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Your ref: DC/18/00861



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BY EMAIL ONLY

Dear Ms. Hobbs

Planning consultation: Outline Planning Application (with means of access to be considered) - Erection of up to 73 dwellings, public open space and supporting site infrastructure including access.

Location: Land To The East Of Ely Road, Claydon, Suffolk

Thank you for your consultation on the above dated 14 January 2021 which was received by Natural England on the same date.

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

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of:
 - Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar
 - Deben Estuary SPA and Ramsar

Further designated site details are available from

<https://designatedsites.naturalengland.org.uk/>.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures should be secured through an appropriate planning condition or obligation. We advise that an upfront financial contribution of £121.89 per dwelling should be secured to contribute to the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'), to mitigate the recreational disturbance impacts to designated sites by this development. We recommend that further measures should also be secured in the form of inclusion of on-site measures for dog walkers such as signage, information boards, guides and PRoW maps etc. indicating routes will help mitigate impact.

Further advice on mitigation

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by an external consultee. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

This development falls within the 13 km 'zone of influence' for the Stour and Orwell Estuaries and Deben Estuary Special Protection Areas (SPA) and Ramsar sites, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'). It is anticipated that new housing development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development.

As such, we advise that a suitable contribution of £121.89 per dwelling to the emerging Suffolk RAMS should be sought from this residential development whilst ensuring that the delivery of the RAMS remains viable. If contributions from developers are not sought during the interim period then the per house tariff in the adopted RAMS will need to be increased to ensure the RAMs is adequately funded. We therefore advise that you should not grant permission until such time as the implementation of this measure has been secured.

Suitable Accessible Natural Green Space (SANGS)

There is currently concern for the impacts of recreational pressure on the Stour and Orwell Estuaries and Deben Estuary Special Protection Areas (SPA) and Ramsar sites, in particular the disturbance of birds for which the SPAs are designated (although other site features are also affected). These birds are sensitive to disturbance from recreational walkers, cyclists etc. and in particular dogs off leads. We advise that 73 dwellings in this location has the potential to increase the local population by approximately 176 people (based on 2.4 people per household) once the dwellings are occupied. Assuming the national average of 30 % of households owning dogs¹, the proposal could lead to an additional 44 dog walks per day, based on twice-daily walks. With the site approximately 8km at the closest point to the Stour and Orwell Estuaries and Deben Estuary Special Protection Areas and Ramsar sites it is considered that residents are likely to use these designated sites for undertaking regular recreational activities such as dog walking.

Natural England recommends that large developments include the provision of well-designed open space/green infrastructure that is proportionate to its scale to minimise any predicted increase in recreational pressure to designated sites, by containing the majority of recreation within and around the development site boundary. The applicant may wish to consider to benchmark standards for accessible natural greenspace, the TCPA have published [Guides and Principles for Garden Communities](#), and Guide 7, Principal 9, references 40% green infrastructure as a target quantum. The [Suitable Accessible Natural Green Space \(SANGS\)](#) guidance can be helpful in designing this; it should be noted that this document is specific to the SANGS creation for the Thames Basin Heaths, although the broad principles are more widely applicable. Green infrastructure design should seek to achieve the Natural England Accessible Natural Greenspace Standards, detailed in [Nature Nearby](#), including the minimum standard of 2ha informal open space within 300m of everyone's home. As a minimum, we advise that such provisions should include:

¹ Based on figures obtained from *Number and ownership profiles of cats and dogs in the UK*, Jane K Murray, William J Browne, Margaret A Roberts, Amber Whitmarsh and Timothy J Gruffydd-Jones, Veterinary Record, 6 February 2010.

- High-quality, informal, semi natural areas planted with a range of native species
- Circular dog walking routes of 2.7km within the site/or with links to surrounding public rights of way (PRoW)
- Dedicated 'dogs-off-lead' areas
- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long term maintenance and management of these provisions

High quality Suitable Accessible Natural Green Space (SANGS) is of importance when aiming to minimise any predicted increase in recreational pressure to European sites, by containing the majority of recreation within and around the development site boundary.

Dog owners require space to walk their dogs off lead close to home and away from traffic, once or twice per day. If the onsite green space does not give adequate dog walking provision, most owners will travel elsewhere. Well-designed GI should positively accommodate off-lead exercising of dogs, in areas where this causes the least conflict with other resident's interests such as cycling, children's play equipment, sports activities and people seeking to minimise contact with dogs. We recommend that the developer consults relevant guidance and best practice documents such as Planning for Dog Ownership in New Developments: Reducing Conflict – Adding Value and incorporates these principles within proposed application designs.

We appreciate that with respect to the limited size of the development site in this case, a circular dog walk may not be viable and accept that connectivity to the surrounding public rights of way (PRoW) may be required to facilitate appropriate opportunities for recreation. The HRA states that the footpath network has several options for walks both more and less than 2.7km.

We would recommend particular attention be paid to making linkages to existing footpaths and avoiding prolonged sections of public roads with potential for traffic along proposed routes (See Dog walking route map, M Scott Properties Ltd, 2018). The potential for traffic along these proposed routes is likely to make them less desirable to dog walkers due to both safety concerns and lack of tranquillity, consequently limiting their effectiveness to mitigate recreational pressure on local protected sites. Therefore it is recommended that additional routes are explored. The inclusion of on-site measures such as signage, information boards, guides and PRoW maps etc. indicating routes will help mitigate impacts.

Net gain

Biodiversity net gain is a key tool to help nature's recovery and is also fundamental to health and wellbeing as well as creating attractive and sustainable places to live and work in. We draw your attention to Para 170, point d and Para 175, point d of the National Planning Policy Framework which states that:

Para 170: "Planning policies and decisions should contribute to and enhance the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

Para 175: "When determining planning applications, local planning authorities should apply the following principles:

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity".

Natural England considers that all development, even small scale proposals, can make a contribution to biodiversity. Your authority may wish to refer to [Technical Note 2](#) of the CIEEM guide which provide useful advice on how to incorporate biodiversity net gain into developments.

Protected species

Natural England has produced [standing advice](#)² 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

Sites of Special Scientific Interest

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex B. Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

Should the proposal change, please consult us again.

Yours Faithfully

Niall Walkden
Norfolk and Suffolk Team

² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>