Fressingfield Neighbourhood Plan 2024-2044

Habitats Regulations Assessment Screening Report

Babergh & Mid Suffolk District Councils

Final report
Prepared by LUC
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Introduction

1.1 LUC has been commissioned by Babergh and Mid Suffolk District Councils (the Councils) to carry out Habitats Regulations Assessment (HRA) Screening of the updated Fressingfield Neighbourhood Plan, which is being prepared to replace the current Neighbourhood Plan. The Neighbourhood Plan is being prepared by Fressingfield Parish Council in accordance with the requirements of the Government's Neighbourhood Planning Regulations and will cover the period 2024-2044. This HRA Screening Report relates to the Regulation 14 Pre-Submission Draft of the Modified Fressingfield Neighbourhood Plan (January 2026), referred to hereafter as the Neighbourhood Plan.

The requirement to undertake Habitats Regulations Assessment of development plans

1.2 The requirement to undertake HRA of development plans was confirmed by the amendments to the Habitats Regulations published for England and Wales in 2007 **[See reference 1]**; the currently applicable version is the Habitats Regulations 2017 **[See reference 2]**, as amended. Neighbourhood Plans, once 'made' (adopted), become part of the statutory development plan therefore an HRA is required by law to be carried out by the 'competent authority' (the Councils). The Councils can commission consultants to undertake HRA work on their behalf and this (the work documented in this report) is then reported to and considered by the Councils as the 'competent authority'. The Councils will consider this work and would usually only progress a Plan if it considers that the Plan will not adversely affect the integrity **[See reference 3]** of any 'European site', as defined below (the exception to this would be where 'imperative reasons of overriding public interest' can be demonstrated; see paragraph 1.14). The requirement for authorities to comply with the Habitats Regulations when preparing a Plan is also noted in the Government's online Planning Practice Guidance (PPG) **[See reference 4]**.

1.3 HRA refers to the assessment of the potential effects of a development plan on one or more sites afforded the highest level of protection in the UK: Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). These were classified under European Union (EU) legislation but, since 1 January 2021, are protected in the UK by the Habitats Regulations 2017 (as amended). Although the EU Directives from which the UK's Habitats Regulations originally

derived are no longer binding, the Regulations still make reference to the lists of habitats and species that the sites were designated for, which are listed in annexes to the EU Directives:

- SACs are designated for particular habitat types (specified in Annex 1 of the EU Habitats Directive **[See reference 5]**) and species (Annex II). The listed habitat types and species (excluding birds) are those considered to be most in need of conservation at a European level. Before EU exit day, designation of SACs also had regard to the coherence of the 'Natura 2000' network of European sites. After EU exit day, regard is had to the importance of such sites for the coherence of the UK's 'national site network'.
- SPAs are classified for rare and vulnerable birds (Annex I of the EU Birds Directive **[See reference 6]**), and for regularly occurring migratory species not listed in Annex I.

1.4 The term 'European sites' has been commonly used in HRA to refer to 'Natura 2000' sites **[See reference 7]** and Ramsar sites (international designated under the Ramsar Convention). However, a Government Policy Paper **[See reference 8]** on changes to the Habitats Regulations 2017 post-Brexit states that:

- Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new 'national site network';
- The national site network includes existing SACs and SPAs; and new SACs and SPAs designated under these Regulations; and
- Designated Wetlands of International Importance (known as Ramsar sites) do not form part of the national site network. Many Ramsar sites overlap with SACs and SPAs and may be designated for the same or different species and habitats.

1.5 Although Ramsar sites do not form part of the new national site network, Government guidance **[See reference 9]** states that:

> "Any proposals affecting the following sites would also require an HRA because these are protected by government policy:
>
> - Proposed SACs
> - Potential SPAs
> - Ramsar sites – wetlands of international importance (both listed and proposed)

- Areas secured as sites compensating for damage to a European site."

1.6 Furthermore, the NPPF **[See reference** 10**]** and practice guidance **[See reference** 11**]** currently state that competent authorities responsible for carrying out HRA should treat Ramsar sites in the same way as SACs and SPAs. The legislative requirement for HRA does not apply to other nationally designated wildlife sites such as Sites of Special Scientific Interest or National Nature Reserves.

1.7 For simplicity, this report uses the term 'European site' to refer to all types of designated site for which Government guidance **[See reference** 12**]** requires an HRA.

1.8 The overall purpose of an HRA is to conclude whether or not a proposal or policy, or whole development plan would adversely affect the integrity of the European site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated). Significantly, HRA is based on the precautionary principle. Where uncertainty or doubt remains, an adverse effect should be assumed.

Stages of Habitat Regulation Assessment

1.9 The HRA of development plans is undertaken in stages (as described below) and should conclude whether or not a proposal would adversely affect the integrity of the European site in question.

1.10 LUC has been commissioned by Babergh and Mid Suffolk District Councils to carry out HRA work on the Councils' behalf, and the outputs will be reported to and considered by the Councils as the competent authority.

1.11 The HRA also requires close working with Natural England as the statutory nature conservation body **[See reference** 13**]** in order to obtain the necessary information, agree the process, outcomes and mitigation proposals. The Environment Agency, while not a statutory consultee for the HRA, is also in a strong position to provide advice and information throughout the process as it is required to undertake HRA for its existing licences and future licensing of activities.

Requirements of the Habitats Regulations

1.12 In assessing the effects of a Plan in accordance with Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), there are potentially two tests to be applied by the competent authority: a 'Significance Test', followed, if necessary, by an Appropriate Assessment which would inform the 'Integrity Test'. The relevant sequence of questions is as follows:

- Step 1: Under Reg. 105(1)(b), consider whether the plan is directly connected with or necessary to the management of the sites. If not, proceed to Step 2.
- Step 2: Under Reg. 105(1)(a) consider whether the plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects (the 'Significance Test'). [These two steps are undertaken as part of Stage 1: Screening, shown below in the 'Typical stages' section.] If yes, proceed to Step 3.
- Step 3: Under Reg. 105(1), make an Appropriate Assessment of the implications for the European site in view of its current conservation objectives (the 'Integrity Test'). In so doing, it is mandatory under Reg. 105(2) to consult Natural England, and optional under Reg. 105(3) to take the opinion of the general public. [This step is undertaken during Stage 2: Appropriate Assessment, described in the 'Typical stages' section below.]
- Step 4: In accordance with Reg. 105(4), but subject to Reg. 107, give effect to the land use plan only after having ascertained that the plan would not adversely affect the integrity of a European site. [This step follows Stage 2 where a finding of 'no adverse effect' is concluded. If it cannot be it proceeds to Step 5 as part of Stage 3 of the HRA process.]
- Step 5: Under Reg. 107, if Step 4 is unable to rule out adverse effects on the integrity of a European site and no alternative solutions exist then the competent authority may nevertheless agree to the plan or project if it must be carried out for 'imperative reasons of overriding public interest' (IROPI). [This step is undertaken during Stage 3: Assessment where no alternatives exist and adverse impacts remain considering mitigation, described in the 'Typical stages' section overleaf.]

Typical stages

1.13 The section below summarises the stages and associated tasks and outcomes typically involved in carrying out a full HRA of a development plan, based on various guidance documents **[See reference** 14**]** **[See reference** 15**]** **[See reference** 16**]**. This report presents the methodology and findings of Stage 1: Screening.

Stage 1: Screening (the 'Significance Test')

Tasks

- Description of the development plan and confirmation that it is not directly connected with or necessary to the management of European sites.
- Identification of potentially affected European sites and their conservation objectives **[See reference** 17**]**.
- Assessment of likely significant effects of the development plan alone or in combination with other plans and projects, prior to consideration of avoidance or reduction ('mitigation') measures **[See reference** 18**]**.

Outcome

- Where effects are unlikely, prepare a 'finding of no significant effect report'.
- Where effects judged likely, or lack of information to prove otherwise, proceed to Stage 2.

Stage 2: Appropriate Assessment (the 'Integrity Test')

Task

- Information gathering (development plan and data on European sites **[See reference** 19**]**).
- Impact prediction.
- Evaluation of development plan impacts in view of conservation objectives of European sites.

- Where impacts are considered to directly or indirectly affect qualifying features of European sites, identify how these effects will be avoided or reduced ('mitigation').

Outcome

- Appropriate Assessment report describing the plan, European site baseline conditions, the adverse effects of the plan on the European site, how these effects will be avoided or reduced, including the mechanisms and timescale for these mitigation measures.
- If effects remain after all alternatives and mitigation measures have been considered proceed to Stage 3.

Stage 3: Assessment where no alternatives exist and adverse impacts remain taking into account mitigation

Task

- Identify 'imperative reasons of overriding public interest' (IROPI).
- Demonstrate no alternatives exist.
- Identify potential compensatory measures.

Outcome

- This stage should be avoided if at all possible. The test of IROPI and the requirements for compensation are extremely onerous.

1.14 It is normally anticipated that an emphasis on Stages 1 and 2 of this process will, through a series of iterations, help ensure that potential adverse effects are identified and eliminated through the inclusion of mitigation measures designed to avoid or reduce effects. The need to consider alternatives could imply more onerous changes to a plan document. It is generally understood that so called 'imperative reasons of overriding public interest' (IROPI) are likely to be justified only very occasionally and would involve engagement with the Government.

Case law changes

1.15 This HRA is being prepared in accordance with relevant case law findings, including most notably the 'People over Wind' and 'Holohan' rulings from the Court of Justice for the European Union (CJEU).

1.16 The People over Wind, Peter Sweetman v Coillte Teoranta (April 2018) judgment ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment and should not be taken into account at the Screening stage. The precise wording of the ruling is as follows:

> "Article 6(3)… must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the Screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site."

1.17 In light of the above, the HRA Screening stage does not rely upon avoidance or mitigation measures to draw conclusions as to whether the Neighbourhood Plan could result in likely significant effects on European sites, with any such measures are to be considered at the Appropriate Assessment stage as relevant.

1.18 This HRA also fully considers the Holohan v An Bord Pleanala (November 2018) judgment which stated that:

> "Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora must be interpreted as meaning that an 'appropriate assessment' must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site."

1.19 In undertaking this HRA, LUC will (where necessary) fully consider the potential effects on species and habitats, including those not listed as qualifying

features, to result in secondary effects upon the qualifying features of European sites, including the potential for complex interactions and dependencies. In addition, the potential for offsite impacts, such as through impacts to functionally linked land, and/or species and habitats located beyond the boundaries of European site, but which may be important in supporting the ecological processes of the qualifying features, will also be fully considered where needed.

1.20 Similarly, effects on both qualifying and supporting habitats and species on functionally linked land (FLL) or habitat will be considered where needed in the HRA, in line with the High Court judgment in RSPB and others v Secretary of State and London Ashford Airport Ltd [2014 EWHC 1523 Admin] (paragraph 27), which stated that:

> "There is no authority on the significance of the non-statutory status of the FLL. However, the fact that the FLL was not within a protected site does not mean that the effect which a deterioration in its quality or function could have on a protected site is to be ignored. The indirect effect was still protected. Although the question of its legal status was mooted, I am satisfied… that while no particular legal status attaches to FLL, the fact that land is functionally linked to protected land means that the indirectly adverse effects on a protected site, produced by effects on FLL, are scrutinised in the same legal framework just as are the direct effects of acts carried out on the protected site itself. That is the only sensible and purposive approach where a species or effect is not confined by a line on a map or boundary fence. This is particularly important where the boundaries of designated sites are drawn tightly as may be the UK practice."

1.21 In addition to this, the HRA will take into consideration the 'Wealden' judgment from the Court of Justice for the European Union.

1.22 Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority (2017) ruled that it was not appropriate to scope out the need for a detailed assessment for an individual plan or project based on the annual average daily traffic (AADT) figures detailed in the Design Manual for Roads and Bridges or the critical loads used by Defra or Environmental Agency without considering the in-combination impacts with other plans and projects.

1.23 In light of this judgment, the HRA will therefore, where needed, consider traffic growth based on the effects of development from the Neighbourhood

Plan in combination with other drivers of growth such as development proposed in neighbouring districts and demographic change.

1.24 The HRA also takes into account the Grace and Sweetman (July 2018) judgment from the CJEU which stated that:

> "There is a distinction to be drawn between protective measures forming part of a project and intended avoid or reduce any direct adverse effects that may be caused by the project in order to ensure that the project does not adversely affect the integrity of the area, which are covered by Article 6(3), and measures which, in accordance with Article 6(4), are aimed at compensating for the negative effects of the project on a protected area and cannot be taken into account in the assessment of the implications of the project"
>
> "As a general rule, any positive effects of the future creation of a new habitat, which is aimed at compensating for the loss of area and quality of that habitat type in a protected area, are highly difficult to forecast with any degree of certainty or will be visible only in the future"
>
> "A mitigation strategy may only be taken into account at AA (a.6(3)) where the competent authority is "sufficiently certain that a measure will make an effective contribution to avoiding harm, guaranteeing beyond all reasonable doubt that the project will not adversely affect the integrity of the area""
>
> "Otherwise it falls to be considered to be a compensatory measure to be considered under a.6(4) only where there are "imperative reasons of overriding public interest""

1.25 Therefore, if an Appropriate Assessment of the Neighbourhood Plan is required, it will only consider the existence of measures to avoid or reduce its direct adverse effects (mitigation) if the expected benefits of those measures are beyond reasonable doubt at the time of the assessment.

Structure of this report

1.26 This chapter (Chapter 1) has described the background to the production of the Fressingfield Neighbourhood Plan and the requirement to undertake HRA. The remainder of the report is structured as follows:

- Chapter 2: Fressingfield Neighbourhood Plan - summarises the content of the Pre-Submission Draft plan, which is the subject of this report.
- Chapter 3: Method - sets out the approach and the specific tasks undertaken during the Screening stage of the HRA.
- Chapter 4: Screening Assessment - describes the findings of the Screening stage of the HRA.
- Chapter 5: Conclusions and Next Steps - summarises the HRA Screening conclusions for the Fressingfield Neighbourhood Plan and describes the next steps to be undertaken.

Fressingfield Neighbourhood Plan

Vision and Objectives

2.1 The overarching vision for Fressingfield for the period up to 2044 is:

> Fressingfield will continue to be a good place to live with a welcoming and cohesive community, a vibrant and diverse range of facilities and activities, which meet the existing and future needs of residents.
>
> Fressingfield will have a robust sustainable infrastructure supporting small scale developments where natural and historic assets are protected. Any new housing will be of high-quality design, in keeping with the range of architectural styles and materials already prevalent.
>
> It will meet the housing needs of all sectors of the community, using appropriate materials and construction methods which contribute to increasing sustainable outcomes.

2.2 The vision is supported by 13 objectives. Each objective has informed and guided the content of the planning policies within the Neighbourhood Plan. The objectives are as follows:

1. To provide for housing sites that are small-scale and in keeping with the character of the Parish and which follow the guidance in the Design Code.
2. To provide for a housing mix that meets the needs of the whole community.
3. To ensure that sufficient infrastructure to support new development is implemented.
4. To prevent increased localised flooding and reduce existing incidences of flooding and pollution.
5. To maintain and increase the range, capacity and number of community services and facilities.

6. To act as a hub for services and facilities that meet the needs of the Parish and beyond.
7. To protect Fressingfield's landscape setting, important trees and hedgerows within the village and enhance the village gateways.
8. To protect and enhance the important biodiversity and historic assets of Fressingfield.
9. To define Fressingfield's local building styles and improve the overall quality of design by adhering to local design codes.
10. To encourage the incorporation of renewable energy and low carbon technology into new developments, and to reduce embodied carbon.
11. To enable existing businesses to expand and to encourage new business into the Parish.
12. To encourage redevelopment/re-use of existing underused sites.
13. To improve pedestrian and highway safety and take opportunities to introduce traffic calming measures to reduce traffic speeds.

Policies

2.3 The policies within the Fressingfield Neighbourhood Plan are as follows:

- Policy FRES1: Housing Provision
- Policy FRES2: Housing size, type and tenure
- Policy FRES3: Exception Sites Housing
- Policy FRES4: Infrastructure
- Policy FRES5: Localised flooding, drainage and pollution
- Policy FRES6: Community facilities
- Policy FRES7: Fressingfield Hub
- Policy FRES8: Protecting landscape character and enhancing village gateways
- Policy FRES9: Protecting and enhancing biodiversity
- Policy FRES10: Local Green Spaces

- Policy FRES11: Non-designated Heritage Assets
- Policy FRES12: Design and character
- Policy FRES13: Energy efficiency, low carbon technology and renewable energy
- Policy FRES14: New and existing business
- Policy FRES15: Enhancement and redevelopment opportunities
- Policy FRES16: Transport and Highway Safety

2.4 The Neighbourhood Plan allocates two sites for new housing development:

- FRES1a: Land at Stradbroke Road - 0.9 hectares for approximately 10-15 dwellings.
- FRES1b: Land south of Laxfield Road - 0.7 hectares for approximately 10-15 dwellings.
- Policy FRES1: Housing provision stipulates that new housing development in Fressingfield during the Plan period will be located within the adopted settlement boundary (number not specified) or on the two sites specifically allocated for development in the Neighbourhood Plan (up to 30 homes).

Methodology

Screening Assessment

3.1 HRA Screening of the Fressingfield Neighbourhood Plan has been undertaken in line with current available guidance and has sought to meet the requirements of the Habitats Regulations. The tasks that have been undertaken during the Screening stage of the HRA are described in detail below and the conclusions are presented in the next chapter.

3.2 The purpose of the Screening stage is to:

- Identify all aspects of the plan that would have no effect on a European site. These can be eliminated from further consideration in respect of this and other plans.
- Identify all aspects of the plan that would not be likely to have a significant effect on a European site (i.e. would have some effect because of links/connectivity but the effect is not significant), either alone or in combination with other aspects of the same plan or other plans or projects. These do not require 'Appropriate Assessment'.
- Identify those aspects of the plan where it is not possible to rule out the risk of significant effects on a European site, either alone or in combination with other plans or projects. This provides a clear scope for the parts of the plan that will require Appropriate Assessment.

Identifying European sites that may be affected and their conservation objectives

3.3 As a first step in identifying European sites that could potentially be affected by a development, it is established practice in HRA to consider sites within the area covered by the plan, and other sites that may be affected beyond this area.

3.4 A distance of 20km from the boundary of the plan area was used in the first instance to identify European sites with the potential to be affected by the proposals within the Neighbourhood Plan. Consideration was then given to whether any more distant European sites may be connected to the plan area via effects pathways, for example through hydrological links or recreational visits by

residents. The 20km distance has been agreed with Natural England for HRAs in this region **[See reference** 20**]**. In line with HRA requirements, the application of a 20km buffer is considered a highly precautionary distance with relation to potential impacts to the surrounding area.

3.5 The European sites identified for inclusion in the HRA on the basis of being within 20km of Fressingfield Parish are:

- Benacre to Easton Bavents SPA (approximately 18km away).
- Broadland SPA and Ramsar site (approximately 16km away).
- The Broads SAC (approximately 16.5km away).
- Dew's Pond SAC (approximately 10km away).
- Minsmere-Walberswick SPA and Ramsar site (approximately 15km away).
- Minsmere to Walberswick Heaths and Marshes SAC (approximately 15km away).
- Norfolk Valley Fens SAC (approximately 19km away).
- Outer Thames Estuary SPA (approximately 17.5km away).
- Redgrave and South Lopham Fens Ramsar site (approximately 18.5km away).
- Sandlings SPA (approximately 19km away).
- Southern North Sea SAC (approximately 19km away).
- Waveney and Little Ouse Valley Fens SAC (approximately 18.5km away).

3.6 Breydon Water SPA/Ramsar also has hydrological connectivity to the plan area, via the River Waveney, and so has been considered in the assessment of water quality/quantity effects despite being outside of the 20km buffer.

3.7 The locations of these sites are illustrated in Figure A.1 in Appendix A.

3.8 Detailed information about the listed European sites is provided in Appendix B, described with reference to Standard Data Forms for the SPAs and SACs and Natural England's Site Improvement Plans **[See reference** 21**]**. Natural England's conservation objectives **[See reference** 22**]** for the sites have also been reviewed. These state that site integrity must be maintained or restored by maintaining or restoring the habitats of qualifying features, the supporting processes on which they rely, and populations of qualifying species.

Functionally linked habitats

3.9 The assessment also takes into account areas that may be functionally linked to the European sites. The term ‘functional linkage’ can be used to refer to the role or ‘function’ that land or other habitats beyond the boundary of a European site might fulfil in supporting the species populations for which the site was designated or classified. Such an area is therefore ‘linked’ to the site in question because it provides a (potentially important) role in maintaining or restoring a protected population at favourable conservation status.

3.10 While the boundary of a European site will usually be drawn to include key supporting habitat for a qualifying species, this cannot always be the case where the population for which a site is designated or classified is particularly mobile. Individuals of the population will not necessarily remain in the site all the time. Sometimes, the mobility of qualifying species is considerable and may extend so far from the key habitat that forms the SAC or SPA that it would be entirely impractical to attempt to designate or classify all of the land or sea that may conceivably be used by the species. HRA therefore considers whether any qualifying species of nearby (or linked) European sites make use of functionally linked habitats, and the impacts that could affect those habitats.

3.11 European sites susceptible to the indirect effects of habitat loss are restricted to those sites with qualifying species that rely on offsite habitat. This is the case for the following European sites within 20km of the Neighbourhood Plan area:

- Benacre to Easton Bavents SPA (birds);
- Broadland SPA and Ramsar site (birds, mammal, invertebrates);
- The Broads SAC (mammal, invertebrates);
- Dew’s Pond SAC (amphibians);
- Minsmere-Walberswick SPA and Ramsar site (birds, invertebrates);
- Norfolk Valley Fens SAC (invertebrates);
- Outer Thames Estuary SPA (birds);
- Redgrave and South Lopham Fens Ramsar site (invertebrates);

- Sandlings SPA (birds); and
- Southern North Sea SAC (marine mammal).

3.12 Further consideration is given below to the potential for functionally linked land used by these species to occur within the Neighbourhood Plan area. In summary, the only functionally linked habitats that could occur within the Neighbourhood Plan area are those associated with otters, as explained below.

Mammals

3.13 Southern North Sea SAC is designated for cetaceans (Harbour porpoise); however, the whole of the marine area is within the SAC. There is no additional habitat within (or within 20km of) the Plan area that could be functionally linked for this species.

3.14 Broadland Ramsar site and the Broads SAC are designated for otter. Otter home ranges can occupy extensive areas and linear distances (20-30km **[See reference** 23**]**). Therefore, the population of otter for which the SAC/Ramsar site is designated is likely to utilise, and depend upon, the availability and connectivity of suitable riparian and wetland habitat in the wider region, including smaller watercourses and field drains. The SAC and Ramsar site are approximately 16km from the Neighbourhood Plan area, therefore functionally linked habitats used by otter could be present within the plan area.

Invertebrates

3.15 Minsmere-Walberswick Ramsar is designed for an estuarine mollusc, *Vertigo augustior*. There are no estuarine habitats within the Neighbourhood Plan area.

3.16 The following European sites are designated for freshwater invertebrates: The Broads SAC and Broadland Ramsar site (Desmoulin's whorl snail and ramshorn snail); Norfolk Valley Fens SAC (Desmoulin's whorl snail); and Redgrave and South Lopham Fens Ramsar site (the fen raft spider *Dolomedes plantarius*).

3.17 Habitats located outside of the European sites may contribute to maintaining the population of these species. Due to the rarity of many of the

qualifying invertebrate species, there is very limited published data on their use of habitats located outside of European sites. Therefore, it has been assumed that invertebrates of these European sites may rely on suitable habitat within 500m of the European sites. These European sites are all >15km from the plan area; therefore functionally linked habitats used by invertebrates will not occur in the Neighbourhood Plan area.

Amphibians

3.18 Great crested newts are a qualifying feature at Dew's Pond SAC. Great crested newt typically inhabit the land within 500m of their breeding ponds and are known to only travel up to 2km from their breeding ponds. Dew's Pond SAC is c.10km outside the plan area; therefore functionally linked habitats used by great crested newts will not occur in the Neighbourhood Plan area.

Birds

3.19 The following European sites are designated for populations of birds of freshwater, estuarine, coastal and/ or marine habitats, which may use habitats outside the designated European sites:

- Benacre to Easton Bavents SPA: Eurasian marsh harrier, great bittern, little tern.
- Broadland Ramsar site: Bewick's swan, Eurasian wigeon, gadwall, northern shoveler, tundra swan.
- Broadland SPA: Bewick's swan, Eurasian marsh harrier, Eurasian wigeon, gadwall, great bittern, hen harrier, northern shoveler, ruff, whooper swan.
- Minsmere-Walberswick Ramsar site: bird assemblage - bearded reedling, Eurasian marsh harrier, Eurasian teal, gadwall, great bittern, northern shoveler, pied avocet.
- Minsmere-Walberswick SPA: gadwall, great bittern, Eurasian marsh harrier, European nightjar, Eurasian teal, greater white-fronted goose, hen harrier, little tern, northern shoveler, pied avocet.

- Outer Thames Estuary SPA: red-throated diver, common tern, little tern.
- Sandlings SPA: nightjar, woodlark.

3.20 The distance for consideration of offsite functionally linked habitat for birds is dependent on many factors such as species and local conditions.

3.21 For many species, the core areas of functionally linked habitat occur relatively close to the designated sites (e.g. within c.2km), although some species use habitats much further afield. No targeted studies determining areas of functionally linked habitat with the Babergh and Mid Suffolk Joint Local Plan area are currently available; however, there is some existing information about where functionally linked habitats may occur within the Supplementary Advice for Conservation Objectives **[See reference** 24**]** for the SPAs (similar documents do not exist for the Ramsar sites). Where the SACOs identify supporting habitats outside the boundaries of the European sites, this is identified below:

3.22 Benacre to Easton Bavents SPA:

- Bittern & marsh harrier: “Breeding Bitterns [/marsh harrier] are highly localised, requiring reedbeds as their breeding habitat. They also utilise fresh water and coastal grazing marsh and coastal lagoons”
- Little tern: “Connectivity with supporting habitats - maintain the safe passage of birds moving between nesting and feeding areas, generally within 6km of breeding colonies.”

3.23 Broadland SPA:

- Bewick’s swan & Whooper swan: “They usually feed on open arable fields and fly to an ideal open water habitat to roost for the winter. Overwintered stubble fields will provide a good food source and habitats for this bird feature, whilst the open broadland habitats within the SPA…provides a good roosting habitat.”
- Marsh harrier & hen harrier: “The home range of marsh[/hen] harriers can extend several kilometres from their nesting territory”

3.24 Minsmere-Walberswick SPA

- Great bittern: “reeding bitterns are highly localised, requiring reedbeds as their breeding habitat. They also utilise fresh water and coastal grazing marsh and coastal lagoons. Bitterns are particularly vulnerable to the loss of coastal reedbeds through coastal flooding.”
- Gadwall: supporting habitats within the SPA are coastal reedbed, freshwater and coastal grazing marsh, and coastal lagoons.
- Eurasian teal: “Teal forage for food in a wide range of places, including reedbeds, small waterbodies, coastal lagoons, grazing marsh, saltmarsh and intertidal sand and mudflats. Preferred sites are in close proximity to water, where adult birds can forage and lead juvenile teal down to shallow water to dabble.”
- Northern shoveler: “The interlinking mosaic of habitats within the SPA, including areas of grazing marsh, reedbeds, coastal lagoons, sparsely vegetated shingle and shallow coastal waters provide a range of areas for nesting and feeding. Reed cutting at the site creates pools for birds to feed in. Undisturbed reedbed areas attract insects for food and provide nesting sites.”
- Marsh harrier and hen harrier: “Marsh harriers are far-ranging, and use a variety of semi-natural habitats for hunting. Favoured hunting habitats within the SPA are areas of freshwater and coastal grazing marsh and Atlantic salt meadows (including the features Salicornia and other annuals colonising mud and sand and Spartina swards. Marsh/hen harriers may rarely take prey from other intertidal habitats (e.g. coastal lagoons and intertidal sediments), however these would not be preferred hunting grounds within the site.”
- Avocet: supporting habitats within the SPA include coastal lagoons, intertidal mud/sediment, Atlantic salt meadows, *Spartina* swards, *Salicornia* and other annuals colonising mud and sand, and freshwater and coastal grazing marsh. “Adult breeding avocet tend to feed in proximity to their nests.”
- Little tern: “The mean of recorded maximum foraging ranges for little tern is 5 km, whilst the maximum reported foraging range is 5 km. For all tern species, breeding in coastal SPAs, the bulk of foraging is expected to take place within the adjacent marine SPA but they may also forage outside the marine SPA.”

- Nightjar: “Nightjar utilise the lowland heath and coniferous woodland as supporting habitat for breeding and foraging.”
- Greater white-fronted goose: “The interlinking mosaic of habitats within the SPA, including areas of grazing marsh, reedbeds, coastal lagoons, sparsely vegetated shingle and shallow coastal waters provide a range of areas for nesting and feeding.”

3.25 Outer Thames Estuary SPA:

- Common tern: “Woodward et al. (2019) summarised foraging range information for breeding seabirds. The mean of recorded maximum foraging ranges for common tern is 18.0 km, whilst the maximum reported foraging range is 30 km (Woodward et al., 2019). For all tern species, breeding in coastal SPAs, the bulk of foraging is expected to take place within the adjacent marine SPA but they may also forage outside the marine SPA, within the boundaries set by Woodward et al., (2019).”
- Little tern: “Woodward et al. (2019) summarised foraging range information for breeding seabirds. The mean of recorded maximum foraging ranges for little tern is 5 km, whilst the maximum reported foraging range is 5 km (Woodward et al., 2019). For all tern species, breeding in coastal SPAs, the bulk of foraging is expected to take place within the adjacent marine SPA but they may also forage outside the marine SPA, within the boundaries set by Woodward et al., (2019). “ and “Breeding colonies on the Norfolk and Suffolk coastlines are functionally linked and little tern may move between sites from year to year.”

3.26 Sandlings SPA:

- Nightjar and woodlark: “Nightjar utilise the open grassland and heather heaths for breeding. In recent times they have taken to nesting within open habitat associated with the system of rotational clear-felling within the conifer plantations, where areas of clear-fell and restocked plantation also provides ideal breeding conditions. Outside the confines of the forest Nightjar use grasslands, arable land and other habitats for feeding.”
- Nightjar: “The foraging range of nightjar is known to extend up to several kilometres from their nest sites.”

3.27 Other Ramsar species not covered within a SACO:

- Bearded reedling (Minsmere-Walberswick Ramsar): dependent on extensive *Phragmites*-dominated reedbeds **[See reference** 25**]**.
- Tundra swan (Broadland Ramsar): as for Bewick's swan, above.

3.28 All of the SPA and Ramsar sites with bird species are at least 15km away from the Neighbourhood Plan area. The only qualifying species that may make use of functionally linked habitats more than 15km away is common tern, which the Outer Thames Estuary SPA is designated for (c.17.5km away). However, this species relies on coastal habitats, which do not occur in the Neighbourhood Plan area. There are therefore no functionally linked habitats used by birds within the plan area.

Assessment of 'likely significant effects' of the plan

3.29 As required under Regulation 105 of the Conservation of Habitats and Species Regulations 2017 **[See reference** 26**]** (as amended), an assessment has been undertaken of the 'likely significant effects' of the plan. The assessment has been prepared in order to identify which policies or site allocations would be likely to have a significant effect on European sites. The Screening assessment has been conducted without taking mitigation into account, in accordance with the 'People over Wind' judgment.

3.30 If the potential for policies to have likely significant effects is identified, consideration would then be given to the potential for the development proposed to result in significant effects associated with:

- Physical loss or damage to habitat;
- Non-physical disturbance (noise, vibration and light pollution);
- Air pollution (vehicle emissions and dust);
- Recreational pressure; and
- Changes to hydrology, including water quantity and quality.

3.31 This thematic/impact category approach allows for consideration to be given to the cumulative effects of policies and any site allocations, rather than focussing exclusively on individual developments provided for by the plan.

3.32 A Screening assessment was undertaken (Chapter 4), to document consideration of the potential for likely significant effects resulting from each policy in the Neighbourhood Plan. A risk-based approach involving the application of the precautionary principle was adopted in the assessment, such that a conclusion of 'no significant effect' would only be reached where it was considered unlikely, based on current knowledge and the information available, that a policy would have a significant effect on the integrity of a European site.

Interpretation of 'likely significant effects'

3.33 Relevant case law helps to interpret when effects should be considered as a likely significant effect, when carrying out HRA of a land use plan.

3.34 In the Waddenzee case **[See reference** 27**]**, the European Court of Justice ruled on the interpretation of Article 6(3) of the Habitats Directive (translated into Reg. 102 in the Habitats Regulations), including that:

> An effect should be considered 'likely', "if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site" (paragraph 44). An effect should be considered 'significant', "if it undermines the conservation objectives" (paragraph 48). Where a plan or project has an effect on a site "but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on the site concerned" (paragraph 47).

3.35 A relevant opinion delivered to the Court of Justice of the European Union commented that:

> "The requirement that an effect in question be 'significant' exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans or projects capable of having any effect whatsoever on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill."

3.36 This opinion (the 'Sweetman' case) therefore allows for the authorisation of plans and projects whose possible effects, alone or in combination, can be considered 'trivial' or de minimis; referring to such cases as those "that have no

appreciable effect on the site". In practice such effects could be screened out as having no likely significant effect – they would be 'insignificant'.

3.37 The HRA Screening assessment therefore considers whether the policies in the Pre-Submission Draft Neighbourhood Plan could have likely significant effects either alone or in combination.

Mitigation provided by the plan

3.38 Some of the potential effects of a plan could be mitigated through the implementation of other policies in the plan itself, such as the provision of green infrastructure within new developments (which could help mitigate increased pressure from recreation activities at European sites). Nevertheless, in accordance with the 'People over Wind' judgment, avoidance and mitigation measures cannot be relied upon at the Screening stage, and therefore, where such measures exist, they will be considered at the Appropriate Assessment stage for impacts and policies where likely significant effects, either alone or in-combination, cannot be ruled out.

Assessment of potential in-combination effects

3.39 Regulation 105 of the Habitats Regulations 2017 requires an Appropriate Assessment where "a land use plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site". Therefore, where likely insignificant effects are identified for the plan alone, it is necessary to consider whether these may become significant effects in combination with other plans or projects.

3.40 Where the plan is likely to have an effect on its own (due to impact pathways being present), but it is not likely to be significant, the in-combination assessment at Screening stage needs to determine whether there may also be the same types of effect from other plans or projects that could combine with the plan to produce a significant effect. If so, this likely significant effect arising from the plan in combination with other plans or projects, would then need to be considered through the Appropriate Assessment stage to determine if the impact pathway would have an adverse effect on integrity of the relevant European site. Where the Screening assessment has concluded that there is no impact pathway between development proposed in the plan and the conditions necessary to maintain qualifying features of a European site, then there will be no in-combination effects to assess at the Screening or Appropriate

Assessment stage. This approach accords with recent guidance on HRA **[See reference** 28**]**.

3.41 If impact pathways are found to exist for a particular effect but it is not likely to be significant from the plan alone, the in-combination assessment will identify which other plans and programmes could result in the same impact on the same European site. This will focus on planned growth (including housing, employment, transport, minerals and waste) around the affected site, or along the impact corridor.

3.42 The potential for in-combination impacts will therefore focus on plans prepared by local authorities that overlap with European sites that are within the scope of this HRA. The findings of any associated HRA work for those plans will be reviewed where available. Where relevant, any strategic projects in the area that could have in-combination effects with the plan will also be identified and reviewed.

3.43 The online HRA Handbook **[See reference** 29**]** suggests the following plans and projects may be relevant to consider as part of the in-combination assessment:

- Applications lodged but not yet determined, including refusals subject to an outstanding appeal or legal challenge;
- Projects subject to periodic review e.g. annual licences, during the time that their renewal is under consideration;
- Projects authorised but not yet started';
- Projects started but not yet completed;
- Known projects that do not require external authorisation; and
- Proposals in adopted plans.

Screening Assessment

4.1 As described in Chapter 3, a Screening assessment was carried out in order to identify the likely significant effects of the Fressingfield Neighbourhood Plan on the scoped-in European sites. The detailed Screening assessment of the policies in the emerging Neighbourhood Plan can be found below.

HRA Screening of policies

Policy FRES1: Housing provision

Potential likely significant effects

4.2 New residential development - This policy sets out that new housing development in Fressingfield during the Plan period will be located within the adopted settlement boundary or on the two sites specifically allocated for development: FRES1a and FRES1b, each of which would provide 10 to 15 dwellings. This policy will therefore directly result in new residential development which could have a range of possible effects on European sites as a result of construction, additional vehicle traffic, demand for water supply and treatment and recreation activities.

Policy FRES 2: Housing size, type and tenure

Potential likely significant effects

4.3 None – This policy sets out that housing development must enable a mixed and inclusive community. The policy states that proposals for new dwellings will be supported where they provide two- or three-bedroom dwellings and are adaptable and accessible to meet the needs of an ageing population. The policy will not directly result in development.

Policy FRES3: Exception Sites Housing

Potential likely significant effects

4.4 None – This policy sets out requirements for affordable housing on exception sites. The policy will not directly result in development.

Policy FRES4: Infrastructure

Potential likely significant effects

4.5 None – This policy states that new development will only be permitted where there is sufficient support infrastructure (physical, medical, educational, green and digital) in place to meet the needs of the development. If there is a need for new infrastructure, the development should provide or support the delivery of it to enhance the quality of life for the community. The policy will not directly result in development.

Policy FRES5: Localised flooding, drainage and pollution

Potential likely significant effects

4.6 None – This policy outlines that all new development is required to use sustainable drainage systems and demonstrate how it will mitigate any flooding impacts. Proposals should also incorporate measures to reduce surface water run-off. The policy will not directly result in development.

Policy FRES6: Community facilities

Potential likely significant effects

4.7 Development of community facilities – This policy sets out that proposals that would result in the loss of community facilities will only be supported where an improved or equivalent facility can be relocated to an accessible location, adequate other facilities offer the same services within walking distance of the majority of residents or there is no prospect of continued viable use.

Policy FRES7: Fressingfield Hub

Potential likely significant effects

4.8 None – This policy supports the creation of a Fressingfield Hub within the Parish subject to its impact on the character of the area and local amenity. The first preference would be to re-use an existing building and if this is not possible, the policy would result in a single new building within the village to be used as a community hub. The policy is not therefore expected to have likely significant effects on European sites.

Policy FRES8: Protecting landscape character and enhancing village gateways

Potential likely significant effects

4.9 None – This policy states that the visual scenic value of the landscape and countryside will be protected from development and that development that will significantly detract from the four important views identified will not be supported. Furthermore, proposals that will enhance the visual appearance of a gateway to the village will be supported as well as opportunities to improve the public realm. The policy will not directly result in development.

Policy FRES9: Protecting and enhancing biodiversity

Potential likely significant effects

4.10 None – This policy sets out that proposals should respond positively to the natural environment of the Parish and avoid the loss of, or substantial harm to, biodiversity habitats, including but not limited to, important trees, ponds, hedgerows, blocks of woodlands, meadows, and other semi natural habitats. The policy also sets out requirements for proposals such as all development must deliver a minimum of 10% biodiversity net gain but are encouraged to deliver 20% net gain. The policy will not directly result in development.

Policy FRES10: Local Green Spaces

Potential likely significant effects

4.11 None – This policy designates nine Local Green Spaces. The policy will not directly result in development.

Policy FRES11: Non-designated Heritage Assets

Potential likely significant effects

4.12 None – This policy identifies 12 locally important heritage assets that should be treated as non-designated heritage assets. The policy will not directly result in development.

Policy FRES12: Design and character

Potential likely significant effects

4.13 None – This policy sets out that the design of all new development should be of a high standard, reflecting local distinctiveness and character and seek to enhance its quality. The policy also outlines design elements that should be considered. The policy will not directly result in development.

Policy FRES13: Energy efficiency, low carbon technology and renewable energy

Potential likely significant effects

4.14 None – This policy sets out that new development should be designed to anticipate climate change and be adaptable. The policy also outlines eco-design features that should be incorporated. The policy will not directly result in development that would have likely significant effects.

Policy FRES14: New and existing business

Potential likely significant effects

4.15 None – This policy states that proposals for the expansion of existing businesses including small scale extensions will be supported provided they do not have a significant adverse impact upon the character of the area, adjoining uses, or the amenity of local residents, either, through their built form, proposed use or traffic generated. Due to the small scale of development, the policy is not therefore expected to have likely significant effects on European sites..

Policy FRES15: Enhancement and redevelopment opportunities

Potential likely significant effects

4.16 None – This policy sets out that proposals that would result in a positive visual, environmental or historic enhancement to any underused or unused sites will be supported provided that they are of a suitable scale and design. The policy will not directly result in development.

Policy FRES16: Transport and highway safety

Potential likely significant effects

4.17 None – This policy sets out that new development must provide safe and attractive pedestrian and cycle links that connect with existing networks. The policy will not directly result in development.

Potential impact pathways

4.18 As the Neighbourhood Plan includes residential site allocations within policy FRES1, the development of which could result in likely significant effects on European sites, it is necessary to consider the potential impact pathways. In addition, policy FRES6 could result in the development of new community facilities within the Neighbourhood Plan area

4.19 For some types of impacts, Screening for likely significant effects can be determined on a proximity basis, using GIS data to determine the distance of potential development locations to the European sites that are the subject of the assessment. However, there are many uncertainties associated with using set distances as there are very few standards available as a guide to how far impacts will travel. Therefore, a number of assumptions are applied in relation to the potential impact pathways that may result from the plan, as described below.

Physical damage and loss of habitat

4.20 Any development resulting from the Fressingfield Neighbourhood Plan would take place within Fressingfield Parish; therefore only European sites within the Parish could be affected through physical damage or loss of habitat from within the site boundaries. No European sites are located within the boundary of the parish. It is possible that functionally linked habitats used by otters are present within the plan area; however, development at two sites adjacent an existing settlement; which are likely to already be disturbed and unlikely to be important functionally linked habitats, is unlikely to have a significant impact on the qualifying otter populations at Broadland SPA or The Broads SAC (16km away), because there are suitable otter habitats throughout the wider area. There are no likely significant effects relating to physical damage and loss of habitat.

Non-physical disturbance (noise, vibration and light)

4.21 Noise and vibration effects are most likely to disturb bird species and some mammals; thus are a key consideration with respect to potential effects on European sites where birds or mammals are the qualifying features. Artificial lighting at night has the potential to affect species where it occurs in close proximity to key habitat areas, such as key roosting sites of SPA birds (or bats; not present in this area).

4.22 It has been assumed that the effects of noise, vibration and light are most likely to be significant within a distance of 500 metres. There is also evidence of

300 metres being used as a distance up to which certain bird species can be disturbed by the effects of noise **[See reference** 30**]**; however, it has been assumed (on a precautionary basis) that the effects of noise, vibration and light pollution are capable of causing an adverse effect if development takes place within 500 metres of a European site with qualifying features sensitive to these types of disturbance.

4.23 All European sites are located over 500 metres from the Neighbourhood Plan area and therefore there will be no likely significant effects from non-physical disturbance at a European site. It is possible that functionally linked habitats used by otters are present within the plan area or within 500m of it; however, the scale of increase in disturbance (i.e. up to 30 additional homes adjacent to an existing settlement, where there is likely to already be disturbance) is unlikely to have a significant impact on the qualifying otter populations at Broadland SPA or The Broads SAC (16km away), because there are suitable otter habitats throughout the wider area. There are no likely significant effects relating to non-physical disturbance.

Air pollution (vehicle emissions)

4.24 Air pollution is most likely to affect European sites where plant, soil and water habitats are the qualifying features, but some qualifying animal species may also be affected, either directly or indirectly, by deterioration in habitat as a result of air pollution. Deposition of pollutants to the ground and vegetation can alter the characteristics of the soil, affecting the pH and nitrogen levels, which can then affect plant health, productivity and species composition.

4.25 In terms of vehicle traffic, nitrogen oxides (NOx, i.e. NO and NO2) are considered to be the key pollutants. Deposition of nitrogen compounds may lead to both soil and freshwater acidification, and NOx can cause eutrophication of soils and water.

4.26 Based on the Highways England Design Manual for Road and Bridges (DMRB) LA 105 Air quality (which sets out the requirements for assessing and reporting the effects of highway projects on air quality), it is assumed that air

pollution from roads is unlikely to be significant beyond 200 metres from the road itself. Where increases in traffic volumes are forecast, this 200 metres buffer needs to be applied to the relevant roads in order to make a judgement about the likely geographical extent of air pollution impacts.

4.27 For highways within 200 metres of sensitive receptors, the DMRB provides the following Screening criteria to ascertain whether there are likely to be significant impacts from developments:

- Daily traffic flows will change by 1,000 AADT (Annual Average Daily Traffic) or more; or
- Heavy duty vehicle (HDV) flows will change by 200 AADT or more; or
- There will be a change in speed band; or
- Road carriageway alignment will change by 5 metres or more.

4.28 Thus, where significant increases in traffic are possible on roads within 200 metres of European sites, traffic forecast data may be needed to determine if increases in vehicle traffic are likely to be significant. In line with the Wealden judgment **[See reference** 31**]**, the traffic growth considered by the HRA should be based on the effects of development provided for by the plan in combination with other drivers of growth such as development proposed in neighbouring districts and demographic change.

4.29 Usually, it is only those roads forming part of the primary road network (motorways and ‘A’ roads) that are likely to experience any significant increases in vehicle traffic as a result of development (i.e. greater than 1,000 AADT), although there are sometimes exceptions.

4.30 The JNCC’s ‘Guidance on decision-making thresholds for air pollution’ **[See reference 32]** states that, when assessing the air pollution impacts of a development plan, 10km should be used as a zone of influence within which the plan is likely to have significant effects on air quality, i.e. European sites beyond 10km from the plan area can be screened out in relation to air pollution.

4.31 All European sites are located further than 10km from the Neighbourhood Plan area. Although there may be some functionally linked habitats used by

birds (e.g. common tern) or otter within 10km of the Neighbourhood Plan area, changes to habitats resulting from air pollution are not likely to result in likely significant effects. Habitats would need to deteriorate significantly due to air pollution and result in the significant loss of supporting habitat within the wider area around the European sites (relevant sites are all at least 16km away). Therefore, likely significant effects associated with increased air pollution from vehicle emissions are screened out of the assessment.

Air pollution (dust)

4.32 Development can result in the creation of dust, which can smother habitats preventing natural processes and lead to effects associated with increased sediment. This can affect the turbidity of aquatic habitats and may contribute to nutrient enrichment, which can lead to changes in the rate of vegetative succession and habitat composition.

4.33 Large dust particles mostly deposit close to the source and the assumption is that the vast majority of dust deposition occurs within 100m, although some smaller particles may travel up to 200-500m **[See reference** 33**]**. Therefore, significant effects on European sites from dust are unlikely beyond 100m. All European sites are located significantly more than 100 metres from the Neighbourhood Plan area. It is possible that functionally linked habitats used by otters are present within the plan area or within 100m of it; however, development at two sites adjacent an existing settlement; which are unlikely to be important functionally linked habitats, is unlikely to have a significant impact on the qualifying otter populations at Broadland SPA or The Broads SAC (16km away), because there are suitable otter habitats throughout the wider area. There are no likely significant effects relating to dust

Recreation

4.34 Recreational activities and human presence can result in significant effects on European sites. European sites with qualifying bird species are likely to be particularly susceptible to recreational disturbances from walking, dog walking, angling, illegal use of off-road vehicles and motorbikes, wildfowling, and water

sports. In addition, recreation can physically damage habitat as a result of trampling, fire or vandalism or erosion.

4.35 Each European site will typically have a 'Zone of Influence' (ZOI) within which increases in population would be expected to result in likely significant effects. ZOIs are usually established following targeted visitor surveys and the findings are therefore typically specific to each European site (and often to specific areas within a European site). The findings are likely to be influenced by a number of complex and interacting factors and therefore it is not always appropriate to apply a generic or non-specific ZOI to a European Site.

4.36 For European sites on the Suffolk coast, a mitigation strategy has been established: the Suffolk Coast Recreation Disturbance Avoidance and Mitigation Strategy (RAMS) **[See reference** 34**]**. The survey work underpinning the Suffolk Coast RAMS has established a ZOI of 13km.Recreation pressure can sometimes impact upon functionally linked habitats, and the Suffolk Coast RAMS takes into account the areas used by common terns (the species with the largest range; see paragraph 3.28) by extending the 13km ZOI into Waveney district, where the functionally linked habitats occur. There is no extension of the ZOI into Mid Suffolk District as there are no additional functionally linked habitats that need to be considered. Suffolk Coast sites with a 13km ZOI are as follows. The ZOIs do not overlap with the Neighbourhood Plan area, and these sites have therefore been screened out in relation to recreation pressure:

- Benacre to Easton Bavents SPA;
- Minsmere-Walberswick SPA/Ramsar;
- Minsmere to Walberswick Heaths and Marshes SAC; and
- Sandlings SPA.

4.37 Similar work has been undertaken in Norfolk. The Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GIRAMS, March 2021) **[See reference** 35**]** is supplemented by information in the GIRAMS action plan **[See reference** 36**]**. This work establishes ZOIs for the following Norfolk sites that overlap with the Neighbourhood Plan area:

- Broadland SPA/Ramsar: 29.7km;
- The Broads SAC: 29.7km;

4.38 The GIRAMS work identifies some localised issues with recreation pressure (e.g. dog walking) at the following sites, but they were not considered sufficiently sensitive to recreation pressure to include in the mitigation strategy. There are no ZOIs for these sites and they have been screened out in relation to recreation pressure:

- Redgrave and South Lopham Fens Ramsar site; and
- Waveney and Little Ouse Valley Fens SAC

4.39 There is no ZOI for the Outer Thames Estuary SPA. This site is offshore and the Neighbourhood Plan is unlikely to significant alter marine recreation; this site has been screened out in relation to recreation pressure.

4.40 Dew's Pond SAC is not identified as sensitive to recreation pressure in its Site Improvement Plan or Supplementary Advice for Conservation Advice and has therefore been screened out in relation to recreation pressure.

4.41 The only ZOIs that extend into the Neighbourhood Plan area are those of Broadland SPA/Ramsar and The Broads SAC. Residential development arising from the Neighbourhood Plan site allocations could therefore have a likely significant effect on recreation pressure at these sites; this impact has been screened in. There are no functionally linked habitats that could be affected by recreation pressure associated with the Neighbourhood Plan.

Water quantity and quality (direct pollution)

4.42 Direct pollution can occur during construction or due to runoff of surface water. The distance at which this impact can occur depends on the topography of a site, but hydrological connectivity is required between the development location and a European site.

4.43 A tributary of the River Waveney passes to the north of Fressingfield. The River Waveney flows northwest into Breydon Water (an SPA and Ramsar site) at Great Yarmouth. The SPA/Ramsar site is more than 30km from the

Neighbourhood Plan area, in a straight line, and further along the course of the river. In theory, there may also be habitats that are used by otters from (functionally linked to) Broadland Ramsar and The Broads SAC. However, the scale of development proposed in the Neighbourhood Plan is relatively small (up to 30 homes, and potentially community facilities) and any accidental pollution would be expected to be localised and temporary. With dilution along the course of the river, likely significant effects would not occur at Breydon Water SPA/Ramsar site; and any impacts would not be of a scale that would affect otter functionally linked habitats to the extent that the SAC/Ramsar otter population would be at risk. There are no likely significant effects relating to direct pollution of water.

Water quantity and quality (abstraction

4.44 Water is supplied to the plan area by Essex and Suffolk Water. About half of its water comes from surface water (including the Broads) and the remainder from aquifers. Essex and Suffolk Water's Water Resources Management Plan **[See reference** 37**]** (WRMP) 2024 sets out how water will be balanced across the region, to ensure supply and identifies any measures required to achieve this, for example works to transfer water. It says: "We've agreed with the Environment Agency to reduce how much water we take from aquifers from 2030 to make sure important groundwater dependent ecosystems including rivers and wetlands such as those in the Norfolk Broads, are not adversely impacted as populations grow and the climate changes."

4.45 Without mitigation (for example the measures set out within the WRMP), increased demand for water could therefore increase abstraction of water from The Broads SAC or Broadlands SPA and Ramsar. New homes associated with the Neighbourhood Plan, could increase demand for water and therefore contribute to likely significant effects from abstraction; however, the scale of development is small. Indirect impacts on European site qualifying species (e.g. otter, birds) would be unlikely to be significant as changes to their supporting habitats would be small. The direct impact of abstraction on The Broads SAC or Broadlands Ramsar habitats and plants has been screened in as a precaution.

Water quantity and quality (wastewater treatment)

4.46 Sewerage services are provided within the plan area by Anglian Water and the waste water treatment works at Fressingfield discharges into a tributary of the River Waveney and ultimately to the sea via Breydon Water. The River Waveney catchment is not a catchment within which 'nutrient neutrality' applies.

4.47 Without mitigation (for example the measures set out within the WRMP), increased demand for wastewater could therefore increase nutrients at Breydon Water SPA/Ramsar or Outer Thames Estuary SPA. New homes associated with the Neighbourhood Plan, could increase demand for wastewater treatment and therefore contribute to likely significant effects from wastewater; however, the scale of development is small. Indirect impacts on European site qualifying species (e.g. otter, birds, cetaceans) would be unlikely to be significant as changes to their supporting habitats would be small. The direct impact of wastewater on The Broads SAC or Broadlands Ramsar habitats and plants has been screened in as a precaution.

Screening conclusion

4.48 The HRA Screening was unable to rule out likely significant effects in relation to:

- Recreation pressure at Broadland SPA/Ramsar and The Broads SAC.
- Abstraction and wastewater treatment at The Broads SAC or Broadlands Ramsar (direct impacts on qualifying habitats and plants).

4.49 The impact pathways are associated with policy FRES1 and the two site allocations FRES1a and FRES1b. The impacts are unlikely to be significant due to the Neighbourhood Plan alone; but could occur due to the Neighbourhood Plan in combination with other plans or projects.

4.50 All other impact pathways have been screened out as there will be no likely significant effects.

Conclusion and next steps

5.1 At the Screening stage of the HRA, likely significant effects on European sites as a result of the Pre-Submission Draft version of the Fressingfield Neighbourhood Plan are not able to be ruled out in relation to:

- Recreation pressure at Broadland SPA/Ramsar and The Broads SAC.
- Abstraction and wastewater treatment at The Broads SAC or Broadlands Ramsar (direct impacts on qualifying habitats and plants).

5.2 These issues will therefore require further consideration through an Appropriate Assessment.

Next steps

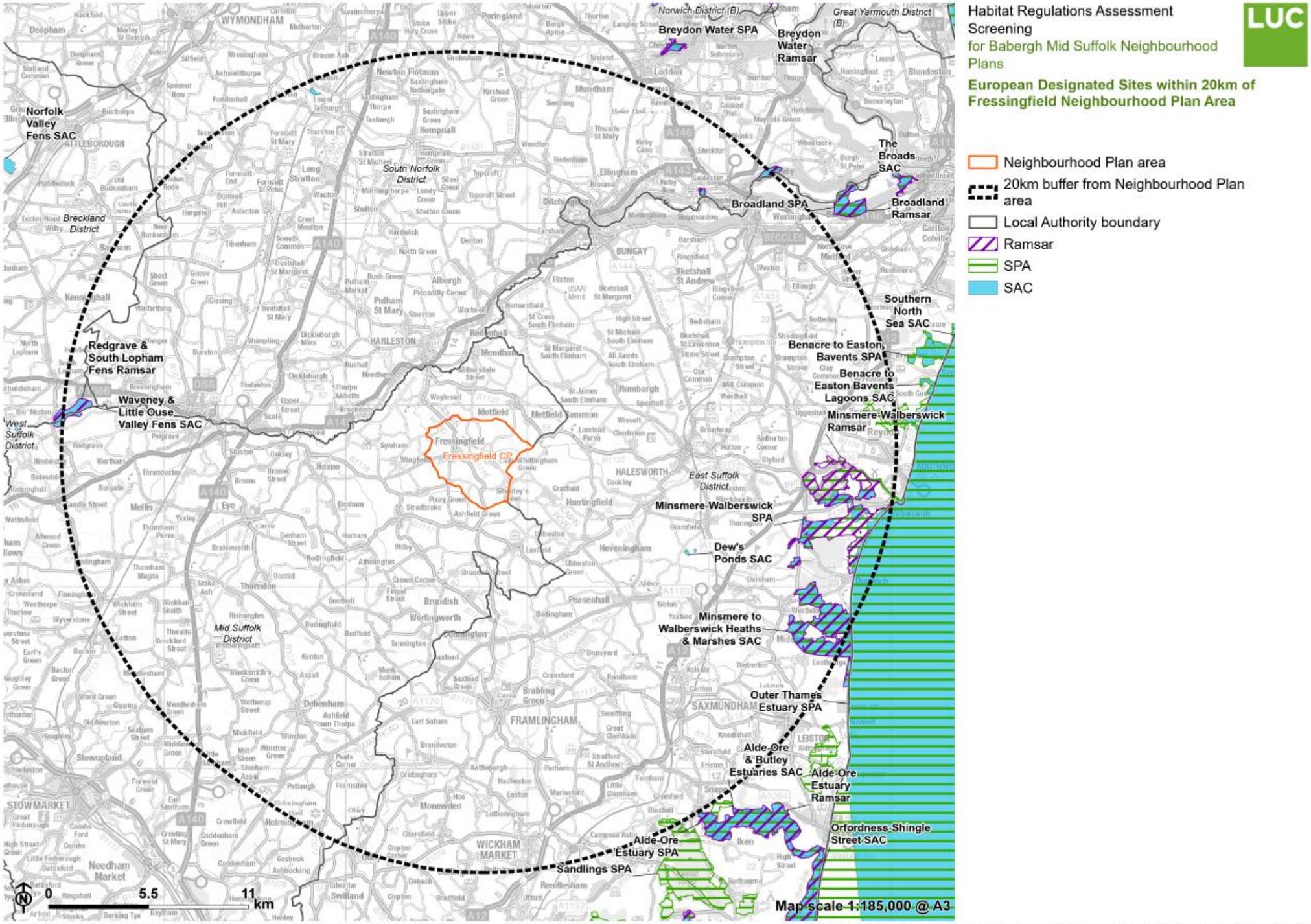
5.3 HRA is an iterative process and as such, this assessment should be updated if any relevant, newly available evidence or comments from key consultees are received prior to the plan being finalised. It is recommended that this report is subject to consultation with Natural England to confirm that the conclusions of the assessment are considered appropriate at this stage of plan-making.

LUC
March 2026

Appendix A

Map of European Sites within 20km of Fressingfield Neighbourhood Plan Area

Figure A.1 European Designated Sites within 20km of Fressingfield Neighbourhood Plan



Appendix B
Attributes of European Sites

B.1 This appendix contains information on the European sites that have been scoped into the HRA. Site areas and designated features are drawn from SAC and SPA Standard Data Forms and Ramsar Site Information Sheets **[See reference 38]**. The overviews of sites and their locations are drawn from Natural England's Site Improvement Plans **[See reference 39]** Site conservation objectives are drawn from Natural England's website and are only available for SACs and SPAs **[See reference 40]**.

Benacre to Easton Bavents SPA

Overview of site and its location

B.2 The Benacre to Easton Bavents SPA is a series of percolation lagoons. The lagoons (the Denes, Benacre Broad, Covehithe Broad and Easton Broad) have formed behind shingle barriers and are a feature of a geomorphologically dynamic system. Sea water enters the lagoons by percolation through the barriers, or by overtopping them during storms and high spring tides. The three southern lagoons receive freshwater inputs from the local ditch and channel network.

B.3 Benacre to Easton Bavents SPA supports internationally important populations of Bittern, Marsh harrier and Little tern. The site includes areas of shingle, vegetated shingle, reedbed, and wetland habitats as well as geological and geomorphological features.

Overlapping/adjacent to the SPA are the following Site(s) of Special Scientific Interest (SSSI):

- Pakefield to Easton Bavents SSSI

Qualifying features

Annex I species:

- Great bittern; *Botaurus stellaris*

- Eurasian marsh harrier; *Circus aeruginosus*
- Little tern; *Sterna albifrons*

Conservation objectives

B.4 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.

Key Vulnerabilities

- **Public Access/Disturbance –** The popularity of the beaches and the Ness for walking and dog-walking means the suitability of these areas for terns is greatly reduced. Long term disturbance means features are not always recorded where they would be expected. Site management measures to reduce and mitigate disturbance is needed.
- **Water pollution -** Poor water quality in the saline lagoon is causing increased algal growth and a decline in the diversity of invertebrates, and thus the biotope code is being changed.
- **Physical modification -** The barrier beaches are retreating into the saline lagoons and reedbed habitat through natural coastal processes, leading to a decrease and potential future loss of the lagoon habitat. The artificial coastal management may exacerbate this problem.
- **Changes in species distributions** - The current SPA no longer includes the main area used by little tern for nesting. Bare shingle is becoming vegetated rendering the current habitats unsuitable for the nesting terns, so they are moving north to take up nesting areas on newer shingle.
- **Fisheries -** Commercial fishing activities categorised as ‘amber or green’ under Defra’s revised approach to commercial fisheries in EMSs are being assessed by EIFCA to determine whether management is required. For

activities categorised as ‘green’, these assessments should take account of any relevant in-combination effects with other fishing activities.

Breydon Water SPA

Overview of site and its location

Inland tidal estuary which forms the lower reaches of the River Yare and its confluence with Rivers Bure and Waveney. The site incorporates mudflats exposed at low tide, saltmarsh, lowland wet grass and freshwater grazing marsh.

Qualifying features

Qualifying features:

- Bewick’s swan; *Cygnus columbianus bewickii* (Non-breeding)
- Pied avocet*; Recurvirostra avosetta* (Non-breeding)
- European golden plover*; Pluvialis apricaria* (Non-breeding)
- Northern lapwing; *Vanellus vanellus* (Non-breeding)
- Ruff; *Philomachus pugnax* (Passage)
- Common tern; *Sterna hirundo* (Breeding)
- Waterbird assemblage (Non-breeding)

Key vulnerabilities

- Outdoor sports and leisure activities, recreational activities
- Other human intrusions and disturbances
- Modification of cultivation practices
- Fishing and harvesting aquatic resources
- Human induced changes in hydraulic conditions

Conservation objectives

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.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

In general, the qualifying bird species of the SPA rely on:

- The sites ecosystem as a whole (see list of habitats below);
- Maintenance of populations of species that they feed on (see list of diets below);
- Off-site habitat, which provide foraging habitat for these species; and
- Open landscape with unobstructed line of sight within nesting, foraging or roosting habitat.

Bewick's swan; *Cygnus columbianus bewickii* (Non-breeding)

- Habitat Preference – Shallow ponds, undisturbed lakes, slow rivers, wetlands and marshes.
- Diet – Feeds in fields on leftover potatoes and grain, on breeding grounds they eat aquatic plants and grass.

Pied avocet; *Recurvirostra avosetta* (Non-breeding)

- Habitat Preference – Grassland, marine and intertidal wetlands.

- Diet – Aquatic insects and their larvae, crustaceans and worms.

European golden plover; *Pluvialis apricaria* (Non-breeding)

- Habitat Preference – Moorland, farmland and estuaries.
- Diet – Worms, beetles and insects.

Northern lapwing; *Vanellus vanellus* (Non-breeding)

- Habitat Preference – Saltmarshes, grazing marsh, mudflats, farming systems, extensively managed wet grasslands.
- Diet – Earthworms, leatherjackets, insects and larvae.

Ruff; Philomachus pugnax (Passage)

- Habitat Preference – Wet grasslands and wetlands near the coast.
- Diet – Insects, crustaceans, spiders, molluscs, worms, frogs, small fish, seeds of rice and other cereals, grasses and aquatic plants.

Common tern; *Sterna hirundo* (Breeding)

- Habitat Preference – Seacoasts, rivers and lakes.
- Diet – Small fish and invertebrates.

Waterbird Assemblage (Non-breeding)

- The waterfowl assemblage relies on a variety of habitats to support population numbers, including intertidal mudflats and sandflats, boulder and cobble shores, saltmarsh, seagrass beds and shallow coastal waters and river channel.

Breydon Water Ramsar

Overview of site and its location

An inland tidal estuary with extensive areas of mudflats exposed at low tide.

Qualifying features

Ramsar Criterion 5 – Assemblage of international importance

Over winter the area regularly supports:

- 43,225 waterfowl (5 year peak mean for 1991/92 to 1995/96)

Ramsar Criterion 6 – Species/populations occurring at levels of international importance – qualifying species/populations (as identified at designation)

Overwinter the area regularly supports:

- Bewicks swan; *Cygnus columbianus bewickii*
- Northern lapwing; *Vanellus vanellus*

Key vulnerabilities

- Similar to Breydon Water SPA (above).

Conservation objectives

- None available.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

In general, the qualifying bird species of the Ramsar rely on:

- The sites ecosystem as a whole (see list of habitats below);
- Maintenance of populations of species that they feed on (see list of diets below);
- Off-site habitat, which provide foraging habitat for these species; and
- Open landscape with unobstructed line of sight within nesting, foraging or roosting habitat.

Bewick's swan; *Cygnus columbianus bewickii* (Non-breeding)

- Habitat Preference – Shallow ponds, undisturbed lakes, slow rivers, wetlands and marshes.
- Diet – Feeds in fields on leftover potatoes and grain, on breeding grounds they eat aquatic plants and grass.

Northern lapwing; *Vanellus vanellus* (Non-breeding)

- Habitat Preference – Farming systems and extensively managed wet grasslands.
- Diet – Earthworms, leatherjackets, insects and larvae.

Broadland SPA

Overview of site and its location

B.5 The fens of the Broads contain a diverse mix of species making it one of the most extensive remaining areas of fen habitat in Europe, being internationally recognised for eight fen communities. The fens and drained marshes are dissected by networks of dykes that support internationally important aquatic plant communities that have been lost from many broads: the fen habitats are also used by the internationally important otter.

B.6 The Broads also represent the largest area of floating forest and wet woodland in Britain and possibly Western Europe. Carr woodland supports four nationally important plant species and the limited area of mature alder carr is considered of priority international importance. In addition, parts of the Broads support a nationally rare scrub type that is almost entirely confined to East Anglia.

B.7 Fen habitats offer foraging and nesting sites for populations of three internationally important bird species; marsh harrier, bittern and crane. Nationally important populations of pochard and shoveler breed on unreclaimed fens and drained marshes adjacent to open water. Cetti's warbler, Savi's warbler and the bearded reedling are further species present in nationally important breeding numbers. Internationally important populations of shoveler overwinter in unreclaimed fens and marshes.

B.8 The Broads is a complex site and there are a range of issues impacting across the catchment or in specific parts of the catchment. In many cases there are interactions between issues. This SIP links with actions in key documents, such as the Broads Plan and the Broadland Rivers Catchment Plan. Twenty-eight Sites of Special Scientific Interest (SSSI) have been notified in the Broads, with most of these sites being of international importance for their habitats and/or bird populations or species and have been included within the European Directives as the Broads Special Area of Conservation and the Broadland Special Protection Area.

Qualifying features

Annex I species:

- Great bittern; *Botaurus stellaris*
- Eurasian marsh harrier; *Circus aeruginosus*
- Bewick’s swan; *Cygnus columbianus bewickii*
- Whooper swan; *Cygnus cygnus*
- Eurasian wigeon; *Anas Penelope*
- Gadwall; *Anas strepera*
- Northern shoveler; *Anas slypeata*
- Hen harrier; *Circus cyaneus*

- Ruff; *Philomachus pugnax*

Conservation objectives

B.9 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.

Key Vulnerabilities

- **Water pollution -** Diffuse water pollution (DWP) is a key issue potentially affecting all Broads sites and remains one of the priority issues to address in the Broads. There are a variety of sources, pathways and effects, and interactions with climate change. Hence, a variety of solutions is required to address the problem. In many cases measures are required throughout the catchment, rather than within the site or adjacent to the site. Saline incursion is also an increasing threat to much of the Broads' system (although most acutely in the lower Broads) due to climate change and increasing likelihood of both regular and extreme tidal impacts. Furthermore, Diffuse pollution from the Brograve level due to past drainage in the catchment has led to elevated salinity and ochre levels in both Horsey Mere and Hickling Broad.
- **Climate change -** Climate change is a cross-cutting issue that potentially impacts on many of the other identified issues. There is a need to improve the understanding of the potential effects on the Broads and the features it supports. This will be with a view to developing appropriate adaptation strategies going forward into the future.
- **Invasive species -** Invasive species involving a number of different species are impacting on SAC and SPA features; this is a key issue in the Broads and could be exacerbated by climate change.

- **Siltation -** Many of the open water bodies in the Broads have been subjected to siltation over many decades. Whilst many sites have been in receipt of a range of lake restoration measures, a number of sites require significant lake restoration to restore SAC quality open water features. There is a strong link to DWP to ensure that sediment/nutrient sources are largely removed in conjunction with lake restoration works.
- **Inappropriate water levels -** Water level management is key to the maintenance of features throughout the Broads. As such, it is essential that the correct water management infrastructure and operating protocols are in place to deliver the optimum hydrological regime for the features of interest at a site, also in the context of a changing climate. Operating procedures need to be updated at a number of locations following the implementation of Water Level Management Plan works. Appropriate water level management is also critical to the maintenance of dykes and infield water features (for breeding waders).
- **Hydrological changes -** Water availability to sites from both surface and groundwater sources will come under increasing pressure in a changing climate. This relates to both management of water within sites and also in their wider catchments.
- **Water abstraction -** Water abstraction is a key issue potentially affecting the full range of Broads' habitats and species. Whilst many of the concerns have been addressed through EA's Review of Consents (RoC) and Restoring Sustainable Abstraction (RSA) programmes, and the water companies' Asset Management Plan (AMP) programme, there remain concerns in some situations, and also a need to review licences in the context of a changing climate.
- **Change in land management -** Changes in land management within the catchment of sites as a result of expiring agreements and/or changes in land management practice could have a significant impact on water supply and quality affecting sites.
- **Inappropriate ditch management -** Understanding of the role and function of catch dykes (dykes lying between the floodplain and the upland) is indicating that they may play a key role both in the transfer of diffuse pollution into sites, the interruption of the hydroseral succession from wet to dry habitats on the valley sides, impacts on water chemistry, and impacts on saline incursion.
- **Inappropriate scrub control -** Encroachment of scrub into fens remains an issue across the Broads, either in terms of one-off capital programmes

or ongoing maintenance. This issue has to a large degree been addressed through the large capital programmes over the last 20 years, and maintenance through agri-environment. It remains an issue on sites outside agreement, where HLS payments are insufficient to meet costs, and where the expertise is not available to deliver the works.

- **Changes in species distributions -** Understanding changes in principally plant and invertebrate species and communities (in terms of distribution and composition) over time are critical to identifying general and site-specific trends, particularly in a changing climate and changes in salinity. This in turn allows issues to be identified and addressed at an early stage.
- **Public Access/Disturbance -** Recreational impacts on SAC habitats and disturbance to wintering waterfowl in particular, is an issue on a number of Broads' sites. This is largely a result of boat-based use of the water bodies.
- **Undergrazing -** Undergrazing is an issue on a number of sites within the Broads that have been historically grazed or require grazing. Often the issues are associated with the difficult ground, the difficulty of implementing grazing infrastructure, and/ or the lack of suitable stock. This can also impact on dyke margins, as is the case at Muckfleet Marshes.
- **Drainage -** A Water Level Management Plan to address ochre has now been costed and is planned to be delivered by 2015 by the Broads IDB. Recent developments in the catchment mean that this plan now needs to be reviewed to identify whether the proposed solution or an alternative solution is still required.
- **Direct impact from third party -** The presence of military and police aircraft performing training exercises within the SPA is causing disturbance to the wildfowl interest features.
- **Inappropriate coastal management -** The presence of the sea wall at Winterton-Horsey Dunes compromises the coastal processes, and the dynamism within the dune features. This is a difficult issue to address due to the historical management of the coast, the complexities of the coastal environment, potential impacts on the Broads (Upper Thurne Broads & Marshes SSSI), and potential impacts on people and property. This is managed through the Shoreline Management Plan.
- **Air pollution -** Nitrogen deposition exceeds the site relevant critical load for ecosystem protection and hence there is a risk of harmful effects, particularly in the light of a changing climate.

Broadland Ramsar site

Overview of site and its location

B.10 Refer to Broadland SPA and The Broads SAC above.

Qualifying features

Ramsar criterion 2

- The site supports a number of rare species and habitats within the biogeographical zone context, including the following Habitats Directive Annex I features: Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae* calcium-rich fen dominated by great fen sedge, Alkaline fens, Alluvial forests and the Annex II species: *Verigo moulinsiana* Desmoulin's whorl snail, *Lutra lutra* otter and *Liparis loeselii* Fen orchid.

Ramsar criterion 6

- The site supports qualifying species/populations including *Cygnus columbianus bewickii,* Tundra swan; *Anas Penelope* Eurasian wigeon; *Anas strepera strepera,* Gadwall; and *Anas clypeata,* Northern shoveler.

Conservation objectives

B.11 None available.

Key Vulnerabilities

B.12 Refer to Minsmere-Walberswick SPA above.

The Broads SAC

Overview of site and its location

B.13 The Broads in East Anglia contain several examples of naturally nutrient-rich lakes. Although artificial, having been created by peat digging in medieval times, these lakes and the ditches in areas of fen and drained marshlands support relict vegetation of the original Fenland flora, and collectively this site

contains one of the richest assemblages of rare and local aquatic species in the UK. The stonewort – pondweed – water-milfoil – water-lily (*Characeae – Potamogeton – Myriophyllum – Nuphar*) associations are well-represented, as are club-rush– common reed *Scirpo – Phragmitetum* associations. The dyke (ditch) systems support vegetation characterised by water-soldier *Stratiotes aloides*, whorled water-milfoil *Myriophyllum verticillatum* and broad-leaved pondweed *Potamogeton natans* as well as being a stronghold of little whirlpool ram's-horn snail *Anisus vorticulus* and Desmoulin's whorl snail *Vertigo moulinsiana* in East Anglia. The range of wetlands and associated habitats also provides suitable conditions for otters *Lutra lutra*.

B.14 The Broads is the richest area for stoneworts (charophytes) in Britain. The core of this interest is the Thurne Broads and particularly Hickling Broad, a large shallow brackish lake. Within the Broads examples of *Chara* vegetation are also found within fen pools (turf ponds) and fen and marsh ditch systems. The Broads supports a number of rare and local charophyte species, including *Chara aspera, C. baltica, C. connivens, C. contraria, C. curta, C. intermedia, C. pedunculata, Nitella mucronata, Nitellopsis obtusa, Tolypella glomerata and T. intricata.*

B.15 The complex of sites contains the largest blocks of alder *Alnus glutinosa* wood in England. Within the complex complete successional sequences occur from open water through reedswamp to alder woodland, which has developed on fen peat. There is a correspondingly wide range of flora, including uncommon species such as marsh fern *Thelypteris palustris*.

Qualifying features

B.16 Annex I habitats present as a qualifying feature:

- Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.; Calcium-rich nutrient-poor lakes, lochs and pools
- Natural eutrophic lakes with *Magnopotamion* or *Hydrocharition*-type vegetation; Naturally nutrient-rich lakes or lochs which are often dominated by pondweed
- *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*); Purple moor-grass meadows
- Transition mires and quaking bogs; Very wet mires often identified by an unstable `quaking`surface

- Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*; Calcium-rich fen dominated by great fen sedge (saw sedge)
- Alkaline fens; Calcium-rich springwater-fed fens
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion, Alnion incanae, Salicion albae*); Alder woodland on floodplains

B.17 Annex I species present as a qualifying feature:

- *Vertigo moulinsiana*; Desmoulin`s whorl snail
- *Lutra lutra*; Otter
- *Liparis loeselii*; Fen orchid
- *Anisus vorticulus*; Little whorlpool ram's-horn snail

Conservation objectives

B.18 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.

Key Vulnerabilities

B.19 Refer to Broadland SPA above.

Dew's Pond SAC

Overview of site and its location

B.20 This site in rural East Suffolk comprises a series of 12 ponds set in an area of formerly predominantly arable land. The ponds range from old field ponds created for agricultural purposes to some constructed in recent years specifically for wildlife. Some of the land has been converted from arable to grassland, with a variety of grassland types present. Other habitats include hedges and ditches. Great crested newts *Triturus cristatus* have been found in the majority of ponds on the site.

B.21 Overlapping/adjacent to the SAC are the following Site(s) of Special Scientific Interest (SSSI):

- Dew's Pond SSSI

Qualifying features

Annex II species:

- Great crested newt *Triturus cristatus*

Conservation objectives

B.22 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 habitats of qualifying species;
- The structure and function of the habitats of qualifying species;
- The supporting processes on which the habitats of qualifying species rely;
- The populations of qualifying species; and
- The distribution of qualifying species within the site.

Key Vulnerabilities

- Water quality; and

- Air quality.

Minsmere–Walberswick SPA

Overview of site and its location

B.23 Minsmere–Walberswick Special Protection Area (SPA) is located on the Suffolk coast south of Southwold in eastern England. It comprises of two large marshes, the tidal Blyth estuary, and associated habitats and covers 20 km². This composite coastal site contains a complex mosaic of habitats, notably areas of marsh with dykes, extensive reedbeds, mudflats, lagoons, shingle, woodland and areas of lowland heath. The site has close ecological links with the Hamford Water and Mid-Essex Coast SPAs, lying to the south on the same coast.

Qualifying features

- Great bittern *Botaurus stellaris*
- Gadwall *Anas strepera*
- Eurasian teal *Anas crecca*
- Northern shoveler *Anas clypeata*
- Eurasian marsh harrier *Circus aeruginosus*
- Hen harrier *Circus cyaneus*
- Pied avocet *Recurvirostra avosetta*
- Little tern *Sterna albifrons*
- European nightjar *Caprimulgus europaeus*
- Greater white-fronted goose *Anser albifrons albifrons*

Conservation objectives

B.24 With regard to the individual species and/or assemblage of species for which the site has been classified (“the Qualifying Features" listed below);

Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the

site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

Subject to natural change, to maintain or restore:

- 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.

Key Vulnerabilities

- **Coastal squeeze –** Coastal squeeze and greater frequency of coastal flooding is leading to loss of reedbed (at Walberswick and Corporation Marshes) and to loss of freshwater marsh (between Dunwich and Walberswick). There is evidence of erosion and accretion on leading edges at the Blyth (limited in most places) where coastal management is in line with the Shoreline Management Plan and deemed appropriate, but this may change in the future with sea level rise, increased flood risk and increased/reduced tidal prism. There is a risk of saline incursion into Westward Marshes if Waller's Wall is no longer maintained.
- **Public access/disturbance –** A great number of recreational visitors are attracted by area contributing to bird disturbance (e.g. human and dog disturbance to Little terns, Nightjar and Woodlark). Increased corvid predation is perceived as birds are flushed. The downward trends for these species are a concern. Trampling of heathland habitat and vegetated shingle (and Dune) habitat is an issue. Private aircraft (helicopters and planes, paramotorists) and MOD aircraft (helicopters and planes) regularly fly low over the site leading to disturbance of SPA features. Whilst wildfowling/shooting activities on site are fully assessed the impact of disturbance from unregulated shooting activity adjacent to the SPA/SAC is not fully understood.
- **Changes in species distributions –**The downward trend in population numbers of Woodlark, Nightjar, Marsh Harrier and Little Tern presents concerns. Reasons for decline (predation, disturbance, habitat management, food sources, possibly persecution, etc.) need to be better understood and mitigated as appropriate.

- **Invasive species –** Spartina anglica is encroaching on estuarine muds. With Spartina at the front, and reed encroaching at back, saltmarsh could be squeezed out.
- **Inappropriate pest control –** Corvids and gulls are attracted by feed of nearby outdoor pig farming, predating and disturbing SPA features.
- **Air pollution: impact of atmospheric nitrogen deposition –** Air pollution can impact on vegetation diversity. Modelled aerial deposits of nitrogen exceed the threshold limit above which the diversity of heathland vegetation begins to be altered and adversely impacted. Many land use practices contribute to this problem including land spreading, outdoor pigs, high nutrient inputs on fields, etc.
- **Water pollution –** Inappropriate surface and ground water quality may impact on SAC habitats and the supporting habitats of some SPA birds. The estuary water is nutrient rich with high pollutant levels. Eutrophication is having an influence on reed. Increased flood events could lead to habitat change/loss of diversity. nutrient run off from outdoor pig farming could exacerbate the issue locally. Ground water pollution on light lands from land use practices such as treatment plants, land spreading, outdoor pigs, high nutrient inputs on fields, etc, may be an issue locally. There is a lack of groundwater monitoring in place.
- **Deer –** High numbers of red deer are damaging reedbed (runways and wallows/loss of structure), woodland (reduced structural diversity) and heathland (erosion and reduced structural diversity) habitat. Minsmere RSPB Reserve has started a culling programme. Some areas/habitats benefit from deer browsing whilst others are damaged. There is no coordinated approach to deer control in the wider area.
- **Fisheries: Commercial marine and estuarine –** Many different fishing pressures close to shore that may include bycatch of juveniles numbers/ disturbance of fish nursery areas that could potentially have an impact on Little tern *Sterna albifrons*.

Minsmere to Walberswick Heaths and Marshes SAC

Overview of site and its location

B.25 Minsmere – Walberswick Heaths & Marshes SAC is located on the Suffolk coast south of Southwold in eastern England. It comprises two large marshes, the tidal Blyth estuary and associated habitats. This composite coastal site contains a complex mosaic of habitats, notably areas of marsh with dykes, extensive reedbeds, mud-flats, lagoons, shingle, woodland and areas of lowland heath. It supports the largest continuous stand of Common Reed *Phragmites australis* in England and Wales and demonstrates the nationally rare transition in grazing marsh ditch plants from brackish to fresh water. There are nationally important numbers of breeding and wintering birds. In particular, the reedbeds are of major importance for breeding *Bittern Botaurus stellaris* and Marsh Harrier *Circus aeruginosus*. A range of breeding waders (e.g. *Avocets Recurvirostra avosetta*) and heathland birds occur in other areas of the SPA. The shingle beaches support important numbers of breeding Little Tern Sterna albifrons, which feed substantially outside the SPA in adjacent marine waters. The site is also important for wintering Bitterns and raptors. The SAC features are heathland, vegetated annual and perrenial shingle habitats.

B.26 Overlapping/adjacent to the SAC are the following Site(s) of Special Scientific Interest (SSSI):

- Minsmere to Walberswick Heaths and Marshes SSSI

Qualifying features

Annex I species present as a qualifying feature:

- Annual vegetation of drift lines
- European dry heaths
- Perennial vegetation of stony banks. (Coastal shingle vegetation outside the reach of waves)

Conservation objectives

B.27 With regard to the SAC and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change:

- Annual vegetation of drift lines
- Perennial vegetation of stony banks.
- To maintain in favourable condition:
- Dry heaths

Key Vulnerabilities

B.28 Refer to Minsmere to Walberswick Heaths and Marshes SPA above.

Minsmere-Walberswick Ramsar site

Overview of site and its location

B.29 Refer to Minsmere to Walberswick Heaths and Marshes SAC and Minsmere-Walberswick SPA, above.

Qualifying features

Ramsar criterion 1

- The site contains a mosaic of marine, freshwater, marshland and associated habitats, complete with transition areas in between. Contains the largest continuous stand of reedbeds in England and Wales and rare transition in grazing marsh ditch plants from brackish to fresh water.

Ramsar criterion 2

- This site supports nine nationally scarce plants and at least 26 red data book invertebrates. Supports a population of the mollusc *Vertigo angustior* (Habitats Directive Annex II; British Red Data Book Endangered), recently discovered on the Blyth estuary river walls.
- An important assemblage of rare breeding birds associated with marshland and reedbeds including: *Botaurus stellaris,* great bittern; *Anas*

strepera, gadwall; *Anas crecca,* Eurasian teal; *Anas clypeata,* northern shoveler; *Circus aeruginosus,* Eurasian marsh harrier; *Recurvirostra avosetta,* pied avocet; *Panurus biarmicus*, bearded reedling.

Conservation objectives

B.30 None available.

Key Vulnerabilities

B.31 Refer to Minsmere-Walberswick SPA above.

Norfolk Valley Fens SAC

Overview of site and its location

5.4 This site comprises a series of valley-head spring-fed fens. Such spring-fed flush fens are very rare in the lowlands. The spring-heads are dominated by the small sedge fen type, mainly referable to black-bog-rush – blunt-flowered rush (Schoenus nigricans – Juncus subnodulosus) mire, but there are transitions to reedswamp and other fen and wet grassland types. The individual fens vary in their structure according to intensity of management and provide a wide range of variation. There is a rich flora associated with these fens, including species such as grass-of-Parnassus Parnassia palustris, common butterwort Pinguicula vulgaris, marsh helleborine Epipactis palustris and narrow-leaved marsh-orchid Dactylorhiza traunsteineri.

5.5 In places the calcareous fens grade into acidic flush communities on the valley sides. Purple moor-grass Molinia caerulea is often dominant with a variety of mosses including thick carpets of bog-moss Sphagnum spp. Marshy grassland may be present on drier ground and purple moor-grass is again usually dominant but cross-leaved heath Erica tetralix can be frequent. Alder Alnus glutinosa forms carr woodland in places by streams. Wet and dry heaths and acid, neutral and calcareous grassland surround the mires.

5.6 Within the Norfolk Valley Fens there are a number of marginal fens associated with pingos – pools that formed in hollows left when large blocks of ice melted at the end of the last Ice Age. These are very ancient wetlands and several support strong populations of Desmoulin's whorl snail Vertigo moulinsiana as part of a rich assemblage of rare and scarce species in standing

water habitat. At Flordon Common a strong population of narrow-mouthed whorl snail Vertigo angustior occurs in flushed grassland with yellow iris Iris pseudacorus.

Qualifying features

Annex I habitats that are a primary reason for selection of this site:

- Alkaline fens.
- Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:
- Northern Atlantic wet heaths with Erica tetralix.
- European dry heaths.
- Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites).
- Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae).
- Calcareous fens with Cladium mariscus and species of the Caricion davallianae. *Priority feature
- Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) *Priority feature

Annex II species that are a primary reason for selection of this site:

- Narrow-mouthed whorl snail Vertigo angustior.
- Desmoulin's whorl snail Vertigo moulinsiana.

Conservation Objectives

B.32 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.

Outer Thames Estuary SPA

Overview of site and its location

B.33 The Outer Thames Estuary Special Protection Area was designated to protect the red-throated diver Gavia stellata population and its supporting habitats (subtidal sands) in favourable condition.

B.34 The main part of the site is the outer part of the estuary (east of a line north from Sheerness, Kent to Shoebury Ness, Essex); a separate area extending south along the coast of E Norfolk (from Caister-on-Sea) to Woodbridge, Suffolk and lying mainly within the 12 nautical mile (nm) zone, except for two small areas which extend slightly into the 12 nm zone offshore from about Lowestoft; and a third area lying slightly further north and partly within 12 nm, but also with a larger area extending well beyond the 12 nm zone).Thirteen Sites of Special Scientific Interest (SSSI) are either overlapping or adjacent to the Outer Thames Estuary SPA.

Qualifying features

- Red-throated diver; *Gavia stellata*
- Common tern; *Sterna Hirundo*
- Little tern; *Sternula albifrons*

Conservation objectives

B.35 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.

Key Vulnerabilities

- **Fisheries: Commercial marine and estuarine –** Commercial fishing activities categorised as 'amber or green' under Defra's revised approach to commercial fisheries in European Marine Sites (EMS) require assessment and (where appropriate) management. This assessment will be undertaken by the Eastern IFCA and the Kent & Essex IFCA, and the Marine Management Organisation. For activities categorised as 'green', these assessments should take account of any in-combination effects of amber activities, and/or appropriate plans or projects, in the site. The gear types being assessed are towed demersal gear and dredges, and suction dredges for cockles as well as static/passive fishing gear methods such as set gillnets and drift netting represent potentially the most serious direct risk from fishing activity to the birds themselves. Disturbance and displacement effects may arise from boat movements associated with fishing activities. Removal of fish and larger molluscs can have a significant impact on the structure and functioning of benthic communities. Entanglement in static fishing nets is an important cause of death for red-throated divers in the UK waters. Netting is widespread across the sandbanks but is seasonal and occurs primarily when the Red-throated diver population is not at its peak. The scale of by-catch within the site has been assessed by the Kent & Essex IFCA, and was not found to be problematic and so can be deemed to be low-risk.

Redgrave and South Lopham Fens Ramsar site

Overview of site and its location

B.36 Redgrave and Lopham Fen is an extensive area of spring-fed valley fen in the headwaters of the River Waveney. It is the largest fen in lowland England. The reserve has a range of distinct habitats including the internationally important saw sedge beds and purple-moor grasslands.

Qualifying features

Ramsar criterion 1

- The site is an extensive example of spring-fed lowland base-rich valley, remarkable for its lack of fragmentation.

Ramsar criterion 2

- The site supports many rare and scarce invertebrates, including a population of the fen raft spider *Dolomedes plantarius*.

Ramsar criterion 3

- The site supports many rare and scarce invertebrates, including a population of the fen raft spider *Dolomedes plantarius*. The diversity of the site is due to the lateral and longitudinal zonation of the vegetation types characteristic of valley mires.

Conservation objectives

B.37 None available.

Key Vulnerabilities

- Dredging
- Eutrophication
- Pollution – agricultural fertilisers
- Pollution – pesticides/agricultural runoff

Sandlings SPA

Overview of site and its location

B.38 The Sandlings SPA lies near the Suffolk coast between the Deben Estuary and Leiston. In the 19th century, the area was dominated by heathland developed on glacial sandy soils. During the 20th century, large areas of heath were planted with blocks of commercial conifer forest and others were converted to arable agriculture. Lack of traditional management has resulted in the remnant areas of heath which have survived successional changes and the consequent spread of bracken Pteridium aquilinum, shrubs and trees. The recent conservation management work, however, is resulting in their restoration. The heaths support both acid grassland and heather-dominated plant communities with dependent invertebrate and bird communities of conservation value. Woodlark *Lullula arborea* and Nightjar *Caprimulgus europaeus* have also adapted to breeding in the large blocks of conifer forest, using areas that have recently been felled and recent plantation, as well as areas managed as open ground.

B.39 Overlapping/adjacent to the SAC are the following Site(s) of Special Scientific Interest (SSSI):

- Sandlings Forest SSSI
- Leiston-Aldeburgh SSSI
- Blaxhall Heath SSSI
- Tunstall Common SSSI
- Sutton & Hollesley Heaths SSSI
- Snape Warren SSSI

Qualifying features

Annex I species:

- Nightjar *Caprimulgus europaeus*
- Woodlark *Lullula arborea*

Conservation objectives

B.40 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.

Key Vulnerabilities

- **Changes in species distributions –** Woodlark and Nightjar populations on the Suffolk coast have declined by 65% and 66% respectively since notification in 2001.
- **Inappropriate scrub control –** Scrub encroachment is reducing habitat suitability for Woodlark and Nightjar. Regular management is essential to maintain and restore the supporting heathland habitat to favourable condition.
- **Deer –** A large deer population exerting grazing pressure on habitats will affect quality of nesting habitat. There is also potential for deer to trample nests.
- **Air pollution: impact of atmospheric nitrogen deposition –** Nitrogen deposition exceeds site relevant critical loads.
- **Public Access/Disturbance –** The need to understand recreational pressure and implement appropriate management is an ongoing issue. Recreational pressure could be increased by new housing developments in the area and by the potential displacement of visitors during the construction of Sizewell C.

Southern North Sea SAC

Overview of site and its location

The SAC covers an area of 36,951km and lies predominately offshore. The site is characterised by sand and coarse sediment, which ranges in depth from Mean Low Water down to 75m.

Qualifying features

Annex II species that are a primary reason for selection of this site:

- Harbour porpoise *Phocoena phocoena*

Key vulnerabilities

- Exploration and extraction of oil and gas
- Other ecosystem modifications
- Military use and civil unrest
- Fishing and harvesting aquatic resources
- Marine water pollution
- Renewable abiotic energy use
- Shipping lanes, ports, marine constructions

Conservation objectives

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 for Harbour Porpoise in UK waters. In the context of natural change, this will be achieved by ensuring that:

- Harbour porpoise is a viable component of the site;

- There is no significant disturbance of the species; and
- The condition of supporting habitats and processes, and the availability of prey is maintained.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

- Habitat – The qualifying species of the SAC are reliant on an abundant source of food due to their need to eat continuously both day and night to provide the energy needed to survive.
- Diet – Fish, cephalopods, crustaceans.

Waveney and Little Ouse Valley Fens SAC

Overview of site and its location

B.41 This site occurs in the East Anglian centre of distribution of calcareous fens and contains very extensive great fen-sedge *Cladium mariscus* beds, including managed examples, as well as stands in contact zones between small sedge mire and species-poor *Cladium* beds. The habitat type here occurs in a spring-fed valley fen. Purple moor-grass – meadow thistle (*Molinia caerulea – Cirsium dissectum*) fen-meadows are associated with the spring-fed valley fen systems. The Molinia meadows occur in conjunction with black bog-rush – blunt-flowered rush (*Schoenus nigricans – Juncus subnodulosus*) mire and calcareous fens with great fen-sedge. Where the fen-meadow is grazed it is more species-rich, with frequent southern marsh-orchid *Dactylorhiza praetermissa*. A population of Desmoulin's whorl snail *Vertigo moulinsiana* occurs in a valley fen at Weston Fen.

Qualifying features

Annex I species:

- Calcareous fens with *Cladium mariscus* and species of *the Caricion davallianae*. (Calcium-rich fen dominated by great fen sedge (saw sedge)

- *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*). (Purple moor-grass meadows)

Conservation objectives

B.42 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.

Key Vulnerabilities

- **Inappropriate scrub control –** Historically sections of the fen have been allowed to scrub over. These now form wet woodland and scrub with glades containing the remnants of the qualifying features. The aim is to ensure the site includes the same area of Cladium fen (H7210 Calcium-rich fen dominated by great fen sedge (saw sedge)) present at the time of designation.
- **Inappropriate water levels –** Concerns have been expressed about water levels in the SAC. Some areas such as Redgrave and Lopham Fens have already been worked on. Others (Blo' Norton and Thelnetham Fens) are currently being investigated through the Water Level Management Plan process. Historical evidence suggests that water levels have significantly dropped over time and as a result habitats and features have been damaged. Parts of the fen supported swingmoor habitats and these are a poor representation of their former selves.
- **Air pollution: impact of atmospheric nitrogen deposition –** Nitrogen deposition exceeds site relevant critical loads.

- **Water pollution –** Poor water quality arising from agricultural run-off particularly from nearby outdoor poultry and pig units causes nutrient enrichment and can lead to a reduction in biodiversity.

References

1 HM Government (2007) The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (SI No. 2007/1843)

2 HM Government (2017) The Conservation of Habitats and Species Regulations 2017 (SI No. 2017/1012), as amended by HM Government (2019) The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI No. 2019/579)

3 The integrity of a site is the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated. (Source: UK Government Planning Practice Guidance)

4 Department for Levelling Up, Housing and Communities (2019) Appropriate assessment: Guidance on the use of Habitats Regulations Assessment

5 Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive').

6 Directive 2009/147/EC of 30 November 2009 on the conservation of wild birds (the 'Birds Directive').

7 The network of protected areas identified by the EU: European Commission (2008) Natura 2000

8 Department for Environment, Food and Rural Affairs (2021) Changes to the Habitats Regulations 2017

9 Department for Environment, Food and Rural Affair, Natural England, Welsh Government and Natural Resources Wales (2021) Habitats regulations assessments: protecting a European site

10 Ministry of Housing, Communities and Local Government (2024) National Planning Policy Framework (paragraph 194)

11 David Tyldesley & Associates (undated) The HRA Handbook (Section A3) – A subscription based online guidance document

12 Department for Environment, Food and Rural Affairs, Natural England, Welsh Government and Natural Resources Wales (2021) Habitats regulations assessments: protecting a European site

13 Regulations 5 of the Habitats Regulations 2017.

14 Department for Levelling Up, Housing and Communities (2019) Appropriate assessment: Guidance on the use of the Habitats Regulations Assessment

15 European Commission (2001) Assessment of plans and projects significantly affecting European Sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC

16 David Tyldesley & Associates (undated) The HRA Handbook (Section A3) – A subscription based online guidance document

17 Natural England (undated) Conservation Objectives for European Sites

18 In line with the CJEU judgement in Case C-323/17 People Over Wind v Coillte Teoranta, mitigation must only be taken into consideration at this stage and not during Stage 1: HRA Screening.

19 In addition to SAC and SPA citations and conservation objectives, key information sources for understanding factors contributing to the integrity of the sites include (where available) conservation objectives supplementary advice and Site Improvement Plans prepared by Natural England: Natural England (undated) Site Improvement Plans by region

20 A buffer distance of 20 kilometres has been applied based on the buffer distance applied to North Essex HRAs. This seems relevant given the large distances identified in relation to recreation.

21 Obtained from the Natural England website.

22 Natural England (undated) Conservation Objectives for European Sites

23 UK Wild Otter Trust, https://ukwildottertrust.org/otters-101/

24 Supplementary advice for conservation objectives available for each site at: https://designatedsites.naturalengland.org.uk/

25 BTO bird facts, Bearded tit [reedling], https://www.bto.org/learn/about-birds/birdfacts/bearded-tit

26 SI No. 2017/2012.

27 ECJ Case C-127/02 “Waddenzee” Jan 2004.

28 David Tyldesley & Associates (undated) The HRA Handbook (Section A3) – A subscription based online guidance document

29 David Tyldesley & Associates (undated) The HRA Handbook (Section A3) – A subscription based online guidance document

30 British Wildlife Magazine (October 2007)

31 Wealden v SSCLG [2017] EWHC 351 (Admin).

32 JNCC (2021) Guidance on decision-making thresholds for air pollution, https://hub.jncc.gov.uk/assets/6cce4f2e-e481-4ec2-b369-2b4026c88447

33 As referenced in the Institute of Air Quality Management guidance Guidance on the Assessment of Mineral Dust Impacts for Planning (2016), https://iaqm.co.uk/text/guidance/mineralsguidance_2016.pdf

34 Mid Suffolk Council, Habitats Sites Mitigation – Suffolk Coast RAMS, https://www.midsuffolk.gov.uk/w/habitats-sites-mitigation

35 Place Services (2021) Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy, March 2021, https://www.west-norfolk.gov.uk/download/downloads/id/7867/girams_strategy_-_march_2021.pdf

36 Footprint Ecology (2024) Norfolk Recreational Impact Avoidance and Mitigation Strategy Action Plan, https://www.west-norfolk.gov.uk/download/downloads/id/9378/norfolk_rams_action_plan_-_april_2025.pdf

37 Essex & Suffolk Water Resources Management Plan 2024, https://www.nwg.co.uk/responsibility/environment/wrmp/wrmp-2025-2030/

38 JNCC (2019) UK Protected Area Datasets for Download

39 Natural England (2014-2015) Site Improvement Plans: East of England

40 Natural England (undated) Conservation Objectives for European Sites

Report produced by LUC

Bristol
12th Floor, Beacon Tower, Colston Street, Bristol BS1 4XE
0117 929 1997
bristol@landuse.co.uk

Cardiff
Room 1.12, 1st Floor, Brunel House, 2 Fitzalan Rd, Cardiff CF24 0EB
0292 032 9006
cardiff@landuse.co.uk

Edinburgh
Atholl Exchange, 6 Canning Street, Edinburgh EH3 8EG
0131 202 1616
edinburgh@landuse.co.uk

Glasgow
37 Otago Street, Glasgow G12 8JJ
0141 334 9595
glasgow@landuse.co.uk

London
250 Waterloo Road, London SE1 8RD
020 7383 5784
london@landuse.co.uk

Manchester
6th Floor, 55 King Street, Manchester M2 4LQ
0161 537 5960
manchester@landuse.co.uk

Sheffield
32 Eyre Street, Sheffield, S1 4QZ
0114 392 2366
sheffield@landuse.co.uk

landuse.co.uk

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