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Our ref: 276792 & 276751  
Your ref: DC/18/02010 & DC/18/02412



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**BY EMAIL ONLY**

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Dear Jo

**Planning consultation:** Planning Application. Residential development of 54 dwellings with new vehicular access from Bramford Road (B1113), associated parking, landscaping and open space. Full Planning Application (duplicate application of DC/18/02010)- Residential development of 54 dwellings with new vehicular access from Bramford Road (B1113), associated parking, landscaping and open space.

**Location:** Land On The East Side Of, Bramford Road, Sproughton, Suffolk

Thank you for your consultation on the above dated and received by Natural England on 14 March 2019.

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

#### **SUMMARY OF NATURAL ENGLAND'S ADVICE – European designated sites<sup>1</sup>**

It has been identified that this development site falls within the 13 km 'Zone of Influence' (Zoi) of one or more of the European designated sites set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'). In the context of your duty as competent authority under the provisions of the Habitats Regulations<sup>2</sup>, it is therefore anticipated that, without mitigation, new residential development in this location is 'likely to have a significant effect' on one or more European designated sites, through increased recreational pressure, either when considered 'alone' or 'in combination' with other plans and projects.

Natural England advises that further information is required to determine the recreational disturbance impacts of this development. Reference should be made to the Suffolk Recreational

<sup>1</sup> Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites; the latter are listed or proposed Wetlands of International Importance under the Ramsar Convention and are protected as a matter of Government policy. Paragraph 176 of the National Planning Policy Framework applies the same protection measures as those in place for European sites.

<sup>2</sup> Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the 'Habitats Regulations'). Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>

Disturbance avoidance and mitigation strategy, and to Natural England's RAMS guidance to local authorities (please see attached Annex 1). Having reviewed the planning documents for this application, it appears that you have not yet undertaken a HRA - Stage 2: Appropriate Assessment to consider this issue. We therefore advise that you do so now using our suggested template and that you should not grant permission until such time as the HRA Appropriate Assessment has been carried out and the conclusions confirmed in line with the our guidance. Please note that we will only provide further comment on your authority's HRA once completed and not the 'shadow' HRA provided by the applicant. Natural England can provide further advice through its Discretionary Advice Service <https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>

### **Little Blakenham Pit Site of Special Scientific Interest**

Please refer to the separate guidance note for any potential impacts to bats associated with the above SSSI.

### **Sites of Special Scientific Interest Impact Risk Zones**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

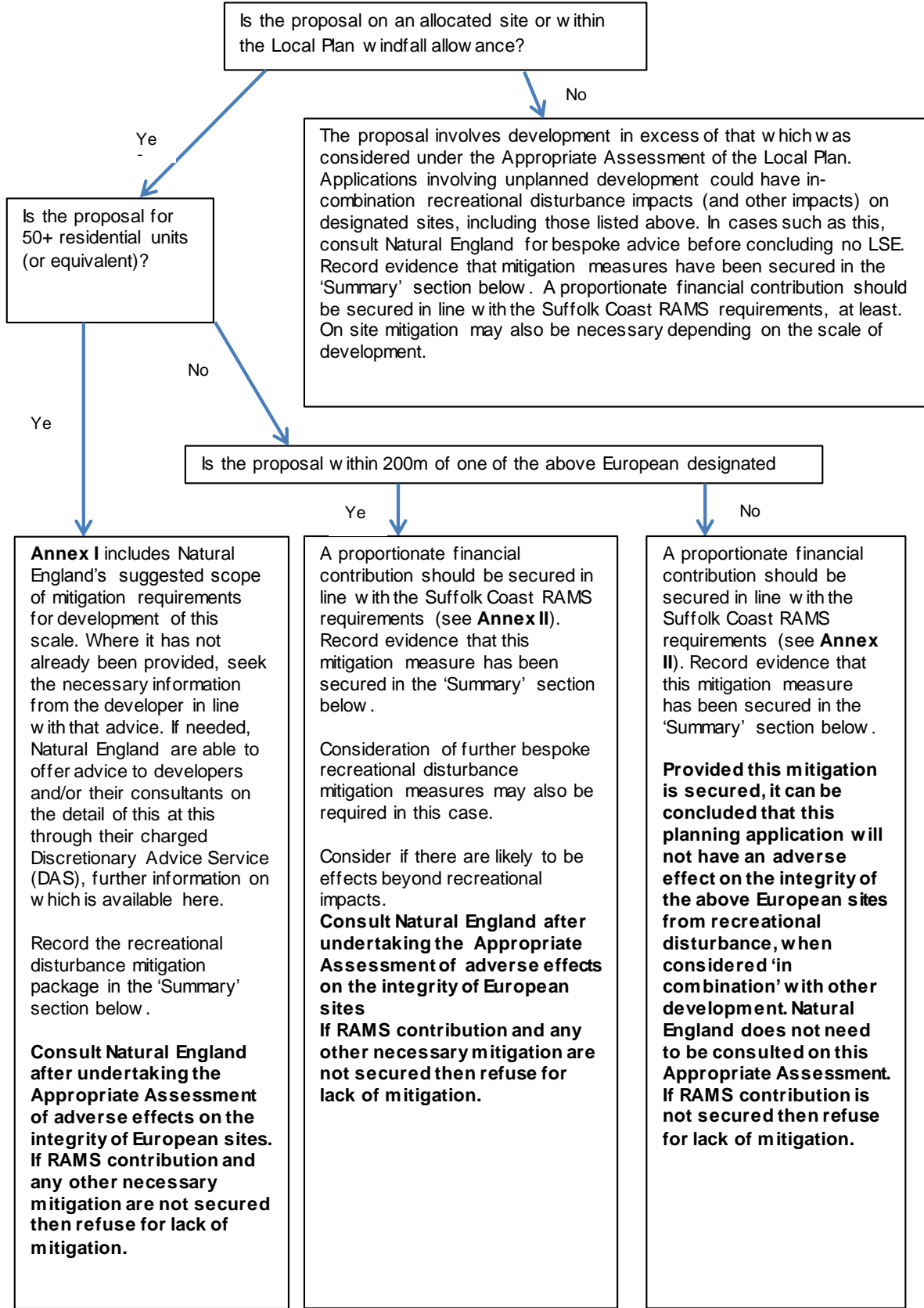
Yours sincerely

Kayleigh Cheese  
Consultations Team

## Annex 1: Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Guidance and Habitat Regulation Assessment (HRA) Record

<b>Application details</b>	
Local Planning Authority:	
Case officer	
Application reference:	
Application description:	
Application address:	
Status of Application:	
Grid Ref:	
<b>HRA Stage 1: screening assessment</b>	
<p><b>Test 1 – the significance test:</b> Based on the development type and proximity to European designated sites, a judgement should be made as to whether the development constitutes a ‘likely significant effect’ (LSE) to a European site in terms of increased recreational disturbance</p>	
<div style="border: 1px solid black; padding: 10px; margin-bottom: 10px;"> <p><b>Is the development within 13 km of the below European sites (check NE IRZs)?</b></p> <ul style="list-style-type: none"> <li>Alde-Ore Estuary Special Protection Area (SPA) and Ramsar site</li> <li>Benacre to Easton Bavents SPA</li> <li>Deben Estuary SPA and Ramsar site</li> <li>Minsmere to Walberswick Heaths &amp; Marshes Special Area of Conservation (SAC)</li> <li>Minsmere – Walberswick SPA</li> <li>Orfordness-Shingle Street SAC</li> <li>Sandlings SPA</li> <li>Stour and Orwell Estuaries SPA and Ramsar site (Suffolk side only)</li> </ul> </div> <div style="display: flex; justify-content: space-around; margin-bottom: 10px;"> <div style="text-align: center;"> <p>Yes</p> <p>↓</p> </div> <div style="text-align: center;"> <p>No</p> <p>↓</p> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%; border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><b>Does the planning application constitute residential development?</b></p> <ul style="list-style-type: none"> <li>New dwellings of 1+ units included in current site allocations and windfall (excludes replacement dwellings and extensions)</li> <li>Houses in Multiple Occupancy (HMOs)</li> <li>Residential caravan sites (excludes holiday caravans and campsites)</li> <li>Gypsies, travellers and travelling show people plots</li> <li>Tourist accommodation</li> </ul> </div> <div style="width: 50%; border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Conclude no LSE to the above designated sites in terms of recreational disturbance.</p> <p>An Appropriate Assessment (AA) is not required where recreational disturbance to these sites is the only issue or recreational disturbance to these sites can be scoped out of any HRA covering other issues.</p> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%; border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Yes</p> <p>↓</p> </div> <div style="width: 50%; border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>No</p> <p>↓</p> </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%; border: 1px solid black; padding: 5px;"> <p>Conclude LSE. This proposal is within scope of the Suffolk Coast RAMS as it falls within the 13 km ‘zone of influence’ for likely impacts and is a relevant residential development type as listed above. It is anticipated that such development in this area is ‘likely to have a significant effect’ upon the interest features of the aforementioned designated site(s) through increased recreational pressure, when considered either alone or in combination.</p> <p><b>Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites.</b></p> </div> <div style="width: 50%; border: 1px solid black; padding: 5px;"> <p>RAMS is not relevant, however other Habitats Regulations considerations should be taken into consideration for non residential developments and in some circumstances a bespoke AA may be required.</p> </div> </div>	
<b>HRA Stage 2: Appropriate Assessment</b>	

**Test 2 – the integrity test:** The applicant must provide sufficient evidence to allow the Appropriate Assessment to be made, which is the stage at which avoidance and/or mitigation measures can be considered



**Summary of the Appropriate Assessment:** To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England (where necessary)

**Summary of recreational disturbance mitigation package**

[INSERT]

**Conclusion**

*Having considered the proposed avoidance and mitigation measures above, [INSERT LPA] conclude that with mitigation the project will not have an Adverse Effect on the Integrity of the European sites included within the Suffolk Coast RAMS.*

*Having made this appropriate assessment of the implications of the plan or project for the site(s) in view of that (those) site(s)'s conservation objectives, and having consulted Natural England and fully considered any representation received (where necessary), the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017.*

**Local Planning Authority Case Officer comments, signed and dated:**

## Annex 2 – Additional advice

Natural England offers the following additional advice:

### Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute Guidelines for Landscape and Visual Impact Assessment](#) for further guidance.

### Protected Species

Natural England has produced [standing advice](#)<sup>3</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)<sup>4</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

### Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

### Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could

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<sup>3</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>4</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

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

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

### **Access and Recreation**

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

### **Rights of Way, Access land, Coastal access and National Trails**

Paragraphs 91 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

### **Biodiversity duty**

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).