



Habitats Regulations Assessment of the Draft Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

February 2019

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1. Introduction

1.1 The European Habitats Directive¹ and Wild Birds Directive² 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) also states that Ramsar sites should be afforded the same level of protection as the European 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, including through EU exit legislation). 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, including through EU exit legislation) 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 European site. This needs to take account of the likely

¹ 92/43/EEC

² 2009/147/EEC

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 Union³, 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 European 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 Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan is being produced by Lound Parish Council and Somerleyton, Ashby and Herringfleet Parish Council. This report considers whether there are likely significant effects on protected European sites and whether a full Appropriate Assessment will be required.

1.6 The Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan will need to be in general conformity with the strategic policies of the Local Plan. The adopted Local Plan is the Waveney Local Plan, adopted in March 2019. The Neighbourhood Plan has been developed within the context of the Local Plan.

1.7 The Waveney Local Plan has been subject to Habitats Regulations Assessment as part of its production (See Appendix 1). Where screening identified a likely significant effect, an Appropriate Assessment was undertaken, mitigation measures identified and incorporated within the Final Draft Local Plan, resulting in a conclusion that the plan will not lead to any adverse effects on

³ C-323/17 – People over Wind, Peter Sweetman v Coillte Teoranta

European wildlife sites within and in the vicinity of the (then) Waveney District. Significant effects were identified in relation to recreation (including dog walking), air quality and biodiversity net gain. The Council has subsequently undertaken to produce a Recreational Avoidance and Mitigation Strategy and requires payment towards mitigation from residential developments within 13km of the protected European sites.

- 1.8 This screening report contains the results of Stage 1 (above) in relation to the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan. Stages 2 and 3 are only required if the screening stage concludes that there is likely to be a significant impact on a European site. The initial screening has been undertaken by East Suffolk Council and is subject to consultation with Natural England as a statutory consultee.

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 Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan area (for consistency with the distances applied within the HRA of the Waveney 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 Local Plan.

Table 1: Relevant European protected sites

| Name |
|--|
| Benacre to Easton Bavents Lagoons SAC |
| Haisborough, Hammond and Winterton SAC |
| Minsmere to Walberswick Heaths and Marshes SAC |
| Southern North Sea SAC |
| The Broads SAC |
| Winterton-Horsey Dunes SAC |
| Benacre to Easton Bavents SPA |
| Broadland SPA |
| Breydon Water SPA |
| Great Yarmouth to North Denes SPA |

| |
|-----------------------------|
| Greater Wash SPA |
| Minsmere-Walberswick SPA |
| Outer Thames Estuary SPA |
| Breydon Water RAMSAR |
| Broadland RAMSAR |
| Minsmere-Walberswick RAMSAR |

3. Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

- 3.1 Lound Parish Council and Ashby, Herringfleet and Somerleyton Parish Council are producing a Neighbourhood Plan for Lound with Ashby, Herringfleet and Somerleyton, in order to set out the vision, objectives and policies for the development of the parishes up to 2036, within the context of the Waveney Local Plan. This HRA report reviews the draft Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan (September 2019).
- 3.2 The Neighbourhood Plan includes a range of policies covering the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan area. A number of policies relate to the full Neighbourhood Plan area whilst one Policy is area/location specific. The Plan allocates one specific site for the development of a village hall and changing rooms (Policy LAHS 6).
- 3.3 The policies in the Neighbourhood Plan are listed in Table 2 below. An assessment of whether each policy is likely to have a significant effect on European protected sites is included in section 5 of this report.

Table 2: List of Neighbourhood Plan policies

| | |
|--------|--|
| LAHS 1 | Housing Mix |
| LAHS 2 | Open space in new Residential Developments |
| LAHS 3 | Design of new Residential Developments |
| LAHS 4 | Provision of Footpaths |
| LAHS 5 | Parking Provision for new Residential Developments |
| LAHS 6 | Provision of new Village Hall and Changing Rooms |
| LAHS 7 | Support of Local Community Facilities |
| LAHS 8 | Support of Local Businesses |

4. Other Plans and Projects

- 4.1 Regulation 105 of the 2017 Regulations 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 was adopted in March 2019. The Local Plan sets out the broad scale and distribution of development across the area of East Suffolk formerly covered by the Waveney District and has been subject to an Appropriate Assessment.
- 4.5 Local Plan Policies WLP1.1 and WLP7.1 state that 10% of housing growth across the former Waveney area will take place in the rural areas, and that both Somerleyton and Lound operate as ‘larger’ and ‘smaller’ settlements, respectively. The Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan policies interpret the strategy and policies of the Waveney Local Plan at a local level. The policies contained in the draft Neighbourhood Plan are proposed to provide locally specific, criteria-based policy guidance for the determination of planning applications.
- 4.7 A screening process has considered each policy in the Local Plan and concluded whether significant effects are likely and that an Appropriate Assessment was needed. The Appropriate Assessment subsequently considered the following themes - recreation pressure from new residential development, air quality from increased road traffic and biodiversity net gain. Mitigation measures were identified within the Appropriate Assessment and were incorporated within the Local Plan, resulting in a conclusion that the plan will not lead to any adverse effects on European wildlife sites within and in the vicinity of the (then) Waveney District.
- 4.8 The Council has subsequently produced a Recreational Avoidance and Mitigation Strategy and requires payment towards mitigation of significant effects from residential developments within 13km of the protected European sites.

5. Assessment of likely effects of the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan on European protected sites

- 5.1 Table 3 below considers each policy of the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan in relation to whether there is potential for a likely significant effect on protected European sites. This constitutes Stage 1 as set out under paragraph 1.4 above. Consideration is given to the characteristics and location of the protected 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 Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

| Policy | Assessment of potential impact on Natura 2000 sites | Natura 2000 sites that could possibly be affected | Likely significant effect identified | AA needed? |
|---|---|--|---|-------------------|
| LAHS 1 – Housing Mix | This policy expects proposals for houses of 4 or more bedrooms to be supported by evidence, such as a Housing Needs Assessment. The Policy is not proposing new development but acts to ensure robust evidence demonstrates need for 4 or more bedroom dwellings. This policy has no impact on European sites and therefore no likely significant effects have been identified. | None | None | No |
| LAHS 2 – Open Space in new Residential Developments | This policy requires public and private open space to reflect the existing character of the villages, to incorporate native trees into planting schemes and demonstrate how such open spaces will be managed and maintained. This policy has no impacts on European sites and therefore no likely significant effects have been identified. | None | None | No |

| Policy | Assessment of potential impact on Natura 2000 sites | Natura 2000 sites that could possibly be affected | Likely significant effect identified | AA needed? |
|---|--|--|---|-------------------|
| LAHS 3 – Design of new residential Developments | This policy requires new residential development to harmonise with and reflect the character of the existing housing in the villages, with particular regard to scale, type and materials. The policy also expects all new residential development to comply with the supporting design guidelines. The design guidelines seek to, amongst other things, ensure new residential development sits well within the wider landscape. This policy has no impacts on European sites and therefore no likely significant effects have been identified. | None | None | No |
| LAHS 4 – Provision of Footpaths | This policy requires new development to preserve existing footpaths, bridleways and cycle paths and where appropriate to incorporate new provision on the site, in order to connect to the existing network. The provision of new footpaths will be restricted to each site and therefore the urbanisation effects in rural areas arising from this policy is likely to be limited. This policy has no impacts on European sites and therefore no likely significant effects have been identified. | None | None | No |

| Policy | Assessment of potential impact on Natura 2000 sites | Natura 2000 sites that could possibly be affected | Likely significant effect identified | AA needed? |
|--|---|--|---|-------------------|
| LAHS 5 – Parking Provision for new Residential Developments | This policy seeks to ensure that sufficient off-road parking is provided on new residential developments. This policy has no impacts on European sites and therefore no likely significant effects have been identified. | None | None | No |
| LAHS 6 – Provision of new Village Hall and Changing Rooms | This area specific policy is for a new Village Hall and Changing Rooms, located at the Station Road playing fields, and replaces existing temporary provision. This policy has no impacts on European sites and therefore no likely significant effects have been identified. | None | None | No |

| Policy | Assessment of potential impact on Natura 2000 sites | Natura 2000 sites that could possibly be affected | Likely significant effect identified | AA needed? |
|--|---|--|---|-------------------|
| LAHS 7 – Support of Local Community Facilities | <p>The policy supports the retention, enhancement and provision of community facilities. While the scale of such provision is undefined in the policy, the villages of the Neighbourhood Plan area are tightly bound by settlement boundaries, which confer certain restrictions on development as set out in Local Plan Policy WLP1.2, to which this Neighbourhood Plan must be in general conformity. Moreover, the Local Plan HRA concluded that Local Plan Policy WLP8.22 (Built Community Services and Facilities), to which the Neighbourhood Plan must also be in general conformity, has potential for projects coming forward to have construction or operation related impacts, particularly in relation to water quality, air quality and disturbance. The HRA then recommended no changes to this Local Plan policy. This policy has no impacts on European sites and therefore no likely significant effects have been identified.</p> | None | None | No |

| | | | | |
|---|---|-------------|-------------|-----------|
| <p>LAHS 8 – Support of Local Businesses</p> | <p>This policy supports proposals for sustainable rural tourism, leisure facilities and other businesses which benefit the local economy, as well as proposals for the provision of high-speed broadband and enhanced mobile telephone coverage. While the scale and location of such provision is undefined in the policy, the villages of the Neighbourhood Plan area are tightly bound by settlement boundaries, which confer certain restrictions on development as set out in Local Plan policy WLP1.2, to which this Neighbourhood Plan must be in general conformity. Tourism development considered against this policy would need to be sustainable in order to be in compliance, where this is understood to comprise economic, social, and environmental sustainability. Moreover, the Local Plan HRA concluded that Local Plan Policies WLP8.13 (New Employment Development), WLP8.15 (New Self Catering Tourist Accommodation), and WLP8.16 (New Hotels and Guest Houses), to which the Neighbourhood Plan must also be in general conformity, have potential for projects coming forward to have construction or operation related impacts, particularly in relation to water quality, air quality and disturbance. The HRA then recommended no changes to these Local Plan policies. This policy is not likely to result in recreational impacts on European</p> | <p>None</p> | <p>None</p> | <p>No</p> |
|---|---|-------------|-------------|-----------|

| Policy | Assessment of potential impact on Natura 2000 sites | Natura 2000 sites that could possibly be affected | Likely significant effect identified | AA needed? |
|---------------|---|--|---|-------------------|
| | sites due to the fact that European sites are not within or close to the Neighbourhood Planning area, and the policy requirement for tourism development is that it must be sustainable. Therefore, no likely significant effects have been identified. | | | |

6. Summary and conclusions

- 6.1 The Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan will provide policies which will be used for determining planning applications alongside the Waveney Local Plan. It includes locally specific criteria-based policies to be used for the determination of planning applications within the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan area.
- 6.2 The Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan has been prepared to be in general conformity with the relevant policies of the Local Plan and will not lead to likely significant effects on protected European sites.



Signed:

Dated: 20th February 2019

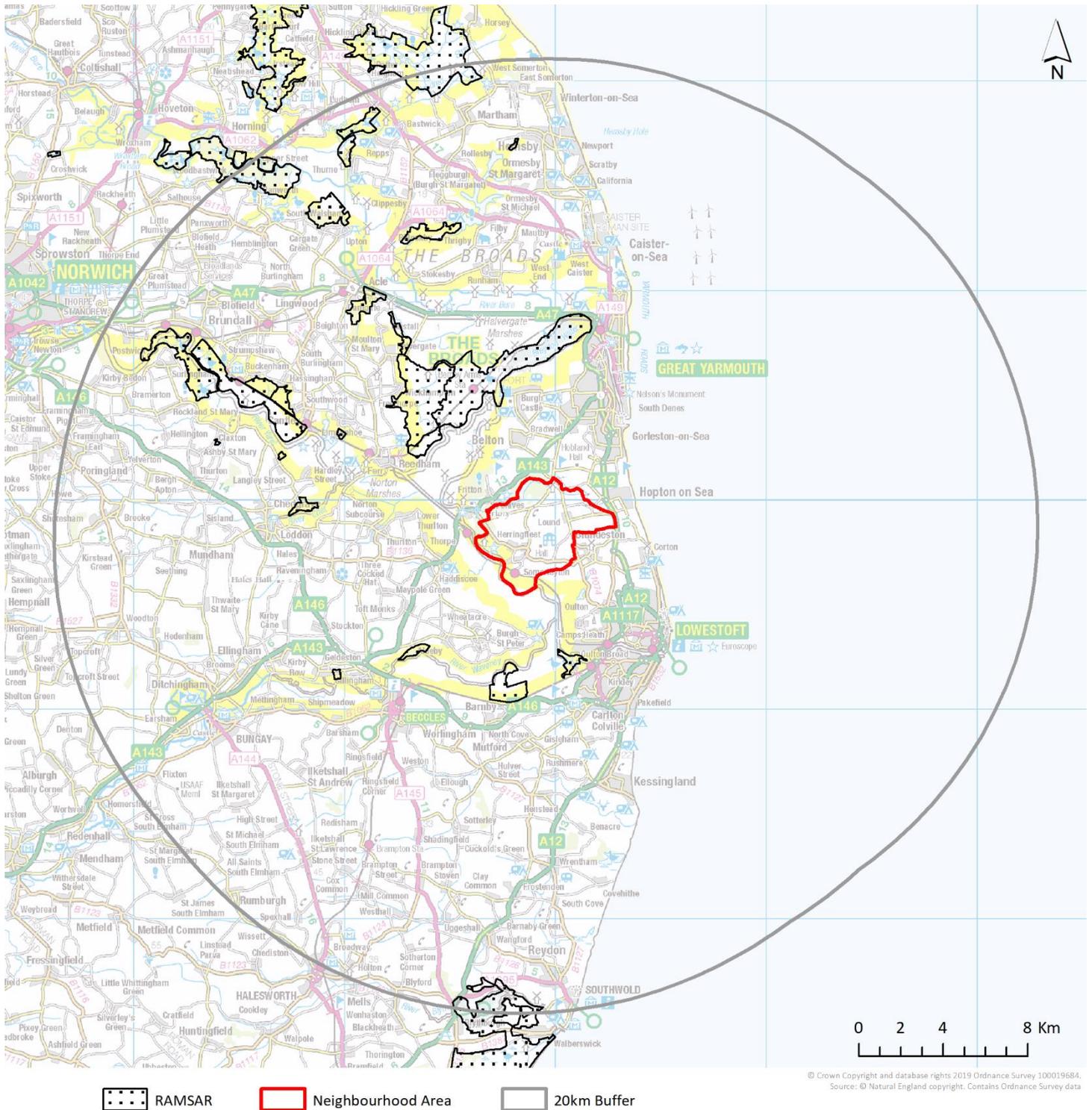
Desi Reed
Planning Policy and Delivery Manager
East Suffolk Council

Appendix 1: Sources of background information

- Habitats Regulations Assessment of the Waveney Local Plan (December 2018)
(<http://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/waveney-local-plan/>)

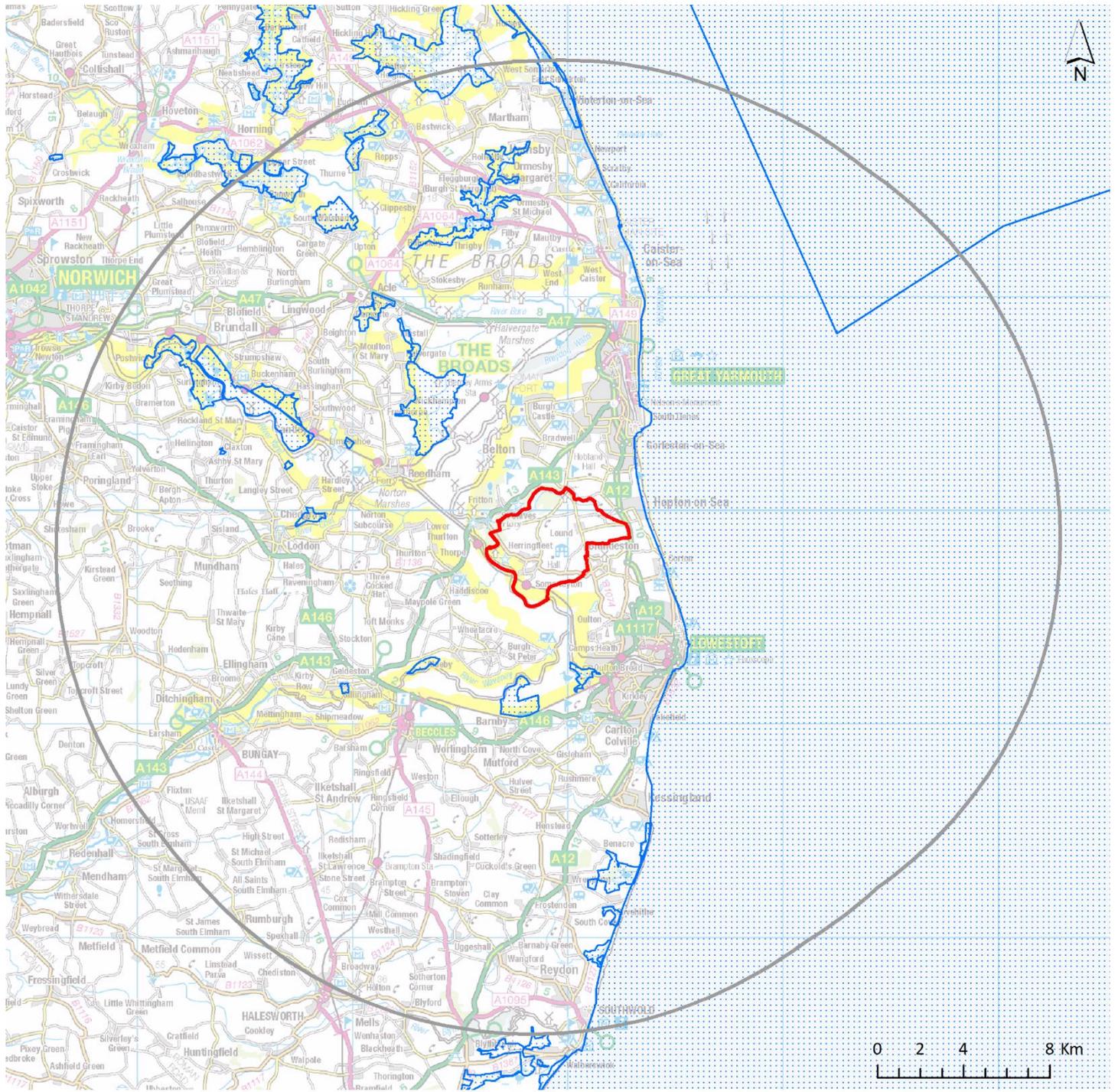
Appendix 2: Locations of European protected sites

RAMSAR Sites



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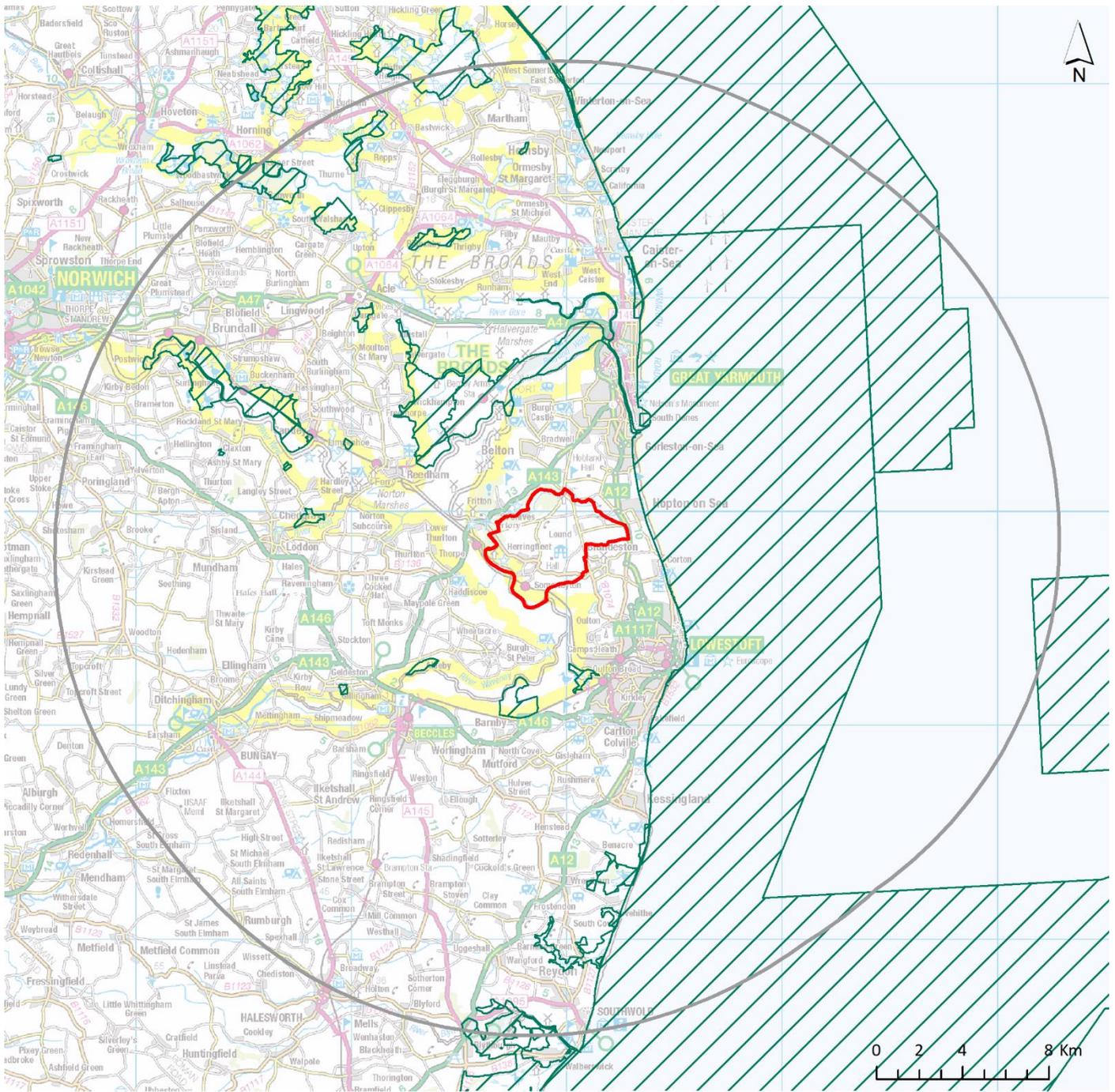
Special Areas of Conservation



 Special Areas of Conservation  Neighbourhood Area  20km Buffer

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Special Protection Areas



 Special Protection Areas  Neighbourhood Area  20km Buffer

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Appendix 3: Relevant European protected sites

| Name | Qualifying Features | Conservation Objectives | Pressure and threats (as summarised in the Habitats Regulations Assessment for the Waveney Local Plan (March 2019)) |
|--------------------------------------|---|---|--|
| Special Areas of Conservation | | | |
| The Broads | H7210# Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion <i>davalliana</i> S1016 <i>Vertigo moulinsiana</i> : Desmoulin's whorl snail H7230 Alkaline fens H6410 <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinia caerulea</i>) H91E0# Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>) H7140 Transition mires and quaking bogs H3140 Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp H3150 Natural eutrophic lakes with <i>Magnopotamion</i> or <i>Hydrocharition</i> -type vegetation S1355 <i>Lutra lutra</i> : Otter S1903 <i>Liparis loeselii</i> : Fen orchid S4056 <i>Anisus vorticulus</i> : Little ramshorn whirlpool snail | 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 and habitats of qualifying species, The structure and function (including typical species) of qualifying natural habitats, The structure and function of the habitats of qualifying species, The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely, The populations of qualifying species, and, | Water pollution, climate change, invasive species, siltation, inappropriate water levels, hydrological changes, water abstraction, change in land management, inappropriate ditch management, inappropriate scrub control, changes in species distributions, public access/disturbance, undergrazing, drainage, direct impact from 3rd party |

| | | | |
|--|---|--|---|
| | | The distribution of qualifying species within the site. | |
| Benacre to Easton Barents Lagoons | H1150# Coastal lagoons, A195(B) <i>Sterna albifrons</i> : Little tern A021(B) <i>Botaurus stellaris</i> : Great bittern A081(B) <i>Circus aeruginosus</i> : Eurasian marsh harrier | 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. | Public access/disturbance, water pollution, physical modification, changes in species distributions, fisheries (marine and estuarine). |
| Minsmere to Walberswick Heaths and Marshes | H4030 European dry heaths H1210 Annual vegetation of drift lines H1220 Perennial vegetation of stony banks A052(B) <i>Anas crecca</i> : Eurasian teal A021(B) <i>Botaurus stellaris</i> : Great bittern A081(B) <i>Circus aeruginosus</i> : Eurasian marsh harrier A082(NB) <i>Circus cyaneus</i> : Hen harrier A224(B) <i>Caprimulgus europaeus</i> : European nightjar A056(B) <i>Anas clypeata</i> : Northern shoveler | 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 and habitats, | 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>A056(NB) <i>Anas clypeata</i>: Northern shoveler A051(B) <i>Anas strepera</i>: Gadwall A051(NB) <i>Anas strepera</i>: Gadwall A132(B) <i>Recurvirostra avosetta</i>: Pied avocet A195(B) <i>Sterna albifrons</i>: Little tern A394(NB) <i>Anser albifrons</i>: Greater white-fronted goose</p> | <p>The structure and function (including typical species) of qualifying natural habitats, and, The supporting processes on which qualifying natural habitats rely.</p> | |
| <p>Haisborough, Hammond and Winterton</p> | <p>H1110 Sandbanks which are slightly covered by sea water all the time H1170 Reefs</p> | <p>Ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and 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 and habitats of the qualifying species; the structure and function (including typical species) of qualifying natural habitats; the structure and function of the habitats of the qualifying species; the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;</p> | <p>Feature location /extent/condition unknown, fisheries (commercial marine and estuarine)</p> |

| | | | |
|---------------------------------|--|--|--|
| | | the populations of each of the qualifying species; and the distribution of qualifying species within the site. | |
| Southern North Sea | Harbour porpoise (<i>Phocoena phocoena</i>) | To ensure that the integrity of the site is maintained and that it makes an appropriate contribution to maintaining Favourable Conservation Status (FCS) for harbour porpoise in UK waters. | Not identified in the Waveney Local Plan HRA |
| Winterton-Horsey Dunes | H2110 Embryonic shifting dunes H2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes") H2150# Atlantic decalcified fixed dunes (<i>Calluno-Ulicetea</i>) H2190 Humid dune slacks, A195(B) <i>Sterna albifrons</i> : Little Tern | 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 the qualifying natural habitats; The structure and function (including typical species) of the qualifying natural habitats; and, The supporting processes on which the qualifying natural habitats rely | Inappropriate coastal management, coastal squeeze, public access/disturbance, hydrological changes, inappropriate scrub control, inappropriate pest control, invasive species, undergrazing, air pollution |
| Special Protection Areas | | | |

| | | | |
|--|---|---|---|
| <p>Broadlands (also Ramsar site)</p> | <p>H7210# Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davalliana</i> S1016 <i>Vertigo moulinsiana</i>: Desmoulin's whorl snail H7230 Alkaline fens H6410 <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinia caerulea</i>) H91E0# Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) H7140 Transition mires and quaking bogs H3140 Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp H3150 Natural eutrophic lakes with <i>Magnopotamion</i> or <i>Hydrocharition</i>-type vegetation S1355 <i>Lutra</i>: Otter S1903 <i>Liparis loeselii</i>: Fen orchid S4056 <i>Anisus vorticulus</i>: Little ramshorn whirlpool snail</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; The extent and distribution of qualifying natural habitats and habitats of qualifying species, The structure and function (including typical species) of qualifying natural habitats, The structure and function of the habitats of qualifying species, The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely, The populations of qualifying species, and, The distribution of qualifying species within the site.</p> | <p>Water pollution, climate change, invasive species, siltation, inappropriate water levels, hydrological changes, water abstraction, change in land management, inappropriate ditch management, inappropriate scrub control, changes in species distributions, public access/disturbance, undergrazing, drainage, direct impact from 3rd party</p> |
| <p>Benacre to Easton Barents</p> | <p>H1150# Coastal lagoons, A195(B) <i>Sterna albifrons</i>: Little tern A021(B) <i>Botaurus stellaris</i>: Great bittern A081(B) <i>Circus aeruginosus</i>: Eurasian marsh harrier</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</p> | <p>Public access/disturbance, water pollution, physical modification, changes in species distributions, fisheries (marine and estuarine).</p> |

| | | | |
|---|---|---|--|
| | | <p>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.</p> | |
| <p>Minsmere to Walberswick (also Ramsar site)</p> | <p>H4030 European dry heaths H1210 Annual vegetation of drift lines H1220 Perennial vegetation of stony banks A052(B) <i>Anas crecca</i>: Eurasian teal A021(B) <i>Botaurus stellaris</i>: Great bittern A081(B) <i>Circus aeruginosus</i>: Eurasian marsh harrier A082(NB) <i>Circus cyaneus</i>: Hen harrier A224(B) <i>Caprimulgus europaeus</i>: European nightjar A056(B) <i>Anas clypeata</i>: Northern shoveler A056(NB) <i>Anas clypeata</i>: Northern shoveler A051(B) <i>Anas strepera</i>: Gadwall A051(NB) <i>Anas strepera</i>: Gadwall</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; 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,</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> |

| | | | |
|----------------------------------|--|---|---|
| | A132(B) <i>Recurvirostra avosetta</i> : Pied avocet A195(B) <i>Sterna albifrons</i> : Little tern A394(NB) <i>Anser albifrons</i> : Greater white-fronted goose | The population of each of the qualifying features, and, The distribution of the qualifying features within the site. | |
| Outer Thames Estuary | A001 (W) <i>Gavia stellate</i> Red-throated Diver A195 (B) <i>Sterna hirundo</i> Common Tern A193 (B) <i>Sternula albifrons</i> Little Tern | 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. | N/A |
| Breydon Water (also Ramsar site) | A037 <i>Cygnus columbianus bewickii</i> ; Bewick's swan (Non-breeding) A132 <i>Recurvirostra avosetta</i> ; Pied avocet (Non-breeding) A140 <i>Pluvialis apricaria</i> ; European golden plover (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 | Shooting/scaring, change in land management, public access/disturbance, hydrological changes, fisheries (marine and estuarine). |

| | | | |
|--------------------------------------|---|--|---|
| | <p>A142 <i>Vanellus vanellus</i>; Northern lapwing (Non-breeding) A151 <i>Philomachus pugnax</i>; Ruff (Non-breeding) A193 <i>Sterna hirundo</i>; Common tern (Breeding)A</p> | <p>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.</p> | |
| <p>Great Yarmouth to North Denes</p> | <p>A195 <i>Sterna albifrons</i>; 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: 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</p> | <p>Not identified in the Waveney Local Plan HRA</p> |

| | | | |
|--------------|---|--|--|
| | | qualifying features; and, The distribution of the qualifying features within the site. | |
| Greater Wash | A001 <i>Gavia stellata</i> ; Red-throated diver (Non-breeding) A065 <i>Melanitta nigra</i> ; Common scoter (Non-breeding) A177 <i>Hydrocoloeus minutus</i> ; Little gull (Non-breeding) A191 <i>Sterna sandvicensis</i> ; Sandwich tern (Breeding) A193 <i>Sterna hirundo</i> ; Common tern (Breeding) A195 <i>Sternula albifrons</i> ; 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. | Not identified in the Waveney Local Plan HRA |

Appendix 3: Response from Natural England

Thank you for your consultation on the above dated and received by Natural England on 19 December 2019.

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.

Screening Request: Habitats Regulation Assessment Report

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an HRA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

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.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an HRA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this HRA 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.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.