

Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Guidance and Habitat Regulation Assessment (HRA) Record

Application details	
Local Planning Authority:	Ipswich Borough Council/East Suffolk Council
Case officer	Rosalynn Claxton/Eleanor Attwood
Application reference:	24/00172/OUTFL (IBC) and DC/24/0771/OUT (ESC)
Application description:	Outline Application (With All Matters Reserved) - Hybrid Application - Full Planning Permission for the means of external access/egress to and from the site. Outline planning application (all matters reserved) for a mixed use development for up to 660 dwellings (Use Class C3), up to 400 sq m (net) of non-residential floorspace falling within Use Class E and/or Use Class F2(b), an Early Years facility, and associated vehicular access and highway works, formal and informal open spaces, play areas, provision of infrastructure (including internal highways, parking, servicing, cycle and pedestrian routes, utilities and sustainable drainage systems), and all associated landscaping and engineering works.
Application address:	Land North-East of Humber Doucy Lane, Humber Doucy Lane, Ipswich
Status of Application:	Pending consideration
Grid Ref:	TM 18630 46860

HRA Stage 1: screening assessment

Test 1 – the significance test: Based on the development type and proximity to European designated sites, a judgement should be made as to whether the development constitutes a ‘likely significant effect’ (LSE) to a European site in terms of increased recreational disturbance

Is the development within 13 km of any of the below European sites (check NE IRZs)?

- Alde-Ore Estuary Special Protection Area (SPA) and Ramsar site
- Benacre to Easton Bavents SPA
- Deben Estuary SPA and Ramsar site
- Minsmere to Walberswick Heaths & Marshes Special Area of Conservation (SAC)
- Minsmere – Walberswick SPA
- Orfordness-Shingle Street SAC
- Sandlings SPA
- Stour and Orwell Estuaries SPA and Ramsar site (Suffolk side only)

Yes

No

Does the planning application constitute residential development?

- New dwellings of 1+ units included in current site allocations and windfall (excludes replacement dwellings and extensions)
- Houses in Multiple Occupancy (HMOs)
- Residential caravan sites
- Residential care homes/residential institutions (excludes nursing homes)
- Gypsies, travellers and travelling show people plots
- Tourist accommodation

Conclude no LSE to the above designated sites in terms of recreational disturbance.

An Appropriate Assessment (AA) is not required where recreational disturbance to these sites is the only issue or recreational disturbance to these sites can be scoped out of any HRA covering other issues.

Yes

No

Conclude LSE. This proposal is within scope of the Suffolk Coast RAMS as it falls within the 13 km ‘zone of influence’ for likely impacts and is a relevant residential development type as listed above. It is anticipated that such development in this area is ‘likely to have a significant effect’ upon the interest features of the aforementioned designated site(s) through increased recreational pressure, when considered either alone or in combination.

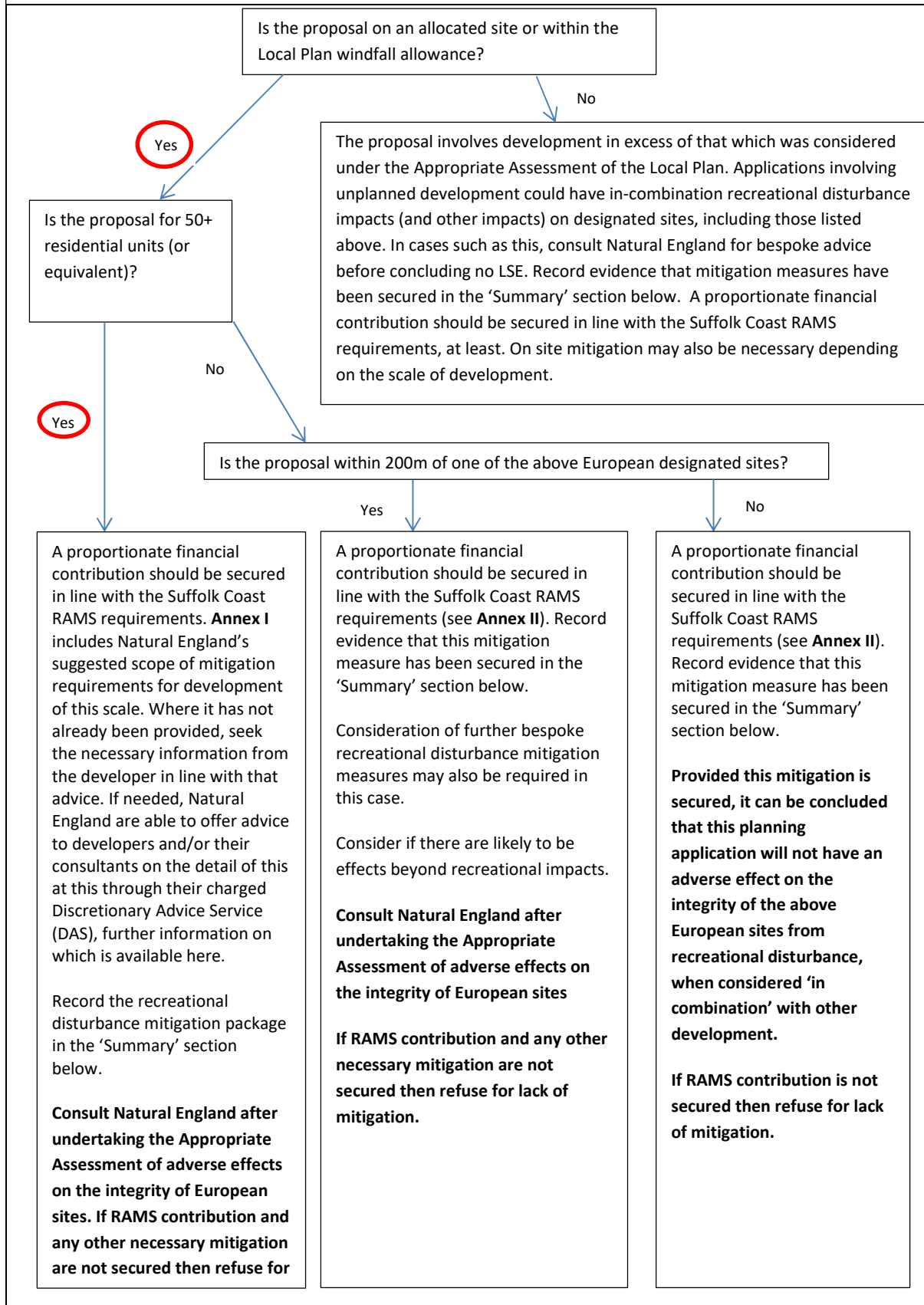
Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites.

RAMS is not relevant, however other Habitats Regulations considerations should be taken into consideration for non residential developments and in some circumstances a bespoke AA may be required.

May 2024

HRA Stage 2: Appropriate Assessment

Test 2 – the integrity test: The applicant must provide sufficient evidence to allow the Appropriate Assessment to be made, which is the stage at which avoidance and/or mitigation measures can be considered



Summary of the Appropriate Assessment: To be completed by the Competent Authority (the local planning authority) prior to determination of the application.

1) Proposed Development

The application seeks full Planning Permission for the means of external access/egress to and from the site. Outline planning application (all matters reserved) for a mixed use development for up to 660 dwellings (Use Class C3), up to 400 sq m (net) of non-residential floorspace falling within Use Class E and/or Use Class F2(b), an Early Years facility, and associated vehicular access and highway works, formal and informal open spaces, play areas, provision of infrastructure (including internal highways, parking, servicing, cycle and pedestrian routes, utilities and sustainable drainage systems), and all associated landscaping and engineering works.

The site is allocated for residential-led development of approximately 600 dwellings under Ipswich Borough Council Local Plan policy ISPA4 (ISPA4.1) and East Suffolk Council Local Plan policy SCLP12.24.

Whilst this is a cross-boundary proposal with two planning applications, a single Habitats Regulations Assessment is being undertaken to consider the project in its entirety.

2) Relevant European Designated Sites

The application site is within 13km of the Stour and Orwell Estuaries Special Protection Area (SPA); the Stour and Orwell Estuaries Ramsar Site; the Sandlings SPA; the Deben Estuary SPA and the Deben Estuary Ramsar Site. The site is partly within the Suffolk Coast RAMS Zone of Influence (Zoi) Zone A and partly within Zone B.

The Stour and Orwell Estuaries SPA and Stour and Orwell Estuaries Ramsar Site are the closest internationally designated sites to the application site, with a component of the SPA/Ramsar Site approximately 4.9km to the south/south-west.

A summary of the reasons for designation and the Conservation Objectives for the above sites is set out below. Full citations and Conservation Objectives are available here:

<https://designatedsites.naturalengland.org.uk/>

2.1) Stour and Orwell Estuaries Special Protection Area (SPA) and Stour and Orwell Estuaries Ramsar Site

The SPA is designated for supporting a breeding population of Avocet (*Recurvirostra avosetta*), wintering populations of Dark-bellied brent goose (*Branta bernicla bernicla*), Pintail (*Anas acuta*), Grey plover (*Pluvialis squatarola*), Knot (*Calidris canutus islandica*), Dunlin (*Calidris alpina alpina*) and Black-tailed godwit (*Limosa limosa islandica*), and autumn passage and wintering Redshank (*Tringa totanus*). The site also supports a non-breeding waterbird assemblage of over 20,000.

In addition to wintering Black-tailed godwit, Redshank, Dark-bellied brent goose, Dunlin and Grey plover, and its wintering waterfowl assemblage, the Ramsar Site is also designated for scarce plants (*Zostera noltei* and *Spartina maritima*) and British Red Data Book invertebrates.

The Conservation Objectives for the SPA are to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features

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

For Ramsar sites, a decision has been made by Defra and Natural England not to produce Conservation Advice packages, instead focussing on the production of High-Level Conservation Objectives. As the provisions on the Habitats Regulations relating to Habitat Regulations Assessments (HRAs) extend to Ramsar sites, Natural England considers the Conservation Advice packages for the overlapping European Marine Site designations to be, in most cases, sufficient to support the management of the Ramsar interests. If there are Ramsar qualifying features not covered by overlapping European Marine Sites, they will consider the best approach on addressing these (e.g. to produce advice on a feature basis) if there is an operational risk.

2.2) Deben Estuary SPA and Deben Estuary Ramsar Site

The SPA is designated for supporting non-breeding (wintering) Avocet and Dark-bellied brent geese, along with wintering/migratory Golden plover (*Pluvialis apricaria*), Hen harrier (*Circus cyaneus*), Short-eared owl (*Asio flammeus*), Shelduck (*Tadorna tadorna*), Grey plover, Black-tailed godwit and Redshank. The site also supports a notable assemblage of breeding and wintering wetland birds in addition to the species mentioned above.

The Ramsar site is designated for a broadly similar range of breeding and wintering birds. It is also designated for supporting a population of the mollusc *Vertigo augustior*.

The Conservation Objectives for the SPA are to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

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

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2.3) Sandlings Special Protection Area (SPA)

The site is designated for supporting breeding populations of Woodlark (*Lullula arborea*) and Nightjar (*Caprimulgus europaeus*).

The Conservation Objectives for the site are to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

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

- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

3) Proposed Development and Application Supporting Information

The application seeks full planning permission of the site access, and outline planning permission of the rest of the development, including the erection of up to 660 dwellings, up to 400 sq m of non-residential floorspace falling, an Early Years facility, and associated vehicular access and highway works, formal and informal open spaces, play areas, provision of infrastructure (including internal highways, parking, servicing, cycle and pedestrian routes, utilities and sustainable drainage systems), and all associated landscaping and engineering works.

The applicant has submitted an Information to inform Habitats Regulations Assessment (sHRA) report (CSA Environmental, February 2024) to inform this assessment.

The applicant's HRA supporting information concludes that, subject to the implementation of the identified mitigation measures, the proposed development will not result in adverse effects on the integrity of any European designated site. The proposed measures include:

- Provision of c.11.5Ha of Suitable Alternative Natural Greenspace (SANG) onsite;
- Connections to the offsite public rights of way network to the north and east of the site;
- A commitment to the long-term maintenance and management of the open space areas secured by planning condition (via a Landscape and Ecology Management Plan (LEMP) secured by condition);
- Residents' information pack and onsite signage identifying recreational opportunities; and
- A financial contribution to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation (RAMS).

4) Advice provided by Natural England

Natural England have been consulted on this proposal, and in letter of 26th April 2024 (ref 471920) they have advised that they have no objection subject to the mitigation measures identified by the applicant (as set out in section 3 above) being secured.

5) Ipswich Borough Council and East Suffolk Council Initial Assessment

As set out in Section 3 (above) the application includes an Information to inform Habitats Regulations Assessment report, which concludes that subject to the implementation of a package of mitigation measures the proposed development will not result in any adverse effects on the integrity of European designated sites.

Whilst the principle of the measures described is in line with what would be expected to be required for a development such as this, following consideration of the parameter plans submitted as part of the application the initial conclusion of this assessment is that there is uncertainty that the quoted area of greenspace to be delivered as part of the development is achievable. Whilst it is acknowledged that this is an Outline application and therefore matters of detailed design are reserved, from the information provided to date it is considered highly likely that the amount of onsite recreational greenspace will need to be reduced to account for other infrastructure requirements (particularly related to site drainage) meaning that the c.11.5Ha area quoted in the application documents won't be deliverable. It is also unclear whether this figure includes the isolated land parcel to the west of the main site. In various application documents this area is

referenced as forming part of the public open space for the development. However, given that it is physically disconnected from the proposed residential areas and that it contains existing habitats of biodiversity value, it is not considered that it should form part of public open space for the development. It must therefore be removed from any such calculations.

Adequate demonstration that the development if permitted can secure the delivery of the avoidance and mitigation measures identified is necessary to be able to conclude that the proposal will not result in an adverse effect on the integrity of any European designated site. Notwithstanding the comments provided by Natural England, the competent authorities consider that further information is required to enable that conclusion to be reached for this application. This information must be provided before this application can be considered for a decision and must be assessed through a further iteration of this HRA.

In addition to the above, it should also be noted that the application site is split between two Suffolk Coast RAMS tariff zones. The applicable tariff fee for each phase of the development will therefore need to be calculated at each Reserved Matters stage and the mechanism for this must be adequately secured in any S106 agreement for the site.

Summary of recreational disturbance mitigation package

N/A – further information required.

Conclusion

Having considered the proposed avoidance and mitigation measures above, Ipswich Borough Council and East Suffolk Council consider that further information is required before it can be concluded that the project will not have an Adverse Effect on the Integrity of the European sites included within the Suffolk Coast RAMS.

The authorities may not agree to the project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) until the necessary information is provided and has been considered satisfactory through a further iteration of this assessment.

Local Planning Authority Officer comments, signed and dated:

Sue Hooton CEnv MCIEEM

Principal Ecological Consultant, Place Services (for Ipswich Borough Council)

and

James Meyer MCIEEM

Principal Ecologist, East Suffolk Council

17/05/2024

Annex I – Natural England’s recommendations for larger scale residential developments within the 13 km 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 European 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 km¹ within the site and/or with links to surrounding public rights of way (PRoW)
- Dedicated ‘dogs-off-lead’ areas
- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long term maintenance and management of these provisions

Natural England would be happy to advise developers and/or their consultants on the detail of this at the pre-application stage through our charged Discretionary Advice Service (DAS), further information on which is available [here](#).

However, the unique draw of the above European sites means that, even when well-designed, ‘on-site’ provisions are unlikely to fully mitigate impacts when all residential development within reach of the coast is considered together ‘in combination’. We therefore advise that consideration of ‘off-site’ measures (i.e. in and around the relevant European designated site(s)) is also required as part of the mitigation package for predicted recreational disturbance impacts in these cases. Such measures are to be delivered strategically through the Suffolk Coast RAMS to make the sites more resilient to increased recreational pressures. A proportionate financial contribution should therefore be secured from these developments in line with the Suffolk Coast RAMS.

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

Annex II – Natural England’s recommendations for smaller scale residential developments within the 13 km Suffolk Coast RAMS zone of influence (0-49 units, or equivalent, as a guide) which are not within/directly adjacent to a European designated site

Whilst the provision of well-designed open space/green infrastructure on site or contributions towards strategic green infrastructure in your district is to be welcomed for developments of this scale, we advise that consideration of ‘off-site’ measures (i.e. in and around the relevant European designated site(s)) is required as mitigation for predicted recreational disturbance impacts in these cases as a minimum. Such measures are to be delivered strategically through the Suffolk Coast RAMS to make the sites more resilient to increased recreational pressures. A proportionate financial contribution should therefore be secured from these developments in line with the Suffolk Coast RAMS.