



Habitats Regulations Assessment of the Suffolk Coastal District Local Plan- Supplementary Note (July 2019)

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1. Introduction and Background Information

- 1.1 This note is provided to assist the Council in the preparation of Hearing Statements and answering questions posed by the Examining Inspector for the Examination in Public of the Suffolk Coastal Local Plan.
- 1.2 The Examining Inspector has asked a number of questions relating to the Habitats Regulations Assessment (HRA), which was prepared by Footprint Ecology on behalf of the Council.
- 1.3 Footprint Ecology has undertaken the HRA on behalf of both Suffolk Coastal District Council and Waveney District Council, which have now subsequently merged together to form East Suffolk Council in April 2019. Due to the advanced progression of the individual Local Plans for each former authority, the plans have proceeded to Examination separately, with their own supporting HRAs.
- 1.4 The HRA for the Suffolk Coastal Local Plan fully accords with the Conservation of Habitats and Species Regulations 2017, as amended (the Habitats Regulations). These regulations transpose the European Habitats Directive 1992¹ and the Wild Birds Directive 2009², into domestic legislation. The Habitats Regulations require local planning authorities to undertake an assessment of plans and projects being produced by or approved by the authority. This assessment, known as HRA, checks that the plan or project meets the legislative requirements in terms of the protection of European wildlife sites.
- 1.5 A HRA considers the implications of a plan or project for European wildlife sites, in terms of any possible harm to the habitats and species that form an interest feature of the European sites in close proximity to the proposed plan or project, which could occur as a result of the plan or project being put in place. In this instance, the HRA has been undertaken at plan level. HRA will also be required for development projects coming forward in the future in accordance with the Local Plan.

¹ Council Directive 92/43/EEC

² Council Directive 2009/147/EC

2. The HRA process

- 2.1 The HRA follows a step by step approach to assessing the plan, which is set out in detail within the HRA report. The HRA accords with the legislation, good practice and relevant caselaw, including recent caselaw; European Court of Justice Judgment in 2018 (Case C-323/17), which clarified that the need to carefully explain actions taken at each HRA stage, particularly at the screening for likely significant effects stage. The Judgment is a timely reminder of the need for clear distinction between the stages of HRA, and good practice in recognising the function of each. The screening for likely significant effects stage should function as a screening or checking stage, to determine whether further assessment is required. Assessing the nature and extent of potential impacts on European site interest features, and the robustness of mitigation options, should be done at the appropriate assessment stage.
- 2.2 The HRA process is explained within the HRA report, which is then followed in a stepwise matter throughout the report from evidence gathering and background, which includes consideration of both the plan and the European sites, with the European sites within 20km being screened. These are shown in the HRA report on Map 1 (SACs), Map 2 (SPAs) and Map 3 (Ramsar sites).
- 2.3 The background also looks at other relevant HRA related work, and in particular explains the Suffolk Coast HRA Recreation Avoidance and Mitigation Strategy (RAMS), which is relevant to the question below. The HRA then proceeds to screening for likely significant effects and finally the detailed appropriate assessment. The HRA has been undertaken iteratively alongside the emerging plan and has continually informed plan refinements. Mitigation measures have been fully incorporated. The HRA report is therefore deemed to be undertaken in accordance with the Habitats Regulations, and it is supported by Natural England as the statutory nature conservation body and specialise adviser on HRA matters.

3. Considering the proposed site allocations within the HRA stages

3.1 The HRA report provides a screening table to record the check undertaken for likely significant effects of all aspects of the plan. Within this, the policies are considered in turn, followed by a screening of the site allocations. The methodology for considering potential impacts arising from site allocations is as follows:

3.2 Checking the distance from European site and determining whether there are potential impact pathways arising, depending on the nature of the allocation in terms of development type. This then subdivided the allocations into the following categories:

- Allocations with site specific potential risks – individual checks and recommendations where required. **The relevant site allocations are all listed individually in the screening table.**

Allocations within 400m of a European site that may pose a risk in terms of urbanisation impacts and hydrological impacts – each is considered in turn with a check for potential urbanisation impacts that are found in close proximity such as noise, lighting, direct on-foot access etc. Each is also considered in turn with a check for hydrological connections and site-specific hydrological risks. Recreation impacts apply collectively in-combination to all residential site allocations. **The relevant site allocations are all listed individually in the screening table.**

- Allocations within 400m and 1km of a European site that may pose a risk in terms of hydrological impacts – each is considered in turn with a check for potential hydrological connections and site-specific hydrological risks. Recreation impacts apply collectively in-combination to all residential site allocations. **The relevant site allocations are all listed individually in the screening table.**
- Residential allocations within 1km and 13km of a European site that may pose a risk in terms of recreation impacts – **these are not listed individually as they are all deemed to only have a recreation impact pathway, in-combination** (apart from whole plan impact pathways, as per below)
- Allocations beyond 13km that do not have any potential impact pathways – **these are not listed individually as they are all screened out due to distance** (apart from whole plan impact pathways, as per below)

- Air quality and water resources/treatment/flood risk are impact pathways that are considered for the whole plan due to their in-combination impacts potentially arising as a result of growth within the plan as a whole. These impacts are therefore implicitly considered in-combination within the appropriate assessment.

- 3.3 For ease of reference, and to see which site allocations fall within which categories, the site allocations map from the HRA report (Map 4) and a list of site allocations with their relevant category is provided in Appendix 1.
- 3.4 Recommendations are made for site allocations in both the screening for likely significant effects table and the appropriate assessment sections of the HRA. Where a recommendation is a simple text change that does not warrant further assessment at the appropriate assessment stage, this is identified in the screening table, to enable a conclusion of no likely significant effects.
- 3.5 Matters relating to urbanisation, hydrology, air quality and recreation are dealt with in the appropriate assessment chapters of the HRA report. Where mitigation is required this is set out within the appropriate assessment.
- 3.6 In-combination effects are relevant for all impact pathways, but particularly for water resources and treatment and air quality, and again this is discussed in the appropriate assessment.
- 3.7 For water matters, the HRA highlights that there should be a continued awareness of the risks to European sites as part of the recommended continued review of water resource availability stated within the Cross Boundary Water Cycle Study. There are a number of initiatives in progress to seek solutions that protect the natural environment and reduce abstractions, and the Council should continue to work closely with the Environment Agency and water companies to keep the risks to European sites at the forefront of this work. It was therefore suggested that an annual water review group, to include both utilities companies, the Environment Agency, Natural England and the District Council would be beneficial to ensure that water related matters (both supply and treatment) and required infrastructure upgrades are continually reviewed and resolved ahead of growth needs.
- 3.8 For air quality, the HRA concludes that air quality does not warrant any additional measures at this stage, but that air quality has potential implications collectively with neighbouring authorities, and recommendations are made for future evidence gathering.
- 3.9 Recreation pressure is also dealt with on an in-combination basis and considerable work has already taken place to develop the Suffolk Coast HRA

Recreation Avoidance and Mitigation Strategy (RAMS). This is a multiple local planning authority and strategic approach to avoiding and mitigating for recreation pressure on coastal, estuarine and heathland European sites in Suffolk.

- 3.10 The RAMS sets out an integrated suite of avoidance and mitigation measures that are supported by comprehensive evidence and experience gained from other European site mitigation strategies. The RAMS has been prepared by Footprint Ecology, under the guidance of a steering group with representatives from the local planning authorities and Natural England. The RAMS has evolved over time with detailed analysis of evidence, the combined effect of recreation pressure from growth across the local planning authorities and the best options for mitigation implementation.
- 3.11 It is therefore concluded that the HRA has fully considered the impact pathways for site allocations, and where relevant the potential in-combination effects. The results are throughout the HRA report, both in the screening for likely significant effects and the appropriate assessment sections.
- 3.12 The Examining Inspector has specifically referred to the HRA conclusions for a number of allocations. These are mentioned here to assist the Council in answering those questions:
- 3.13 SCLP12.27 is within 400m of a European site. This is referenced in both the screening table under sites within 400m and also in the appropriate assessment section relating to urbanisation
- 3.14 SCLP12.63, 12.64, 12.65 and 12.66 are all over 1km away from a European site. All such sites are dealt with collectively in the screening table as recreation pressure is the only impact pathway, apart from the plan wide risks relating to air quality, water resources/treatment/flood risk. All these impact pathways are dealt with in the appropriate assessment, with the RAMS providing strategic mitigation for in-combination effects arising from recreation pressure.

Appendix 1: Site allocations screening categories for likely significant effects

Policy	Proposed Use	Category within screening table
Policy SCLP12.3: North Felixstowe Garden Neighbourhood	Mixed use	Covered in screening table on page 39 (site allocations requiring specific comment)
Policy SCLP12.4: Land North of Conway Close and Swallow Close, Felixstowe	Housing	1-13km
Policy SCLP12.5: Land at Brackenbury Sports Centre	Housing	1-13km
Policy SCLP12.6: Land at Sea Road, Felixstowe	Mixed use	1-13km
Policy SCLP12.7: Port of Felixstowe	Employment	Within 400m
Policy SCLP12.8: Land at Bridge Road, Felixstowe	Employment	1-13km
Policy SCLP12.9: Land at Carr Road/Langer Road, Felixstowe	Employment	1-13km
Policy SCLP12.10: Land at Haven Exchange, Felixstowe	Employment	1-13km
Policy SCLP12.19: Brightwell Lakes	Housing led mixed use	Covered in screening table on page 40 (site allocations requiring specific comment)
Policy SCLP12.20: Land at Felixstowe Road	Employment	1-13km
Policy SCLP12.21: Ransomes, Nacton Heath	Employment	1-13km
Policy SCLP12.22: Recreation and Open Space in Rushmere	Open space	1-13km
Policy SCLP12.23: Land off Lower Road and Westerfield Road (Ipswich Garden Suburb Country Park)	Open Space	Covered in screening table on page 40 (site allocations requiring specific comment)
Policy SCLP12.24: Land at Humber Doucy Lane	Housing	1-13km
Policy SCLP12.25: Suffolk Police HQ, Portal Avenue, Martlesham	Housing	1-13km
Policy SCLP12.27: Land rear of Rose Hill, Saxmundham Road, Aldeburgh	Housing with care home	Within 400m
Policy SCLP12.29: South Saxmundham Garden Neighbourhood	Mixed use	Covered in screening table on page 41 (site allocations requiring specific comment)
Policy SCLP12.30: Land North-East of Street Farm, Saxmundham	Housing	1-13km
Policy SCLP12.32: Former Council Offices, Melton Hill	Housing	Within 400m
Policy SCLP12.33: Land at Woodbridge Town Football Club	Housing	400m-1km
Policy SCLP12.35: Land at Innocence Farm	Employment	400m-1km
Policy SCLP12.36: Former airfield Debach	Employment	1-13km
Policy SCLP12.37: Carlton Park, Main Road, Kelsale cum Carlton	Employment	1-13km
Policy SCLP12.38: Levington Park, Levington	Employment	400m-1km

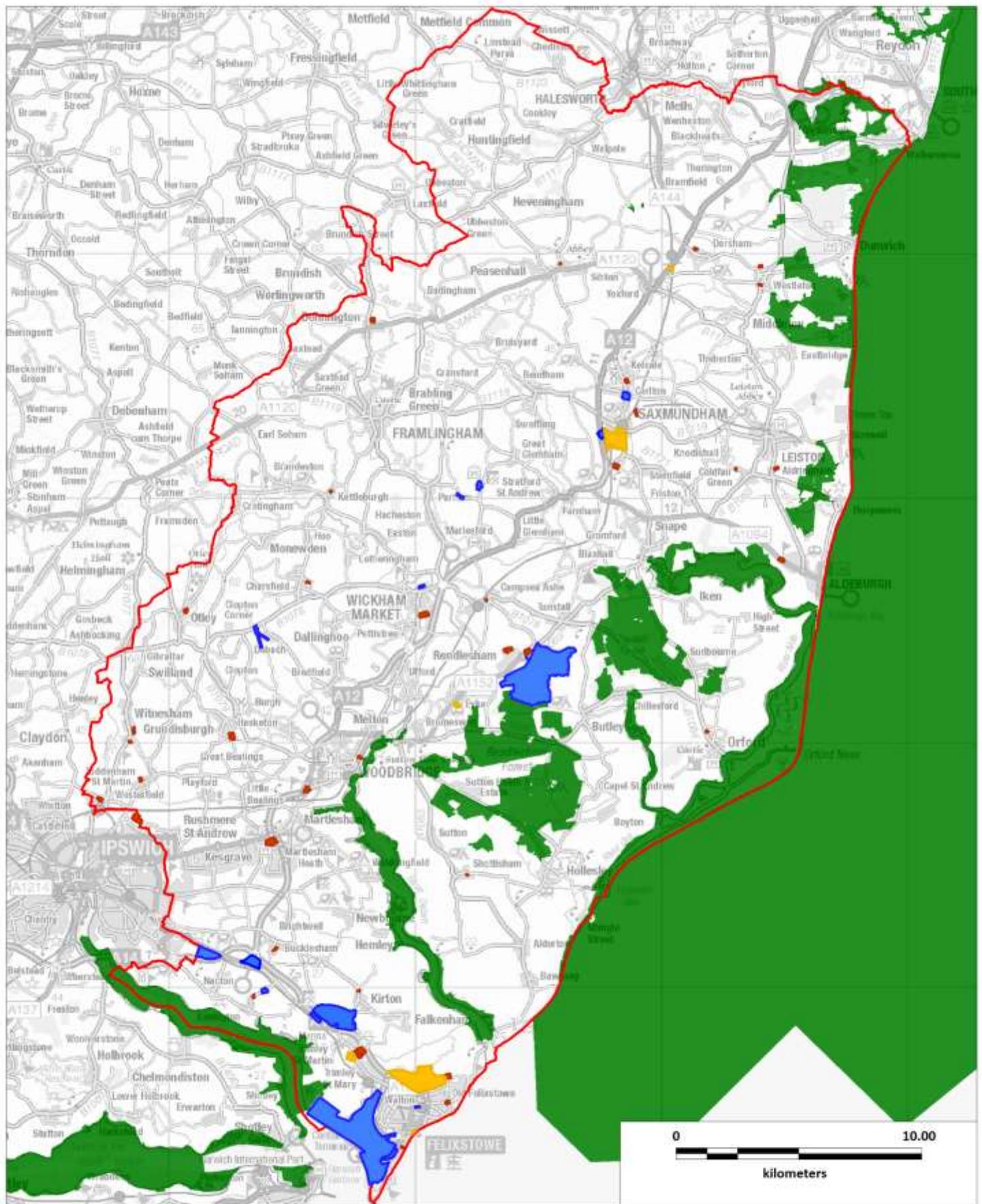
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Policy	Proposed Use	Category within screening table
Policy SCLP12.39: Land at Silverlace Green (former airfield) Parham	Employment	1-13km
Policy SCLP12.40: Former airfield Parham	Employment	1-13km
Policy SCLP12.41: Bentwaters Park, Rendlesham	Employment	Within 400m
Policy SCLP12.42: Riverside Industrial Estate, Border Cot Lane, Wickham Market	Employment	1-13km
Policy SCLP12.43: Land to the East of Aldeburgh Road, Aldringham	Housing	400m-1km
Policy SCLP12.44: Land South of Forge Close between Main Road and Ayden, Benhall	Employment	1-13km
Policy SCLP12.45: Land to the South East of Levington Lane, Bucklesham	Housing	1-13km
Policy SCLP12.46: Land to the South of Station Road, Campsea Ashe	Housing	1-13km
Policy SCLP12.47: Land behind 15 St Peters Close, Charsfield	Housing	1-13km
Policy SCLP12.48: Land to the South of Darsham Station	Housing	1-13km
Policy SCLP12.49: Land North of The Street, Darsham	Housing	1-13km
Policy SCLP12.50: Land off Laxfield Road, Dennington	Housing	Over 13km
Policy SCLP12.51: Land to the South of Eyke CoE Primary School and East of The Street, Eyke	Housing	400m-1km
Policy SCLP12.52: Land to the West of Chapel Road, Grundisburgh	Housing	1-13km
Policy SCLP12.53: Land South of Ambleside, Main Road, Kelsale cum Carlton	Housing	1-13km
Policy SCLP12.54: Land North of the Street, Kettleburgh	Housing	1-13km
Policy SCLP12.55: Land to the rear of 31-37 Bucklesham Road, Kirton	Housing	1-13km
Policy SCLP12.56: Land at School Road, Knodishall	Housing	1-13km
Policy SCLP12.57: Land at Bridge Road, Levington	Housing	400m-1km
Policy SCLP12.58: Land North of Mill Close, Orford	Housing	1-13km
Policy SCLP12.59: Land adjacent to Swiss Farm, Otley	Housing	1-13km
Policy SCLP12.60: Land adjacent to Farthings, Sibton Road, Peasenhall	Housing	1-13km
Policy SCLP12.61: Land between High Street and Chapel Lane, Pettistree (adjoining Wickham Market)	Housing	1-13km
Policy SCLP12.62: Land West of Garden Square Rendlesham	Housing	1-13km
Policy SCLP12.63: Land East of Redwald Road, Rendlesham	Housing	1-13km
Policy SCLP12.64: Land opposite The Sorrel Horse, The Street, Shottisham	Housing and car park	1-13km
Policy SCLP12.65: Land off Howlett Way, Trimley St Martin	Housing	1-13km
Policy SCLP12.66: Land adjacent to Reeve Lodge, High Road, Trimley St Martin	Housing led mixed use	1-13km

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Policy	Proposed Use	Category within screening table
Policy SCLP12.67: Land off Keightley Way, Tuddenham	Housing	1km-13km
Policy SCLP12.68: Land South of Lower Road, Westerfield	Housing	1km-13km
Policy SCLP12.69: Land West of the B1125, Westleton	Housing	Within 400m
Policy SCLP12.70: Land at Cherry Lee, Darsham Road, Westleton	Housing	400m-1km
Policy SCLP12.71: Mow Hill, Witnesham	Housing	1km-13km
Policy SCLP12.72: Land at Street Farm, Witnesham (Bridge)	Housing	1km-13km

Map 4: Relevant sites within the Local Plan



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|---|--|---|-------------------------------|
|  | Suffolk Coastal District |  | Housing allocations |
|  | European Sites (SAC/SPA/Ramsar) |  | Employment allocations |
| | |  | Mixed use allocations |

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