



Stradbroke Neighbourhood Plan

Habitats Regulations Screening Determination

March 2018

Contents

	Page
1. Introduction	2
2. Legislative Background	2
3. Assessment	3
4. Screening Conclusion	6
5. Determination	6
Appendix: Responses from Statutory Consultees	7

STRADBROKE NEIGHBOURHOOD PLAN

HABITATS REGULATIONS DETERMINATION 2018

1. Introduction

It is a requirement of European law that a plan or project is subject to an assessment to determine whether it will significantly affect the integrity of any European Site, in terms of impacting on the site's conservation objectives.

Submitted neighbourhood plans need to be accompanied by a statement explain how the proposed plan meets the "basic conditions" set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA. This is one of the matters that will be tested as part of the independent examination of the Plan.

Whether a neighbourhood plan requires a habitats regulation assessment and the level of detail needed will depend on what is proposed in the draft Neighbourhood Plan and the potential impacts on European sites designated for their nature conservation interest

This report therefore determines whether a Habitats Regulations Assessment (HRA) under Directive 92/43/EEC, also known as the Habitats Directive¹, is required for the Debenham Neighbourhood Plan.

This determination refers to:

- A Screening Report for Consultation prepared on behalf of Stradbroke Parish Council by Navigus Planning, which can be viewed at: www.midsuffolk.gov.uk/StradbrokeNP
- The responses to this from the statutory consultees (See Appendix).

This assessment relates to the Draft Stradbroke Neighbourhood Plan P 2016 - 2036 Pre-submission consultation.

2. Legislative Background

HRA is the a two-stage process to consider whether a proposed development plan or programme is likely to have significant effects on a European site designated for its nature conservation interest. Firstly, plans or programmes must be screened to determine if they are likely to have a significant effect (and are not plans connected to the management of the European site(s) in question). If it cannot be demonstrated during at the screening stage that the plan or programme will not have significant effects of the European site(s), an 'Appropriate Assessment' (AA) must then be undertaken, which is a much more detailed study of the effects of the plan or programme. The two parts together form a full HRA.

¹ Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

3. Assessment

In determining whether a proposed development plan or programme is likely to have significant effects, the local authority must incorporate the ‘precautionary principle’ into its decision. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a European site, the full AA would be required.

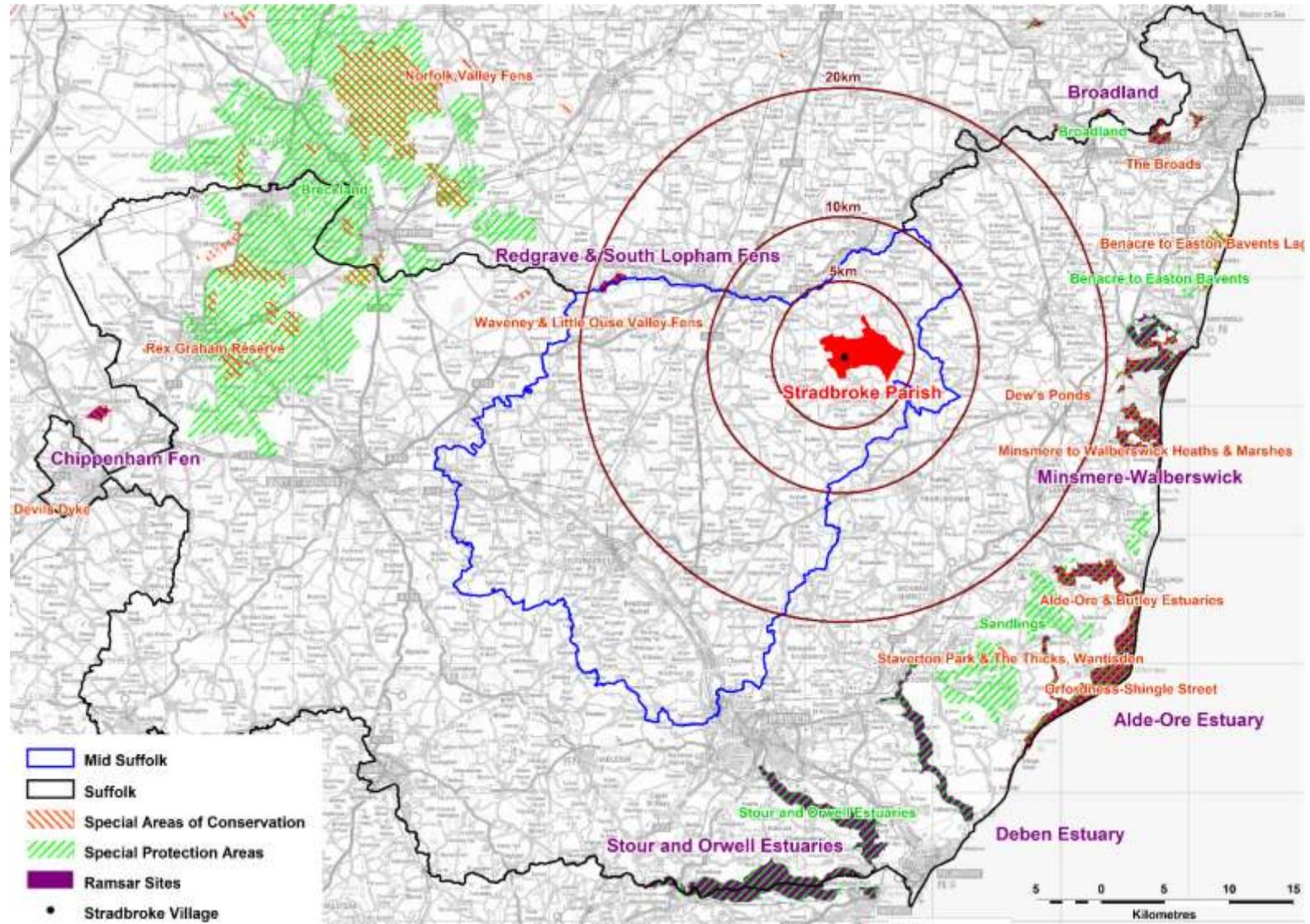
The purpose of the Stradbroke Neighbourhood Plan is to provide for the sustainable development of Stradbroke to make it a key service centre village for residents and surrounding villages. To do this, it seeks to phase the provision of good quality housing, educational facilities, business and local retail opportunities through a set of place and people-focused objectives.

There are a number of European Sites within the wider Suffolk area. These are listed below:

<p>Special Areas of Conservation (SACs)</p> <ul style="list-style-type: none"> • The Broads • Benacre to Easton Barents Lagoons • Dews Ponds • Minsmere to Walberswick Heaths and Marshes • Alde-Ore and Butley Estuaries • Staverton Park and The Thicks, Wantisden • Orford Ness-Shingle Street • Waveney and Little Ouse Valley Fens • Rex Graham Reserve • Norfolk Valley Fens 	<p>Special Protection Areas (SPAs):</p> <ul style="list-style-type: none"> • Breckland • Broadland • Benacre to Easton Barents • Sandlings • Stour and Orwell Estuaries 	<p>RAMSAR sites:</p> <ul style="list-style-type: none"> • Broadland • Minsmere-Walberswick • Alde-Ore Estuary • Deben Estuary • Stour and Orwell Estuaries • Redgrave and South Lopham Fens • Chippenham Fen
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These are shown in Figure 3.

Figure 3: Location of the Stradbroke Neighbourhood Area within a 5km, 10km and 20km radius of SACs and SPAs



[Source: Stradbroke NP HRA Screening Report, Navigus Planning]

Of these European sites, none are within 10km of Stradbroke village where the growth proposed in the Neighbourhood Plan is to be located. The following sites are within 20km:

- Special Areas of Conservation (SACs)
 - Dews Ponds
 - Waveney and Little Ouse Valley Fens
- RAMSAR sites:
 - Redgrave and South Lopham Fens

The Stradbroke Neighbourhood Plan focuses, amongst other things, on shaping development, and protecting, maintaining and enhancing existing green space assets. Design principles (Policy STRAD2) ensure that development minimises its impact on the open countryside and environmental features through effective landscaping and seeking to minimise the loss of hedgerows.

Policies that seek to positively address the environmental aspects of sustainable development – specifically, local green spaces (Policy STRAD10) and light pollution (Policy STRAD12) – are likely to serve to have a positive effect on the wider environment, although the European sites are at a distance where such effects will not be felt. The scale of growth likely in the Neighbourhood Area is such that any effects are likely to be localised but not significant.

The Neighbourhood Plan is unlikely to have any significant effect on the identified network of protected sites.

In-combination effects

Existing plans and proposals must be considered when assessing new plans or programmes for likely significant effects as they may create ‘in combination’ effects.

A Habitat Regulations Assessment Screening Report was carried out as part of the Mid Suffolk Core Strategy and published in 2011. This report concludes that the Mid Suffolk Core Strategy is unlikely to have an adverse impact on any of the identified sites within approximately 20km of the boundary of the District.

Mid Suffolk District Council is committed to the implementation of a series of measures to ensure that the Core Strategy policies will not have a significant effect on the European sites. These measures include:

- Protecting the environment from unsafe or unhealthy pollutants (see Policy CS4);
- Protecting the districts natural capital and applying an ecological network approach (see Policy CS4);
- Protecting, managing and enhancing the network of designated sites and ecological networks (see Policy CS5);
- Monitoring Programme. Reporting on this monitoring plan will be tied in with the annual monitoring programme described in Section 4 of the Core Strategy; and

- Planned Mitigation Measures. If during the monitoring programme it is found that recreational pressure is increasing, this will trigger the requirement to consider whether additional mitigation is required.

None of the sites above fall within the district. The Core Strategy HRA (see page 20) found that the policies in the Core Strategy, Core Strategy Focused Review and Stowmarket Area Action Plan (AAP) are unlikely to have significant effects on the European sites. This was due to:

- The distance of the European Sites away from the district boundary;
- The nature of the proposed policies themselves.

The Stradbroke Neighbourhood Plan is a lower level plan than the Core Strategy and focuses, amongst other things, on shaping development, protecting, maintaining and enhancing existing green space assets. Whilst the Neighbourhood Plan proposes to allocate specific residential development sites, it ensures that these are in general conformity with the District Council's Core Strategy. These development sites are being allocated to ensure that the District Council meets its housing requirements which are being established through the emerging Babergh and Mid Suffolk Joint Local Plan. Any development proposal that would be likely to have a significant effect on a European site, either alone or in combination with other plans or projects, will be subject to assessment at the project application stage.

The Mid Suffolk Core Strategy HRA screening report concluded that the Core Strategy would not lead to significant adverse effects. It is therefore concluded that no significant in-combination effects are likely to occur due to the implementation of the Stradbroke Neighbourhood Plan.

4. Screening Conclusions

The screening assessment which was been undertaken concluded that no likely significant effects in respect of the European sites within 20km of Mid Suffolk district will occur as a result of the implementation of the Stradbroke Neighbourhood Plan. As such, the Neighbourhood plan does not require a full HRA to be undertaken. Natural England, Historic England and the Environment Agency were consulted on the report. One response was received from Historic England, who had no comment to make on the habitats regulation screening. A copy of this response is attached at Appendix 1.

The Screening Report and subsequent screening opinion may need to be reviewed if significant changes are made to the Neighbourhood Plan prior to the Submission Stage (Regulation 16).

5. Determination

In the light of the Screening Report for Consultation prepared by Navigus Planning and the response of Historic England it is determined that the Stradbroke Neighbourhood Plan does not require a habitat regulations assessment.



EAST OF ENGLAND OFFICE

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Our ref: PL00285450



9 February 2018

Dear Miss Wladon

Thank you for your correspondence of 15th January 2018 regarding the above consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome this opportunity to review the Strategic Environmental Assessment (SEA) Screening Report prepared by Navigus Planning for Stradbroke's Neighbourhood Plan. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the neighbourhood plan) likely to have a significant effect on the historic environment?" Our comments are based on the information supplied with the Screening Opinion.

The supporting information (screening statement) supplied with the consultation indicates that within the plan area there is a range of designated historic environment assets within the neighbourhood plan area. There is also likely to be other features of local historic, architectural or archaeological value, and consideration should also be given to the wider historic rural landscape of Stradbroke Parish. It is also noted that the neighbourhood plan intends to allocate five sites for residential development, for a total of c.260 dwellings. A number of these sites are within the Stradbroke Conservation Area and are adjacent to listed buildings.

Given the likely significant effects (both positive and negative) upon the historic environment, Historic England hence concurs with the Screening Report's view that a Strategic Environmental Assessment will be required.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Yours sincerely,

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