



Habitats Regulations Assessment of the Draft Easton Neighbourhood Plan

September 2021

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1. Introduction

1.1 The Conservation of Habitats and Species Regulations (2017) (as amended) provide protection for sites that are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species. The network consists of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). Both types can also be referred to as European Sites. The National Planning Policy Framework (NPPF) states that Ramsar sites should be afforded the same level of protection and refers to SACs, SPAs and Ramsar sites as 'Habitat Sites'.

1.2 The requirement to undertake Habitats Regulation Assessment (HRA) of development plans is set out in the Conservation of Habitats and Species Regulations (2017) (as amended). It is also a requirement of Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012 (as amended). In order to proceed to referendum a Neighbourhood Plan must meet a series of 'basic conditions', which include that it does not breach, and is otherwise compatible with, EU obligations.

1.3 Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended) states:

'Where a land use plan:

(a) Is likely to have a significant effect on a European sites or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) Is not directly connected with or necessary to the management of the site, The plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives.'

1.4 The HRA is therefore undertaken in stages and should conclude whether or not a proposal or policy in the Plan would adversely affect the integrity of any sites.

Stage 1: Determining whether a plan is likely to have a significant effect on a Habitat Site. This needs to take account of the likely impacts in combination with other relevant plans and projects.

This assessment should be made using the precautionary principle. The screening assessment must reflect the outcomes of the 2018 judgement of the Court of Justice of the European Union¹, which has ruled that where mitigation is necessary this must be identified through an Appropriate Assessment.

Stage 2: Carrying out Appropriate Assessment and ascertaining the effect on site integrity. The effects of the plan on the conservation objectives of sites should be assessed, to ascertain whether the plan has an adverse effect on the integrity of a Habitat Site.

Stage 3: Identifying mitigation measures and alternative solutions. The aim of this stage is to find ways of avoiding or significantly reducing adverse impacts, so that site integrity is no longer at risk. If there are still likely to be negative impacts, the option should be dropped, unless exceptionally it can be justified by imperative reasons of overriding public interest.

- 1.5 The Easton Neighbourhood Plan is being produced by Easton Parish Council. This report considers whether there are likely to be significant effects on protected Habitat Sites and where a full Appropriate Assessment may be required. Where Appropriate Assessment is identified as necessary, this has been carried out.
- 1.6 The Easton Neighbourhood Plan will need to be in general conformity with the strategic policies of the Local Plan. East Suffolk Council is covered by two Local Plans, the East Suffolk Council - Suffolk Coastal Local Plan adopted September 2020 and the Waveney Local Plan adopted March 2019. The relevant local plan for the Easton Neighbourhood Plan area is the East Suffolk Council - Suffolk Coastal Local Plan.
- 1.7 The Suffolk Coastal Local Plan was subject to Habitats Regulations Assessment as part of its production. Where screening identified a likely significant effect, an Appropriate Assessment was undertaken and the mitigation measures identified were incorporated within the Local Plan, resulting in a conclusion

¹ C-323/17 – People over Wind, Peter Sweetman v Coillte Teoranta

that the plan will not lead to any adverse effects on Habitat sites within and in the vicinity of the (then) Suffolk Coastal District. The Local Plan Appropriate Assessment identified recreational disturbance particularly from dog walkers as the main significant effect. The Council has therefore produced a Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) and requires payment towards mitigation from residential developments within 13km of the protected Habitat Sites.

2. Protected sites covered by this report

- 2.1 Sites included in this assessment are listed in Table 1. This includes all sites that are within 20km of the Easton Neighbourhood Plan area (for consistency with the distances applied within the HRA of the Suffolk Coastal Local Plan and adopting the precautionary approach). The locations of the sites are shown on maps in Appendix 2 and the Qualifying Features and Conservation Objectives of the sites are contained in Appendix 3, along with a summary of the pressures and threats as documented in the Appropriate Assessment for the Suffolk Coastal Local Plan.

Table 1: Relevant Habitat Site

Name
Alde-Ore and Butley Estuaries SAC
Dew's Pond SAC
Orfordness – Shingle Street SAC
Minsmere to Walberswick Heaths and Marshes SAC
Staverton Park and The Thicks, Wantisden SAC
Southern North Sea SAC
Alde-Ore Estuary SPA
Deben Estuary SPA
Minsmere- Walberswick SPA
Outer Thames Estuary SPA
Sandlings SPA
Stour and Orwell Estuaries SPA
Alde-Ore Estuary Ramsar
Deben Estuary Ramsar
Minsmere- Walberswick Ramsar
Stour and Orwell Estuaries Ramsar

3. Easton Neighbourhood Plan

- 3.1 Easton Parish Council is producing a Neighbourhood Plan for Easton, in order to set out the vision, objectives and policies for the development of the parish up to 2036, within the context of the East Suffolk Council- Suffolk Coastal Local Plan.
- 3.2 The Neighbourhood Plan includes a range of policies covering the Easton Neighbourhood Plan area. A number of policies relate to the full Neighbourhood Plan area whilst others are area/ location specific. The Plan allocates one site for new housing development (Policy ETN 3).
- 3.3 The policies in the Easton Neighbourhood Plan are listed in Table 2 below. An assessment of whether each policy is likely to have a significant effect on Habitat Site is included in section 5 of this report.

Table 2: List of Neighbourhood Plan policies

ETN 1	Spatial Strategy
ETN 2	Housing Development
ETN 3	Land south-west of Wickham Market Road
ETN 4	Protection of Important Views and Landscape Character
ETN 5	Recreational Disturbance Avoidance and Mitigation
ETN 6	Biodiversity and Habitats
ETN 7	Local Green Spaces
ETN 8	Non-Designated Heritage Assets
ETN 9	Design Considerations
ETN 10	Village Services and Facilities

4. Other Plans and Projects

- 4.1 Regulation 105 of the 2017 Regulations (as amended) requires consideration to be given to whether a Plan will have an effect either alone or in combination with other plans or projects.
- 4.2 As noted in the introduction, the other key plan is the Local Plan. The Local Plan sets out the broad scale and distribution of development across the area

of East Suffolk formerly covered by Suffolk Coastal District. This was subject to an Appropriate Assessment as part of its production.

- 4.5 The Easton Neighbourhood Plan policies interpret the strategy and policies of the Local Plan at a local level. The policies contained in the Draft Easton Neighbourhood Plan are proposed to provide locally specific, criteria-based policy guidance for the determination of planning applications.
- 4.6 Policy SCLP12.1 of the Suffolk Coastal Local Plan provides an indicative minimum housing figure of 20 to the Easton Neighbourhood Plan area for the period 2018 – 2036. The Easton Neighbourhood Plan provides for around 44 additional dwellings through a combination of existing permissions and one site allocation. The allocated site has potential to deliver around 12 new homes.
- 4.7 A screening process considered each policy in the Suffolk Coastal Local Plan and concluded whether significant effects were likely and if an Appropriate Assessment was needed. The Appropriate Assessment subsequently considered the following themes - recreation pressure from new residential development, recreation pressure from tourism, urbanisation effects in close proximity, air quality from increased road traffic, water quality and resources and biodiversity net gain. Mitigation measures were identified within the Appropriate Assessment and were incorporated within the final Local Plan, resulting in a conclusion that the plan will not lead to any adverse effects on Habitat Sites within and in the vicinity of the (then) Suffolk Coastal District.
- 4.8 The (now superseded) 2013 Core Strategy was also previously subject to strategic level Appropriate Assessment which concluded that without mitigation there would be a significant effect on Habitat Sites, alone and in combination with other plans. The Appropriate Assessment of that Plan identified recreational disturbance particularly from dog walkers as the main significant effect. The Council subsequently produced a Recreational Disturbance Avoidance and Mitigation Strategy and now requires payment towards mitigation of likely significant effects from residential developments within 13km of a Habitat Site. This approach continues to operate and was included within policies in the Local Plan, adopted in 2020.

5. Assessment of likely effects of the Easton Neighbourhood Plan on Habitat Sites

- 5.1 Table 3 below considers each policy of the Easton Neighbourhood Plan in relation to whether there is potential for a likely significant effect on protected Habitat Sites. This constitutes Stage 1 as set out under paragraph 1.4 above. Consideration is given to the characteristics and location of the Habitat Sites. The policies are considered within the context of the Local Plan policies which they must be in general conformity with, and which have themselves been subject to Habitats Regulations Assessment, as set out in section 4 above.

Table 3: Likely significant effects of the Easton Neighbourhood Plan

Policy	Assessment of potential impact on Natura 2000 sites	Habitat Sites that could possibly be affected	Likely significant effect identified	AA needed?
ETN 1 Spatial Strategy	<p>This policy sets out the overall development strategy for the Neighbourhood Plan area and directs development to within the settlement boundary. Development outside the settlement boundary will only be permitted where it accords with national and District level policies. The policy does not plan a specific quantum of development.</p> <p>This policy accords with the approach in Local Plan policy SCLP5.2: Housing Development in Small Villages. The Habitats Regulation Assessment of the Local Plan identified no likely significant effects from policy SCLP5.2. Therefore policy ETN 1 will not result in any likely significant effects.</p>	None.	None.	No.
ETN 2 Housing Development	<p>This policy makes provision for around 44 additional dwellings over the plan period. This is to be delivered through a combination of existing permissions and one site allocation. The allocated site has potential to deliver around 12 new homes. This policy also anticipates the delivery of small windfall sites, not identified in the Plan.</p> <p>The policy includes specific criteria in relation to conversion of redundant or disused agricultural buildings outside the settlement boundary.</p>	All sites within table 1.	Recreational impacts	Yes

Policy	Assessment of potential impact on Natura 2000 sites	Habitat Sites that could possibly be affected	Likely significant effect identified	AA needed?
	<p>Policy SCLP12.1 of the Suffolk Coastal Local Plan sets a minimum housing requirement of 20 dwellings for the Easton Neighbourhood Plan area. The Habitats Regulation Assessment of the Local Plan identified likely significant effects from policy SCLP12.1 as the result of housing growth coming forward through Neighbourhood Plans. Therefore, potential likely significant effects on protected Habitat Sites have been identified from increased recreational disturbance as the result of development proposals outlined in Policy ETN 2.</p>			
ETN 3 Land south-west of Wickham Market Road	<p>This policy allocates land south-west of Wickham Market Road for residential development of around 12 dwellings. The policy includes a number of criteria and requirements to guide development on the site including play and open space provision, dwelling mix requirements, pedestrian access arrangements, visual impact mitigation, and drainage improvements.</p> <p>The supporting text to the policy, clarifies that the site falls within the remit of the Suffolk Coast RAMS and explains that a financial contribution towards mitigation measures will be required.</p>	All sites within table 1.	Recreational impacts	Yes

Policy	Assessment of potential impact on Natura 2000 sites	Habitat Sites that could possibly be affected	Likely significant effect identified	AA needed?
	<p>As identified through the Habitats Regulation Assessment of the Local Plan and the Suffolk Coast RAMS work, new residential development within 13km Zone of Influence (ZOI) around Habitat Sites (as set out in the RAMS) could lead to likely significant effects on protected Habitat Sites as the result of increased recreational disturbance.</p> <p>The site identified in ENT 3 falls within the 13km RAMS ZOI but is not considered to be in close proximity to any protected Habitat Site (within 400m).</p>			
ETN 4 Protection of Important Views and Landscape Character	<p>This policy seeks to conserve and enhance the landscape, heritage and rural character of the Easton Neighbourhood Plan area.</p> <p>The policy requires proposals coming forward within the area to demonstrate how they have had regard to the landscape character and setting of the village and ensured that there is no detrimental impact on the identified key views. The supporting text makes reference to the Easton Character Appraisal.</p> <p>This policy builds on SCLP10.4: Landscape Character of the Suffolk Coastal Local Plan. The Habitats Regulation Assessment of the Local Plan identified no likely significant</p>	None.	None.	No.

Policy	Assessment of potential impact on Natura 2000 sites	Habitat Sites that could possibly be affected	Likely significant effect identified	AA needed?
	effects from policy SCLP10.4. Therefore policy ENT 4 will not result in any likely significant effects.			
ETN 5 Recreational Disturbance Avoidance and Mitigation	<p>This policy sets out the requirement for all residential development within the Neighbourhood Plan area to make a financial contribution towards mitigation measures in accordance with the Recreational Disturbance, Avoidance and Mitigation Strategy (RAMS).</p> <p>The policy accords with SCLP10.1: Biodiversity and Geodiversity of the Suffolk Coastal Local Plan. The Habitats Regulation Assessment of the Local Plan identified Likely Significant Effects through the HRA screening for policy SCLP10.1. Full Appropriate Assessment was undertaken and mitigation incorporated into the Local Plan.</p> <p>Policy ENT 5 does not in itself promote development, but instead ensures that appropriate mitigation measures are secured as part of residential schemes and therefore no likely significant effects are identified.</p>	None.	None.	No.
ETN 6 Biodiversity and Habitats	This policy seeks to protect existing features of biodiversity value, in particular the features identified in the Easton Character Appraisal. The policy requires biodiversity net gain.	None.	None.	No.

Policy	Assessment of potential impact on Natura 2000 sites	Habitat Sites that could possibly be affected	Likely significant effect identified	AA needed?
	<p>The policy builds on SCLP10.1: Biodiversity and Geodiversity of the Suffolk Coastal Local Plan. The Habitats Regulation Assessment of the Local Plan identified Likely Significant Effects through the HRA screening for policy SCLP10.1. Full Appropriate Assessment was undertaken and mitigation incorporated into the Local Plan.</p> <p>Policy ETN6 does not promote development but contributes towards the principles of the enhancement of the wider environment and therefore no likely significant effects are identified.</p>			
ETN 7 Local Green Spaces	<p>This policy identifies and protects six Local Green Spaces.</p> <p>The supporting text highlights the contribution these open spaces make to the character and setting of the built environment in the Neighbourhood Plan area.</p> <p>The policy may have indirect positive effects on Habitat Sites by ensuring access to local green spaces, thereby reducing potential for increased pressure on Habitat Sites. Therefore no likely significant effects are identified.</p>	None.	None.	No.
ETN 8 Non-Designated Heritage Assets	The policy identifies 20 non-designated heritage Assets for retention and protection.	None.	None.	No.

Policy	Assessment of potential impact on Natura 2000 sites	Habitat Sites that could possibly be affected	Likely significant effect identified	AA needed?
	The policy builds on Policy SCLP11.6 of the Local Plan. The Habitats Regulation Assessment of Policy SCLP11.6 concluded no likely significant effects. This policy will not have a direct effect on any Habitat Sites and no likely significant effects are identified.			
ETN 9 Design Considerations	<p>This policy sets out a number of design criteria for new development in the neighbourhood plan area in order to reflect local character and contribute to a high quality, safe and sustainable environment.</p> <p>The policy builds on SCLP11.1: Design Quality of the Local Plan. The Habitats Regulation Assessment of Policy SCLP11.1 concluded no likely significant effects. This policy will not have a direct effect on any Habitat Sites and no likely significant effects are identified.</p>	None.	None.	No.
ETN 10 Village Services and Facilities	<p>This policy identifies six facilities for which enhancement proposals will be supported, subject to there being no significant adverse impacts on the natural and historic environment, infrastructure and residential amenity.</p> <p>This policy will not have a direct effect on any Habitat Sites and no likely significant effects are identified.</p>	None.	None.	No.

6. Appropriate Assessment

- 6.1 The screening for likely significant effects (table 3) has identified two policies (ENT 2 and ENT 3) for more in-depth consideration within an Appropriate Assessment. Once a likely significant effect has been identified, the purpose of the Appropriate Assessment is to examine evidence and information in more detail to establish the nature and extent of the predicted impacts, in order to answer the question as to whether such impacts could lead to adverse effects on Habitat site integrity. Competent authorities should have enough evidence to satisfy themselves that there are feasible measures to prevent adverse effects.
- 6.2 Policies ENT 2 and ENT 3 of the Easton Neighbourhood Plan have been identified as having potential likely significant effects on Habitat Sites as the result of increased recreational disturbance.
- 6.3 The impact of increased recreation arising from housing growth has already been recognised in Local Plan HRA work. This has led to collaborative working between the four Suffolk local planning authorities that lie within 13km of the coastal and heathland Habitat Sites. Taking a strategic approach to the Habitat Site mitigation has resulted in the development of the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The Strategy sets out a tariff based approach to mitigating the additional recreation pressure risks associated with new residential development. The RAMS sets out an integrated suite of avoidance and mitigation measures that are supported by comprehensive evidence and experience gained from other Habitat Site mitigation strategies.
- 6.4 Policy SCLP12.1 of the Suffolk Coastal Local Plan provides an indicative minimum housing figure of 20 to the Easton Neighbourhood Plan area for the period 2018 – 2036. Policy ENT 2 of the Neighbourhood Plan sets out the overall development strategy for the Neighbourhood Plan area in relation to housing delivery and makes provision for around 44 dwellings through a combination of existing planning permissions and a single allocation at Wickham Market Road for residential development of around 12 dwellings (ENT 3). The site at ENT 3 falls within the 13km Zone of Influence (as set out in the Recreational Disturbance Avoidance and Mitigation Strategy) but is not

considered to be in close proximity to any protected Habitat Sites (within 400m).

- 6.5 As confirmed by the conclusions of the HRA of the Local Plan, the RAM Strategy is considered capable of accommodating and mitigating the impact of the levels of residential growth promoted through the Local Plan (which the Easton Neighbourhood Plan is considered to be in general conformity with).

7. Summary and conclusions

- 7.1 The Easton Neighbourhood Plan will provide policies which will be used for determining planning applications alongside the East Suffolk Council- Suffolk Coastal Local Plan, 2020. It includes locally specific criteria based policies to be used for the determination of planning applications and one allocation for new residential development (for around 12 dwellings).
- 7.2 The Neighbourhood Plan is being prepared to be in general conformity with the relevant policies in the East Suffolk Council- Suffolk Coastal Local Plan, September 2020.
- 7.3 Policies ENT 2 and ENT 3 of the Easton Neighbourhood Plan were identified through the HRA screening process as having a potential likely significant effect on protected Habitat Sites as the result of increased recreational disturbance. However, as confirmed by the conclusions of the Suffolk Coastal Local Plan HRA, the Suffolk Coast RAMS is considered to provide adequate measures to mitigate any impacts arising from planned housing growth including growth identified through neighbourhood plans. The Easton Neighbourhood plan includes adequate reference to the requirements of the Suffolk Coast RAMS, including Policy ENT 5 which specifically covers RAMS. It is therefore concluded that the Easton Neighbourhood Plan will not lead to any adverse effects on protected Habitat Sites.

Signed:

Dated: 30th September 2021

A handwritten signature in black ink that reads "Desi Reed". The signature is written in a cursive, slightly slanted style.

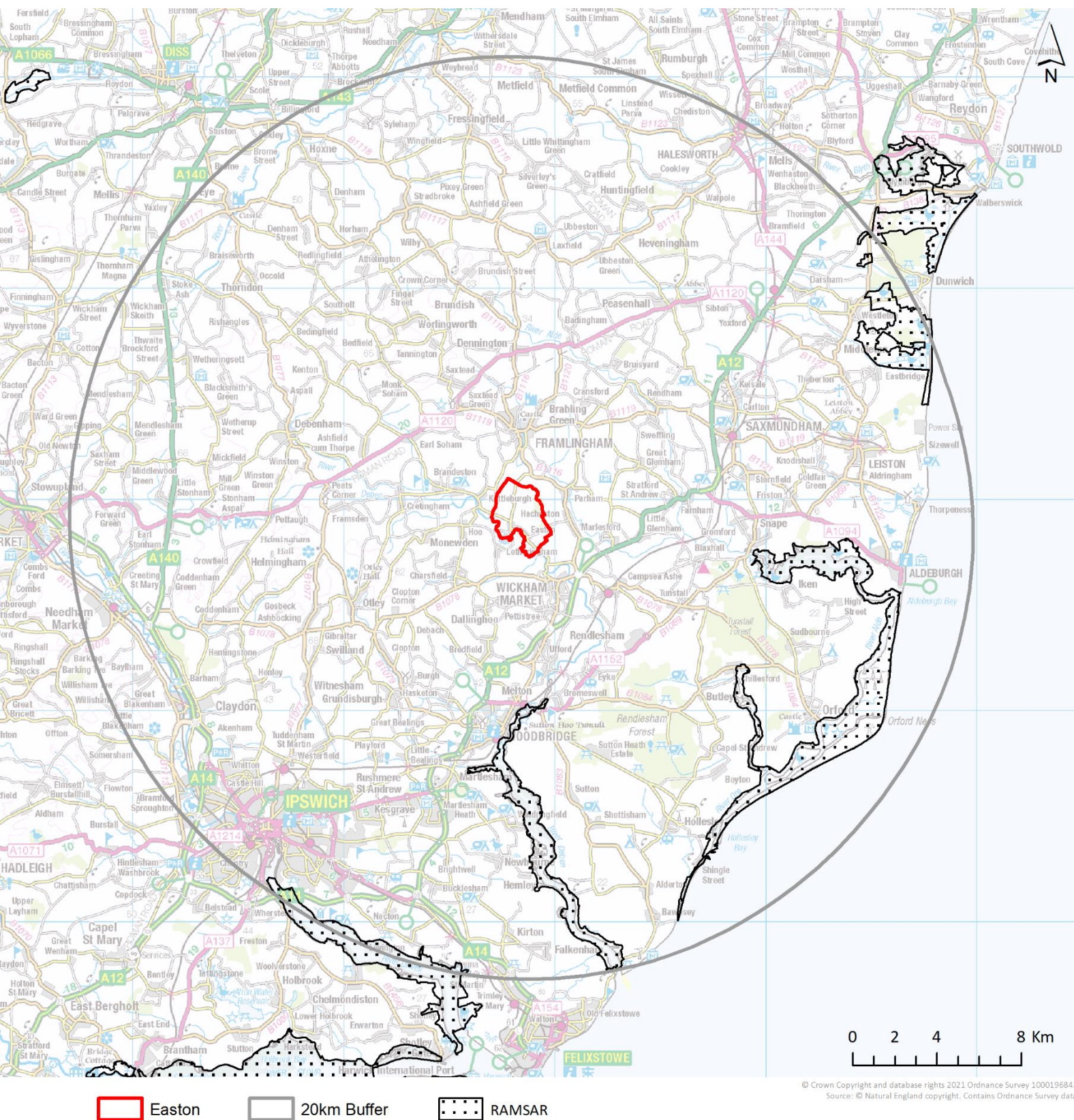
Desi Reed
Planning Policy and Delivery Manager
East Suffolk Council

Appendix 1: Sources of background information

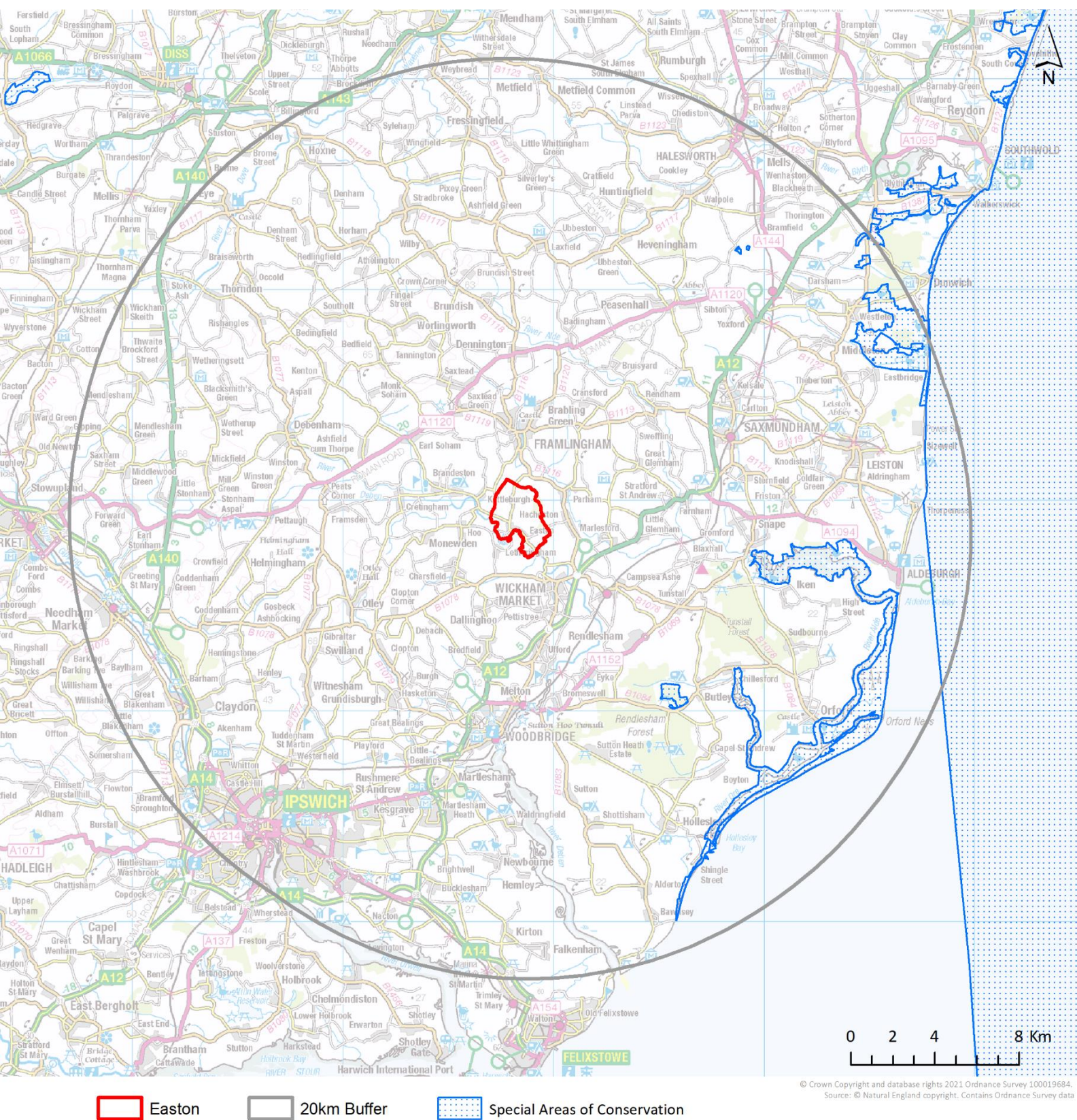
- Habitats Regulations Assessment for the Suffolk Coastal Local Plan at Final Draft Plan stage (December 2018)
- Habitats Regulations Assessment Recreational Disturbance Avoidance and Mitigation Strategy for Ipswich Borough, Babergh District, Mid Suffolk District and East Suffolk Councils (May 2019)
- East Suffolk Council- Suffolk Coastal Local Plan, September 2020

Appendix 2: Locations of Habitat Sites

RAMSAR



Special Areas of Conservation



Appendix 3: Relevant Habitat Sites

Name	Qualifying features	Conservation Objectives	Pressure and threats (as summarised in the Habitats Regulations Assessment for the Suffolk Coastal Local Plan at Final Draft Plan Stage (December 2018))
Special Areas of Conservation			
Alde-Ore and Butley Estuaries	H1130:Estuaries H1140: Mudflats and sandflats not covered by seawater at low tide; Intertidal mudflats and sandflats H1330: Atlantic salt meadows	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: The extent and distribution of qualifying natural habitats; The structure and function (including typical species) of qualifying natural habitats; The supporting processes on which qualifying natural habitats rely.	Hydrological changes, public access/disturbance, inappropriate coastal management, coastal squeeze, inappropriate pest control, changes in species distributions, invasive species, air pollution, fisheries (commercial marine and estuarine) (Alde-Ore and Butley Estuaries SAC and Alde-Ore SPA)
Dew's Pond	S1166 Triturus cristatus: Great crested newt	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: The extent and distribution of qualifying natural habitats; The structure and function (including typical species) of qualifying natural habitats;	None identified.

		The supporting processes on which qualifying natural habitats rely.	
Orfordness – Shingle Street	H1150: Coastal Lagoons H1210: Annual vegetation of drift lines H1220: Perennial vegetation of stony banks; Coastal shingle vegetation outside the reach of waves	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: The extent and distribution of qualifying natural habitats; The structure and function (including typical species) of qualifying natural habitats; and The supporting processes on which qualifying natural habitats rely.	Not identified in Suffolk Coastal Final Draft Local Plan HRA.
Southern North Sea	1351: Phocoena phocoena	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: The extent and distribution of qualifying natural habitats; The structure and function (including typical species) of qualifying natural habitats; and The supporting processes on which qualifying natural habitats rely.	Not identified in Suffolk Coastal Final Draft Local Plan HRA.
Staverton Park and The Thicks, Wantisden	H9190: Old acidophilous oak woods with Quercus robur on sandy plains; Dry oak-dominated woodland.	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	Woodland management, disease, atmospheric pollution.

		<p>Qualifying Features by maintaining or restoring:</p> <p>The extent and distribution of qualifying natural habitats;</p> <p>The structure and function (including typical species) of qualifying natural habitats; and</p> <p>The supporting processes on which qualifying natural habitats rely.</p>	
Minsmere to Walberswick Heath and Marshes SAC (also SPA and Ramsar site)	<p>H4030 European dry heaths</p> <p>H1210 Annual vegetation of drift lines</p> <p>H1220 Perennial vegetation of stony banks</p> <p>A052(B) <i>Anas crecca</i>: Eurasian teal</p> <p>A021(B) <i>Botaurus stellaris</i>: Great bittern</p> <p>A081(B) <i>Circus aeruginosus</i>: Eurasian marsh harrier</p> <p>A082(NB) <i>Circus cyaneus</i>: Hen harrier</p> <p>A224(B) <i>Caprimulgus europaeus</i>: European nightjar</p> <p>A056(B) <i>Anas clypeata</i>: Northern shoveler</p> <p>A056(NB) <i>Anas clypeata</i>: Northern shoveler</p> <p>A051(B) <i>Anas strepera</i>: Gadwall</p> <p>A051(NB) <i>Anas strepera</i>: Gadwall</p> <p>A132(B) <i>Recurvirostra avosetta</i>: Pied avocet</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> <p>The extent and distribution of qualifying natural habitats and habitats,</p> <p>The structure and function (including typical species) of qualifying natural habitats, and,</p> <p>The supporting processes on which qualifying natural habitats rely.</p>	<p>Coastal squeeze, public access/disturbance, changes in species distributions, invasive species, inappropriate pest control, air pollution, water pollution, deer, fisheries (commercial marine and estuarine)</p>

	A195(B) <i>Sterna albifrons</i> : Little tern A394(NB) <i>Anser albifrons</i> : Greater white-fronted goose		
Special Protection Areas			
Alde-Ore Estuary (also Ramsar site)	A081: Eurasian marsh harrier (breeding) A132: Pied avocet (non-breeding) A132: Pied avocet (breeding) A151: Ruff (non-breeding) A162: Common redshank (non-breeding) A183: Lesser black-backed gull (breeding) A191: Sandwich tern (breeding) A195: Little tern (breeding)	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.	Hydrological changes, public access/disturbance, inappropriate coastal management, coastal squeeze, inappropriate pest control, changes in species distributions, invasive species, air pollution, fisheries (commercial marine and estuarine) (Alde-Ore and Butley Estuaries SAC and Alde-Ore SPA)
Deben Estuary (also Ramsar site)	A046a: Dark bellied brent goose (non-breeding) A132: Pied avocet (non-breeding)	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;	Coastal squeeze, disturbance to birds, water and air pollution.

		<p>The supporting processes on which the habitats of the qualifying features rely;</p> <p>The population of each of the qualifying features; and</p> <p>The distribution of the qualifying features within the site.</p>	
Outer Thames Estuary	<p>A001: Red-throated Diver (Non-breeding)</p> <p>A195: Common Tern (Breeding)</p> <p>A193: Little Tern (Breeding)</p>	<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> <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 population of each of the qualifying features; and</p> <p>The distribution of the qualifying features within the site.</p>	Not identified in Suffolk Coastal Final Draft Local Plan HRA. SIP identifies fisheries.
Sandlings	<p>A224: European nightjar (breeding)</p> <p>A246: Woodlark (breeding)</p>	<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> <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>	Changes in species distributions, inappropriate scrub control, deer, air pollution, public access/disturbance.

		<p>The supporting processes on which the habitats of the qualifying features rely;</p> <p>The population of each of the qualifying features; and</p> <p>The distribution of the qualifying features within the site.</p>	
Stour and Orwell Estuaries (also Ramsar site)	<p>A046a: Dark bellied brent goose (non-breeding)</p> <p>A054: Northern pintail (non-breeding)</p> <p>A132: Pied avocet (non-breeding)</p> <p>A141: Grey plover (non-breeding)</p> <p>A143: Red knot (non-breeding)</p> <p>A149: Dunlin (non-breeding)</p> <p>A156: Black-tailed godwit (non-breeding)</p> <p>A162: Common redshank (non-breeding)</p> <p>Waterbird assemblage</p>	<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> <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 population of each of the qualifying features; and</p> <p>The distribution of the qualifying features within the site.</p>	Coastal squeeze, disturbance to birds, air pollution and new development.

Appendix 4: Natural England Consultation Response

Date: 24 September 2021
Our ref: 365126
Your ref:

Laura.Mundy@eastsoffolk.gov.uk
BY EMAIL ONLY



Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Laura Mundy,

Planning Consultation: Strategic Environmental Assessment draft screening opinion and Habitats Regulations Assessment (including Appropriate Assessment) for the Easton Neighbourhood Plan

Thank you for your consultation on the above dated 19 August 2021 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Habitats Regulations Assessment

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the plan will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the plan, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any associated planning permissions given.

Strategic Environmental Assessment draft screening opinion

NE supports the conclusion of the SEA Screening Report which concludes that a SEA is required.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004 (as amended). Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [planning practice guidance](#).

Planning practice guidance also outlines that if an appropriate assessment is required for your neighbourhood plan this will also engage the need for a SEA. One of the basic conditions that will be tested by the independent examiner is whether the neighbourhood plan is compatible with European obligations, including those under the SEA Directive. Where a SEA is required it should be prepared in accordance with [regulation 12](#) of the SEA Regulations.

Other comments on the Neighbourhood Plan

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

Further general advice on neighbourhood planning and the natural environment, including natural environment information sources is provided in Annex I.

Yours faithfully

Sam Kench
Norfolk and Suffolk Team

Annex I - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic¹](http://magic.defra.gov.uk/) website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones). Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here²](#).

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here³](#). Most of these will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here⁴](#).

There may also be a local landscape character assessment covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on soil types and Agricultural Land Classification is available (under 'landscape') on the [Magic⁵](http://magic.defra.gov.uk/) website and also from the [LandIS website⁶](http://www.landis.org.uk/index.cfm), which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework⁷](#) sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance⁸](#) sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfor.org.uk/nfor.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habitatsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](http://planningguidance.planningportal.gov.uk/blog/evidence/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/)¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/evidence/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>