to coastal squeeze, which will lead to the degradation and reduction of suitable habitat used by overwintering and breeding birds for feeding, roosting and/or nesting.
- **Changes in species distribution** – Declines in the number of bird species present at Hamford Water SPA have occurred. This is likely to be the result of changes in population and distribution on an international scale, due to climate change.

- **Public access/disturbance** – Hamford Water attracts a large number of yachts and accompanying watersports. Sensitive areas of the SPA are threatened by unauthorised access on foot, from boats and by quad bike/motorbike.
- **Air pollution: Risk of 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.
- **Fisheries: Commercial marine 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 European 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.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

In general, the qualifying bird species of the SPA rely on:

- The sites ecosystem as a whole (see list of habitats below).
- Maintenance of populations of species that they feed on (see list of diets below).
- Off-site habitat, which provide foraging habitat for these species.
- Open landscape with unobstructed line of sight within nesting, foraging or roosting habitat.

Little Tern; *Sterna albifrons*

- Habitat Preference: Seacoasts, rivers and lakes.

- Diet: Small fish and invertebrates.

Avocet; *Recurvirostra avosetta*

- Habitat Preference: Mudflats, lagoons and sandy beaches.
- Diet: Aquatic insects and their larvae, crustaceans and worms.

Golden Plover; *Pluvialis apricaria*

- Habitat Preference: Tundra, wet moor, and on migration pasture & estuaries.
- Diet: Invertebrates, esp beetles, earthworms, this species feeds extensively at night.

Ruff; *Philomachus pugnax*

- Habitat Preference: Grassy tundra, lakes, farmland, on migration mudflat.
- Diet: Invertebrates, especially insects, and some plant material (especially in winter).

Ringed plover; *Charadrius hiaticula*

- Habitat Preference: Sandy areas with low vegetation, and on migration estuaries.
- Diet: Summer, invertebrates, and in winter primarily marine worms, crustaceans and molluscs.

Black-tailed godwit; *Limosa limosa islandica*

- Habitat Preference: Marshy grassland and steppe, and on migration mudflats.

- Diet: Insects, worms and snails, but also some plants, beetles, grasshoppers and other small insects during the breeding season.

Dark-bellied brent goose; *Branta bernicla bernicla*

- Habitat Preference: Tundra, and on migration marshes and estuaries.
- Diet: Vegetation, especially eel-grass.

Grey plover; *Pluvialis squatarola*

- Habitat Preference: Tundra, and on migration pasture and estuaries.
- Diet: In summer, invertebrates and in winter primarily marine worms, crustaceans and molluscs.

Common shelduck; *Tadorna tadorna*

- Habitat Preference: Coasts, estuaries and lakes.
- Diet: Mostly invertebrates, especially insects, molluscs and crustaceans.

Eurasian teal (Non-breeding); *Anas crecca*

- Habitat Preference: Lakes, marshes, ponds & shallow streams.
- Diet: Omnivorous, mostly seeds in winter, feeds mostly at night in shallow water.

Common redshank; *Tringa totanus*

- Habitat Preference: Rivers, wet grassland, moors and estuaries.

- Diet: Invertebrates, especially earthworms, crane-fly larvae (inland) crustaceans, molluscs, marine worms (estuaries).

Hamford Water Ramsar Site

Overview of site and its location

Hamford Water Ramsar site SPA/SAC above.

Qualifying features

Species/populations with peak counts in spring/autumn:

- Ringed plover; *Charadrius hiaticula*
- Common redshank; *Tringa totanus tetanus*

Species/populations with peak counts in winter:

- Dark-bellied brent goose; *Branta bernicla bernicla*
- Black-tailed godwit; *Limosa limosa islandica*

Species/populations identified subsequent to designation for possible future consideration under criterion 6.

- Grey plover; *Pluvialis squatarola*

Conservation objectives

None available.

Key vulnerabilities

Refer to Hamford Water SPA above.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

Refer to Similar to Hamford Water SPA (above).

Sandlings SPA

Overview of site and its location

The Sandlings SPA lies near the Suffolk Coast between the Deben Estuary and Leiston. In the 19th century, the area was dominated by heathland developed on glacial sandy soils. During the 20th century, large areas of heath were planted with blocks of commercial conifer forest and others were converted to arable agriculture. Lack of traditional management has resulted in the remnant areas of heath being subject to successional changes, with the consequent spread of bracken, shrubs and trees, although recent conservation management work is resulting in their restoration. The heaths support both acid grassland and heather dominated plant communities, with dependant invertebrate and bird communities of conservation value. Woodlark *Lullula arborea* and Nightjar *Caprimulgus europaeus* have also adapted to breeding in the large conifer forest blocks, using areas that have recently been felled and recent plantation, as well as areas managed as open ground.

Qualifying features

Qualifying species:

- European nightjar; *Caprimulgus europaeus* (Breeding)
- Woodlark; *Lullula arborea* (Breeding)

Conservation objectives

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.

Subject to natural change, to maintain or restore:

- The extent and distribution of the habitats of the qualifying features.
- The structure and function of the habitats of the qualifying features.
- The supporting processes on which the habitats of the qualifying features rely.
- The population of each of the qualifying features.
- The distribution of the qualifying features within the site.

Key vulnerabilities

- **Recreation pressure** – The nature, scale, timing and duration of some human activities can result in the disturbance of birds at a level that may substantially affect their behaviour, and consequently affect the long-term viability of the population. Such disturbing effects can for example result in changes to feeding or roosting behaviour, increases in energy expenditure due to increased flight, abandonment of nest sites and desertion of

supporting habitat (both within or outside the designated site boundary where appropriate). This may undermine successful nesting, rearing, feeding and/or roosting, and/or may reduce the availability of suitable habitat as birds are displaced and their distribution within the site contracts. Disturbance associated with human activity may take a variety of forms including noise, light, sound, vibration, trampling, and presence of people, animals and structures. This may become more of an issue as the population recovers and if an increase in development locally leads to an increase in recreational pressure in the Sandlings.

- **Air pollution** – The structure and function of the habitats which support this SPA feature may be sensitive to changes in air quality. Exceeding critical values for air pollutants may result in changes to the chemical status of its habitat substrate, accelerating or damaging plant growth, altering vegetation structure and composition and thereby affecting the quality and availability of nesting, feeding or roosting habitats.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

In general, the qualifying bird species of the SPA rely on:

- The sites ecosystem as a whole (see list of habitats below).
- Maintenance of populations of species that they feed on (see list of diets below).
- Off-site habitat, which provide foraging habitat for these species.
- Open landscape with unobstructed line of sight within nesting, foraging or roosting habitat.

European nightjar; *Caprimulgus europaeus*

- Habitat Preference: This species exclusively uses afforested land, including clear fells and young plantations for breeding; and open heathlands, grasslands and arable land for foraging.
- Diet: Insects, especially moths and beetles.

Woodlark; *Lullula arborea*

- Habitat Preference: This species uses open grassland and heather heaths to breed; and grassland and arable land to forage. This species is also sometimes observed nesting along the margins of arable areas.
- Diet: Insects, including beetles, caterpillars and spiders during the breeding season and seeds during the winter.

Appendix C

Detailed screening assessment of policies

Spatial Strategy

Policy SPTN 1: Spatial Strategy

Potential likely significant effects

None – this policy states that the Neighbourhood Plan area will accommodate development commensurate with Sproughton’s position in the district’s Settlement Hierarchy. Settlement boundaries, as defined in the policies map, identify the extent of land required to meet development needs. Proposals for development outside of the settlement boundaries will only be permitted where they are in accordance with national and district level policy. This policy will not directly result in development in the neighbourhood plan area.

Discussion

None.

Conclusion

No likely significant effects predicted.

Housing

Policy SPTN 2: Housing Mix

Potential likely significant effects

None – subject to certain caveats, this policy requires that in all housing developments of ten or more houses, at least 60% shall be three-bedroom homes. The provision of bungalows will also be supported and affordable housing should be tenure blind.

Discussion

This policy specifies housing mix and does not allocate land for development.

Conclusion

No likely significant effected predicted.

Policy SPTN 3: Affordable Housing on Rural Exception Sites

Potential likely significant effects

None – this policy specifies the circumstances in which affordable housing that would not normally be permitted by other policies will be supported.

Discussion

None.

Conclusion

No likely significant effects predicted.

Business and Employment

Policy SPTN 4: Employment Sites

Potential likely significant effects

None – this policy supports the retention and development of existing employment and other business uses providing such proposals do not have a detrimental impact on the local landscape character, heritage assets, residential, traffic generation, identified important views and important gaps. Proposals for non-employment that are expected to have an adverse impact on employment generation will be permitted if the listed criteria are met.

Discussion

None.

Conclusion

No likely significant effects predicted.

Policy SPTN 5: New Businesses and Employment Development

Potential likely significant effects

None – this policy will support proposals for new business development within settlement boundaries and outside settlement boundaries where sites meet the criteria set out in the policy.

Discussion

Whilst this policy does set conditions for supporting development it does not allocate land for development.

Conclusion

No likely significant effects predicted.

Policy SPTN 6: Farm Diversification

Potential likely significant effects

None – this policy will support proposals for new employment uses of redundant traditional farm buildings and other rural buildings where sites meet the criteria set out in the policy.

Discussion

Whilst this policy does set conditions for supporting development it does not allocate land for development.

Conclusion

No likely significant effects predicted.

Natural Environment

Policy SPTN 7: Area of Local Landscape Sensitivity

Potential likely significant effects

None – this policy will support proposals for new development in Areas of Local Landscape Sensitivity where the criteria set out within the policy are met.

Discussion

None.

Conclusion

No likely significant effects predicted.

Policy SPTN 8: Settlement Gaps

Potential likely significant effects

None – this policy protects settlement gaps.

Discussion

None.

Conclusion

No likely significant effects predicted.

Policy SPTN 9: Protection of Important Views

Potential likely significant effects

None – this policy maintains important views from public vantage points.

Discussion

None.

Conclusion

No likely significant effects predicted.

Policy SPTN 10: Local Green Spaces

Potential likely significant effects

None – this policy identifies Local Green Space for special protection.

Discussion

None.

Conclusion

No likely significant effects predicted.

Policy SPTN 11: Biodiversity Protection and Enhancement

Potential likely significant effects

None – this policy encourages development proposals to avoid the loss of, or material harm to, trees, hedgerows and other natural features. Proposals that contribute to the delivery of the Green Infrastructure Projects will be supported and proposals must achieve a minimum of 10% biodiversity measurable net gain.

Discussion

None.

Conclusion

No likely significant effects predicted.

Policy SPTN 12: Recreational Disturbance Avoidance and Mitigation

Potential likely significant effects

None – this policy outlines that all residential development within the Zones of Influence (ZOI) of European sites will be required to make a financial contribution towards mitigation measures in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) to avoid adverse in combination recreational disturbance effects and the integrity of the habitats of the European sites.

Discussion

None.

Conclusion

No likely significant effects predicted.

Historic Environment

Policy SPTN 13: Heritage Assets

Potential likely significant effects

None – this policy sets out criteria to be met to ensure conservation and enhancement of designated heritage assets.

Discussion

Whilst this policy does set conditions for supporting development it does not allocate land for development.

Conclusion

No likely significant effects predicted.

Policy SPTN 14: Non-Designated Heritage Assets

Potential likely significant effects

None – this policy ensures the retention and enhancement of the listed Non-Designated Heritage Assets.

Discussion

None.

Conclusion

No likely significant effects predicted.

Policy SPTN 15: Sproughton Special Character Area

Potential likely significant effects

None – this policy sets out criteria for proposals within a Special Character Area.

Discussion

Whilst this policy does set conditions for supporting development it does not allocate land for development.

Conclusion

No likely significant effects predicted.

Development Design

Policy SPTN 16: Development Design Considerations

Potential likely significant effects

None – this policy sets out criteria for proposals to ensure they reflect local characteristics and contribute to a high quality, safe and sustainable environment.

Discussion

Whilst this policy does set conditions for supporting development it does not allocate land for development.

Conclusion

No likely significant effects predicted.

Policy SPTN 17: Flooding and Sustainable Drainage

Potential likely significant effects

None – this policy sets out criteria for proposals to ensure the assessment of levels of flood risk and ensure they manage surface water from the proposal development.

Discussion

Whilst this policy does set conditions for supporting development it does not allocate land for development.

Conclusion

No likely significant effects predicted.

Infrastructure

Policy SPTN 18: Protecting Existing Services and Facilities

Potential likely significant effects

None – this policy sets out criteria for proposals that would result in loss of existing facilities or services.

Discussion

None.

Conclusion

No likely significant effected predicted.

Policy SPTN 19: Open Space, Sport and Recreation Facilities

Potential likely significant effects

None – this policy supports proposals for enhancement and/or expansion of amenity, sport or recreation open space or facilities.

Discussion

Whilst this policy does set conditions for supporting development it does not allocate land for development.

Conclusion

No likely significant effects predicted.

Policy SPTN 20: Utilities and Infrastructure

Potential likely significant effects

None – this policy encourages improvement in mobile coverage.

Discussion

Whilst this policy does set conditions for supporting development it does not allocate land for development.

Conclusion

No likely significant effects predicted.

Highways and Movement

Policy SPTN 21: Public Rights of Way

Potential likely significant effects

None – this policy sets out measures to improve and extend existing public rights of way.

Discussion

None.

Conclusion

No likely significant effects predicted.

References

- 1 HM Government (2007) The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (SI No. 2007/1843) [online]. Available at: <https://www.legislation.gov.uk/ukxi/2007/1843/contents>
- 2 HM Government (2017) The Conservation of Habitats and Species Regulations 2017 (SI No. 2017/1012) [online]. Available at: <https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>, as amended by HM Government (2019) The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI No. 2019/579) [online]. Available at: <https://www.legislation.gov.uk/ukdsi/2019/9780111176573>
- 3 The exception to this would be where ‘imperative reasons of overriding public interest’ can be demonstrated; see paragraph 1.17.
- 4 The integrity of a site is the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated (Source: UK Government Planning Practice Guidance).
- 5 Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities and Local Government (2019) Appropriate assessment: Guidance on the use of Habitats Regulations Assessment [online]. Available at: <https://www.gov.uk/guidance/appropriate-assessment>
- 6 Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the ‘Habitats Directive’).
- 7 Directive 2009/147/EC of 30 November 2009 on the conservation of wild birds (the ‘Birds Directive’).
- 8 The network of protected areas identified by the EU: European Commission (2008) Natura 2000 [online]. Available at: https://ec.europa.eu/environment/nature/natura2000/index_en.htm
- 9 Department of Environment, Food and Rural Affairs (2021) Changes to the Habitats Regulations 2017 [online]. Available at:

References

- <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017>
- 10 Department for Environment, Food and Rural Affairs (2021) Changes to the Habitats Regulations 2017 [online]. Available at: <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017>
 - 11 Department for Levelling Up, Housing and Communities (2012) National Planning Policy Framework, para 176 [online]. Available at: <https://www.gov.uk/guidance/national-planning-policy-framework>
 - 12 David Tyldesley & Associates, The HRA Handbook, Section A3. A subscription based online guidance document, available at: <https://www.dtapublications.co.uk/handbook/European>
 - 13 Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities and Local Government (2019) Appropriate assessment: Guidance on the use of Habitats Regulations Assessment [online]. Available at: <https://www.gov.uk/guidance/appropriate-assessment>
 - 14 David Tyldesley & Associates, The HRA Handbook. A subscription based online guidance document, available at: <https://www.dtapublications.co.uk/handbook>
 - 15 Conservation objectives are published by Natural England for SACs and SPAs.
 - 16 In line with the CJEU judgment in Case C-323/17 People Over Wind v Coillte Teoranta, mitigation must only be taken into consideration at this stage and not during Stage 1: HRA Screening.
 - 17 In addition to SAC and SPA citations and conservation objectives, key information sources for understanding factors contributing to the integrity of the sites include (where available) conservation objectives supplementary advice and Site Improvement Plans prepared by Natural England. Natural England (undated) Site Improvement Plans by region [online]. Available at: <http://publications.naturalengland.org.uk/category/5458594975711232>

References

- 18 A buffer distance of 20km has been applied based on the buffer distance applied to North Essex HRAs. This seems relevant given the large distances identified in relation to recreation.
- 19 Chapman, C. & Tyldesley, D. (2016) Functional linkage: How areas that are functionally linked to European sites have been considered when they may be affected by plans and projects – a review of authoritative decisions. Natural England Commissioned Reports, Number 207.
- 20 Obtained from the Natural England website. Available at: www.naturalengland.org.uk
- 21 Natural England (undated) Conservation Objectives for European Sites [online]. Available at: <http://publications.naturalengland.org.uk/category/6490068894089216>
- 22 SI No. 2017/2012.
- 23 ECJ Case C-127/02 “Waddenzee” Jan 2004.
- 24 David Tyldesley & Associates, The HRA Handbook, Section A3. A subscription based online guidance document, available at: <https://www.dtapublications.co.uk/handbook/European>
- 25 David Tyldesley & Associates, The HRA Handbook, Section A3. A subscription based online guidance document, available at: <https://www.dtapublications.co.uk/handbook/European>
- 26 British Wildlife Magazine. October 2007.
- 27 Wealden v SSCLG [2017] EWHC 351 (Admin).
- 28 Bird Aware Essex Coast (2020) Essex Coast Recreational disturbance Avoidance and Mitigation Strategy: Supplementary Planning Document (SPD) [online]. Available at: <https://birdaware.org/essex/our-strategy/>
- 29 Footprint Ecology (2019) Habitats Regulations Assessment Recreational Disturbance Avoidance and Mitigation Strategy for Ipswich Borough, Babergh District, Mid Suffolk District and East Suffolk Councils – Technical Report [pdf] Available at: <https://www.eastsuffolk.gov.uk/assets/Planning/Section-106/Habitat-mitigation/Suffolk-HRA-RAMS-Strategy.pdf>

References

- 30** Bird Aware Essex Coast (2020) Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy: Supplementary Planning Document (SPD) [online]. Available at: <https://birdaware.org/essex/our-strategy/>
- 31** Bird Aware Essex Coast (2020) Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy: Supplementary Planning Document (SPD) [online]. Available at: <https://birdaware.org/essex/our-strategy/>
- 32** JNCC (2019) UK Protected Area Datasets for Download [online]. Available at: <https://jncc.gov.uk/our-work/uk-protected-area-datasets-for-download/>
- 33** Natural England (2014-2015) Site Improvement Plans: East of England [online]. Available at: <http://publications.naturalengland.org.uk/category/4873023563759616>
- 34** Natural England (undated) Conservation Objectives for European Sites [online]. Available at: <http://www.naturalengland.org.uk/ourwork/conservation/designations/sac/conservationobjectives.aspx>

Report produced by LUC

Report produced by LUC

Bristol

12th Floor, Colston Tower, Colston Street, Bristol BS1 4XE
0117 929 1997
bristol@landuse.co.uk

Cardiff

16A, 15th Floor, Brunel House, 2 Fitzalan Rd, Cardiff CF24 0EB
0292 032 9006
cardiff@landuse.co.uk

Edinburgh

Atholl Exchange, 6 Canning Street, Edinburgh EH3 8EG
0131 202 1616
edinburgh@landuse.co.uk

Glasgow

37 Otago Street, Glasgow G12 8JJ
0141 334 9595
glasgow@landuse.co.uk

London

250 Waterloo Road, London SE1 8RD
020 7383 5784
london@landuse.co.uk

Manchester

6th Floor, 55 King Street, Manchester M2 4LQ
0161 537 5960
manchester@landuse.co.uk

landuse.co.uk

Landscape Design / Strategic Planning & Assessment
Development Planning / Urban Design & Masterplanning
Environmental Impact Assessment / Landscape Planning & Assessment
Landscape Management / Ecology / Historic Environment / GIS & Visualisation