



# Stutton Neighbourhood Plan 2022-2037 Regulation 14 Pre-Submission

## **Habitats Regulations Assessment (HRA): Screening Report including Appropriate Assessment – January 2022**



Essex County Council



## About us

---

Place Services is a leading public sector provider of integrated environmental assessment, planning, design and management services. Our combination of specialist skills and experience means that we are uniquely qualified to help public organisations meet the requirements of the planning process, create practical design solutions and deliver environmental stewardship.

Our Natural Environment Team has expertise of arboriculture, biodiversity, countryside management and ecology. This multidisciplinary approach brings together a wide range of experience, whether it is for large complex briefs or small discrete projects. We aim to help our clients protect and improve the natural environment through their planning, regulatory or land management activities. This approach ensures that not only our clients will fulfil their legal duties towards the natural environment, but they do so in a way that brings positive benefits to wildlife and people.

Address: County Hall, Market Road, Chelmsford, Essex, CM1 1QH

Contact no: 0333 013 6840

Email: [placeservicesecology@essex.gov.uk](mailto:placeservicesecology@essex.gov.uk)

Website: [www.placeservices.gov.uk](http://www.placeservices.gov.uk)

VAT number: GB 104 2528 13



## Report Checking and Version Control

### Prepared by:

Sue Hooton | Principal Ecological Consultant| [sue.hooton@essex.gov.uk](mailto:sue.hooton@essex.gov.uk)

Hamish Jackson | Ecological Consultant | [hamish.jackson@essex.gov.uk](mailto:hamish.jackson@essex.gov.uk)

### Report version control:

Version	Date	Author	Description of changes
1.1	21/12/2021	Sue Hooton	Drafted
1.2	04/01/2022	Hamish Jackson	Technical Reviewed
1.3	04/01/2022	Sue Hooton	Checked for Issue
1.4	10/01/2022	Sue Hooton	Updated and re-issued



## Contents

<b>1. Introduction</b>	<b>7</b>
The Purpose of This Report	7
The Regulation 14 Pre-Submission Stutton Neighbourhood Plan 2022-2037:	7
<b>2. Legislative Background</b>	<b>8</b>
Habitats Regulations Assessment (HRA)	8
<b>3. HRA Screening</b>	<b>10</b>
Habitat Regulations Assessment of Development Plans	10
Court Judgements and their consideration in this Report	10
<b>CJEU People Over Wind v Coillte Teoranta C-323/17</b> .....	<b>10</b>
<b>CJEU Holohan C- 461/17</b> .....	<b>10</b>
Habitats (European) Sites	11
<b>Explanation of SPAs, SACs and Ramsar Sites</b> .....	<b>11</b>
<b>Habitats Sites to be considered</b> .....	<b>12</b>
<b>Conservation Objectives</b> .....	<b>13</b>
Method and Approach	13
<b>Stage 1: HRA screening</b> .....	<b>15</b>
<b>Potential impacts of the Stutton Neighbourhood Plan on Habitats Sites</b> .....	<b>15</b>
Results of HRA Screening of Stutton Neighbourhood Plan Policies	18
Recommendations and Screening Conclusion	26
<b>4. Appropriate Assessment and Considering the Integrity Test</b>	<b>28</b>
Introduction to Appropriate Assessment	28
Approach and Methodology of the Appropriate Assessment	29
<b>Use of Mitigation Measures</b> .....	<b>30</b>
<b>Applying the Integrity Test</b> .....	<b>30</b>
<b>Embedding Mitigation</b> .....	<b>30</b>
<b>Re-applying the Integrity Test</b> .....	<b>30</b>
Stage 2 Appropriate Assessment for Regulation 14 Pre-submission Stutton Neighbourhood Plan	31
<b>Consideration of the Plan Alone</b> .....	<b>31</b>
<b>Mitigation measures</b> .....	<b>31</b>
<b>Recreational disturbance from residential development:</b> .....	<b>31</b>
Consideration of the Plan in combination with other Plans & Projects	35
<b>5. Recommendations</b>	<b>39</b>
<b>6. Conclusion</b>	<b>41</b>



<b>7.</b>	<b>References</b>	<b>42</b>
<b>8.</b>	<b>Appendices</b>	<b>43</b>
	<b>Appendix 1. Stutton Neighbourhood Plan Area .....</b>	<b>43</b>
	<b>Appendix 2. Stutton parish and Habitats Sites within 20km.....</b>	<b>44</b>
	<b>Appendix 3. Characteristics of Habitats Sites .....</b>	<b>45</b>

**List of Tables and Figures**

Table 1: Habitats Sites within 20km of the development	<b>12</b>
Table 2: Screening categorisation	<b>15</b>
Table 3: Assessment of potential impacts	<b>16</b>
Table 4: Summary of findings from the HRA screening	<b>19</b>
Table 5: Other plans or projects considered for in combination effects	<b>35</b>
 Figure 1: Stages of the Habitats Regulations Assessment screening process for NDPs	 <b>14</b>



## Glossary of Acronyms

AA	Appropriate Assessment
BDC	Babergh District Council
DC	District Council
DPD	Development Plan Document
EA	Environment Agency
Ha	Hectare
HRA	Habitats Regulations Assessment
IFCA	Inshore Fisheries Conservation Authority
IRZ	Impact Risk Zone (for SSSIs)
Km	Kilometre
LPA	Local Planning Authority
NDP/NP	Neighbourhood Development Plan / Neighbourhood Plan
NE	Natural England
NPPF	National Planning Policy Framework
PRoW	Public Right of Way
RAMS	Recreational disturbance Avoidance and Mitigation Strategy
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SIP(s)	Site Improvement Plans(s)
SPA	Special Protection Area
SSSI	Site of Specific Scientific Interest
SuDS	Sustainable Drainage System
ZOI	Zone of Influence



# 1. Introduction

## The Purpose of This Report

---

- 1.1 This report screens to determine whether the Regulation 14 Pre-Submission Stutton Neighbourhood Plan 2022-2037: requires a Habitats Regulations Assessment (HRA) in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). A Stage 1 HRA is required when it is deemed that likely adverse significant effects may occur on protected Habitats (European) Sites as a result of the implementation of a plan/project, either alone or in combination with other plans and projects.

## The Regulation 14 Pre-Submission Stutton Neighbourhood Plan 2022-2037:

---

- 1.2 The main purpose of the Plan is to set out and identify the best ways to direct local planning towards community wants and needs, while protecting the natural environment and cultural assets, ensuring a more sustainable future for the community. The Stutton Neighbourhood Plan 2022-2037 will set out planning policies for Stutton Parish and within the confines of the Neighbourhood Plan boundary as defined (see Appendix 1).
- 1.3 Once formally 'made' or 'adopted', a Neighbourhood Plan carries the same legal weight as Local Development Plans adopted up by the Local Planning Authority (LPA), in this case Babergh District Council.



## 2. Legislative Background

### Habitats Regulations Assessment (HRA)

---

- 2.1 Under the provisions of the Habitats Regulations (*The Conservation of Habitats and Species Regulations 2017, as amended*), a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any Habitats Site, in terms of impacting the site's conservation objectives.
- 2.2 The first stage of HRA is the screening assessment of the impacts of a land use proposal against the conservation objectives of Habitats sites. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would potentially damage the internationally designated features of that site. European sites are also known as Natura 2000 sites and Habitats Sites in the NPPF (2021).
- 2.3 This HRA Screening Report has been undertaken in order to support the Stutton Neighbourhood Plan which is being produced by Stutton Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012. The area covered by the Plan is shown in Appendix 1.
- 2.4 The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA.
- 2.5 In line with the Court judgement (CJEU People Over Wind v Coillte Teoranta C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats Site.
- 2.6 On 23 June 2016, the United Kingdom (UK) held a referendum and voted to leave the European Union (EU). On 26 June 2018 The European Union (Withdrawal) Act 2018 received Royal Assent and the UK has now left the EU. The European Union (Withdrawal) Act 2018 made sure that UK laws continue to operate following the UK's exit. There is no immediate change to legislation or policy affecting national infrastructure. Relevant EU Directives have been transposed into UK law and those are unchanged until amended by Parliament. The requirements for HRA under the Conservation of Habitats and Species Regulations 2017 (as amended) remain in place with minor changes being affected by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019. Parliament will however be at liberty to introduce future changes to the Conservation of Habitats and Species Regulations 2017 (as amended) since, after 31 December 2020, the UK will no longer be bound by the EU Habitats and Wild Birds Directives.





- 2.7 At the present time the position, under section 6(3) EU (Withdrawal) Act 2018 (as amended), is that the courts in the UK, with the sole exception of the Supreme Court, will continue to be bound by HRA judgements handed down by the CJEU and by domestic courts prior to 31 December 2020 when interpreting the Conservation of Habitats and Species Regulations 2017 (as amended). This is the case as long as the Conservation of Habitats and Species Regulations 2017 (as amended) remain unmodified by Parliament.



## 3. HRA Screening

### Habitat Regulations Assessment of Development Plans

---

- 3.1 This section forms a plan level Habitats Regulations Assessment (HRA) screening report as required by Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended).
- 3.2 This section of this Report aims to:
- Identify the Habitats sites within 20km of the Stutton Neighbourhood Plan area.
  - Summarise the reasons for designation and Conservation Objectives for each site to be considered in this assessment.
  - Screen the Stutton Neighbourhood Plan for its potential to impact upon a Habitats site.
  - Assess the potential for in combination effects from other projects and plans in the area.
  - Identify if there are any outstanding issues that need further investigation.

### Court Judgements and their consideration in this Report

---

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

- 3.3 As previously mentioned, in line with the Court judgement (CJEU People Over Wind v Coillte Teoranta C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats Site.
- 3.4 This HRA Screening Report does not therefore consider mitigation measures within the assessment of Likely Significant Effects resulting from the Stutton Neighbourhood Plan.

#### **CJEU Holohan C- 461/17**

- 3.5 This Court judgement imposes more detailed requirements on the competent authority for any plans or projects at Appropriate Assessment stage:
1. [...] an 'Appropriate Assessment' must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for



habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.

2. [...] the competent authority is permitted to grant to a plan or project consent which leaves the developer free to determine subsequently certain parameters relating to the construction phase, such as the location of the construction compound and haul routes, only if that authority is certain that the development consent granted establishes conditions that are strict enough to guarantee that those parameters will not adversely affect the integrity of the site.

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

- 3.6 Within this Stage 1 HRA Screening report, the assessment will determine the requirement for whether or not a Stage 2 Appropriate Assessment is needed for the Stutton Neighbourhood Plan.

## Habitats (European) Sites

---

- 3.7 'Habitats sites' is the term used in the (revised) NPPF (2021) to describe any site which would be included within the definition at Regulation 8 of the Conservation of Habitats and Species Regulations 2017 (as amended) for the purpose of those regulations. These now form part of the UK national network of sites for nature protection. The aim of the network is to assure the long-term survival of UK's most valuable and threatened species and habitats.
- 3.8 All Special Protection Areas (SPAs) are designated for birds and Special Areas of Conservation (SACs) are designated for other species, and for Habitats. Wetlands of International Importance (Ramsar sites) are also part of the National Network of sites. This is because all SPAs and SACs are comprised of Sites of Special Scientific Interest (SSSIs) and all Ramsar sites in England are SSSIs. Together, SPAs, SACs and Ramsar Sites make up the Habitats sites in England. The following offers a description and explanation of SPAs, SACs and Ramsar Sites.

## Explanation of SPAs, SACs and Ramsar Sites

### Special Protection Areas (SPAs)

SPAs are areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds. Example: Stour and Orwell Estuaries SPA is internationally important for wintering waterfowl. *Legislation: Conservation of Habitats and Species Regulations 2017 (as amended).*



### Special Areas of Conservation (SACs)

SACs are areas designated to protect habitat types that are in danger of disappearance, have a small natural range, or are highly characteristic of the region; and to protect species that are endangered, vulnerable, rare, or endemic. Example: Waveney and Little Ouse Valley Fens for calcareous fens, *Molinia* meadows and Desmoulin's whorl snail *Legislation: Conservation of Habitats and Species Regulations 2017 (as amended)*.

### Ramsar Sites (Wetlands of International Importance)

Ramsar Sites are designated to protect the biological and physical features of wetlands, especially for waterfowl. Example: Deben Estuary is relatively narrow and sheltered. It has limited amounts of freshwater input and the intertidal areas are constrained by sea-walls. The site supports nationally and internationally important flora and fauna including a population of the mollusc *Vertigo angustior* (S1014); British Red Data Book Endangered) and Dark-bellied brent goose occurring at levels of international importance with peak counts in the winter.

*Legislation: Ramsar Convention (1971) – Wetlands of International Importance and Conservation of Habitats and Species Regulations 2017 (as amended)*.

## Habitats Sites to be considered

3.9 There are 16 Habitats sites (SPA/SAC/Ramsar site) which lie within 20 km of Stutton parish and are shown on the map in Appendix 2.

**Table 1: Habitats Sites within 20km of Stutton Parish**

SPA	SAC	Ramsar site
Hamford Water	Hamford Water	Hamford Water
Colne Estuary	Essex Estuaries	Colne Estuary
Abberton Reservoir		Abberton Reservoir
Deben Estuary		Deben Estuary
Stour and Orwell Estuaries		Stour and Orwell Estuaries
Alde, Ore & Butley Estuaries		Alde, Ore & Butley Estuaries
Sandlings		
Outer Thames Estuary		



3.10 Consideration has been given to the Impact Risk Zones as shown on MAGIC website [www.magic.gov.uk](http://www.magic.gov.uk) for the Habitats sites. These zones around each site reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts. The parish of Stutton lies outside the evidenced recreational ZOIs of the Essex coastal Habitats sites, and therefore, these sites have been scoped out from this assessment.

3.11 However, the Plan area lies within the 13km recreational Zones of Influence for the Suffolk side of the Stour and Orwell SPA and Ramsar site and Deben Estuary SPA and Ramsar site. It is therefore these four sites which are within scope of this Plan level HRA screening.

## Conservation Objectives

3.12 Information on each of the four Habitats sites named above has been obtained from the Natural England website.

3.13 The justification for the importance of each Habitats site and the reasons for designation-the Conservation Objectives and Designation Features- for each site are included in Appendix 3. It also reflects the Supplementary Advice for Conservation Objectives which describes the range of ecological attributes that are most likely to contribute to a site's overall integrity and key vulnerabilities to consider within Habitats Regulations Assessments.

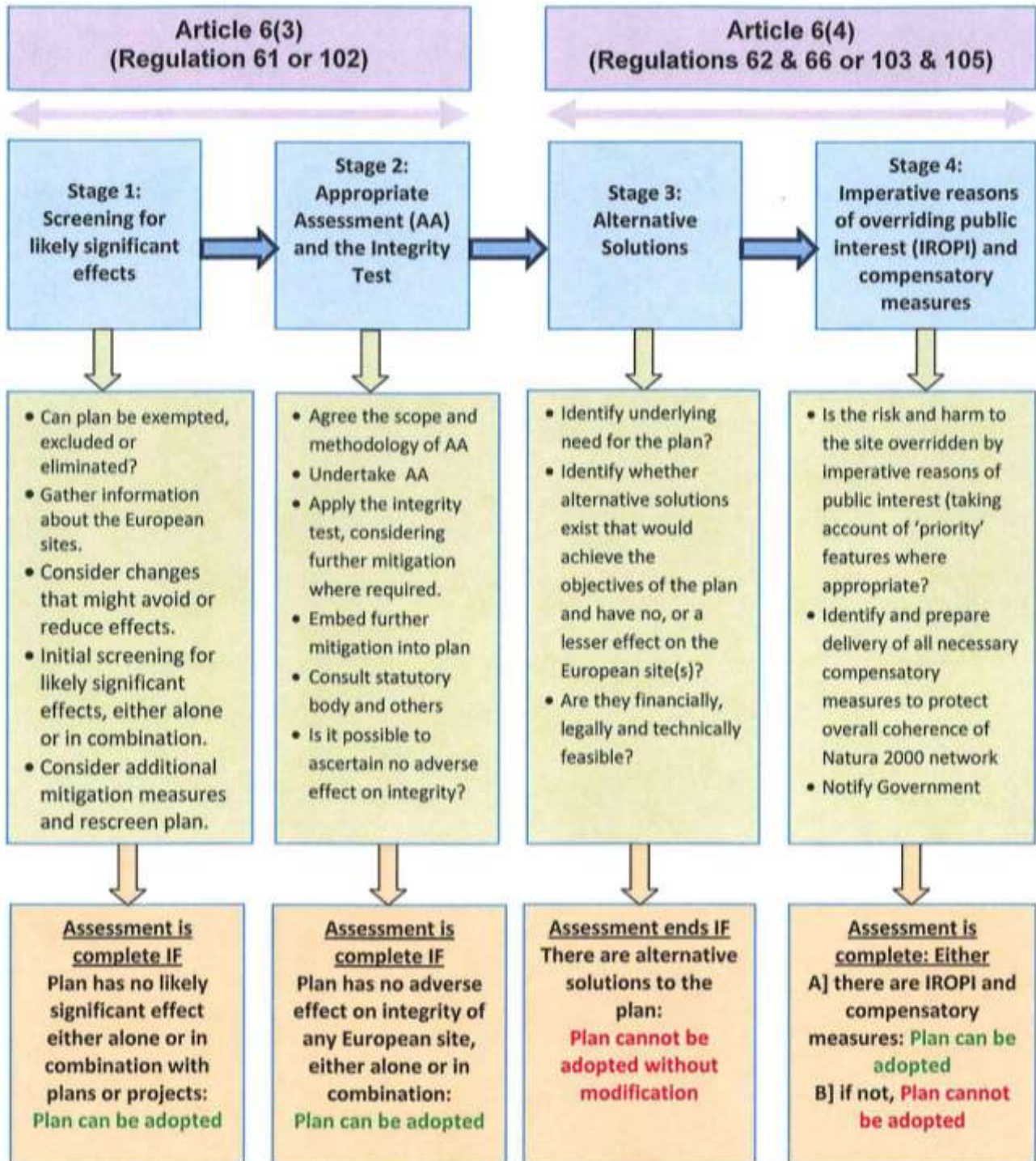
## Method and Approach

---

3.14 The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA screening report; this is necessary to ensure the making of the neighbourhood plan is not likely to have a significant effect on a Habitats site (European site or a European offshore marine site), either alone or in combination with other plans or projects. This document relates to the HRA process as set out in Figure 1 below which has been produced under licence.



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







## Stage 1: HRA screening

3.15 This screening stage identifies whether any policies or projects could have a Likely Significant Effect on a Habitats site. Table 4 identifies the different categories assigned to each policy in the plan: Category A identifies those policies or projects that may not result in a Likely Significant Effect and are considered to have No Negative Effect. Category B identifies those policies or projects that will have No Likely Significant Effect. Category C identifies those policies or projects that might have Likely Significant Effect and thus upon a Habitats site either alone or in combination with other plans or projects.

3.16 Each of the policies in the Stutton Neighbourhood Plan has been screened to identify whether they would have any effect on a Habitats site and allocated to a category as shown in Table 2.

**Table 2: Screening categorisation**

<b>Category A: No negative effect</b>
Policies or projects that will not be likely to have any negative effect on a Habitats site.
<b>Category B: No Likely Significant Effect</b>
Policies or projects that could have an effect but would not be likely to have a likely significant effect on a Habitats site alone or in combination. This conclusion could only be reached if the effects, even in combination and taking the precautionary principle into account, are considered trivial.
<b>Category C: Likely Significant Effect</b>
Policies or projects which are predicted to have a likely significant effect on a Habitats Site either on its own or in combination with other plans and projects and require revision or further assessment (Appropriate Assessment).

## Potential impacts of the Stutton Neighbourhood Plan on Habitats Sites

3.17 There are a wide range of potential impacts from developments and the most relevant issues can be summarised as -

- Land take by development;
- Impact on protected species found within but which travel outside the protected sites (functionally linked land) may be relevant where development could result in effects on qualifying interest species within the Habitats site, for example through the loss of feeding grounds for an identified species of bird.
- Increased disturbance, for example from recreational use resulting from new housing development and / or improved access due to transport infrastructure or tourist related projects;



- Changes in water availability, or water quality as a result of development and increased demands for wastewater treatment, and changes in groundwater regimes due to increased impermeable areas;
- Changes in atmospheric pollution levels due to increased traffic, waste management facilities etc. Pollution discharges from developments such as industrial developments, quarries and waste management facilities.

3.18 Each policy in the neighbourhood plan will therefore be assessed against the above criteria in the table below.

**Table 3: Assessment of potential impacts**

Nature of potential impact pathways	How the Stutton Neighbourhood Plan (alone or in combination with other plans and project) could affect a Habitats site?	Why these effects are/ not considered likely to be significant?
Land take by development	Although the Plan area contains land within the Stour and Orwell Estuaries SPA & Ramsar site, no development is allocated on designated land.	No likely significant effects are expected, as no development will be allocated on designated land.
Impact on protected species outside the protected sites	The Plan area contains land which may be functionally linked to the designated features of the Stour and Orwell Estuaries SPA & Ramsar site and may be used by protected species outside of the designated site.	No likely significant effects are expected, as no development will be allocated on land which is functionally linked to the Habitats Sites. No development is proposed on any land which could support the mobile species (birds) for which the Stour and Orwell Estuaries SPA & Ramsar site is designated.
Recreational pressure and other forms of disturbance	<p>HRA / AA work undertaken at the Local Plan level indicates that recreational and other forms of disturbance is a predicted pathway for development in the Plan area to impact on the SPA &amp; Ramsar sites within the scope of the HRA as the Parish lies within the Zones of Influence.</p> <p>The Stutton Neighbourhood Plan also does not allocate land for residential development within ZOIs of Suffolk Coast RAMS. However, future large residential development or tourist related projects could result in a Likely Significant Effects alone from predicted recreational disturbance.</p>	To avoid predicted recreational impacts from large scale residential development when considered <i>alone</i> and secure mitigation for predicted recreational pressure in combination with other plans and projects, the Plan needs additional policy text to comply with Natural England's advice. It is therefore considered that this impact pathway should be screened in for further assessment as Likely Significant Effects from the Neighbourhood Plan resulting from recreational and other disturbance impacts on Habitats sites needs to be <b>screened in</b> for further assessment when considered either alone or in combination.





Nature of potential impact pathways	How the Stutton Neighbourhood Plan (alone or in combination with other plans and project) could affect a Habitats site?	Why these effects are/ not considered likely to be significant?
<p>Changes in water quantity and quality</p>	<p>Surface water discharge/drainage and wastewater has the potential to pose a risk at some locations within the parish, especially if sites are hydrologically connected to the Stour and Orwell Estuaries SPA and Ramsar site.</p> <p>All land within the Parish lies within the 5km Impact Risk Zones identified on Magic maps for high levels of water discharge to the Stour Estuary and Orwell Estuaries SSSI.</p>	<p>As development supported will be on land within the 5km Impact Risk Zones, likely significant effects cannot be ruled out.</p> <p>Stutton parish is served by Branham Water Recycling Centre (WRC) which then discharges into the Stour Estuary. HRA work undertaken at the Reg 19 Joint Local Plan level indicates that no significant impacts from foul water are predicted to cause LSE/ adverse effects on the designated features (including storm surges). However, any private sewage treatment plants within the Parish may still cause impacts on the Stour Estuary and Orwell Estuaries SPA and Ramsar site and a project HRA would be required.</p> <p>Anglian Water’s Water Recycling Long Term Plan (WRLTP) document identifies that there is a plan to increase drainage capacity at Branham WRC but the Water Cycle Study for the B&amp;MS Joint Local Plan has indicated that there is capacity to serve the proposed growth.</p> <p>However, in marine environments, nitrogen is considered to be the limiting nutrient. The five WRCs discharging to tidal waterbodies (Branham, Holbrook, Chelmondiston, Shotley and Ipswich-Cliff Quay), are not included in the Environment Agency models, and so additional nitrate load (expressed as Total Oxidised Nitrogen) was therefore calculated manually.</p> <p>Five of the WRCs that may receive growth in this study discharge to transitional (tidally influenced) waterbodies and so are not modelled in SIMCAT. Generally, for marine environments, nitrate is the limiting nutrient and so the increase in nitrate load has been calculated for each WRC. In water quality monitoring Total Oxidized Nitrogen (TON) is used as a proxy for nitrate as this measurement</p>



Nature of potential impact pathways	How the Stutton Neighbourhood Plan (alone or in combination with other plans and project) could affect a Habitats site?	Why these effects are/ not considered likely to be significant?
		<p>is more easily performed. TON is the sum of nitrate and nitrite, but generally nitrite makes up a small percentage of TON in rivers, so the TON value is taken to be equivalent to the nitrate concentration. As there is no nitrogen permit at these WRCs an assumed discharge concentration of 27mg/l was applied. This is in line with recent Natural England guidance on applying nutrient neutrality on the Solent. The additional Nitrogen load for each WRC is reported in Table 9.3 of the WRLTP. However, as the Neighbourhood Plan supports development, mitigation measures will be required.</p>
Changes in air pollution levels	No Air quality impacts are predicted from Neighbourhood Plan, as well as any future development.	No likely significant effects are expected, as no development will be allocated on land within 200 metres of the Stour and Orwell estuaries SPA and Ramsar.

## Results of HRA Screening of Stutton Neighbourhood Plan Policies

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

- SN1: Spatial Strategy
- SN2: Housing Mix
- SN3: Affordable Housing
- SN4: Affordable Housing on Rural Exception Sites
- SN5: Accessible and adaptable homes
- SN6: Achieving good design in Stutton
- SN7: Renewable energy in developments
- SN8: Sustainable Drainage
- SN9: Stutton Landscape and Settlement Character
- SN10: Enhancing the natural environment



- SN11: Mitigating the impact of development on the Stour & Orwell estuaries Special Protection Area (SPA)
- SN12: Protecting and enhancing Local Green Spaces
- SN13: Conserving and enhancing the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB)
- SN14: Visitor and Tourist Development
- SN15: Preserving and enhancing heritage assets and the character of the village
- SN16: Non-designated heritage sites
- SN17: Reducing the impact of increased road traffic generated by development
- SN18: Pedestrian access within the village
- SN19: Non-motorised rights of way
- SN20: Protecting Community Facilities
- SN21: New Community Facilities
- SN22: New and expanding businesses
- SN23: Existing Business Premises

3.20 This section considers each policy in turn and the results of the screening exercise is recorded in Table 4.

**Table 4: Summary of findings from the HRA screening**

Policy	Will Policy have Likely Significant Effect on a Habitats Site?	Recommendations
<p><b>SN1: Spatial Strategy</b>            The Neighbourhood Plan area will only accommodate development commensurate with Stutton's designation as a hinterland village in the adopted Babergh Core Strategy and emerging Joint Local Plan, and to meet housing needs evidenced by Housing Needs Surveys. The focus for new development will be within the Settlement Boundaries as defined in the JLP and shown on Map 2.            Development outside the Settlement Boundary will be restricted to small scale rural exception housing on the edge of the settlement, where such schemes accord with Policy SN4 of this Plan, and those activities that are essential for the operation of existing businesses, agriculture, equestrian, horticulture, forestry, outdoor recreation, or other exceptional uses, where:            it can be satisfactorily demonstrated that there is an identified local need for the proposal;            it cannot be satisfactorily located within the Settlement Boundary</p>	<p>No, Category A</p>	<p>No specific recommendations</p>



<p><b>SN2: Housing Mix</b> Within Stutton new development must favour smaller dwellings reflecting the need for two- and three-bedroom homes to rent or buy. It should aim to meet the established need amongst single people, couples, and young families and for single storey homes suitable for older people wishing to downsize. Any proposed alternative housing mix must be justified by 1) an up-to-date assessment of existing needs applicable to Stutton; or 2) the site-specific context.</p>	No, Category A	No specific recommendations
<p><b>SN3: Affordable housing</b> A minimum of 35% of any new development of ten houses or more must be affordable housing, as defined by the NPPF, except within the AONB where a threshold of five houses or more will apply. Such housing must be designed to be indistinguishable from market housing and distributed throughout a site.</p>	No, Category A	No specific recommendations
<p><b>SN4: Affordable Housing on Rural Exception Sites</b> Proposals for the development of small-scale affordable housing schemes, including entry level homes for purchase (as defined by paragraph 72 of the NPPF) on rural exception sites outside the Settlement Boundary where housing would not normally be permitted by other policies, will be supported where there is a proven local need and provided that the housing: These restrictions should be delivered through a legal agreement attached to the planning consent for the housing. Applications for such development will be considered in relation to the appearance and character of the surrounding area, the potential impact on residential amenity and highway safety. To be acceptable, proposals should demonstrate that a local need exists which cannot be met by applying normal planning policies for the provision of affordable homes in association with market housing. Any planning application for affordable housing in respect of this policy should be accompanied by a detailed needs assessment and the accommodation proposed should contribute to meeting this proven need. In exceptional circumstances, up to 35% of market homes will be permitted where it can be demonstrated: a) that no other means of funding the construction of the affordable homes is available; and b) the market housing is subsidiary to the affordable housing element of the proposal and the amount of market housing required is, as demonstrated through a viability assessment, the minimum required to deliver the affordable housing. Where sites for affordable housing outside the settlement boundary are brought forward with an element of market housing, both housing tenures should be built to the same design standards and contribute towards the character of the area.</p>	No, Category A	No specific recommendations
<p><b>SN5: Accessible and adaptable homes</b> Any new housing development of 10 or more dwellings must meet the M4(2) standards for accessible and adaptable homes for a minimum of 50% of its dwellings. In addition, proposals which seek to provide a higher percentage of such dwellings will be looked upon favourably (as long as other policies in this Plan are followed). This will also apply to smaller developments which build to M4(2) standards.</p>	No, Category A	No specific recommendations



<p><b>SN6: Achieving good design in Stutton</b> A design-led approach should be taken for all proposals. Development proposals will be expected to achieve high quality design and contribute positively to Stutton as a place. In achieving this, applicants should be guided by the design principles set out in the Stutton Design Guide and demonstrate how their proposal satisfies the design requirements through the completion of the Stutton Design Checklist provided in Appendix 3 to this document. In addition, proposals will be expected to:</p> <ul style="list-style-type: none"> <li>• Contribute to the village's local distinctiveness, built form and scale through the use of appropriate design and materials;</li> <li>• Be of an appropriate scale, form, height, massing, alignment, and detailed design which respects the area's character, appearance and its setting;</li> <li>• Not adversely affect the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume or type of vehicular activity generated; and/or residential amenity.</li> </ul>	No, Category A	No specific recommendations
<p><b>SN7: Renewable energy in developments</b> Proposals that incorporate current best practice in energy conservation and on-site renewable technologies will be supported where such measures are designed to be integral to the building design and minimise any detrimental impact on the building or its surroundings. Proposals should:</p> <ul style="list-style-type: none"> <li>• be designed to achieve maximum achievable energy efficiency through the use of high quality, thermally efficient building materials, which are energy efficient in their manufacturing, transport, and building processes;</li> <li>• maximise the benefits of solar gain in site layouts and orientation of buildings;</li> <li>• incorporate other renewable energy systems such as ground or air sourced heat pumps, avoiding fossil fuel-based heating systems;</li> <li>• provide energy storage facilities</li> </ul>	No, Category A	No specific recommendations
<p><b>SN8: Sustainable drainage</b> Proposals for all new developments will be required to submit schemes, appropriate to the scale of the proposal, detailing how on-site drainage will be managed so as not to cause or exacerbate surface water and fluvial flooding elsewhere. Examples include rainwater harvesting and grey water recycling, and run-off and water management such as Sustainable Drainage Systems (SuDS) or other natural drainage systems where easily accessible maintenance can be achieved. All schemes shall include an allowance for climate change, in accordance with most up to date Environment Agency advice.</p>	No, Category A	No specific recommendations
<p><b>SN9: Stutton Landscape and Settlement Character</b> All development proposals shall be sensitive to the distinctive landscape and settlement character in Stutton, as described in the Parish Landscape Study. This means, to be supported, development proposals:</p> <ul style="list-style-type: none"> <li>• must respect and not adversely impact the key views identified on Policy Map SN9A</li> </ul>	No, Category A	No specific recommendations



<ul style="list-style-type: none"> <li>• should protect or enhance the landscape features that contribute to local distinctiveness and sense of place, as described in the Stutton Landscape Study and summarised in the supporting text to this policy.</li> <li>• carefully consider boundaries of any new development especially where they interface with the countryside, to ensure they restore or create an appropriate rural edge. Particular care should be taken with development proposals impacting on the sensitive settlement edges as shown on Policy Map SN9B.</li> <li>• maintain the general open character of the landscape gap between the main village and Stutton Green indicated on Policy Map SN9B and protect the character of the rural gap between Upper Street and the main village.</li> <li>• protect or enhance the rural character at key village gateway points shown on Policy Map SN9B.</li> </ul> <p>Wherever possible, proposals will be sought which both improve the integrity of the landscape including at settlement edge locations. Examples of such opportunities include:</p> <ul style="list-style-type: none"> <li>• proposals which enhance the village entrance point on Holbrook Road, for example tree planting where this would define</li> <li>• and enhance the gateway and help assimilate new residential development.</li> <li>• utilising opportunities, where they arise, to improve the setting of heritage assets along Lower Street.</li> </ul> <p>Where potential impacts on Stutton’s landscape and settlement character are identified, applicants will be expected to demonstrate accordance with this policy through the provision of an assessment of landscape and visual impacts (proportionate to the scheme proposed) and drawing, in this process, on guidance and recommendations in the Stutton Landscape Study. For any schemes proposed in the AONB, Policy SN13 also applies.</p>		
<p><b>SN10: Enhancing the natural environment</b> Any new development proposal must meet the following requirements:</p> <ul style="list-style-type: none"> <li>• take measures to avoid or reduce adverse impacts on existing biodiversity assets and be assessed by an appropriately qualified ecologist. Where adverse impacts are unavoidable, suitable measures will be required to mitigate any adverse impacts. Where mitigation is not possible, full compensatory provision should be made in accordance with the Mitigation Hierarchy;</li> <li>• provide a measurable net gain for biodiversity;</li> <li>• appropriately contribute to the creation of biodiversity features through the use of landscaping, building and construction features and sustainable drainage systems (SuDS), and including features such as bird boxes and hedgehog runs.</li> </ul>	<p>No, Category A</p>	<p>No specific recommendations</p>
<p><b>SN11: Mitigating the impact of development on the Stour &amp; Orwell Estuaries Special Protection Area (SPA)</b> All residential developments within the zones of influence of European sites will be required to make a financial</p>	<p>Yes, Category C</p>	<p>The birds associated with the Stour Estuary are sensitive to</p>



<p>contribution towards mitigation measures, as detailed in the Suffolk RAMS, to avoid adverse in-combination recreational disturbance effects on European sites.</p>		<p>disturbance from recreation, in particular off-lead dog walking, and the unique attraction of the Estuary presents a strong draw for undertaking such activities. Mitigation of such effects usually requires more than one type of approach; this is typically a combination of 'on-site' informal open space provision and promotion (i.e. in and around the development site) and 'off-site' visitor access management measures (i.e. at the Habitats site). In addition, there is potential for changes in water quality due to waste- water. However, measures primarily to mitigate the effects on a Habitats site cannot be considered at HRA screening stage.</p> <p>Further assessment is therefore triggered for predicted recreational disturbance and water quality impacts from the Plan alone.</p> <p>Amend policy heading to:</p> <p><b>"Mitigating the impact of development on the Stour &amp; Orwell Estuaries Special Protection Area (SPA) and Ramsar site"</b></p>
<p><b>SN12: Protecting and enhancing Local Green Spaces</b> The following sites as shown on Policy Map SN12 are designated as Local Green Spaces:</p> <ul style="list-style-type: none"> <li>• Allotments – Catts Close</li> <li>• Village playing field (behind the Community Hall)</li> <li>• Green space in Stutton Close</li> <li>• Village green opposite the King's Head</li> <li>• Canham's Wood and adjoining new woodland</li> </ul>	<p>No, Category A</p>	<p>No specific recommendations</p>





<p>Development on these sites will not be acceptable other than in very special circumstances in line with national policy.</p>		
<p><b>SN13: Conserving and enhancing the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB)</b> Development proposals in the AONB or within the setting of the AONB will be expected to conserve and enhance the landscape and scenic beauty of the AONB. All development proposals will be expected to be compatible with the management objectives set out in the most up to date Management Plan for the Suffolk Coast and Heaths AONB.</p> <p>Apart from change of use applications, very minor development and householder proposals, proposals will be expected to be accompanied by a proportionate landscape assessment that provides full justification for the proposal in landscape and visual sensitivity terms and shows how the area's special landscape qualities will be conserved and where possible enhanced.</p> <p>Where impacts are identified, the landscape assessment will demonstrate how these will be mitigated. Applicants will be expected to draw on up to date available guidance relating to appropriate colour palette and protecting dark skies in the Suffolk Coast and Heaths AONB.</p> <p>Any proposal that is not capable of mitigating the impacts of development will not be permitted.</p>	<p>No, Category A</p>	<p>No specific recommendations</p>
<p><b>SN14: Visitor and tourist development</b> Developments that provide facilities or services for the visitor or tourist will be supported provided that they:</p> <ul style="list-style-type: none"> <li>• demonstrate that they would conserve and enhance the landscape, heritage, character and appearance of the area;</li> <li>• would not have an unacceptable impact on the local highway network and would provide adequate parking provision;</li> <li>• be of a scale and design that is sensitive to the character of the landscape and heritage of the area; and</li> <li>• would not have an unacceptable adverse impact on nearby residential or other uses.</li> </ul>	<p>Yes, Category C</p>	<p>Policy text needs to be amended to include a new bullet point:</p> <ul style="list-style-type: none"> <li>• <u>would not have an adverse impact on the integrity of the Stour &amp; Orwell Estuaries SPA and Ramsar site;</u></li> </ul>
<p><b>SN15: Preserving and enhancing heritage assets and the character of the village</b> The designated heritage assets in the parish shown on Policy Map SN15 and listed in Appendix 6 will be conserved and where possible enhanced. Proposals which impact on heritage assets will take into account their significance and the setting of those heritage assets including, as applicable, the surrounding landscape and identified views on Policy Map SN9A.</p>	<p>No, Category A</p>	<p>No specific recommendations</p>
<p><b>SN16: Non-designated heritage assets</b> Development affecting the non-designated heritage assets in the area, listed in Appendix 7, should conserve those assets in a manner appropriate to their significance.</p>	<p>No, Category A</p>	<p>No specific recommendations</p>
<p><b>SN17: Reducing the impact of increased road traffic generated by development</b></p>	<p>No, Category A</p>	<p>No specific recommendations</p>





<p>Developments must identify the realistic level of traffic they are likely to generate, including assessing the potential impact on pedestrians, cyclists, road safety, parking, and congestion within the parish. They must include measures to mitigate any such impact. Development that would give rise to unacceptable highway dangers will not be permitted.</p>		
<p><b>SN18: Pedestrian access within the village</b> New developments must take every opportunity to link and enhance existing networks and provide new pedestrian and bridleway networks where appropriate. Particular attention should be paid to enabling pedestrian access to local services and community facilities.</p>	No, Category A	No specific recommendations
<p><b>SN19: Non-motorised rights of way</b> Rights of Way, shown on Policy Map SN19, will be protected and opportunities to enhance and improve connections for people with mobility difficulties, cyclists and equestrians will be supported.</p>	No, Category A	No specific recommendations
<p><b>SN20: Protecting Community Facilities</b> There will be a presumption in favour of the protection of existing community facilities, as listed below and shown on Policy Map SN20. Where permission is required, the change of use of local community facilities, as listed below, to a non community-related use, will only be permitted where the following can be demonstrated:</p> <ul style="list-style-type: none"> <li>• The proposal includes alternative provision, on a site within the locality of equivalent or enhanced facilities. Such sites should be accessible by public transport, walking and cycling and have adequate car parking; or</li> <li>• satisfactory evidence is produced (including active marketing locally and in the wider area) that, over a minimum period of 12 months, it has been demonstrated that there is no longer a demand for the facility.</li> </ul> <p>In addition, it must be demonstrated that the building land is not needed for any alternative health, education or community-type use.</p> <p>The facilities are listed as follows:</p> <ul style="list-style-type: none"> <li>• Stutton CEVCP Primary School</li> <li>• Stutton Young Explorers (pre-school provider)</li> <li>• Two public houses – The Kings Head and the Gardeners Arms</li> <li>• Stutton Community Hall</li> <li>• Stutton Community Shop</li> <li>• St Peters Church</li> <li>• Village Playing Field to the rear of the Community Hall and the adjoining Community Wood</li> <li>• Allotments in Catts Close</li> <li>• Alms Houses on Bentley Lane</li> <li>• Play Facilities at the school and at Alton Water Reservoir</li> <li>• Telephone Box that houses a defibrillator unit</li> </ul> <p>Proposals that would enhance the appearance, improve access and accessibility for all users to these facilities will be supported when they are in accordance with other development plan policies and the policies of the Neighbourhood Plan.</p>	No, Category A	No specific recommendations



<p><b>SN21: New Community Facilities</b> Where a proposal makes provision for new community facilities it will be looked upon favourably, providing it is in keeping with the rural nature of the village, and is in accordance with the Neighbourhood Plan as a whole.</p>	No, Category A	No specific recommendations
<p><b>SN22: New and expanding businesses</b> Applications for planning permission for new business services or units will be considered favourably provided they:</p> <ul style="list-style-type: none"> <li>do not lead to unacceptable increases of traffic in the village</li> <li>will not have an adverse impact on the amenity of neighbours</li> <li>provide adequate off-road parking in accordance with adopted County Council standards</li> <li>do not have an unacceptable impact on the AONB, local green spaces, designated or non-designated heritage assets, or</li> <li>sites of biodiversity or geo-diversity importance.</li> </ul>	Yes, Category C	<p>Policy text needs to be amended to include a new bullet point:</p> <ul style="list-style-type: none"> <li><u>will not have an adverse impact on the integrity of the Stour &amp; Orwell Estuaries SPA and Ramsar site;</u></li> </ul>
<p><b>SN23: Existing business premises</b> Where permission is required, no loss of existing business premises through change of use will be permitted (including shops), except where at least one of the following circumstances can be demonstrated:</p> <ul style="list-style-type: none"> <li>the site has been marketed for the same planning use for a period of at least one year with no viable offers received</li> <li>the change of use will result in the creation of other facilities of community value</li> <li>the change of use will result in the creation of employment on the site.</li> </ul>	No, Category A	No specific recommendations

## Recommendations and Screening Conclusion

3.21 There are three policies in the Plan which may result in a Likely Significant Effect when considered alone. These are:

- SN11: Mitigating the impact of development on the Stour & Orwell Estuaries Special Protection Area (SPA)
- SN14: Visitor and tourist development
- SN22: New and expanding businesses

3.22 As Policy SN11 only refers to the need for mitigation in-combination with other plans and projects, there is a need for avoidance measures to be secured from any policies likely to result in recreational disturbance. The other two policies SN14 and SN22 both support development – “*Developments that provide facilities or services for the visitor or tourist will be supported*” and “*Applications for planning permission for new business services or units will be considered favourably*” – without any policy text to avoid impacts.

3.23 These policies therefore need to be assessed at Stage 2 Appropriate Assessment.



- 3.24 Four Habitats sites were scoped in for HRA screening, i.e. Stour and Orwell Estuaries SPA and Ramsar site and the Deben Estuary SPA and Ramsar site.
- 3.25 There are two potential impact pathways - recreational & other forms of disturbance and changes in water quality - which could result in Likely Significant Effects from the Plan alone. As these pathways trigger further assessment, consideration of effects in combination with other plans or projects will be included within Chapter 4.
- 3.26 This HRA recommends that Policies SN11, SN14 and SN22 of this Neighbourhood Plan should be assessed further as it has been assigned to Category C due to predicted recreational impacts and waste-water from the Plan alone. Therefore, these policies will need further assessment at Stage 2 Appropriate Assessment and adverse impacts upon the Stour and Orwell Estuaries SPA and Ramsar site and the Deben Estuary SPA and Ramsar will need to be considered as they are within scope for the Appropriate Assessment for impacts in combination with other plans and projects.
- 3.27 In addition, it is recommended that the policy heading for SN11: Mitigating of Stour & Orwell Estuaries SPA is amended to include the following words (underlined): "**Mitigating the impact of development on the Stour & Orwell Estuaries Special Protection Area (SPA) and Ramsar site**" This is necessary to ensure that the Ramsar site is also considered within the policy, not just the SPA.
- 3.28 It is not considered sufficient to rely on a general policy aimed at protecting Habitats sites e.g. Policy SN11. Explicit caveats need to be included where there may be conflicts between a general policy to protect Habitats sites from development and another policy. However, this is embedded mitigation which cannot be considered at HRA screening stage; the CJEU *People Over Wind v Coillte Teoranta* C-323/17 ruling indicates that measures that have been added primarily to mitigate the effects on a Habitats site cannot be considered at the screening stage.
- 3.29 Further Stage 2 Appropriate Assessment is therefore required under the UK Conservation of Habitats and Species Regulations 2017 (as amended). The Regulation 14 Pre-submission Stutton Neighbourhood Plan may only be made after having ascertained that it will not result in adverse effect on integrity of the Habitats Sites within scope of this assessment. This 2<sup>nd</sup> stage is an iterative process as measures can be incorporated in order to be able to ascertain that there is no adverse effect on the integrity, before re-screening and making a final assessment.



## 4. Appropriate Assessment and Considering the Integrity Test

### Introduction to Appropriate Assessment

---

- 4.1 The Regulation 14 Pre-Submission Stutton Neighbourhood Plan is, without mitigation, predicted to result in Likely Significant Effect from the Plan in combination with other plans and projects. This is for two impact pathways: recreational disturbance and changes in water quality.
- 4.2 The second stage of HRA is to undertake an 'Appropriate Assessment' of the implications of the Plan (either alone or in combination with other plans or projects) and establish whether there may be an Adverse Effect on Integrity (AEOI) of any Habitats sites in view of their Conservation Objectives. The process undertaken for the Appropriate Assessment is set out in this Chapter.
- 4.3 The Appropriate Assessment should be undertaken by the competent authority and should assess all aspects of the Neighbourhood Plan which can by themselves, or in combination with other plans and projects, affect the sites' Conservation Objectives. The assessment must consider the implications for each qualifying feature of each potentially affected Habitats Site. Key vulnerabilities are set out in Appendix III and the Site Improvement Plans (SIPs) were used to obtain this information. Site Improvement Plans have been developed for each Habitats Site in England as part of the 'Improvement Programme for England's Natura 2000 sites (IPENS)'. The Site Improvement Plans provide a high level overview of the issues (both current and predicted) affecting the condition of the designation features of the site(s) and outlines the priority measures required to improve the condition of the features. These can be found at: <http://publications.naturalengland.org.uk/category/5458594975711232>.
- 4.4 In order to identify potential in combination effects, other plans and projects which may affect the Habitats sites need to be identified.
- 4.5 This should involve an 'Appropriate Assessment' of the implications of the Regulation 14 Pre-Submission Stutton Neighbourhood Plan, in relation to predicted disturbance in combination with other plans or projects, in order to establish whether there may be an *Adverse Effect on the Integrity* of any Habitats sites in view of their Conservation Objectives.
- 4.6 This stage is to undertake objective scientific assessment of the implications of the Neighbourhood Plan on the Qualifying Features of the listed Habitats sites using the best scientific knowledge in the field. It should apply the best available techniques and methods to assess the extent of the effects of the Neighbourhood Plan on the integrity of the Habitat Sites. The description of the site's integrity and the impact assessment should be based on the best possible indicators specific to the qualifying features of Habitat sites within scope of this assessment, which can also be useful in monitoring the impact of the Neighbourhood Plan's implementation.



- 4.7 The Appropriate Assessment should assess all aspects of the Plan which can by themselves, or in combination with other plans and projects, affect the Conservation Objectives of one or more Habitats site. The assessment must consider the implications for each qualifying feature of each potentially affected Habitats site. The focus of the appropriate assessment is therefore on the species and / or the habitats for which the Habitats site is designated.
- 4.8 The best scientific knowledge should be used when carrying out the Appropriate Assessment in order to enable the competent authority to conclude with certainty that there will be no Adverse Effect on the Integrity of any Habitats site.
- 4.9 It is important that the Appropriate Assessment provides a better understanding of potential effects and can therefore assist in the identification of mitigation measures where possible to avoid, reduce or cancel significant effects on Habitats sites which could be applied when undertaking the 'integrity test'. All mitigation measures built into the Plan can be taken into account. The Appropriate Assessment is an iterative process, re-assessing changes and new or different mitigation measures before making its final conclusion. It must be clear which mitigation measures are being relied upon in order to meet the integrity test.
- 4.10 The integrity test must apply the precautionary principle. However, plan assessments are less precise than project assessments, and so it is important for the assessment process to eliminate the prospect of adverse effects integrity insofar as it is possible, given the level of specificity of this Neighbourhood Plan.
- 4.11 Natural England should be formally consulted on this document.

## Approach and Methodology of the Appropriate Assessment

---

- 4.12 The potential Likely Significant Effects considered at Screening Stage are now carried forward for consideration at Appropriate Assessment. The policies and their potential to have adverse effects on any Habitats site through a variety of impact pathways are now considered in more detail, for example habitat loss or deterioration, disturbance, direct and indirect effects; extent of the effects (habitat area, species numbers or areas of occurrence); importance and magnitude (e.g. considering the affected area or population in relation to the total area and population size).
- 4.13 Key vulnerabilities of each Habitats Site are set out in Appendix III using the relevant Site Improvement Plans. Site Improvement Plans have been developed for each Habitats (Natura 2000) Site in England as part of the 'Improvement Programme for England's Natura 2000 sites (IPENS)' but they do not include Ramsar sites. Each Site Improvement Plan provides a high-level overview of the issues (both current and predicted) affecting the condition of the Natura 2000 features on the site(s) and outlines the priority measures required to improve the condition of the features. These can be found at: <http://publications.naturalengland.org.uk/category/6149691318206464>



4.14 Additional information is also provided for each site on the Designated Sites website and this information has been interrogated.

## **Use of Mitigation Measures**

4.15 All mitigation measures built into the Regulation 14 Pre-Submission Stutton Neighbourhood Plan can now be taken into account at Stage 2 Appropriate Assessment.

4.16 At this stage, other policies of the Plan can be considered in order to mitigate some of the predicted Likely Significant Effects which have been identified. This stage is an iterative process as avoidance and reduction measures can be incorporated in order to be able to avoid the potential impacts identified in the Appropriate Assessment or reduce them to a level where they will no longer adversely affect the site's integrity.

4.17 Where residual effects are identified, monitoring will be required as part of the Regulation 14 Pre-Submission Stutton Neighbourhood Plan.

## **Applying the Integrity Test**

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

## **Embedding Mitigation**

4.19 Babergh District Council, as the competent authority, should consider the manner in which the Regulation 14 Pre-Submission Stutton Neighbourhood Plan is to be implemented and any mitigation measures which could be relied upon when deciding whether it would have an Adverse Effect on Integrity, including when and how they can be embedded into the Neighbourhood Plan.

## **Re-applying the Integrity Test**

4.20 After considering mitigation, the integrity test should be re-applied to check if the proposed mitigation is now sufficient to avoid adverse effects on integrity of the Habitats sites within scope for the impact pathways identified. Where there may still be adverse effects on the ecological integrity of Habitats sites, in view of the Sites' conservation objectives, additional mitigation measures should be considered.



## Stage 2 Appropriate Assessment for Regulation 14 Pre-submission Stutton Neighbourhood Plan

---

### Consideration of the Plan Alone

4.21 There are two impact pathways to consider from the Plan alone. This includes recreational & other forms of disturbance and changes in water quality from waste water.

### Mitigation measures

4.22 As a precautionary approach is required in order to conclude that the Regulation 14 Pre-submission Stutton Neighbourhood Plan will not lead to AEOI alone, mitigation measures are necessary and these need to be embedded in the Regulation 14 Pre-submission Stutton Neighbourhood Plan to avoid impacts from two pathways:

- disturbance at the Stour and Orwell Estuaries SPA and Ramsar site and Deben Estuary SPA and Ramsar site from recreational disturbance.
- Impacts on water quality from waste-water being discharged into Stour and Orwell Estuaries SPA and Ramsar site

4.23 Considering the potential impacts from the Regulation 14 Pre-submission Stutton Neighbourhood Plan alone, these impact pathways are considered below with mitigation recommended.

### Recreational disturbance from residential development:

4.24 At application stage, Annex 1 of Natural England's advice to the LPA triggers the need for residential developments more than 50 houses to contain (or have access to) suitable alternative natural greenspace to meet daily recreational needs.

4.25 Although the Plan does not allocate land, this HRA considers it necessary, given that the Parish includes the Stour & Orwell Estuaries SPA and Ramsar site, that the policy text should include reference to Natural England's advice related to residential development. It should also specify the need for a project level Habitats Regulations Assessment for any new development to first assess the adverse effects from the development alone and consider whether mitigation measures can avoid adverse effects on integrity.

4.26 The competent authority, in this case Babergh DC, therefore needs to apply the Integrity test to the Plan alone and it can now consider mitigation measures for recreational disturbance to assess if the Regulation 14 Pre-submission Stutton Neighbourhood Plan can avoid AEOI on the Habitats sites screened in at Stage 1 HRA. These are Stour and Orwell Estuaries SPA and Ramsar site.





4.27 Wetland birds are vulnerable to disturbance, albeit some birds can become habituated to some kinds of disturbance, usually where the source of disturbance occurs in a predictable way. However, it will vary according to the species concerned.

4.28 At Screening stage the following Habitats Sites were listed as having the potential for Likely Significant Effects as a result of recreational disturbance from residential development, when the Plan is considered alone:

- Stour and Orwell Estuaries SPA and Ramsar site

4.29 At Screening stage, the following Policies were screened in as having the potential for creating Likely Significant Effects as a result of recreational disturbance:

- Policy SN11: Mitigating the impact of development on the Stour & Orwell estuaries Special Protection Area (SPA)
- Policy SN14: Visitor and tourist development

### **The need for Suitable Accessible Natural Greenspace (SANG)**

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

4.31 Natural England's advice to the LPAs included Annex 1 relating to the need for mitigation for recreational impacts for applications for more than 50 dwellings:

#### ***Annex 1 – Natural England's recommendations for larger scale residential developments within the Suffolk Coast RAMS zone of influence (50 units +, or equivalent, as a guide)***

*Developments of this scale should include provision of well-designed open space/green infrastructure, proportionate to its scale. Such provisions can help minimise any predicted increase in recreational pressure to the Habitats Sites by containing the majority of recreation within and around the development site boundary away from European sites. We advise that the Suitable Accessible Natural Green Space (SANGS) guidance here can be helpful in designing this; it should be noted that this document is specific to the SANGS creation for the Thames Basin Heaths, although the broad principles are more widely applicable. As a minimum, we advise that such provisions should include:*

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





- 4.32 It is therefore considered that relevant residential development of more than 50 dwellings in Stutton requires mitigation to avoid adverse impacts on the integrity of the Habitats sites within scope through increased recreational pressure, when considered alone.
- 4.33 As the Neighbourhood Plan Policy SN14 also supports developments that provide facilities or services for the visitor or tourist, these are considered to require mitigation to avoid adverse impacts on the integrity of the Habitats sites within scope through increased recreational pressure, when considered alone.

### **Water quality issues from waste-water:**

- 4.34 Stutton parish is served by Brantham Water Recycling Centre (WRC) which discharges treated water into the Stour Estuary. and work undertaken at the Regulation 19 Babergh Mid Suffolk Joint Local Plan level (Water Cycle Study, Oct 2020) indicates that no significant impacts from foul water are predicted to cause a Likely Significant Effect/ adverse effects on the designated features (including storm surges). However, any private sewage treatment plants within the Parish may still cause impacts on the Stour Estuary and Orwell Estuaries SPA and Ramsar site and a project level HRA would be required.
- 4.35 Anglian Water (AW) 's Water Recycling Long Term Plan (WRLTP) document identifies that there is a plan to increase drainage capacity in Brantham, but the Water Cycle Study for the Babergh Mid Suffolk Joint Local Plan has indicated that there is capacity to serve the proposed growth.
- 4.36 Anglian Water's Water Recycling Long Term Plan (WRLTP) document identifies three areas where there is a plan to increase drainage capacity (Ipswich-Cliff Quay, Stowmarket and Brantham). Investigations and improvements to Combined Sewer Overflows are also planned in Ipswich and Stowmarket. This may also help improve water quality downstream. The WRLTP has been reviewed by Anglian Water (AW) against current information and will be updated as part of the preparation of the Drainage and Wastewater Management Plan.
- 4.37 The five WRCs discharging to tidal waterbodies (Brantham, Holbrook, Chelmondiston, Shotley and Ipswich-Cliff Quay), are not included in the Environment Agency models, and so additional nitrate load (expressed as Total Oxidised Nitrogen) was therefore calculated manually.
- 4.38 Brantham is one of five WRCs that may receive growth in the Water Cycle Study and discharge to transitional (tidally influenced) waterbodies and so is not included in the Environment Agency's SIMCAT model. Generally, for marine environments, nitrogen is the limiting nutrient and so the increase in nitrate load has been calculated for each WRC. In water quality monitoring Total Oxidized Nitrogen (TON) is used as a proxy for nitrate as this measurement is more easily performed. TON is the sum of nitrate and nitrite, but generally nitrite makes up a small percentage of TON in rivers, so the TON value is taken to be equivalent to the nitrate concentration. As there is no Nitrogen permit at these WRCs, an assumed discharge concentration of 27mg/l was applied. This is in line with recent Natural England guidance on applying nutrient neutrality on the Solent. The additional Nitrogen load for each WRC is



reported in Table 9.3 of the WRLTP. However, as the Neighbourhood Plan supports development, mitigation measures will be required and project level HRA at application stage.

- 4.39 The competent authority, in this case Babergh DC, therefore needs to apply the Integrity test to the Plan alone and it can now consider mitigation measures for water quality issues from wastewater to assess if the Regulation 14 Pre-submission Stutton Neighbourhood Plan can avoid AEOI on the Habitats sites screened in at Stage 1 HRA. These are Stour and Orwell Estuaries SPA and Ramsar site.
- 4.40 The Water Cycle Study (Oct 2020) [para 6.6] concludes that development in areas where there is limited wastewater network capacity will increase pressure on the network, increasing the risk of a detrimental impact on existing customers, and increasing the likelihood of CSO operation (where present). Early engagement with developers, Anglian Water is required, and further modelling of the network may be required at the planning application stage. Furthermore, in AW networks, there are areas where the current network is a combined sewer system, and further separation of foul and surface water may be required.
- 4.41 It goes on to state that in order to serve the proposed growth in a number of settlements within Babergh & Mid Suffolk districts, wastewater infrastructure and/or treatment upgrades would be required. Early engagement between developers, Babergh & Mid Suffolk District Councils and AW is recommended to allow time for the strategic infrastructure required to serve these developments to be planned.
- 4.42 At Screening stage the following Habitats Sites were listed as having the potential for Likely Significant Effects as a result of water quality impacts from waste water, when the Plan is considered *alone*:
- Stour and Orwell Estuaries SPA and Ramsar site
- 4.43 At Screening stage, the following Policy was screened in as having the potential for creating Likely Significant Effects as a result of water quality impacts from waste water:
- SN11: Mitigating the impact of development on the Stour & Orwell estuaries Special Protection Area (SPA) and Ramsar site
  - SN22: New and expanding businesses
- 4.44 It is therefore recommended that the policies identified are amended as indicated below with additional text (underlined) to embed mitigation for changes in water quality to avoid adverse effect on integrity on the Stour & Orwell Estuaries SPA and Ramsar site from the Plan alone:
- SN11: Mitigating the impact of development on the Stour & Orwell estuaries Special Protection Area (SPA) and Ramsar site
- would not have an adverse impact on the integrity of the Stour & Orwell Estuaries SPA and Ramsar site;
- SN22: New and expanding businesses
- would not have an adverse impact on the integrity of the Stour & Orwell Estuaries SPA and Ramsar site;



## Re-applying the integrity test

- 4.45 It is therefore recommended that the policies identified are amended to embed mitigation to avoid adverse effect on integrity on the Stour & Orwell Estuaries SPA and Ramsar site from the Plan alone.
- 4.46 With these mitigation measures secured and implemented through policy text amendments embedded in the Plan policies, the Council can conclude it will avoid adverse effect on integrity as a result of disturbance and water quality impacts from the Regulation 14 Pre-Submission Stutton Neighbourhood Plan when considered alone.

## Consideration of the Plan in combination with other Plans & Projects

---

- 4.47 As shown in Table 5 below, there are four relevant Plan level HRAs that have been carried out by Local Planning Authorities and these have been found not to have an adverse effect on the integrity of Habitats sites when being assessed in-combination with other plans and projects. There is one Project considered to be relevant to this section which is the England Coast Path (Harwich to Shotley Gate section).
- 4.48 Although the Plan does not allocate sites for development, the parish does lie within the 13km Zone of Influence for recreational disturbance impacts on Habitats sites in combination with other plans and projects. Policy SN11 embeds the requirements of the Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) into the Plan to avoid any adverse effect on integrity of Stour & Orwell Estuaries SPA and Ramsar site and Deben Estuary SPA and Ramsar site, in combination with other plans and projects. Monitoring of recreational disturbance of impacts is not currently required but may be requested in the future.

**Table 5: Other plans or projects considered for in combination effects**

Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
Babergh District Council	Habitat Regulations Assessment of Core Strategy 2011	The Core Strategy aims to minimise impacts on the Orwell and Stour Estuaries SPA and Ramsar Site.	It is considered that in combination likely significant effects are not predicted.



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
Babergh District Council and Mid Suffolk District Council	Babergh & Mid Suffolk Joint Local Plan Habitats Regulations Assessment including Appropriate Assessment (Place Services, 2021)	Embedded mitigation measures for projects will need to be considered in project level HRA/AA reports and secured by way of any planning consent. The Babergh & Mid Suffolk Districts Joint Local Plan is not predicted to have any adverse effect on integrity (AEOI) on any Habitats sites.	It is considered that, with mitigation measures secured, in combination adverse effects on integrity of the Habitats sites within scope are not predicted.
Tendring District Council	HRA of Tendring District Draft Local Plan Part 2 (LUC, May 2017)	In conclusion, providing that key recommendations and mitigation requirements are fully developed and included within the Tendring District Draft Local Plan Part 2, and can be successfully implemented, there will be no adverse effects on the European sites either alone or in combination	It is considered that, with mitigation measures secured, in combination adverse effects on integrity of the Habitats sites within scope are not predicted.
Tendring District Council	HRA Report for North Essex Authorities' Shared Strategic Section 1 Plans (LUC, May 2017)	In conclusion, providing that key recommendations and mitigation requirements are adopted and implemented the Shared Strategic Part 1 for Local Plans will not result in adverse effects on the integrity of European sites either alone or in combination	It is considered that, with mitigation measures secured, in combination adverse effects on integrity of the Habitats sites within scope are not predicted.



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
Suffolk Coastal District Council	Habitats Regulations Assessment (Screening for Likely Significant Effects) of the Suffolk Coastal District Local Plan at Final Draft Plan Stage (Footprint Ecology, 2018)	The screening table has identified a number of key themes and a small number of site allocations for more detailed assessment at the appropriate assessment stage. The appropriate assessment has been undertaken at final draft stage for publication under Regulation 19 consultation. The themes considered are recreation pressure from new residential development and a check of the applicability of the Suffolk Coast RAMS for the increased housing numbers, recreation pressure from tourism, urbanisation effects in close proximity (fire risk, lighting, noise etc), air quality from increased road traffic, water quality and resources.	None as the recommendations from the appropriate assessment are precautionary, to ensure that the Local Plan identifies clear mitigation needs and protects the European sites from any project level impacts.
Natural England	England Coast Path Proposals - Harwich to Shotley Gate Stretch: Habitats Regulations Assessment of effects on Stour and Orwell Estuaries Special Protection Area and Ramsar site (Natural England 2020)	The Habitats Regulations Assessment aims to minimise impacts on the Orwell and Stour Estuaries SPA and Ramsar as a result of the England Coast Path. The proposals will include an inland alignment through Stutton village where there is an existing large gap in shoreline access. It can be ascertained, in view of site conservation objectives, that the access proposal (taking into account any	Public access is already established at other shoreline locations within the parish and no significant increase in recreational use is expected as a result of the Neighbourhood Plan.



Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
		incorporated avoidance and mitigation measures) will not have an adverse effect on the integrity of Stour and Orwell Estuaries Special Protection Area and Ramsar site, either alone or in combination with other plans and projects	

- 4.49 The Stutton Neighbourhood Plan Regulation 14 Pre-Submission Consultation Draft does not allocate any land for development and contains Policy SN11 relating to the need for mitigation measures to avoid adverse effects on integrity of the Stour & Orwell Estuaries SPA and Ramsar and Deben Estuary SPA and Ramsar. This is embedded mitigation for predicted in-combination impacts from recreational disturbance and consideration of any plans or projects which, with mitigation embedded, will be delivered by securing a proportionate financial contribution to the Suffolk Coast RAMS at application stage.
- 4.50 In addition, no adverse effects on the integrity of the Stour & Orwell Estuaries SPA and Ramsar site are expected from the proposals included in the England Coast Path (Harwich to Shotley Gate section), as footpaths are already in public usage and new signposts will add to public awareness of the impacts from increased recreational pressures.
- 4.51 In this case the potential for adverse effects from the plan or project has been wholly avoided by the incorporated mitigation measures outlined above. It is therefore considered that there are no residual and credible effects likely to arise from this plan which have the potential to act in-combination with those from other proposed plans or projects. It has therefore been excluded, on the basis of objective information, that the Plan can have an adverse effect on site integrity in-combination with the proposed plans or projects listed in Table 5.
- 4.52 In light of this review, there are no identified insignificant and combinable effects that are likely to arise from other plans or projects. In light of the above conclusions, no further in-combination assessment is required.



## 5. Recommendations

5.1 The Habitats Sites that have been scoped into this HRA are:

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

5.2 Potential impact pathways between the above Habitats sites and the Regulation 14 Pre-submission Stutton Neighbourhood Plan have been identified, considered and assessed for predicted recreational disturbance from the Plan alone.

5.3 All residential development within the Plan area is predicted to result in additional recreational impacts from increased visitor pressure on the Stour and Orwell Estuaries SPA and Ramsar site. In 2016, Natural England proposed a strategic approach to LPAs and recommended identifying the scale of the disturbance and implementing measures to mitigate impacts through the preparation of a joint Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). Annex 1 of the Natural England advice to Babergh District Council includes advice on green infrastructure requirements for large residential developments to avoid impacts from the Plan alone. Any residential development coming forward, will therefore need to meet this advice.

5.4 This AA has recommended amendments to the Regulation 14 Pre-submission Stutton Neighbourhood Plan. These include the following changes:

### **Policy SN11** requires

- large residential developments (50 units or more) provide Suitable Alternative Natural Greenspace (SANG) on site or access to sufficient greenspace.
- all development would not have an adverse impact on the integrity of the Stour & Orwell Estuaries SPA and Ramsar site from the development alone.

### **Policy SN14** requires

“Developments that provide facilities or services for the visitor or tourist will be supported provided that they:

.....

- would not have an adverse impact on the integrity of the Stour & Orwell Estuaries SPA and Ramsar site from the development alone.”



**Policy SN22** require the provision of

- a project level HRA for any projects in relation to changes in water quality from waste-water.

5.5 In addition, it is also recommended that the supporting text for SN11 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 integrity on the Stour & Orwell Estuaries SPA and Ramsar site from the Plan alone, as follows:

"Given that the Stour & Orwell Estuary SPA and Ramsar site is within walking distance for residents of Stutton. 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 integrity on the Stour & Orwell Estuaries SPA and Ramsar site from the development alone. "

5.6 The recommendations from the Appropriate Assessment are precautionary, to ensure that the Regulation 14 Pre-submission Stutton Neighbourhood Plan identifies clear mitigation needs and protects the Habitats sites from any project level impacts.





## 6. Conclusion

- 6.1 This Habitat Regulations Assessment, including Appropriate Assessment, considers the impacts arising from the Regulation 14 Pre-Submission Stutton Neighbourhood Plan.
- 6.2 The HRA Screening stage identified that, without mitigation, further consideration was required at the Appropriate Assessment stage to determine whether the Regulation 14 Pre-Submission Stutton Neighbourhood Plan either alone or in-combination with other plans and projects, would adversely affect the integrity of Habitats sites as a result of the recreational disturbance potential impact pathway, i.e. this HRA recommended that Policies SN11, SN14 and SN22 should be assessed further as they were assigned to Category C due to predicted recreational impacts or changes in water quality from the Plan alone.
- 6.3 In applying the HRA Test 2 –the integrity test at AA stage -, based on the proximity to Habitats (European) sites, and in order to be in accordance with the Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS), mitigation needs to be embedded in the Plan in relation to recreational disturbance and changes in water quality from waste-water to avoid impacts from the Neighbourhood Plan alone. Therefore, this HRA has recommended that the policy and supporting text is altered for Policies SN11, SN14 and SN22.
- 6.4 Embedded mitigation measures for projects (planning applications) will need to be considered in project level HRA/AA reports assessed by Babergh Council and secured by way of a legal agreement attached to any planning consent. Therefore, there will be no need for further assessment for this Neighbourhood Plan.
- 6.5 **Subject to the above recommendations being incorporated, and Natural England's review, this HRA Screening Report including Appropriate Assessment concludes that the Regulation 14 Pre-Submission Stutton Neighbourhood Plan is not predicted, with the mitigation secured, to result in any Adverse Effect on the Integrity of the Habitats sites in scope, either alone or in combination with other plans and projects.**



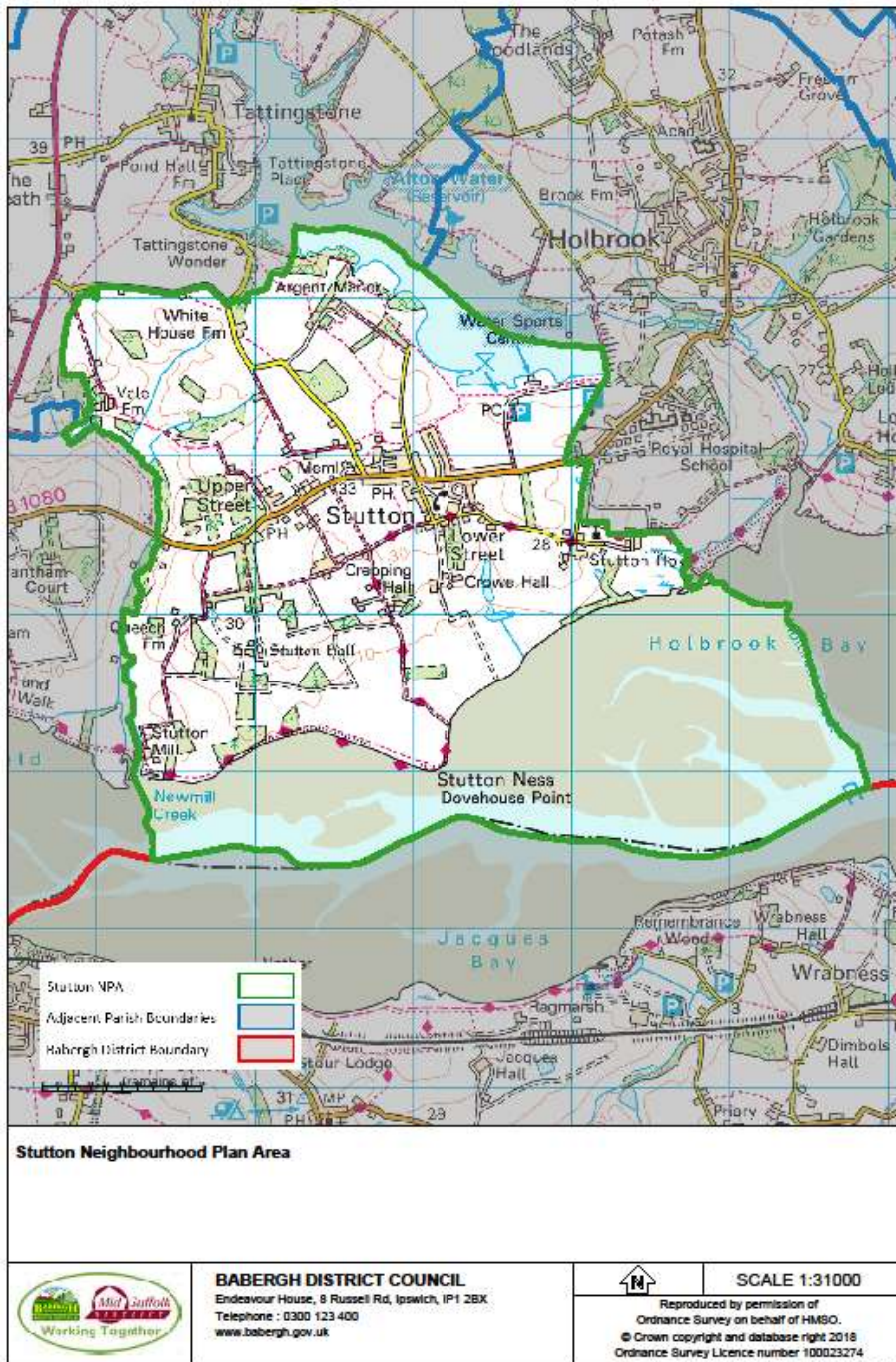
## 7. References

- 1) Babergh and Mid Suffolk District Councils Joint Local Plan (2018)
- 2) Babergh and Mid Suffolk District Councils Water Cycle Study (JBA Consulting, Oct 2020)
- 3) Natural England Conservation objectives for European Sites: East of England Website:  
<http://publications.naturalengland.org.uk/category/6581547796791296#content>
- 4) Natural England Site Improvement Plans: East of England  
<http://publications.naturalengland.org.uk/category/4873023563759616>
- 5) Place Services (June 2019) Babergh and Mid Suffolk District Councils Joint Local Plan Habitats Regulations Assessment including Appropriate Assessment
- 6) Place Services (2018) Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
- 7) Stutton Parish Council (2021) Stutton Neighbourhood Plan 2022 - 2037: Pre-Submission
- 8) Natural England (2020) England Coast Path Proposals - Harwich to Shotley Gate Stretch: Habitats Regulations Assessment of effects on Stour and Orwell Estuaries Special Protection Area and Ramsar site  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/850426/harwich-shotley-gate-habitats-regulations-assessment.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/850426/harwich-shotley-gate-habitats-regulations-assessment.PDF)
- 9) Tydlesley, D., and Chapman, C., (2013) The Habitats Regulations Assessment Handbook, (January 2020) edition UK: DTA Publications Limited (accessed December 2022).



# 8. Appendices

## Appendix 1. Stutton Neighbourhood Plan Area





## Appendix 2. Stutton parish and Habitats Sites within 20km



© Crown copyright licence No. 1000196002 Essex County Council





## Appendix 3. Characteristics of Habitats Sites

This appendix contains information about the Habitats Sites included in the scoping for this HRA. Information about each site's area, the site descriptions, qualifying features and pressures and threats are drawn from Natural England's Site Improvement Plans (SIPs) and the Standard Data Forms or Ramsar Information Sheets (RIS) available from the JNCC website. Site conservation objectives are drawn from Natural England's website and are only available for SACs and SPAs. Supplementary Advice has also been added to describe the range of ecological attributes that are most likely to contribute to a site's overall integrity and key vulnerabilities to consider within Habitats Regulations assessments. The notes in the RIS for Ramsar sites of factors affecting site's ecological character are not considered as necessary for HRA screening purposes and noteworthy features are not treated as qualifying features in the application of HRA tests. The assessment under the provisions of the Habitats Regulations is strictly limited to the qualifying features which meet the Ramsar criteria.



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
<b>The Stour and Orwell Estuaries</b>				
<p>These estuaries straddle the eastern part of the Essex/Suffolk border in eastern England. The estuaries include extensive mud-flats, low cliffs, saltmarsh and small areas of vegetated shingle on the lower reaches. The mud-flats hold <i>Enteromorpha</i>, <i>Zostera</i> and <i>Salicornia</i> spp. The site also includes an area of low-lying grazing marsh at Shotley Marshes on the south side of the Orwell. In summer, the site supports important numbers of breeding Avocet <i>Recurvirostra avosetta</i>, while in winter they hold major concentrations of 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.</p>				
Stour and Orwell Estuaries SPA  EU Code: UK9009121	3676.92	<b>Qualifying Species:</b>  Annex I species:  Over winter: <ul style="list-style-type: none"> <li>Hen Harrier <i>Circus cyaneus</i></li> </ul> Over winter: <ul style="list-style-type: none"> <li>Black-tailed Godwit <i>Limosa limosa islandica</i></li> <li>Dunlin <i>Calidris alpina alpina</i></li> <li>Grey Plover <i>Pluvialis squatarola</i></li> <li>Pintail <i>Anas acuta</i></li> </ul>	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:	<b>Coastal squeeze:</b>  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.  <b>Public access/disturbance:</b>  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



		<ul style="list-style-type: none"> <li>• Redshank <i>Tringa totanus</i></li> <li>• Ringed Plover <i>Charadrius hiaticula</i></li> <li>• Shelduck <i>Tadorna tadorna</i></li> <li>• Turnstone <i>Arenaria interpres</i></li> </ul> <p><b>Waterbird assemblages::</b></p> <ul style="list-style-type: none"> <li>• Cormorant <i>Phalacrocorax carbo</i></li> <li>• Pintail <i>Anas acuta</i></li> <li>• Ringed Plover <i>Charadrius hiaticula</i></li> <li>• Grey Plover <i>Pluvialis squatarola</i></li> <li>• Dunlin <i>Calidris alpina alpina</i></li> <li>• Black-tailed Godwit <i>Limosa limosa islandica</i></li> <li>• Redshank <i>Tringa tetanus</i></li> <li>• Shelduck <i>Tadorna tadorna</i></li> </ul>	<p>The extent and distribution of the Habitats of the qualifying features;</p> <p>The structure and function of the Habitats of the qualifying features;</p> <p>The supporting processes on which the Habitats of the qualifying features rely;</p> <p>The populations of the qualifying features;</p> <p>The distribution of the qualifying features within the site.</p>	<p>birds. A better understanding of which species and Habitats are most susceptible; which types of activity are most disturbing; and which locations and times of year are most sensitive is required to ensure the Estuaries are appropriately managed.</p> <p><b>Changes in species distribution:</b></p> <p>Declines in the number of bird species present at Orwell coastline have occurred. This is likely to be the result of changes in population and distribution on an international scale, due to climate change.</p> <p><b>Invasive species:</b></p> <p>An increase in <i>Spartina anglica</i> may be affecting the growth of <i>Spartina maritima</i>, a key habitat feature for qualifying bird roosting and feeding areas of saltmarsh and mudflat.</p> <p><b>Planning permission- general:</b></p> <p>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</p>
--	--	--	--	--





		<ul style="list-style-type: none"> <li>• Great Crested Grebe <i>Podiceps cristatus</i></li> <li>• Curlew <i>Numenius arquata</i></li> <li>• Dark-bellied Brent Goose <i>Branta bernicla bernicla</i></li> <li>• Wigeon <i>Anas Penelope</i></li> <li>• Goldeneye <i>Bucephala clangula</i></li> <li>• Oystercatcher <i>Haematopus ostralegus</i></li> <li>• Lapwing <i>Vanellus vanellus</i></li> <li>• Knot <i>Calidris canutus</i></li> <li>• Turnstone <i>Arenaria interpres.</i></li> </ul> <p>Further information can be found via Natural England's <a href="#"><u>Supplementary Advice</u></a>.</p>		<p>highlighted by the SIP include; a) Assessing the cumulative effects of numerous, small and often 'non- standard' developments. b) Development outside the SPA boundary can have negative impacts, particularly on the estuaries' birds. c) Assessing the indirect, 'knock-on' effects of proposals. d) Pressure to relax planning conditions on existing developments.</p> <p><b>Air pollution- impact from atmospheric nitrogen deposition:</b></p> <p>Atmospheric nitrogen deposition exceeds the relevant critical loads for coastal dune Habitats used by breeding terns and hence there is a risk of harmful effects.</p> <p><b>Inappropriate coastal management:</b></p> <p>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.</p> <p><b>Fisheries- Commercial and estuarine:</b></p> <p>Commercial fishing activities can be very damaging to inshore marine Habitats and the</p>
--	--	--	--	---



				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.
Stour and Orwell Estuaries Ramsar site  Code: UK11067	3676.92	<p><b>Ramsar criterion 2</b></p> <p>Contains seven nationally scarce plants:</p> <ul style="list-style-type: none"> <li>• Stiff saltmarsh-grass <i>Puccinellia rupestris</i></li> <li>• Small cord-grass <i>Spartina maritime</i></li> <li>• Perennial glasswort <i>Sarcocornia perennis</i></li> <li>• Lax-flowered sea lavender <i>Limonium humile</i></li> <li>• Eelgrasses <i>Zostera angustifolia</i>, <i>Z. marina</i> and <i>Z. noltei</i>.</li> </ul> <p><b>Ramsar criterion 5</b></p>	None available.	<p>Similar to Stour and Orwell Estuaries SPA (See above).</p> <p>A key threat identified by RIS was erosion.</p> <p><b>Erosion:</b></p> <p>Natural coastal processes exacerbated by fixed sea defences, port development and maintenance dredging. Erosion is being tackled through sediment replacement for additional erosion that can be attributed to port development and maintenance dredging. A realignment site has been created on-site to make up for the loss of habitat due to capital dredging. General background erosion has not been tackled although a Flood Management Strategy for the site is being produced.</p>



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 totanus*
- 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*



		<ul style="list-style-type: none"> <li>• Black-tailed godwit , <i>Limosa limosa islandica</i></li> <li>• Common redshank , <i>Tringa totanus tetanus</i></li> </ul>		
<p><b>The Deben Estuary</b></p> <p>The Deben Estuary lies within Suffolk Coastal District at the southern border of Suffolk. The estuaries include extensive mud-flats, low cliffs, saltmarsh and small areas of vegetated shingle on the lower reaches. The mud-flats hold <i>Enteromorpha</i>, <i>Zostera</i> and <i>Salicornia spp.</i> In summer, the site supports important numbers of breeding Avocet while in winter they hold major concentrations of waterbirds, especially geese, ducks and waders. The geese also feed, and waders roost, in surrounding areas of agricultural land outside the SPA.</p>				
Deben Estuary SPA EU Code: UK9009261	978.93	<p><b>Qualifying Species:</b></p> <ul style="list-style-type: none"> <li>• Dark-bellied brent goose <i>Branta bernicla bernicla</i> (Non-breeding);</li> <li>• Pied avocet , <i>Recurvirostra avosetta</i> (breeding)</li> </ul> <p>Further information can be found via Natural England's <a href="#">Supplementary Advice</a>.</p>	<p>With regard to the individual species and/or assemblage of species for which the site has been classified ("the Qualifying Features" listed below);</p> <ul style="list-style-type: none"> <li>• 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</li> </ul>	<p><b>Coastal squeeze:</b></p> <p>The Deben Estuary coastline is undergoing widespread decline in the quality of saltmarsh, and an increase in lower marsh habitats at the expense of mid and upper marsh vegetation communities. This is likely due to impacts from climate change, such as rising sea level. Unless changes are made to the management of the coastline, Habitats supporting qualifying SPA birds will be lost or degraded through coastal squeeze, sedimentation and reduced exposure.</p> <p><b>Public access/disturbance:</b></p>



			<p>contribution to achieving the aims of The Birds Directive.</p> <ul style="list-style-type: none"> <li>• Subject to natural change, to maintain or restore:</li> <li>• The extent and distribution of the habitats of the qualifying features;</li> <li>• The structure and function of the habitats of the qualifying features;</li> <li>• The supporting processes on which the habitats of the qualifying features rely;</li> <li>• The populations of the qualifying features;</li> <li>• The distribution of the qualifying features within the site.</li> </ul>	<p>The Deben Estuary is subject to land and water-based 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</p> <p><b>Changes in species distribution:</b></p> <p><i>Spartina anglica</i> is encroaching onto estuarine muds. This may reduce bird roosting and feeding areas of saltmarsh and mudflat.</p> <p><b>Air Pollution- Impacts of atmospheric nitrogen deposition:</b></p> <p>Modelled aerial deposits of nitrogen within Deben Estuary exceed the threshold limit above which the diversity of saltmarsh vegetation begins to be altered (possibly to reed) and adversely impacted. This is likely being caused by in combination impacts from land spreading</p>
--	--	--	---	---



				<p>and land use practices with high nutrient inputs e.g. outdoor pig farms.</p> <p><b>Water Pollution:</b></p> <p>Inappropriate water quality may impact on the supporting habitats of SPA birds. Eutrophication may be having an influence on reed growth and saltmarsh composition.</p> <p>Increased flood events could lead to habitat change/loss of diversity. Nutrient run off from farming operations could exacerbate the issue. Further monitoring and management of key issues are required.</p> <p><b>Fisheries: Commercial marine estuarine</b> – In combination impacts from fisheries in European Marine Sites need to be monitored and appropriately managed to avoid potential threats to site condition.</p>
<p>Deben Estuary Ramsar site</p> <p>Code: UK11017</p>	978.93	<p><b>Ramsar criterion 2</b></p> <p>Supports a population of the mollusc <i>Vertigo angustior</i> (Habitats Directive Annex II (S1014); British Red Data Book Endangered). Martlesham Creek is one of only</p>	None available	<p>Similar to Deben Estuary SPA (See above).</p> <p>A key threat identified by RIS was erosion.</p> <p><b>Erosion:</b></p> <p>English Nature provides advice to the Environment Agency and coastal local</p>



		<p>about fourteen sites in Britain where this species survives</p> <p><b>Ramsar criterion 6</b> - species/populations occurring at levels of international importance:</p> <p>Species with peak counts in winter:</p> <ul style="list-style-type: none"> <li>• Dark-bellied brent goose, <i>Branta bernicla bernicla</i>,</li> </ul> <p><b>Noteworthy fauna:</b></p> <p>Species currently occurring at levels of national importance:</p> <p>Species with peak counts in spring/autumn:</p> <ul style="list-style-type: none"> <li>• Black-tailed godwit , <i>Limosa limosa islandica</i></li> <li>• Common greenshank, <i>Tringa nebularia</i></li> </ul> <p>Species with peak counts in winter:</p>		<p>authorities in relation to flood and coastal protection management. This will inform the development of the Suffolk Estuaries strategies and the second generation shoreline management plan.</p>
--	--	---	--	--





		<ul style="list-style-type: none"> <li>• Bean goose , <i>Anser fabalis fabalis</i>,</li> <li>• Common shelduck , <i>Tadorna tadorna</i></li> <li>• Pied avocet , <i>Recurvirostra avosetta</i></li> <li>• Spotted redshank , <i>Tringa erythropus</i>,</li> <li>• Common redshank , <i>Tringa totanus totanus</i>,</li> </ul> <p>Nationally important species occurring on the site:</p> <p>Invertebrates:</p> <ul style="list-style-type: none"> <li>• <i>Vertigo angustior</i> (Nationally Scarce)</li> <li>• <i>Vertigo pusilla</i> (Nationally Scarce)</li> </ul>		
<p><b>Essex Estuaries</b></p>				



The Mid-Essex Coast comprises an extensive complex of estuaries and intertidal sand and silt flats, including several islands, shingle and shell beaches and extensive areas of saltmarsh. The proposed SPA follows the boundaries of five SSSIs: the Colne Estuary, the Blackwater Estuary, Dengie, the River Crouch Marshes and Foulness.

<p><u>Essex</u> <u>Estuaries</u> <u>SAC</u></p> <p>EU Code: UK0013690</p>	<p>46109.95</p>	<p><b>Qualifying habitats:</b></p> <ul style="list-style-type: none"> <li>• Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks</li> <li>• Estuaries</li> <li>• Mudflats and sandflats not covered by seawater at low tide; Intertidal mudflats and sandflats.</li> <li>• Salicornia and other annuals colonizing mud and sand; Glasswort and other annuals colonising mud and sand</li> <li>• Spartina swards (<i>Spartinion maritimae</i>); Cord-grass swards</li> </ul>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats</li> <li>• The structure and function (including typical species) of qualifying natural habitats, and</li> <li>• The supporting processes on which qualifying natural habitats rely</li> </ul>	<p><b>Coastal Squeeze:</b></p> <p>Coastal defences along much of the Essex coastline prevent intertidal habitats from shifting landward in response to rising sea levels. As a result, these habitats are being gradually degraded and reduced in extent, with knock-on effects on the waterbirds and other species they support. 'Managed realignment' schemes and additional intervention measures to create new areas of intertidal habitat and reduce erosion rates are being implemented but more will be needed to offset future losses. Grazing marshes in the area of the Mid Essex Coast SPAs are important for waterbirds and are also threatened by sea level rise because most are near or below mean high tide level, currently protected behind seawalls.</p> <p><b>Public access /disturbance:</b></p> <p>Breeding and overwintering waterbirds are susceptible to human disturbance from a range</p>
---	-----------------	---	---	--



		<ul style="list-style-type: none"> <li>• Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)</li> <li>• Mediterranean and thermo-Atlantic halophilous scrubs (<i>Sarcocornetea fruticosi</i>)</li> </ul>		<p>of land- and water-based activities - including boating and watersports, walking, bait-digging, fishing and wildfowling - as well as low-flying aircraft. Some activities, such as powerboating, may produce physical disturbance to habitats.</p> <p>Planning permission: general – Several of the issues affecting the Essex Estuaries and the management of disturbance effects on the sites are related to each other, and addressing them is likely to require an improved overview of the relative sensitivities of different habitats, species and locations to different types of development.</p> <p><b>Changes in species distributions:</b> Declines have occurred in the numbers of some of the waterbird species using the Essex Estuaries SIP area but these may be due to changes in their distributions or population levels at a national or continental scale, possibly linked to climate change.</p> <p><b>Invasive species:</b> An increase in Pacific oyster <i>Crassostrea gigas</i> settlement and colonisation within the European</p>
--	--	--	--	---



Marine Site (EMS) may result in areas of foreshore being covered in such numbers as to make them difficult to access and utilise as feeding grounds for overwintering birds. Invasive common cord grass may adversely affect other species and habitats, including feeding and roosting areas of SPA bird species.

**Fishing:**

Recreational bait digging may impact waterbirds e.g. by reducing prey availability, or damaging the intertidal mudflats and sandflats and associated communities. The extent of the activity and potential impacts on site features are not currently well understood. Certain forms of commercial fishing, e.g. bottom towed fishing gear; can be very damaging to inshore marine habitats and the bird species dependent on the communities they support.

**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. However, on the Essex



estuaries declines in the numbers of breeding terns appear to be due mainly to erosion of a man-made cockle-shingle bank (at Foulness) and to disturbance (elsewhere), rather than to over-vegetation of breeding areas caused by nitrogen deposition.

### Hamford Water

Hamford Water is a large, shallow estuarine basin comprising tidal creeks and islands, intertidal mud and sand flats, and saltmarsh supporting rare plants and internationally important species/populations of migratory waterfowl.

<p><u>Hamford Water SAC</u></p> <p>EU Code: UK0030377</p>	<p>2187.21</p>	<p><b>Qualifying species:</b></p> <ul style="list-style-type: none"> <li>Fisher's estuarine moth <i>Gortyna borelii lunata</i></li> </ul> <p>Further information can be found via Natural England's <u>Supplementary Advice</u>.</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>The extent and distribution of the habitats of qualifying species</li> <li>The structure and function of the habitats of qualifying species</li> </ul>	<p><b>Climate change:</b></p> <p>The overall vulnerability of this SAC to climate change has been assessed by Natural England (2015) as being high, taking into account the sensitivity, fragmentation, topography and management of its supporting habitats.</p> <p><b>Air Pollution:</b></p> <p>The supporting habitat of this feature is considered sensitive to changes in air quality. Exceedance of these critical values for air</p>
---	----------------	--	--	---



			<ul style="list-style-type: none"> <li>• The supporting processes on which the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>	<p>pollutants may modify the chemical status of the habitat's substrate, accelerating or damaging plant growth, altering its vegetation structure and composition (including food-plants) and reducing supporting habitat quality and population viability of this feature.</p> <p><b>Water quality:</b></p>
<p><u>Hamford Water SPA</u></p> <p>EU Code: UK9009131A</p>	2187.21	<p>Qualifying species:</p> <ul style="list-style-type: none"> <li>• Dark-bellied brent goose; <i>Branta bernicla bernicla</i> (Non-breeding)</li> <li>• Common shelduck; <i>Tadorna tadorna</i> (Non-breeding)</li> <li>• Eurasian teal; <i>Anas crecca</i> (Non-breeding)</li> <li>• Pied avocet; <i>Recurvirostra avosetta</i> (Non-breeding)</li> <li>• Ringed plover; <i>Charadrius hiaticula</i> (Non-breeding)</li> <li>• Grey plover; <i>Pluvialis squatarola</i> (Non-breeding)</li> </ul>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> </ul>	<p>Hog's fennel grows along the banks of borrow-dykes and ditches and is therefore likely to be sensitive to changes in water quality. As Fisher's estuarine moth spends its pupal and some of its larval life cycle stage below ground it may be affected by ground water levels.</p> <p><b>Succession:</b></p> <p>Scrub encroaching is resulting in a loss of suitable grassland habitat for the moth. There are efforts to control and reduce scrub at the worst affected sites. Clearing scrub and restoring grassland will also provide opportunities for landward migration of hog's fennel and Fisher's estuarine moth, away from the threats of sea level rise.</p>



		<ul style="list-style-type: none"> <li>• Black-tailed godwit; <i>Limosa limosa islandica</i> (Non-breeding)</li> <li>• Common redshank; <i>Tringa totanus</i> (Non-breeding)</li> <li>• Little tern; <i>Sternula albifrons</i> (Breeding)</li> </ul> <p>Further information can be found via Natural England's <a href="#">Supplementary Advice</a>.</p>	<ul style="list-style-type: none"> <li>• The distribution of the qualifying features within the site.</li> </ul>	
<p><u>Hamford Water Ramsar site</u></p> <p>Code: UK11028</p>	2187.21	<p><b>Ramsar criterion 6</b></p> <p>Qualifying Species/populations (as identified at designation):</p> <p>Species with peak counts in spring/autumn:</p> <ul style="list-style-type: none"> <li>• Ringed plover; <i>Charadrius hiaticula</i></li> <li>• Common redshank; <i>Tringa totanus tetanus</i></li> </ul>	None Available	N/A





		<p>Species with peak counts in winter:</p> <ul style="list-style-type: none"> <li>• Dark-bellied brent goose; <i>Branta bernicla bernicla</i></li> <li>• Black-tailed godwit; <i>Limosa limosa islandica</i></li> </ul> <p>Species/populations identified subsequent to designation for possible future consideration under criterion 6.</p> <p>Species with peak counts in winter:</p> <p>Grey plover; <i>Pluvialis squatarola</i> (Non-breeding)</p>		
--	--	--	--	--

**Colne Estuary**

Colne Estuary is a comparatively short and branching estuary, with five tidal arms which flow into the main river channel. The estuary has a narrow intertidal zone predominantly composed of flats of fine silt with mudflat communities typical of south-eastern estuaries. The estuary is of international importance for wintering Brent Geese and Black-tailed Godwit and of national importance for breeding Little Terns and five other species of wintering waders and wildfowl. The variety of habitats which include mudflat, saltmarsh, grazing marsh, sand and shingle spits, disused gravel pits and reedbeds, support outstanding assemblages of invertebrates and plants.



<p>Colne Estuary SPA</p> <p>EU code: UK9009243</p>	<p>2701.43</p>	<p>Qualifying species:</p> <ul style="list-style-type: none"> <li>• Dark-bellied brent goose; <i>Branta bernicla bernicla</i> (Non-breeding)</li> <li>• Common pochard; <i>Aythya ferina</i> (Breeding)</li> <li>• Hen harrier; <i>Circus cyaneus</i> (Non-breeding)</li> <li>• Ringed plover; <i>Charadrius hiaticula</i> (Breeding)</li> <li>• Common redshank; <i>Tringa totanus</i> (Non-breeding)</li> <li>• Little tern; <i>Sterna albifrons</i> (Breeding)</li> <li>• Waterbird assemblage</li> </ul>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>	<p><b>Coastal Squeeze:</b></p> <p>Coastal defences along much of the Essex coastline prevent intertidal habitats from shifting landward in response to rising sea levels. As a result, these habitats are being gradually degraded and reduced in extent, with knock-on effects on the waterbirds and other species they support. 'Managed realignment' schemes and additional intervention measures to create new areas of intertidal habitat and reduce erosion rates are being implemented but more will be needed to offset future losses. Grazing marshes in the area of the Mid Essex Coast SPAs are important for waterbirds and are also threatened by sea level rise because most are near or below mean high tide level, currently protected behind seawalls.</p> <p><b>Public access /disturbance:</b></p> <p>Breeding and overwintering waterbirds are susceptible to human disturbance from a range of land- and water-based activities - including boating and watersports, walking, bait-digging, fishing and wildfowling - as well as low-flying aircraft. Some activities, such as powerboating, may produce physical disturbance to habitats.</p>
--	----------------	--	--	---



**Planning permission- general:**

Several of the issues affecting the Essex Estuaries and the management of disturbance effects on the sites are related to each other, and addressing them is likely to require an improved overview of the relative sensitivities of different habitats, species and locations to different types of development.

**Changes in species distributions:**

Declines have occurred in the numbers of some of the waterbird species using the Essex Estuaries SIP area but these may be due to changes in their distributions or population levels at a national or continental scale, possibly linked to climate change.

**Invasive species:**

An increase in Pacific oyster *Crassostrea gigas* settlement and colonisation within the European Marine Site (EMS) may result in areas of foreshore being covered in such numbers as to make them difficult to access and utilise as feeding grounds for overwintering birds. Invasive



common cord grass may adversely affect other species and habitats, including feeding and roosting areas of SPA bird species.

**Fishing:**

Recreational bait digging may impact waterbirds e.g. by reducing prey availability, or damaging the intertidal mudflats and sandflats and associated communities. The extent of the activity and potential impacts on site features are not currently well understood. Certain forms of commercial fishing, e.g. bottom towed fishing gear; can be very damaging to inshore marine habitats and the bird species dependent on the communities they support.

**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. However, on the Essex estuaries declines in the numbers of breeding terns appear to be due mainly to erosion of a man-made cockle-shingle bank (at Foulness) and to disturbance (elsewhere), rather than to



				over-vegetation of breeding areas caused by nitrogen deposition.
<u>Colne Estuary Ramsar Site</u>  Code: UK11015	2701.43	<p><b>Ramsar criterion 1</b></p> <p>The site is important due to the extent and diversity of saltmarsh present. This site, and the four other sites in the Mid-Essex Coast complex, includes a total of 3,237 ha, that represent 70% of the saltmarsh habitat in Essex and 7% of the total saltmarsh in Britain.</p> <p><b>Ramsar criterion 2</b></p> <p>The site supports 12 species of nationally scarce plants and at least 38 British Red Data Book invertebrate species.</p> <p><b>Ramsar criterion 3</b></p> <p>This site supports full and representative sequences of saltmarsh plant communities covering the range of variation in Britain.</p>	None available	N/A



		<p><b>Ramsar criterion 5</b></p> <p>Assemblages of international importance; species with peak counts in winter; 32041 waterfowl (5 year peak mean 1998/99-2002/2003)</p> <p><b>Ramsar criterion 6</b></p> <p>Qualifying Species/populations (as identified at designation):</p> <p>Species with peak counts in winter:</p> <ul style="list-style-type: none"> <li>• Dark-bellied brent goose; <i>Branta bernicla bernicla,</i></li> <li>• Common redshank; <i>Tringa totanus totanus,</i></li> </ul> <p>Species/populations identified subsequent to designation for possible future consideration under criterion 6.</p> <p>Species with peak counts in winter:</p>		
--	--	---	--	--



		<ul style="list-style-type: none"> <li>• Black-tailed godwit ; <i>Limosa limosa islandica</i></li> </ul>		
<b>Alde-Ore Estuary:</b>				
<p>The site comprises the estuary complex of the rivers Alde, Butley and Ore, including Havergate Island and Orfordness. There are a variety of habitats including, intertidal mudflats, saltmarsh, vegetated shingle (including the second-largest and best-preserved area in Britain at Orfordness), saline lagoons and grazing marsh. The Orfordness/Shingle Street landform is unique within Britain in combining a shingle spit with a cusped foreland. The site supports nationally-scarce plants, British Red Data Book invertebrates, and notable assemblages of breeding and wintering wetland birds</p>				
Alde-Ore Estuary SPA	2403.5	<p>Qualifying Features and potentially affected:</p> <ul style="list-style-type: none"> <li>• A081 <i>Circus aeruginosus</i>; Eurasian marsh harrier (Breeding)</li> <li>• A132 <i>Recurvirostra avosetta</i>; Pied avocet (Non-breeding)</li> <li>• A132 <i>Recurvirostra avosetta</i>; Pied avocet (Breeding)</li> <li>• A151 <i>Philomachus pugnax</i>; Ruff (Non-breeding)</li> <li>• A162 <i>Tringa totanus</i>; Common redshank (Non-breeding)</li> </ul>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> </ul>	<p><b>Hydrological Changes:</b> Flood wall breaches in December 2013 (due to tidal surge) have led to flooding of Hazelwood Marshes and Lantern Marshes south (both currently intertidal). This has led to a loss of nesting habitat and saline lagoons. As a result this has likely impacted populations of qualifying SPA birds.</p> <p><b>Public Access/Disturbance:</b> Human disturbance to nesting birds on beaches, notably on Orfordness and Shingle Street, by people accessing the southern end of the ness by boat, plus walkers along beach from Aldeburgh, and recreational beach users at Shingle Street. Human trampling affects vegetated shingle habitat. Military and private aircraft (paramotors,</p>





		<ul style="list-style-type: none"> <li>• A183 <i>Larus fuscus</i>; Lesser black-backed gull (Breeding)</li> <li>• A191 <i>Sterna sandvicensis</i>; Sandwich tern (Breeding)</li> <li>• A195 <i>Sterna albifrons</i>; Little tern (Breeding)</li> </ul>	<ul style="list-style-type: none"> <li>• The distribution of the qualifying features within the site.</li> </ul>	<p>helicopters and planes) regularly fly low over the site leading to disturbance of SPA features, wintering and breeding birds.</p> <p><b>Inappropriate Coastal Management:</b> Maintaining coastal defences at Bawdsey and Slaughden is leading to increased shingle recharge requirements at Slaughden, and loss of shingle beach at southern end of SAC at Bawdsey. Investigations are required to determine the sustainability of the coastal defence in these areas.</p> <p><b>Coastal Squeeze:</b> Seawalls afford little scope for natural adaption of the estuary to sea level rise through roll back of habitat. Saltmarsh is at risk of being squeezed in the future (although currently the estuary is perceived as in balance) and limited areas of natural habitat transition within the site could be lost. The developing policy of the Alde and Ore Estuary Partnership should consider scope for natural adaption to sea level rise.</p> <p><b>Inappropriate Pest Control:</b> Fox predation/disturbance is a key issue for breeding birds on Orfordness, particularly Lesser black backed gulls. Foxes can cause gulls and other breeding birds to abandon nesting sites, and predate adult birds and chicks.</p>
--	--	--	--	--



**Changes in species distribution:**

There are negative population trends in bird species using the site. Breeding locations are moving within and away from the designated site, possibly due to habitat change on site, as a reaction to other species and due to draw of other adjacent hinterland habitat. This requires further investigation and possible mitigation.

**Invasive Species:**

*Spartina anglica* is encroaching onto estuarine muds. This may reduce bird roosting and feeding areas of saltmarsh and mudflat.

**Air Pollution: Impacts of atmospheric nitrogen deposition:**

Modelled aerial deposits of nitrogen within Alde-Ore 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.

**Fisheries: Commercial marine estuarine:**

In combination impacts from fisheries in European Marine Sites need to be monitored and appropriately managed to avoid potential threats to site condition.



<p>Alde-Ore Estuary Ramsar site</p> <p>Code: UK11002</p>	<p>2546.9</p>	<p>Qualifying Species/populations (as identified at designation)</p> <p>Ramsar criterion 2a The site supports a number of nationally-scarce species and British Red Data Book Invertebrates</p> <p>Ramsar Criterion 3b The Site supports a notable assemblage of breeding and wintering wetland birds.</p> <p>Ramsar Criterion 3c During the Breeding Season the site regularly supports internationally important populations of: Lesser Black-backed Gull <i>Larus fuscus</i> Over winter the site regularly supports internally important populations of: <i>Avocet Recurvirostra avosetta</i>. Redshank <i>Tringa tetanus</i></p> <p>During the Breeding season the area regularly supports: Lesser Black-backed Gull <i>Larus fuscus</i>, (Western Europe/Mediterranean/Western Africa), 14070 pairs, representing an average of 11.3% of the</p>		<p>Erosion of Coastal Habitat</p>
--	---------------	--	--	-----------------------------------



		<p>breeding population (5-year mean. 1994-1998)</p> <p>Over winter the area regularly supports: <i>Avocet <i>Recurvirostra avosetta</i></i>, (Western Europe/Mediterranean (Breeding)), 766 individuals, representing an average of 1.1% of the population (5 year mean 1991/92-1995/96)</p> <p>Redshank <i>Tringa tetanu</i>, (Eastern Atlantic (wintering)), 1919 individuals, representing an average of 1.1% of the population (5-year peak mean 991/92-1995/96)</p>		
--	--	--	--	--



## Place Services

Essex County Council

County Hall, Chelmsford, Essex CM1 1QH

T: +44 (0)333 013 6840

E: [enquiries@placeservices.co.uk](mailto:enquiries@placeservices.co.uk)

[www.placeservices.co.uk](http://www.placeservices.co.uk)

January 2022



Essex County Council