

# Habitats Regulations Assessment of the Ipswich Borough Local Plan at Preferred Options Stage

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## Summary

This report is the Habitats Regulations Assessment (HRA), in accordance with the Conservation of Habitats and Species Regulations 2017 of the Ipswich Local Plan at Preferred Options stage, made under Regulation 18 of the Town and Country Planning (Local Plan) (England) Regulations 2012 (as amended). A plan level HRA considers the implications of a plan or project for European wildlife sites, in terms of any possible harm to the habitats and species that form an interest feature of the European sites in close proximity to the proposed plan. This HRA report draws on a range of background evidence, understanding of the European sites, and a mitigation strategy currently being developed for the Suffolk coastal and heathland European sites.

All aspects of the emerging plan that influence sustainable development for the Ipswich Borough are checked through this assessment for risks to European sites. Risks need to be identified in order to inform the screening for likely significant effects, which is an initial stage of assessment to establish whether there is any possibility of the implementation of the plan causing significant effects on any European site. Where the potential for significant effects is identified, or there are uncertainties, a more detailed appropriate assessment is to be undertaken.

This report has regard for relevant case law, including a European Court of Justice Judgment that highlights the need for appropriate use of avoidance and mitigation measures at the correct stage of HRA. At the Preferred Options stage, this HRA recommends a number of wording amendments to the Ipswich Local Plan. Explanatory text relating to these recommendations made at the screening stage has been added to the screening table where appropriate.

The screening table has identified key themes and a number of site allocations for more detailed assessment at the appropriate assessment stage. The appropriate assessment will be undertaken at Regulation 19 stage.

The themes for appropriate assessment are: recreation pressure from new residential development and a check of the applicability of the Suffolk HRA Recreation Avoidance and Mitigation Strategy (RAMS) for the increased housing numbers, other urbanisation effects in close proximity (fire risk, lighting, noise etc), air quality from increased road traffic, water quality and resources, air quality, a more detailed site allocations check, and biodiversity net gains.

The HRA conclusion at Preferred Options stage is that it is too early in the HRA to enable a definitive conclusion of no adverse effects on site integrity, and that an appropriate assessment is to be undertaken to inform the next stage of plan making.

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# 1. Introduction and Background Information

## Context

- 1.1 This report is the Habitats Regulations Assessment (HRA) of the Ipswich Borough Local Plan Review, at Preferred Options stage. This section provides the background context for this HRA.
- 1.2 This HRA report has been prepared by Footprint Ecology, on behalf of Ipswich Borough Council. It has been written with the benefit of ongoing discussions with planning officers within the Borough Council, and forms part of the evidence base for the emerging new Local Plan. This version of the HRA accompanies the plan at Preferred Options consultation, which is at 'Regulation 18' stage, in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.3 HRA is an assessment of the implications of a plan, or where relevant a project, for European wildlife sites. An explanation of European wildlife sites and the HRA process is provided within this section below. This report is the HRA of the emerging Preferred Options, and will be updated as the preparation of the Local Plan progresses, including the forthcoming Regulation 19 consultation and any further update requirements before and after the Examination of the Ipswich Borough Local Plan prior to adoption.
- 1.4 A HRA considers the implications of a plan or project for European wildlife sites, in terms of any possible harm to the habitats and species that form an interest feature of the European sites in close proximity to the proposed plan or project, which could occur as a result of the plan or project being put in place. In this instance, the HRA is undertaken at plan level, for a Local Plan. HRA will also be required for development projects coming forward in the future in accordance with the Local Plan. An explanation of the HRA assessment process is summarised in this section below, and also described in greater detail in Appendix 1.
- 1.5 The Ipswich Borough lies in the central southern part of the County of Suffolk and is the largest town in the County. It therefore has notable pressures in terms of growth, both housing and economic, and also in terms of its transport infrastructure. Both the A12 and the A14 are major transport routes of relevance to the Borough. The Ipswich Borough is part of the wider Ipswich Housing Market Area and the Ipswich Functional Economic Area, together with neighbouring local planning authorities. A summary of the key issues and opportunities in terms of growth objectives over the plan period is provided in this section below.

- 1.6 The Borough has the benefit of a waterfront to the south of Ipswich town centre, where the upper part of the Orwell Estuary comes into the Borough and is a defining feature of Ipswich town. This part of the Borough historically supported a range of maritime industry and is now an area of regeneration to create apartments and leisure facilities and an attractive waterfront setting that has regard for its historic roots whilst boosting the economy of the Borough.
- 1.7 The Orwell Estuary is one of two estuaries that form the Stour and Orwell Special Protection Area (SPA). To the west and north of the Borough across the Suffolk County is an extensive suite of additional European sites, encompassing coastal, woodland and heathland habitats, a notable proportion of which are also within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). The Ipswich Borough boundary adjoins the Suffolk Coastal District to the north east, Mid Suffolk District to the north west and Babergh District to the south west.
- 1.8 When embarking on new HRA work, it is important to take stock of previous HRA work undertaken. Where a previous HRA has been prepared for a Local Plan it is beneficial to consider how well the measures recommended or put in place to protect European site interest in previous plan iterations have progressed, and what evidence there is available to support the continuation of such measures, or to indicate that they may need modification. This HRA therefore looks at the measures that were recommended by the previous HRA for the current documents that form the existing Ipswich Borough Local Plan, now under Review.
- 1.9 In order to adequately assess potential impacts and secure protection for European sites through the Local Plan, any changes in circumstances, evidence, statutory advice or local understanding of the issues needs to be considered. A summary of relevant HRA work is provided in this section below. It is however recognised, as explained below, that previous HRA work has only been undertaken relatively recently, as the current documents that make up the adopted Ipswich Local Plan have only recently been adopted. Extensive updates to previous HRA work is therefore not necessary.

## Habitats Regulations Assessment process

- 1.10 A 'Habitats Regulations Assessment,' normally abbreviated to HRA, is the step by step process of ensuring that a plan or project being undertaken by, or permitted by a public body, will not adversely affect the ecological integrity of a European wildlife site. Where it is deemed that adverse effects cannot be ruled out, a plan or project must not proceed, unless exception tests are met. This is because European legislation, which is transposed into domestic legislation and



policy, affords European sites the highest levels of protection in the hierarchy of sites designated to protect important features of the natural environment.

- 1.11 The relevant European legislation is the Habitats Directive 1992<sup>1</sup> and the Wild Birds Directive 2009<sup>2</sup>, which are transposed into domestic legislation through the Conservation of Habitats and Species Regulations 2017. These Regulations are normally referred to as the 'Habitats Regulations' and the most recent update consolidates previous versions and corrects some minor errors in transposition. The 2017 Regulations have not changed any of the requirements in relation to European sites.
- 1.12 The legislation sets out a clear step by step approach for decision makers considering any plan or project. In England, those duties are also supplemented by national planning policy through the National Planning Policy Framework (NPPF). This national planning policy also refers to Ramsar sites, which are listed in accordance with the international Ramsar Convention. The NPPF requires decision makers to apply the same protection and process to Ramsar sites as that set out in legislation for European sites. Formally proposed sites, i.e. sites proposed for European designation and going through the designation process, and those providing formal compensation for losses to European sites, are also given the same protection. This report refers to all the above sites as 'European sites' for assessment purposes, as the legislation is applied to all such sites, either directly or as a result of policy.
- 1.13 It should be noted that the European Directives operate on the basis that sites are in place to serve as an ecologically functioning network, and ultimately it is the preservation of that network as a whole that is the overall aim of the European Directives. The network is often referred to as the Natura 2000 Network or 'N2K.'
- 1.14 The duties set out within the Habitats Regulations apply to any public body or individual holding public office with a statutory remit and function, referred to as 'competent authorities.' The requirements are applicable in situations where the competent authority is undertaking or implementing a plan or project, or authorising others to do so. A more detailed guide to the step by step process of HRA is provided in this report at Appendix 1.
- 1.15 In assessing the implications of any plan or project, in this case a Local Plan, for European sites in close proximity, it is essential to fully understand the sites in question, their interest features, current condition, sensitivities and any other on-going matters that are influencing each of the sites. Every European site has

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<sup>1</sup> Council Directive 92/43/EEC

<sup>2</sup> Council Directive 2009/147/EC

a set of 'interest features,' which are the ecological features for which the site is designated or classified, and the features for which Member States should ensure the site is maintained or, where necessary restored. Each European site has a set of 'conservation objectives' that set out the objectives for the site interest, i.e. what the site should be achieving in terms of restoring or maintaining the special ecological interest of European importance. These objectives are set by Natural England and published for each European site in high level generic form and then with supplementary advice that relates to the interpretation of these at each individual site.

- 1.16 The site conservation objectives are relevant to any HRA, because they identify what should be achieved for the site, and HRA may therefore consider whether any plan or project may compromise the achievement of those objectives. A summary of relevant European sites is provided within this section below. Further information on European site interest and links to the conservation objectives can be found at Appendix 2 of this report. The European sites of relevance to this HRA are discussed below and in Appendix 3.

## The emerging Ipswich Borough Local Plan

- 1.17 A Local Plan is produced by a local planning authority to set the quantum and direction of sustainable development for the forthcoming plan period. The National Planning Policy Framework (NPPF) 2018<sup>3</sup> states that sustainable development is the achievement of social, economic and environmental aspirations, and these three dimensions of sustainable development are mutually dependant. For the natural environment, the NPPF advises that sustainable development should include protecting, enhancing and improving biodiversity, and moving from a net loss of biodiversity to achieving net gains. This provides the relevant context for consideration of European sites within a HRA as part of the Local Plan evidence base.
- 1.18 The review of the Ipswich Local Plan is in response to adopted policy CS7 'The Amount of New Housing Required,' which commits the Council to an early review of housing needs for the Borough, in collaboration with neighbouring local planning authorities. At Examination of the current Local Plan, the Examining Inspector highlighted that the right level of housing growth for the area may not be fully reflected in the adopted quantum of housing delivery proposed for the whole plan period, and that early consideration of housing need after adoption should be undertaken.

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<sup>3</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- 1.19 An early review of the two Ipswich Local Plan Development Plan Documents (DPDs), includes a review of both the Core Strategy and Policies DPD and the Site Allocations and Policies (incorporating IP-One Area Action Plan) DPD. The review is primarily being undertaken to account for up to date evidence in relation to housing need. Importantly, since the commitment made to an early review in adopted policy CS7 there has been additional guidance from central Government in relation to the calculation methodologies for quantifying housing need.
- 1.20 The review therefore now has regard for new guidance in relation to objectively assessing housing need, and a preferred option for the quantum of housing growth over the new plan period of 2018 to 2036 is 8622 dwellings, which equates to 479 dwellings per annum. This does not differ markedly from the currently adopted overall quantum of housing growth within the Core Strategy and Policies DPD, which provides for 489 dwellings over the current plan period of 2011 to 2031, totalling 9,777 dwellings. The currently adopted Core Strategy highlights that there are still areas of deprivation within the Borough and Ipswich has a continuing need for further regeneration in some of its run-down areas.
- 1.21 The recently published Defra 25 year plan<sup>4</sup> sets out an ambitious programme for improving the natural environment, including the achievement of environmental net gains through development, of which biodiversity is an important part. This is challenging for a relatively small Borough that is dominated by the urban area of Ipswich, but it is now increasingly recognised that urban biodiversity opportunities have a critical role to play in wildlife restoration and ecological connectivity, as well as bringing important wellbeing and economic benefits to an area.
- 1.22 The Defra strategy follows on from the review of England's wildlife sites and ecological network, set out in the report to Defra in 2010 entitled 'Making Space for Nature',<sup>5</sup> which was prepared by a group of national experts chaired by Professor Sir John Lawton. Within this report, it is identified that in order to make our ecological networks and wildlife sites capable of future resilience, there is a need for more wildlife sites, and that existing networks need to be bigger, better and more connected. The future health of designated sites is very much dependant on the future health of wider biodiversity and the ecological

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<sup>4</sup> <https://www.gov.uk/government/publications/25-year-environment-plan>

<sup>5</sup> <https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today>

networks that sustain them. In planning for the long-term sustainability of designated sites, it is therefore necessary to protect and enhance wider biodiversity through the planning system as well as the designated sites. This HRA recognises this need and includes a section in relation to biodiversity gains through planning within the appropriate assessment (added at Regulation 19 stage).

- 1.23 Policies that not only protect but also seek to enhance, restore and expand the biodiversity assets of the Borough and wider area are an important and integral part of the Local Plan, and are essential to enable development projects coming forward to meet the international and national legislative and policy duties for biodiversity, both designated and non-designated. This HRA includes recommendations for strengthening policy wording and supporting text within the emerging new Ipswich Local Plan.
- 1.24 The Preferred Options document for consultation at Regulation 18 stage comprises a text update to the existing DPDs that make up the current Local Plan. This is in recognition of the very recent adoption of these DPDs and that they are therefore in the main, up to date in terms of current priorities for the Borough and supporting evidence. The review does however provide an opportunity to update policies in relation to key themes, and this includes the natural environment as well as the primary reason for the review which is housing need.
- 1.25 The Preferred Options have been prepared following earlier stages of plan preparation and evidence review. A call for sites was undertaken in summer 2017, which encouraged submission of new sites that could potentially come forward for development in the Borough, and therefore proceed through the appraisal processes that identify viable options for potential development sites that can be included in the emerging Local Plan for public consultation. This was then followed up with a public consultation on the Issues and Options for the Borough in Autumn 2017. The consultation responses and evidence produced to date has informed the development of the Preferred Options. These will be consulted upon and responses will then inform the preparation of a Draft Local Draft Plan at Regulation 19 stage, which will be submitted for Examination by the Planning Inspectorate, allowing any representations on the soundness of the plan, to be considered by the appointed Examining Inspector during the Examination.
- 1.26 The review of the Local Plan enables the plan to consider growth needs up 2036, with the proposed plan period now being 2018 and 2036. The Local Plan will continue to be two DPDs, and will include spatial policies, development management policies and site allocations. This HRA assesses all parts of the emerging plan at each stage of plan making, and is updated each time.

- 1.27 The methodology for calculating housing growth requirements for the Local Plan review follows the Government policy and advice for assessing housing need, including requirements set out in the recently updated National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) 2018.
- 1.28 The newly calculated housing requirement at Preferred Options stage follows the most up to date methodology. The new plan period of 2018 to 2036 produces a need for 8622 dwellings, which equates to 479 dwellings per annum. In addition, the plan seeks to meet the need for 27 permanent pitches for gypsies and travellers, which should be treated as equivalent to dwellings when considering the cumulative potential risks to the natural environment in addition to site specific matters. The Preferred Options include a retention of the existing objective of 28ha of employment land to be delivered within the new plan period. The policies within the Core Strategy and Policies DPD are divided into strategic and development management policies. The policies within the Site Allocations DPD are specifically related to site allocations and opportunity areas. The new Local Plan for the Borough will update the two DPDs and policy content.

## Relevant HRA work and other evidence and assessment

- 1.29 The following documents are of relevance to this HRA due to their consideration of the natural environment and resources, and also the historic HRA work for the documents that informs the currently adopted Local Plan.

### *The adopted Local Plan HRA work*

- 1.30 This HRA work for the currently adopted DPDs are the HRA of the Core Strategy and Policies DPD and the HRA of the Site Allocations DPD were prepared by The Landscape Partnership and include a number of updates as the DPDs progressed. The HRA for the Core Strategy and Policies DPD identifies a high-level list of measures to ensure that potential impacts of increased recreational disturbance on European sites within and outside of Ipswich Borough are mitigated for. This relates to mitigating the cumulative effect of housing growth across Ipswich Borough, in combination with housing growth in neighbouring Districts. The measures listed include:
- The provision of the Country Park in the north of Ipswich, delivering parts b, d, e, g and h of adopted policy CS16
  - Production and implementation of visitor management plans at key sites
  - A monitoring programme to assess visitor impact over time.

- 1.31 Since the finalisation of the HRA, work has progressed on the strategic approach to mitigating recreation impacts, as discussed below. The adopted Core Strategy and Policies DPD commits the Council to the preparation of a mitigation strategy to specify the measures required and how these will be delivered.
- 1.32 Policy CS1, delivering infrastructure, states that *“the Council will seek contributions to ensure that the mitigation measures identified in the Habitats Regulations Assessment and in the Recreational Avoidance and Mitigation Strategy can be addressed and delivered, including for any measures not classified as infrastructure.”*
- 1.33 Within the supporting text for Policy CS17, Paragraph 8.178 advises that the HRA for the plan has identified a number of measures to mitigate increased recreation pressure as a result of the cumulative effect of housing growth across the Ipswich Borough and adjoining Districts:
- 1.34 In response to plan level HRA and advice from Natural England, Ipswich Borough Council has undertaken project level HRAs on relevant planning applications, and has secured a number of mitigation projects focusing on delivering projects around the Stour and Orwell Estuaries. These interim strategy measures will now complement the strategic five authority approach set out below.

### *Suffolk Coast HRA Recreation Avoidance and Mitigation Strategy (RAMS)*

- 1.35 The Suffolk Coast HRA RAMS is a means by which sustainable housing growth can be delivered in the Ipswich Borough and its neighbouring local planning authority areas of Suffolk Coastal District, Babergh District, Mid Suffolk District and part of the Waveney District, whilst adequately protecting Suffolk’s coastal, estuarine and heathland European wildlife sites. It is being developed as a strategy that provides a solution to the additional recreation pressure risks highlighted by each of the local plan HRAs for the authorities. The RAMS sets out an integrated suite of avoidance and mitigation measures that are supported by comprehensive evidence and experience gained from other European site mitigation strategies. The RAMS is being prepared by Footprint Ecology, under the guidance of a steering group with representatives from the local planning authorities and Natural England. The RAMS has evolved over time with detailed analysis of the best options for implementation being recently undertaken. It is now in the final stages of preparation.
- 1.36 The RAMS has been developed on the basis of housing numbers and spatial distribution in the existing local plans for each of the local planning authorities. An important aspect of this HRA of the Ipswich Local Plan review is to ensure that the RAMS remains a viable mitigation solution for the new Local Plan, having regard for the new housing numbers and locations for growth identified

within the emerging plan. This analysis forms part of the appropriate assessment within this HRA report.

### *Sustainability Appraisal for the emerging Local Plan*

- 1.37 Ipswich Borough Council has commissioned consultants to prepare a sustainability appraisal to inform the Local Plan. A sustainability appraisal is undertaken by local planning authorities on local planning documents to assess whether the economic, environmental and social needs of the local area are being met. The appraisal will run alongside the preparation of Ipswich Local Plan, appraising the options being taken forward and whether alternatives might have a greater positive or lesser negative effect on economic, environmental and social objectives. Sustainability appraisal also incorporates the requirements of the European Strategic Environmental Assessment Directive (2001/42/EC).
- 1.38 As part of the scoping stage, relevant background documentation and evidence on economic, environmental and social factors for the local area is reviewed. The Scoping Report for the review of the Ipswich Borough Local Plan was consulted upon as part of the consultation on the Issues and Options.
- 1.39 There are some elements of cross over between HRA and the sustainability appraisal. The appraisal will consider environmental sustainability in terms of natural resources such as air and water, and how they may be affected by the plan. These are similarly important supporting aspects of European site ecological integrity. The sustainability appraisal scoping report has set a biodiversity objective 'to conserve and enhance biodiversity and geodiversity', with a number of indicators within that objective that relate to European sites, including any change in designated site condition and the recorded number of visitors using designated sites. The consultants for the Sustainability Appraisal are liaising with Footprint Ecology and recommendations of this HRA will be cross referenced and explained in the sustainability appraisal.

### *Additional evidence base documents of relevance*

- 1.40 The following documents make up the evidence base for the Local Plan. They are either current documents that supported the adopted DPDs and remain relevant for the review, documents that have or will be updated for the review, or new documents that are being produced to inform the review. These documents are assessed in detail at the appropriate assessment stage.
- 1.41 Water Cycle Study - A new water cycle study prepared jointly for Ipswich Borough and Suffolk Coastal District and has been prepared to inform the new Local Plans and its findings are discussed in the appropriate assessment.

- 1.42 Strategic Flood Risk Assessment (SFRA) - Ipswich Borough Council's Level 2 Strategic Flood Risk Assessment was published in May 2011. Local Planning Authorities have to produce a SFRA to inform their land use allocations and planning policies. The SFRA for Ipswich Borough comprises a main report and appendices which refer to potential sources of flooding considered likely to affect the Borough. The SFRA has informed the production of the Development and Flood Risk Supplementary Planning Document (SPD) which provides specific guidance to developers including a framework of requirements for "safe" development in the flood plain. As part of the appropriate assessment, the SPD will be considered in terms of protection for European sites.
- 1.43 Transport modelling - A transport model for the Suffolk local planning authorities has been undertaken by the Highways Authority's consultant (WSP) to support the new Local Plans. The model provides a baseline for the situation at 2016, and the model has been run for differing scenarios relating to the emerging Local Plans and continues to be updated as plans progress. The appropriate assessment section of this HRA report is informed by the modelling undertaken by WSP. The transport data indicates potential traffic changes as a result of proposed new growth, which could lead to increased vehicle emissions that in turn can lead to deposition of nitrogen on sensitive European site habitats. The consideration of air quality impacts in light of the transport modelling is provided within the appropriate assessment.
- 1.44 Air quality modelling - Ipswich Borough has undertaken air quality modelling in 2016 for the adopted Local Plan. The Borough is publishing an Air Quality Management Plan, and a topic paper has been prepared to indicate the way in which wellbeing air quality and public open space are related together. The Council and County Council are commissioning updated air quality modelling in 2019, when there is greater certainty about development in neighbouring authorities and transport infrastructure investment decisions. Again, these documents will be considered as part of the appropriate assessment stage, including the progression of the new air quality modelling.

## European sites

- 1.45 In undertaking HRA it is necessary to gather information on the European sites that could be potentially affected by the plan or project. A 20km buffer from the edge of the District was used to initially identify sites that may be potentially affected. This buffer is used by Footprint Ecology for local plan HRAs as it is deemed precautionary enough to capture most potential impact pathways (i.e. the means by which a European site may be affected) between plan implementation within a local planning authority's administrative area. The list



of European sites within 20km was then evaluated in terms of relevant threats, vulnerabilities and current issues.

- 1.46 European sites within 20km are shown in Map 1 (SACs), Map 2 (SPAs) and Map 3 (Ramsar sites). Sites are listed in Table 1. Full details of the interest features and current pressures/threats for each site are summarised in Appendix 3.
- 1.47 Due to the distance between the Borough and sites that have a more localised potential zone of influence due to their habitats and sensitivities, Staverton Park and the Thicks SAC and Hamford Water SAC/SPA/Ramsar site are not considered relevant to any of the various pathways discussed within this HRA and these can be ruled out for any likely significant effect.
- 1.48 Whilst Staverton Park is sensitive to air pollution, this will mainly be localised as the A12, which may have increased traffic from growth in Ipswich, is some distance away from the European site. The distance between Hamford Water and the Borough rules out any hydrological impacts. For recreation pressure the distance and journey route to Hamford Water would suggest limited influence and Staverton Park has restricted public access.
- 1.49 The Outer Thames Estuary marine SPA is primarily sensitive to coastal and offshore impacts, and again therefore is screened from further consideration within this HRA.

**Table 1: European Sites within a 20km radius**

SAC	SPA	Ramsar
Alde-Ore & Butley Estuaries	Alde-Ore Estuary	Alde-Ore Estuary
Hamford Water	Hamford Water	Hamford Water
Orfordness to Shingle Street	Stour and Orwell Estuaries	Stour and Orwell Estuaries
Staverton Park and the Thicks	Deben Estuary	Deben
	Outer Thames Estuary	
	Sandlings	

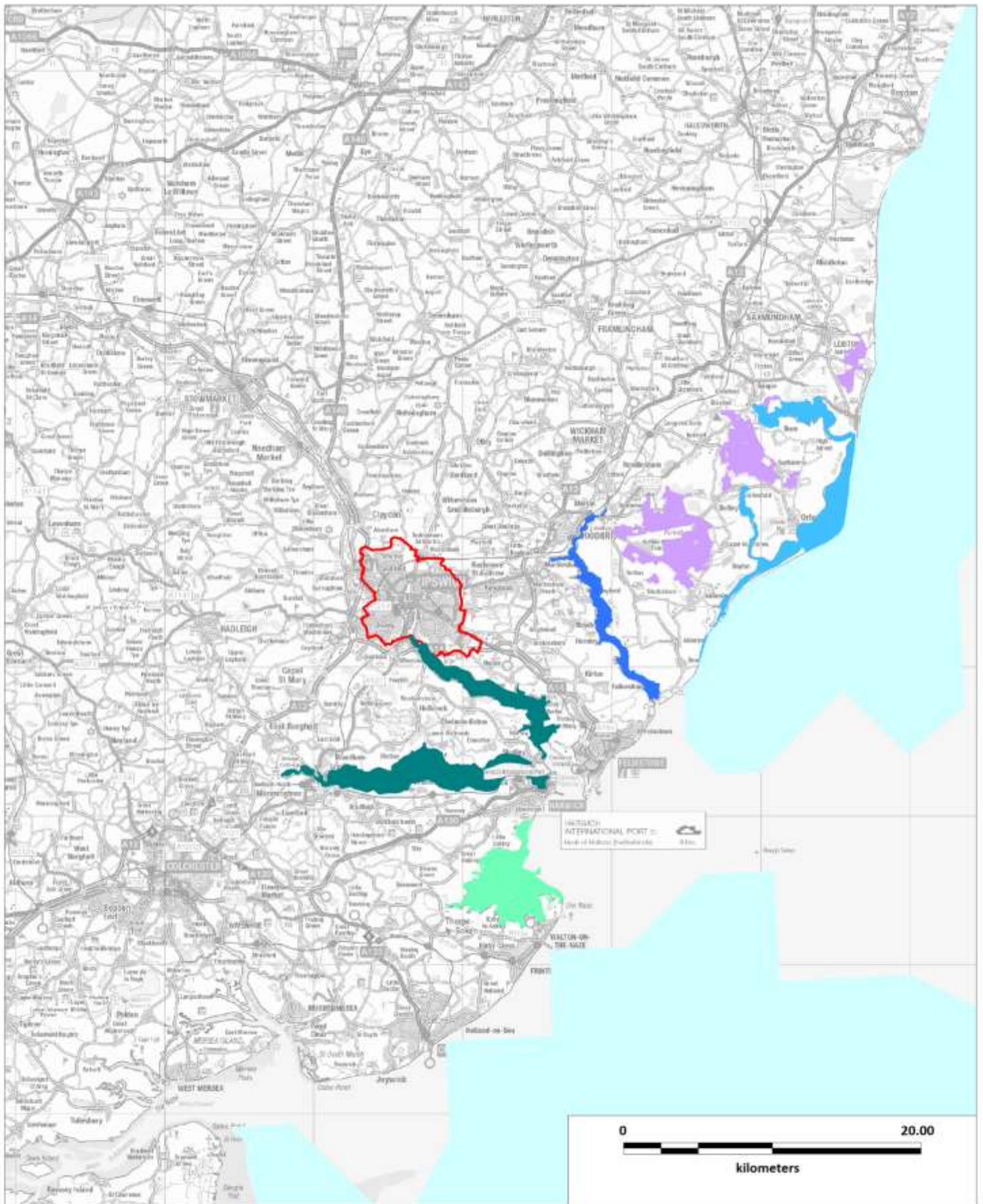
**Map 1: SACs where boundary falls within 20km of Ipswich Borough**



- Ipswich Borough
- SACs**
- Alde-Ore & Butley Estuaries
- Hamford Water
- Orfordness-Shingle Street
- Staverton Park & The Thicks, Wantisden

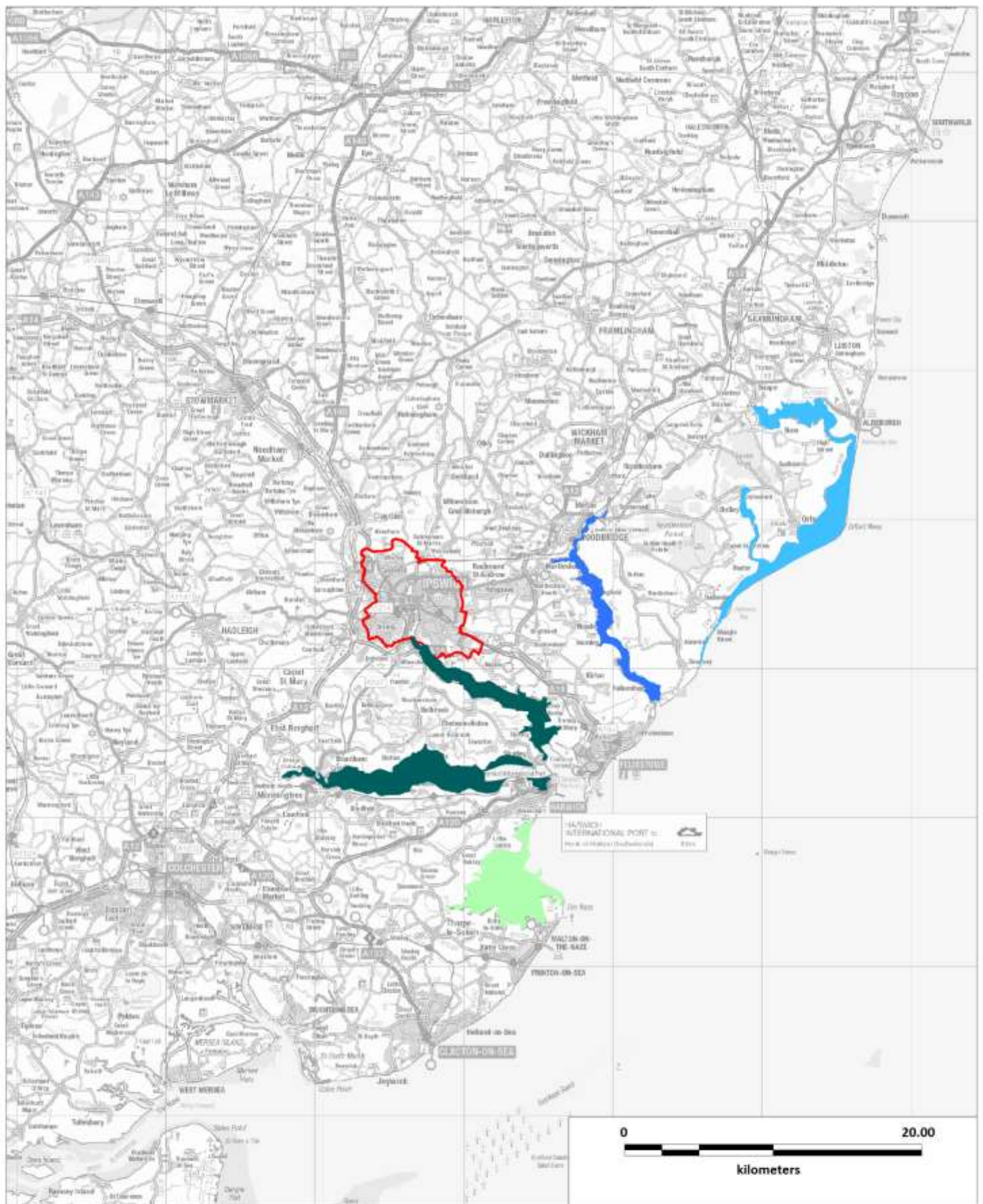
Contains Ordnance Survey Data. © Crown copyright and database right 2018.  
 Designated site boundaries downloaded from Natural England website and © Natural England.

**Map 2: SPAs where boundary falls within 20km of Ipswich Borough**



- |   |                         |   |                                   |
|---|-------------------------|---|-----------------------------------|
|  | <b>Ipswich Borough</b>  | <b>SPAs</b>   |                                   |
|  | <b>Alde-Ore Estuary</b> |  | <b>Outer Thames Estuary</b>       |
|  | <b>Deben Estuary</b>    |  | <b>Sandlings</b>                  |
|  | <b>Hamford Water</b>    |  | <b>Stour and Orwell Estuaries</b> |

**Map 3: Ramsar sites where boundary falls within 20km of Ipswich Borough**



**Ipswich Borough**

**Ramsar sites**

- Aide-Ore Estuary
- Deben Estuary
- Hamford Water
- Stour and Orwell Estuaries

- 1.50 In assessing the implications of any plan or project for European sites, it is essential to fully understand the ecology and sensitivity of the sites, in order to identify how they may be affected. This section and the accompanying detailed site information within Appendices 2 and 3 identifies those sites that could potentially be affected by the policies and proposals within the Ipswich Local Plan. Every European site has a set of ‘interest features’ which are the ecological features for which the site is designated or classified, and the features for which Member States should ensure the site is maintained or, where necessary restored.
- 1.51 Each European site also has a set of ‘conservation objectives’ for the site interest, i.e. what the site should be achieving in terms of restoring or maintaining the special ecological interest of European importance. Also relevant to the HRA is the consideration of how a plan or project may affect the achievement of conservation objectives for each European site. The site conservation objectives are relevant to any HRA, because they identify what should be achieved for the site, and a HRA may therefore consider whether any plan or project may compromise the achievement of those objectives. The background to conservation objectives and key considerations are explained in Appendix 2. Appendix 3 sets out the site interest features for each European site.
- 1.52 The Habitats Directive requires competent authorities to ‘maintain and restore’ European sites. Where sites are meeting their conservation objectives, the requirement is to maintain this position and not allow deterioration. Where a site requires restoration, competent authorities should work to bring site interest features back to a status that enables conservation objectives to be met.
- 1.53 In addition to conservation objectives, Natural England produces Site Improvement Plans (SIPs) for each European site in England as part of a wider programme of work under the ‘Improvement Programme for England’s Natura 2000 sites.’ Each plan includes a set of actions for alleviating issues that are impeding the delivery of conservation objectives, with lead delivery bodies identified and indicative timescales. The SIPs can provide an additional useful reference for HRA work, identifying where there are site sensitivities. These have been reviewed to inform the appropriate assessment set out within this report.

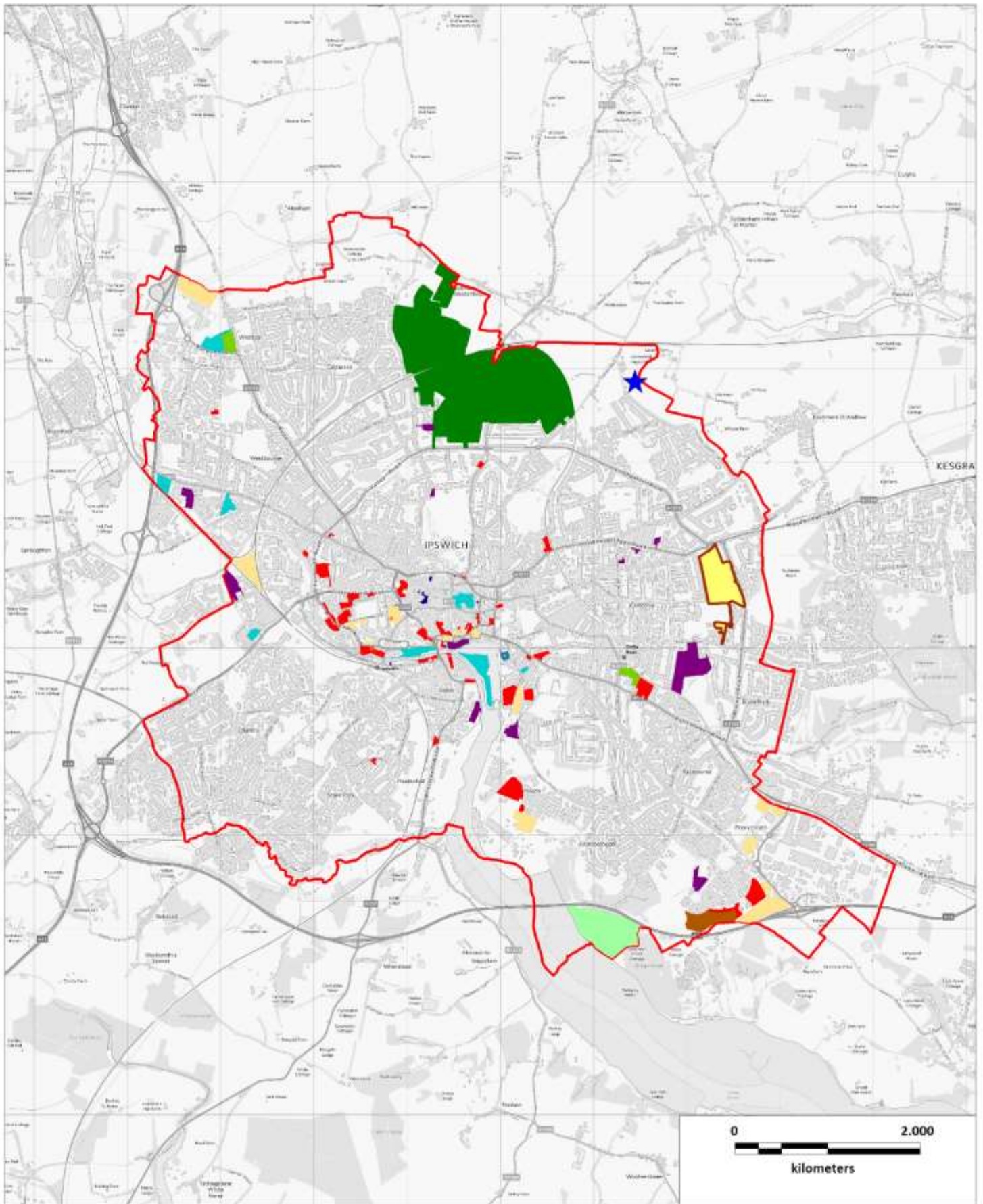
## 2. Consideration of Site Allocations

- 2.1 All aspects of the emerging plan that influence sustainable development for the Ipswich Borough are checked through this assessment for risks to European sites. Risks need to be identified in order to inform the screening for likely significant effects. European sites are at risk if there are possible means by which any aspect of a plan can, when being taken forward for implementation, pose a potential threat to the wildlife interest of the sites. This is often referred to as the 'impact pathway' as it is an identifiable means by which the plan or project could potentially affect the European site.
- 2.2 All policies are checked as part of HRA, but of particular relevance is the quantum and location of proposed growth. GIS data showing Preferred Options for allocations for the Ipswich Local Plan were provided to us by the Borough Council. These data showed locations for all development types, including housing and employment growth being proposed within the Preferred Options.
- 2.3 Map 4 shows the allocations and their proximity to the European sites. This enables a check for relevant potential pathways by looking at the growth that will come forward in close proximity to the European sites. Looking at sites on a map enables a consideration of any sites in very close proximity, within close proximity of 1.5km and the remainder that fall within the 13km zone of influence currently being used to inform the RAM Strategy. As previously noted, the 13km zone covers the whole Borough and therefore all site applications.
- 2.4 Looking at site locations spatially enables consideration of the potential impact pathways that may be of relevance, serves to inform the screening of the plan for likely significant effects. These impact pathways are then considered in greater detail within the appropriate assessment.
- 2.5 It should be noted that the consideration of site allocations and Map 4 within this HRA report has been undertaken using available GIS data provided by Ipswich Borough Council during the preparation of the Preferred Options. For the exact boundaries of site allocations, the actual plan documents should be referred to.
- 2.6 Table 2 provides the relevant impact pathways of consideration within this HRA. Note that some impact pathways for sites at a distance from the boundary are factors for which the site is sensitive but may not be relevant to growth in Ipswich due to distance, but are included here for completeness. Recreation is relevant for all sites as discussed in the previous section.






**Table 2: Summary of potential impact pathways - i.e. potential mechanisms where by the different European sites could be impacted (? = possibly)**






Site	Recreation	Air quality	Water quality	Water abstraction	Urban effects
Alde-Ore & Butley Estuaries SAC, Alde-Ore Estuary SPA, Alde-Ore Ramsar	✓	?	✓	✓	
Orfordness to Shingle Street SAC	✓		✓		✓
Sandlings SPA	✓	✓			✓
Stour and Orwell Estuaries SPA/Ramsar	✓	?	✓	✓	
Deben Estuary SPA/Ramsar	✓	?	✓	✓	


# Map 4 Allocations



-  Ipswich Borough
-  Ipswich Garden Suburb
-  Heath Road hospital site

- Allocations**
-  Car Park
  -  Community use
  -  Education and ancillary Use/ Waterfront Use
  -  Employment Use
  -  Country Park extension

-  Leisure Use
-  Open space
-  Residential Use
-  Retail use
-  Existing planning permission

 Broad locations for housing after 2031 (indicative)

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 Designated site boundaries downloaded from Natural England website and © Natural England.



### 3. Screening for likely significant effects

- 3.1 HRA is a step by step process, with the competent authority required to undertake screening for likely significant effects on European sites, after determining that the plan or project in question is not one that is entirely necessary for site management. Once relevant background information and potential impact pathways are understood, the HRA can progress to the screening for likely significant effects stage, fully informed by the background research undertaken. The screening for likely significant effects is undertaken on all policies within the plan. It is an initial check, made on a precautionary basis, to determine whether any part of the plan poses a risk to European sites in terms of its future implementation.
- 3.2 The currently adopted Ipswich Local Plan steers sustainable development in the Borough up to 2031, and the review will update policies based on the best currently available evidence and provide for development up to 2036. Whilst protection and enhancement of the natural environment is an integral part of sustainable development, the plan is not singularly focussed on European site management. The plan is therefore identified as not being for the management of European sites and HRA steps must therefore be undertaken. This commences with the screening for likely significant effects.
- 3.3 When a HRA is being undertaken on a plan or project that is initiated by the competent authority themselves, there is greater opportunity to identify potential issues arising from the plan or project in the initial stages of design or preparation. Where a competent authority is approving a project being proposed by another party, the application for permission is usually made when the proposal has already been designed and all details finalised, thus the opportunity to identify issues early on is more limited unless an applicant chooses to hold early discussions with the competent authority.
- 3.4 For the Ipswich Local Plan, the Borough Council is both the plan proposer and the competent authority, thus allowing the HRA to influence the plan in its earlier stages, at later refining stages and up to submission for Examination.

#### What constitutes a likely significant effect?

- 3.5 At the screening stage of HRA, there is the opportunity to identify changes to the plan that could be made to avoid risks to European sites. Any requirement for assessing the effectiveness of changes should be made at the appropriate assessment stage. The screening for likely significant effects is an initial check to identify risks or uncertainties in policy wording and recommend any obvious changes that can avoid those risks with clarifications, corrections or instructions

for development project level HRA. Any recommendations that need to be justified in terms of effectiveness and applicability should be considered within the appropriate assessment stage of HRA. As described in Appendix 1, screening for likely significant effects is an initial check to identify risks and uncertainties that could potentially be significant for the European sites, and to recommend any obvious changes that can avoid those risks. Where risks cannot be avoided with simple clarifications, corrections or instructions for project level HRA, a more detailed assessment is undertaken to gather more information about the likely significant effects and give the necessary scrutiny to potential mitigation measures. This is the appropriate assessment stage of HRA.

- 3.6 The screening check of each aspect of the plan is essentially looking for two things to enable a conclusion of no likely significant effect;
- Whether it is possible to say with certainty that there are no possible impacts on European sites, or
  - Whether, in light of a potential risk, simple clarifications can be built into the policy and/or its supporting text, which serve to avoid any likely impacts.
- 3.7 If one of these can be met, it enables a competent authority to screen a policy out from further stages of assessment, subject to further checks as policies are refined. Where there is the potential for European sites to be affected, or mitigation measures need to be checked to ensure they are effective and appropriate, more detailed consideration is required and this then screens those aspects of the plan in to the appropriate assessment.
- 3.8 A likely significant effect could be concluded on the basis of clear evidence of risk to European site interest, or there could be a scientific and plausible justification for concluding that a risk is present, even in the absence of direct evidence. The latter is a precautionary approach, which is one of the foundations of the high-level of protection pursued by EU policy on the environment, in accordance with the EU Treaty.<sup>6</sup> The precautionary principle should be applied at all stages in the HRA process and follows the principles established in case law relating to the use of such a principle in applying the European Directives and domestic Habitats Regulations. In particular, the European Court in the ‘Waddensee’ case<sup>7</sup> refers to “*no reasonable scientific doubt*” and the ‘Sweetman’ case<sup>8</sup> the Advocate General identified that a positive conclusion on screening for

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<sup>6</sup> Article 191 of the Treaty on the Functioning of the EU. Previously Article 174 of the Treaty of the EC.

<sup>7</sup> European Court of Justice case C - 127/02

<sup>8</sup> European Court of Justice case C - 258/11

likely significant effects relates to where there *"is a possibility of there being a significant effect"*.

- 3.9 An additional recent European Court of Justice Judgment in 2018 (Case C-323/17) clarified that the need to carefully explain actions taken at each HRA stage, particularly at the screening for likely significant effects stage. The Judgment is a timely reminder of the need for clear distinction between the stages of HRA, and good practice in recognising the function of each. The screening for likely significant effects stage should function as a screening or checking stage, to determine whether further assessment is required. Assessing the nature and extent of potential impacts on European site interest features, and the robustness of mitigation options, should be done at the appropriate assessment stage.

## Screening tables

- 3.10 Table 3 below records the conclusions drawn and recommendations made as a result of a policy by policy check for likely significant effects of the Ipswich Local Plan at Preferred Options stage, recognising that the Preferred Options are presented as an update to the currently adopted DPDs with revised text. Table 3 therefore screens the Core Strategy and Policies DPD in full, along with a number of additional policies that are found in the Site Allocations DPD but that do not specifically relate to allocation sites.
- 3.11 Table 4 lists all site allocations, and the policies they relate to. The table provides the distance from the Stour and Orwell Estuary SPA/Ramsar. Policies within the Site Allocations DPD that do not relate to these allocations are screened within Table 3.
- 3.12 Potential risks are highlighted within the screening table and this is on a precautionary basis to flag topics for appropriate assessment. For a number of policies, the screening at Preferred Options stage identified likely significant effects. These can be categorised as follows:
- For policies that do not set a quantum of development or specific locations, the potential for significant effects relates to the possibility of development coming forward in a particular location or with particular characteristics. In such instances, the risks may be simply avoided with straightforward clarifications, which remove any uncertainty. The recommendations add text to the policy to explain how the policy should be implemented to prevent adverse effects. This does not exclude the need for project level HRA but will enable a conclusion of no likely significant effects at the plan level, because the identified risks to European sites have been removed. Project level HRA provides a

means of checking for any further risks unforeseen at the plan level, and for developing project specific mitigation measures in greater detail within a project level appropriate assessment.

- For policies that do set a quantum of development or specific locations, the risks are primarily related to recreation pressure, but there are also potential impact pathways relating to urbanisation effects, water and air quality. The further detailed assessment of these impact pathways is to be discussed in more detail in the appropriate assessment chapters.

3.13 The screening table at Table 3 considers all policies individually, apart from site allocations, which are considered collectively on the basis of distance at Table 4. The site allocations have been sorted within Table 4 to highlight those in closest proximity. This does not flag any risks that may deem the principle of the allocation a risk to European site interest, but rather that those in closest proximity, and out to a precautionary distance of 1.5km, should be checked in more detail as part of the appropriate assessment to establish whether there are specific constraints or project level HRA evidence needs that should be highlighted within the site allocation policy or its supporting text.

3.14 The screening tables below provide a record of screening of the entire plan at Preferred Options stage, considering the update to the Core Strategy and the newly proposed set of preferred site applications, which includes a number of new sites in addition to those within the adopted DPD. The initial screening was undertaken prior to the finalisation of the Preferred Options for public consultation at Regulation 18 stage. A re-screen of the plan at Regulation 19 consultation will also be made, and this will make a record of any amendments to the plan made by the Council in response to this HRA report and discussions between Footprint Ecology and the Planning Officers. The additional column within the screening table will be populated. The Regulation 19 version of the HRA is the point at which the appropriate assessment of all risks identified as requiring further assessment in the screening table is prepared.

3.15 There may also be a need to undertake further updates to this HRA, either to inform the Examination in Public and/or on any proposed modifications which arise during the Examination of the plan, prior to adoption. This ensures that the final adopted plan has an up to date HRA report.

**Table 3: Screening for likely significant effects – at Preferred Options (Regulation 18)**

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
Introduction	No LSE Context setting includes importance of European sites	N/A	Recommend adding text at next plan iteration to give greater emphasis to biodiversity net gain	Recommend adding text at next plan iteration to give an up to date account of the status of the RAMS and legislative and policy context, and update sections relating to HRA.	
Vision and objectives	No LSE Vision includes importance of and expansion of biodiversity assets. Objectives refer to expansion of the ecological network. Key diagram identifies the Orwell Estuary designation	N/A	N/A	N/A	
ISPA1 Growth in the Ipswich strategic planning area	LSE Key policy setting out the proposed growth in Ipswich and the wider planning area.	Quantum and location of development could pose risks in terms of air and water pollution, water resources, recreation and urbanisation impacts	Supporting text could make reference to the Ipswich strategic planning area authorities working collaboratively to protect biodiversity as well as secure the right level of growth.	Location of growth needs to be checked. Housing growth needs to be compared with current RAMS housing numbers. Consideration at appropriate assessment in terms of overall quantum of growth and ability of RAMS to mitigate.	
ISPA2 Strategic infrastructure priorities	LSE Policy commits to collaborative working with partners on large schemes,	Depending on location of development, could pose risks in terms of air pollution, water pollution where there are drainage pathways to the	Large infrastructure schemes present an ideal opportunity for biodiversity enhancements and	The highlighted risks are not such that they can be assessed at the plan level. Clarification to remove LSE - Add within supporting text a	

Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
	and many of these will need project level HRA	Orwell Estuary. Additional disturbance on the Orwell Estuary is also possible.	specific reference should be made in supporting text to an expectation for early consideration of biodiversity net gain in project design.	reference to joint working by public bodies for HRA purposes.	
ISPA3 Cross-boundary mitigation of effects on protected habitats	LSE until HRA finalised A protective policy specifically for European sites, but may need revisiting.	Robustness of mitigation to protect against new growth needs checking.	N/A	This policy may be revisited after appropriate assessment to check it is fit for purpose in view of assessment findings.	
ISPA4 Cross boundary working to deliver peripheral sites	LSE An area safeguarded for future development on the northern edge of the Borough, that would be planned for jointly with Suffolk Coastal District. A large-scale development has potential for effects on European sites.	Full range of impact pathways - air and water pollution, water resources, recreation and urbanisation impacts	A large development presents an ideal opportunity for biodiversity enhancements and specific reference should be made in supporting text to an expectation for early consideration of biodiversity net gain in project design	Policy and supporting text should introduce the need to make an early assessment of potential risks and potential requirements for SANGs	
CS1 Presumption in favour of sustainable development	No LSE Reference made to application of protective policies for the natural environment. Positive wording in supporting text relation to factors such as climate change GI, biodiversity etc.	Misinterpretation of legislative requirements	N/A	N/A	
CS2	No LSE	Whilst growth presents risks, this policy describes overall	N/A	N/A	

Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
The location and nature of development	Growth is focussed towards the town centre of Ipswich and larger sites to the north. Sites in closer proximity to the Orwell Estuary are considered in site specific screening below.	growth locations and does not add additional risks to European sites			
CS3 IP-One Area Action Plan	No LSE IP-One is a defined area around Ipswich town where growth and regeneration is focussed.	Whilst growth presents risks, this policy describes overall growth locations and does not add additional risks to European sites	N/A	N/A	
CS4 Protecting our assets	LSE until HRA finalised This is the key policy for the natural environment and may need revisiting.	Robustness of mitigation to protect against new growth needs checking, but also need to ensure wider biodiversity assets are adequately protected to underpin designated site network	Recommend adding text at next plan iteration to give greater emphasis to biodiversity net gain in accordance with NPPF 2018	This policy may be revisited after appropriate assessment to check it is fit for purpose in view of assessment findings	
CS5 Improving accessibility	No LSE Qualitative and encourages sustainable access options	Some projects may need protect level HRA.	N/A	N/A	
CS6 The Ipswich Policy Area	POLICY DELETED	N/A	N/A	N/A	
CS7 The amount of housing growth required	LSE Key policy setting out the proposed quantum growth in Ipswich.	Quantum of development could pose risks in terms of air and water pollution, water resources, recreation and urbanisation impacts	N/A	Quantum of growth the needs to be checked. Housing growth needs to be compared with current RAMS housing numbers. Consideration at appropriate assessment in terms of	

Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
				overall quantum of growth and ability of RAMS to mitigate.	
CS8 Housing type and tenure	No LSE The housing type and tenure does not affect the overall conclusion of LSE for any housing growth, which is covered by other policies.	All housing types and tenure need to contribute to the RAMS	N/A	N/A	
CS9 Previously developed land	POLICY DELETED	N/A	N/A	N/A	
CS10 Ipswich Garden Suburb	LSE Whilst the IGS has been assessed in detail as part of the RAMS and planning applications, progress with mitigation measures needs to be checked as part of this HRA	Mitigation measures need to be delivered in time with development coming forward	N/A	Progress check to be included in the appropriate assessment.	
CS11 Gypsy and traveller accommodation	LSE There is a need to ensure that permanent pitches are assessed in terms of additional recreation pressure, which could be mitigated for as part of the RAMS	All residential types of development need to contribute to the RAMS – need to check there is an understanding of inclusion of pitches	N/A	Consideration at appropriate assessment in terms of overall quantum of growth and ability of RAMS to mitigate.	
CS12 Affordable housing	No LSE The housing type and tenure does not affect the overall conclusion of LSE	All housing types and tenure need to contribute to the RAMS	N/A	N/A	



Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
	for any housing growth, which is covered by other policies.				
CS13 Planning for jobs growth	LSE New or redeveloped employment sites have the potential to add pressure to the Orwell Estuary if in close proximity	Potential for increased air and water pollution concerns and also disturbance if in close proximity	N/A	Consideration at appropriate assessment in terms of site locations.	
CS14 Retail development and main town centre uses	No LSE Town centre focussed development unlikely to lead to impact pathways.	Need for project level HRA should however be checked	N/A	N/A	
CS15 Education provision	No LSE Development type unlikely to lead to impact pathways.	Need for project level HRA should however be checked	N/A	N/A	
CS16 Green infrastructure, sport and recreation	LSE until HRA finalised A policy that will provide for some mitigation measures (Country Park at IGS and Orwell Country Park improvements), therefore may need revisiting.	Inclusion of mitigation to protect against new growth needs checking	N/A	This policy may be revisited after appropriate assessment to check it is fit for purpose in view of assessment findings	
CS17 Delivering infrastructure	No LSE Qualitative and includes reference to environmental infrastructure	N/A	N/A	N/A	

Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
CS18 Strategic flood defence	LSE Flood defence works could risk harm to the Orwell Estuary	Direct or indirect habitat loss and disturbance, water and air pollution	N/A	Evidence documents relating to flood defence to be considered in the appropriate assessment	
CS19 Provision of health services	No LSE Development type unlikely to lead to impact pathways.	Need for project level HRA should however be checked	N/A	N/A	
CS20 Key transport proposals	LSE Policy commits to collaborative working with partners on transport proposals, and some of these will need project level HRA	Depending on location of development, could pose risks in terms of air pollution, water pollution where there are drainage pathways to the Orwell Estuary. Additional disturbance on the Orwell Estuary is also possible.	N/A	The highlighted risks are not such that they can be assessed at the plan level. Clarification to remove LSE - Add within supporting text a reference to project level HRA.	
DM1 Sustainable design and construction	No LSE Development type unlikely to lead to impact pathways.	Need for project level HRA should however be checked	N/A	N/A	
DM3 Air Quality	LSE until HRA finalised This is the key policy for setting out any air quality mitigation measures, if required, and may need revisiting.	Policy needs to provide adequate air quality protection for European sites	N/A	This policy may be revisited after appropriate assessment to check it is fit for purpose in view of assessment findings	
DM4 Development and flood risk	LSE until HRA finalised This is the key policy for setting out any flood risk mitigation measures, if	Policy needs to provide adequate flood risk protection for European sites	N/A	This policy may be revisited after appropriate assessment to check it is fit	

Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
	required, and may need revisiting.			for purpose in view of assessment findings	
DM5 Protection of open spaces, sport and recreation	No LSE Protective policy for existing assets	N/A	N/A	N/A	
DM6 Provision of open spaces, sport and recreation	No LSE New open space assets will provide recreation provision that complements the RAMS Any need for SANGs is linked to specific allocations (IGS and potential future broad locations for growth)	N/A	New open spaces have significant enhancement opportunities for biodiversity which could be referred to in supporting text	N/A	
DM7 Provision of private outdoor amenity space in new and existing developments	No LSE Development type unlikely to lead to impact pathways.	N/A	N/A	N/A	
DM8 The natural environment	LSE until HRA finalised This is the second key policy for the natural environment, alongside the strategic policy, and may need revisiting.	Robustness of mitigation to protect against new growth needs checking, but also need to ensure wider biodiversity assets are adequately protected to underpin designated site network	Recommend adding text at next plan iteration to give greater emphasis to biodiversity net gain in accordance with NPPF 2018	This policy may be revisited after appropriate assessment to check it is fit for purpose in view of assessment findings	
DM9 Trees and hedgerows	No LSE Protective and enhancing policy for the natural environment	N/A	N/A	N/A	

Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
DM10 Green corridors	No LSE Protective and enhancing policy for the natural environment	N/A	N/A	N/A	
DM11 Countryside	No LSE Protective and enhancing policy for the natural environment	N/A	N/A	N/A	
DM12 Design and character	No LSE. Qualitative policy, does not add new development, and requires natural features to be retained and enhanced.	N/A	Policy already refers to biodiversity enhancements	N/A	
DM13 Built heritage and conservation	No LSE. Protective policy, does not add new development	N/A	N/A	N/A	
DM14 Archaeology	No LSE. Protective policy, does not add new development	N/A	N/A	N/A	
DM15 Tall buildings	No LSE. Qualitative policy, does not add new development	N/A	N/A	N/A	
DM16 Extensions to dwellings and the provision of ancillary buildings	No LSE Development type unlikely to lead to impact pathways.	N/A	N/A	N/A	
DM17 Small scale infill and back-land residential developments	No LSE The housing development type does not affect the overall conclusion of LSE for any housing growth,	All housing types and tenure need to contribute to the RAMS	N/A	N/A	

Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
	which is covered by other policies.				
DM18 Amenity	No LSE. Qualitative policy, does not add new development	N/A	N/A	N/A	
DM19 Subdivision of family dwellings	LSE All net increase in housing needs to contribute to RAMS	All net increases in housing needs to contribute to the RAMS, this may not be understood for multiple occupation conversions	N/A	Add to supporting text to highlight the need for contribution to RAMS	
DM20 Transport and access in new developments	No LSE. Qualitative policy, does not add new development	N/A	N/A	N/A	
DM21 Car and cycle parking in new development	No LSE. Qualitative policy, does not add new development	N/A	N/A	N/A	
DM22 Density of residential development	No LSE The density of housing development does not affect the overall conclusion of LSE for any housing growth, and the need to contribute to RAMS.	All housing types and tenure need to contribute to the RAMS	N/A	N/A	
DM23 Protection and provision of community facilities	No LSE. Qualitative and protective policy, does not add new development	N/A	N/A	N/A	
DM24 Shopfront design	No LSE. Qualitative policy, does not add new development	N/A	N/A	N/A	

Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
DM25 Advertisement	No LSE. Qualitative policy, does not add new development	N/A	N/A	N/A	
DM26 The central shopping area	No LSE Development type unlikely to lead to impact pathways.	N/A	N/A	N/A	
DM27 Arts, culture and tourism	No LSE Development type unlikely to lead to impact pathways. Tourism relates to attraction features rather than accommodation	N/A	N/A	N/A	
DM28 The evening and night time economy	No LSE Development type unlikely to lead to impact pathways.	N/A	N/A	N/A	
DM29 District and local centres	No LSE Development type unlikely to lead to impact pathways.	N/A	N/A	N/A	
DM30 Town centre uses outside the central shopping area	No LSE Development type unlikely to lead to impact pathways.	N/A	N/A	N/A	
DM31	No LSE	Need for project level HRA should be checked	N/A	N/A	

Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
Retail proposals outside defined centres	Development type could pose risks that should be dealt with at the project level. Policy itself does not promote this specific development or any location				
DM32 Protection of employment land	No LSE Safeguarding existing sites. New sites considered under allocations	N/A	N/A	N/A	
DM33 Delivery and expansion of digital communication networks	No LSE Development type could pose risks that should be dealt with at the project level. Policy itself does not promote this specific development or any location	Need for project level HRA should be checked	N/A	N/A	
Implementation, monitoring and review	LSE until HRA finalised The incorporation of monitoring and review criteria for the natural environment should be checked and may need revisiting.	Monitoring of mitigation to protect against new growth needs to provide usable data that informs future review of mitigation approaches		This section may be revisited after appropriate assessment to check it is fit for purpose in view of assessment findings	
Appendices	No LSE Informative only	N/A	N/A	N/A	
<b>Site Allocations DPD policies in addition to allocations</b>					

Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
SP8 Orwell Country Park Extension	LSE until HRA finalised This policy relates to Orwell Country Park and the proposed extension, which is an important natural greenspace to provide recreation that might otherwise be directed to the Orwell Estuary.	The park has some enhancement proposals that feature within the RAMS, and the extension project has potential benefits for diverting recreation pressure, particularly for housing allocations in close proximity. The park abuts the Orwell Estuary.	N/A	This policy may be revisited after appropriate assessment to check it is fit for purpose in view of assessment findings	
SP11 The Waterfront	No LSE Development type could pose risks that should be dealt with at the project level. Policy itself does not promote this specific development or any location	Need for project level HRA should be checked	N/A	N/A	
SP12 Education quarter	No LSE Development type could pose risks that should be dealt with at the project level. Policy itself does not promote this specific development or any location	Need for project level HRA should be checked	N/A	N/A	
SP13 Portman quarter	No LSE Development type could pose risks that should be dealt with at the project level. Policy itself does not promote this specific	Need for project level HRA should be checked	N/A	N/A	



Ipswich Local Plan HRA

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
	development or any location				
SP14 Arts, culture and tourism	No LSE Development type unlikely to lead to impact pathways. Tourism relates to attraction features rather than accommodation	N/A	N/A	N/A	
SP15 Improving pedestrian and cycle routes	No LSE Development type unlikely to lead to impact pathways, unless in close proximity to the Orwell Estuary.	Need for project level HRA should be checked	N/A	N/A	
SP16 Transport proposals in IP-One	LSE Additional crossing proposal has both construction and operational risks	Orwell Estuary disturbance, air and water pollution	N/A	Policy needs to make specific reference to risks to European sites and the need for early assessment to inform design, as part of project level HRA	
SP17 Town centre parking	No LSE Development type unlikely to lead to impact pathways.	N/A	N/A	N/A	
IP1 opportunity areas	LSE IP-One opportunity area forms part of the adopted Local Plan but poses individual project risks	Orwell Estuary disturbance, air and water pollution and recreation	N/A	Projects descriptions close to and within the waterfront need to reference to risks to European sites and the need for early assessment to	

Policy or section of the plan	LSE screening	Potential risks	Potential enhancement opportunities	Recommendations at Preferred Options (Regulation 18)	Recommendations and actions taken for Regulation 19
				inform design, as part of project level HRA	

**Table 4 Distance of site allocations from Stour and Orwell Estuary SPA/Ramsar at Preferred Options (Regulation 18) stage.**

**Note that distance is measured ‘as the crow flies.’**

Policy	Distance to Stour & Orwell Estuaries SPA (km) at closest point	address	site ref	allocation	dwellings
SP8	0.00056	Land at Pond Hall Farm	IP149	Land allocated for extension to Country Park	0
SP5	0.397202	Former British Energy Site (south), Cliff Quay	IP067b	Land allocated for Employment Use	0
SP2	0.458287	Former Norsk Hydro, Sandy Hill Lane	IP143	Land allocated for Residential Use	85
SP2	0.513417	Former British Energy Site (north), Cliff Quay	IP067a	Land allocated for Residential Use	17
SP7	0.747982	Land south of Ravenswood (west - Sports Park)	IP150b	Land allocated for Leisure Use	0
SP2	0.843911	240 Wherstead Road	IP080	Land allocated for Residential Use	27
SP5	0.992017	Airport Farm Kennels, north of A14	IP152	Land allocated for Employment Use	0
SP2	0.998099	Prince of Wales Drive	IP307	Land allocated for Residential Use	12
SP2	1.027908	Land south of Ravenswood (west - Sports Park)	IP150d	Land allocated for Residential Use	34
SP3	1.0583	Land between Cliff Quay and Landseer Road	IP042	Land with Planning Permission	222
SP3	1.112698	Areas U, V & W, Ravenswood	IP150a	Land with Planning Permission	94
SP3	1.119439	Bath Street (Griffin Wharf)	IP200	Land with Planning Permission	113
SP2	1.182471	Land south of Ravenswood (east)	IP150e	Land allocated for Residential Use	126

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Policy	Distance to Stour & Orwell Estuaries SPA (km) at closest point	address	site ref	allocation	dwellings
SP2	1.321289	Island Site	IP037	Land allocated for Residential Use	421
SP6	1.321289	Island Site	IP037	Land allocated for open space	0
SP2	1.324845	Land bounded by Cliff/Toller/Holywells Road	IP045	Land allocated for Residential Use	148
SP5	1.324845	Land bounded by Cliff/Toller/Holywells Road	IP045	Land allocated for Employment Use	0
SP5	1.337714	Land south of Ravenswood (east)	IP150c	Land allocated for Employment Use	0
SP2	1.367201	Helena Road	IP226	Land allocated for Residential Use	337
SP2	1.486292	Land between Holywells Road and Holywells Park	IP064a	Land allocated for Residential Use	66
SP2	1.516921	Transco, south of Patteson Road	IP098	Land allocated for Residential Use	51
SP2	1.535629	South of Felaw Street	IP133	Land allocated for Residential Use	33
SP2	1.674585	Land between Gower Street and Great Whip Street	IP039a	Land allocated for Residential Use	43
SP5	1.709784	Land at Futura Park, Nacton Road	IP141a	Land allocated for Employment Use	0
SP3	1.746596	Duke Street	IP142	Land with Planning Permission	44
SP6	1.746596	Duke Street	IP142	Land allocated for open space	0
SP2	1.757893	Burrell Road	IP031	Land allocated for Residential Use	28
SP3	1.808877	23-25 Burrell Road	IP169	Land with Planning Permission	14
SP2	1.809152	Websters saleyard site, Dock Street	IP188	Land allocated for Residential Use	9
SP2	1.835284	Land at Commercial Road	IP047	Land allocated for Residential Use	103
SP7	1.835284	Land at Commercial Road	IP047	Land allocated for Leisure Use	0
SP6	1.835284	Land at Commercial Road	IP047	Land allocated for open space	0
SP12	1.837218	Shed 8, Duke Street	IP049	Land allocated for Education and ancillary Use/ Waterfront Use	0
SP17	1.872993	Shed 8, Duke Street (indicative) (Long Stay)	IP049	Land allocated for Car Park	0
SP3	1.883417	Cranfields	IP206	Land with Planning Permission	135
SP3	1.89581	Regatta Quay	IP211	Land with Planning Permission	157

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Policy	Distance to Stour & Orwell Estuaries SPA (km) at closest point	address	site ref	allocation	dwellings
SP3	1.897961	Burton's College Street	IP205	Land with Planning Permission	125
SP2	1.903726	Silo, College Street	IP136	Land allocated for Residential Use	48
SP2	1.909092	Hope Church, Fore Hamlet	IP014	Land allocated for Residential Use	23
SP2	1.910895	Former St Peters Warehouse site, Bridge Street	IP132	Land allocated for Residential Use	73
SP5	1.910895	Former St Peters Warehouse site, Bridge Street	IP132	Land allocated for Employment Use	0
SP6	1.914587	Banks of river, upriver from Princes Street	IP083	Land allocated for open space	0
SP2	1.914587	Banks of river, upriver from Princes Street	IP083	Land allocated for Residential Use	14
SP2	1.938242	West End Road Surface Car Park	IP015	Land allocated for Residential Use	43
SP2	1.948518	J J Wilson and land to rear, Cavendish Street	IP066	Land allocated for Residential Use	47
SP2	1.971729	Key Street/Star Lane (St Peters Port)	IP035	Land allocated for Residential Use	86
SP5	1.971729	Key Street/Star Lane/Burtons (St Peters Port)	IP035	Land allocated for Employment Use	0
SP2	1.976357	Island adjacent to Jewsons, Greyfriars Road	IP028a	Land allocated for Residential Use	11
SP2	1.987331	Jewsons, Greyfriars Road and Island adjacent	IP028b	Land allocated for Residential Use	35
SP2	2.022271	Commercial Buildings, and Jewish Burial Ground, Star Lane	IP043	Land allocated for Residential Use	50
SP5	2.022271	Commercial Buildings, and Jewish Burial Ground, Star Lane	IP043	Land allocated for Employment Use	0
SP2	2.027562	Smart Street, Foundation Street (south)	IP011b	Land allocated for Residential Use	44
SP5	2.027562	Smart Street, Foundation Street (south)	IP011b	Land allocated for Employment Use	0
SP2	2.032313	Land between Old Cattle Market and Star Lane	IP054b	Land allocated for Residential Use	31
SP17	2.032979	West End Road (indicative) (Long Stay)	IP015	Land allocated for Car Park	0

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Policy	Distance to Stour & Orwell Estuaries SPA (km) at closest point	address	site ref	allocation	dwellings
SP2	2.052151	Land between Lower Orwell Street and Star Lane	IP052	Land allocated for Residential Use	29
SP5	2.052151	Land between Lower Orwell Street and Star Lane	IP052	Land allocated for Employment Use	0
SP2	2.083422	Felixstowe Road	IP010b	Land allocated for Residential Use	62
SP5	2.090388	Rear of Grafton House, Russell Road	IP094	Land allocated for Employment Use	0
SP2	2.094004	Smart Street, Foundation Street (north)	IP011c	Land allocated for Residential Use	7
SP2	2.098166	Lower Orwell Street (former Gym and Trim)	IP011a	Land allocated for Residential Use	14
SP2	2.166045	Waterworks Street	IP089	Land allocated for Residential Use	23
SP2	2.169137	Co-op Depot, Felixstowe Road	IP010a	Land allocated for Residential Use	75
SP7	2.169137	Co-op Depot, Felixstowe Road	IP010a	Land allocated for community use	0
SP2	2.184782	Peter's Ice Cream, Grimwade Street	IP012	Land allocated for Residential Use	29
SP5	2.202153	Old Cattle Market site, Portman Road (south)	IP051	Land allocated for Employment Use	0
SP17	2.272927	Portman Road (indicative) (Long Stay)	IP051	Land allocated for Car Park	0
SP2	2.308822	Mint Quarter/Cox Lane East	IP048a	Land allocated for Residential Use	47
SP6	2.308822	Mint Quarter/Cox Lane East	IP048a	Land allocated for open space	0
SP2	2.316724	Bus Depot, Sir Alf Ramsey Way	IP004	Land allocated for Residential Use	48
SP5	2.316724	Bus Depot, Sir Alf Ramsey Way	IP004	Land allocated for Employment Use	0
SP2	2.31967	Mint Quarter/Cox Lane West	IP048b	Land allocated for Residential Use	42
SP10	2.31967	Mint Quarter/Cox Lane West	IP048b	Land allocated for retail use	0
SP6	2.31967	Mint Quarter/Cox Lane West	IP048b	Land allocated for open space	0
SP3	2.323818	St Clement's Hospital Grounds	IP116	Land with Planning Permission	196
SP2	2.372859	25 Grimwade St, Club & Car Park, Rope Walk	IP283	Land allocated for Residential Use	12
SP10	2.379502	Units in upper Princes Street area	IP348	Land allocated for retail use	0
SP17	2.381685	Mint Quarter/Cox Lane (indicative) (Short Stay)	IP048	Land allocated for Car Park	0

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Policy	Distance to Stour & Orwell Estuaries SPA (km) at closest point	address	site ref	allocation	dwellings
SP2	2.383046	Land west of West End Road	IP120b	Land allocated for Residential Use	74
SP3	2.389352	Church and land at Upper Orwell Street	IP074	Land with Planning Permission	9
SP2	2.42179	Waste tip & emp. area north of Sir Alf Ramsey Way	IP003	Land allocated for Residential Use	114
SP2	2.454218	Land east of West End Road	IP119	Land allocated for Residential Use	38
SP2	2.478919	Former Police Station, Civic Drive	IP041	Land allocated for Residential Use	46
SP3	2.496221	12-12a Arcade Street	IP245	Land with Planning Permission	7
SP2	2.549544	Former British Telecom offices, Bibb Way	IP279	Land allocated for Residential Use	104
SP10	2.561748	Former Civic Centre, Civic Drive	IP040	Land allocated for retail use	0
SP2	2.561748	Former Civic Centre, Civic Drive	IP040	Land allocated for Residential Use	59
SP2	2.58086	Car Park, Handford Road	IP096	Land allocated for Residential Use	20
SP10	2.613205	Mecca Bingo, Lloyds Avenue	IP347	Land allocated for retail use	0
SP2	2.640574	15-19 St Margaret's Street	IP172	Land allocated for Residential Use	9
SP3	2.655477	Old Foundry Road	IP214	Land with Planning Permission	12
SP2	2.839056	Suffolk Retail Park, London Road (north)	IP346	Land allocated for Residential Use	88
SP2	2.86937	Former school site, Lavenham Road	IP061	Land allocated for Residential Use	30
SP6	2.86937	Former school site, Lavenham Road	IP061	Land allocated for open space	0
SP2	3.06168	BT Depot, Woodbridge Road	IP129	Land allocated for Residential Use	39
SP5	3.199204	Land between railway junction and Hadleigh Road	IP147	Land allocated for Employment Use	0
SP2	3.226897	Depot, Beaconsfield Road	IP105	Land allocated for Residential Use	15
SP3	3.242207	79 Cauldwell Hall Road	IP088	Land with Planning Permission	17
SP3	3.270917	Arclion House and Elton Park, Hadleigh Road	IP059 a and b	Land with Planning Permission	103
SP2	3.321507	112-116 Bramford Road	IP135	Land allocated for Residential Use	14
SP3	3.420623	Milton Street	IP131	Land with Planning Permission	9
SP3	3.520043	2 Park Road	IP161	Land with Planning Permission	13
SP3	3.582785	Rear of Jupiter Road and Reading Road	IP109	Land with Planning Permission	13

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Policy	Distance to Stour & Orwell Estuaries SPA (km) at closest point	address	site ref	allocation	dwellings
SP2	3.832678	Victoria Nurseries, Westerfield Road	IP009	Land allocated for Residential Use	12
SP2	4.063654	Land at Bramford Road (Stock's site)	IP033	Land allocated for Residential Use	46
SP6	4.063654	Land at Bramford Road (Stock's site)	IP033	Land allocated for open space	0
SP3	4.227649	Artificial Hockey Pitch, Sports Club, Henley Road	IP256	Land with Planning Permission	28
SP3	4.352441	Eastway Business Park, Europa Way	IP165	Land with Planning Permission	94
SP2	4.62172	Opposite 674-734 Bramford Road	IP029	Land allocated for Residential Use	45
SP6	4.62172	Opposite 674-734 Bramford Road	IP029	Land allocated for open space	0
SP2	5.031015	Flying Horse Public House, 4 Waterford Road	IP221	Land allocated for Residential Use	12
SP3	5.536981	Former Took's Bakery, Old Norwich Road	IP005	Land with Planning Permission	60
SP7	5.536981	Former Took's Bakery, Old Norwich Road	IP005	Land allocated for community use	0
SP2	5.599661	King George V Field, Old Norwich Road	IP032	Land allocated for Residential Use	99
SP6	5.599661	King George V Field, Old Norwich Road	IP032	Land allocated for open space	0
SP5	6.092504	Land north of Whitton Lane	IP140	Land allocated for Employment Use	0

## 4. Appropriate Assessment of Impact Pathways

- 4.1 The screening for likely significant effects at Table 3 has identified a number of recommended text changes that can strengthen policy or completely avoid risks with the removal of potentially harmful aspects. These are clarifications, corrections or instructions for the development project HRA, that do not require further scrutiny at the appropriate assessment stage.
- 4.2 Additionally, the screening table has flagged key topics more in-depth consideration within an appropriate assessment. Table 4 provides the full list of preferred site allocations in order of distance from the Sour and Orwell Estuaries SPA/Ramsar site. Those within 1.5km will be checked in more detail within the appropriate assessment, on a precautionary basis to ensure that any risks are addressed and project level HRA needs clarified.
- 4.3 The appropriate assessment topics are highlighted in this HRA report at Regulation 18 stage to advise on the scope of the appropriate assessment. These impact pathways are to be assessed in detail within the appropriate assessment, prepared after the Regulation 18 consultation and to inform the Regulation 19 version of the Ipswich Local Plan.

### Purpose of the appropriate assessment

- 4.4 There is now a strong body of evidence showing how increasing levels of development, even when well outside the boundary of protected wildlife sites, can have negative impacts on the sites and their wildlife interest. The research particularly includes work on heathlands (Mallord 2005; Underhill-Day 2005; Liley & Clarke 2006; Clarke, Sharp & Liley 2008; Sharp *et al.* 2008; Clarke & Liley 2013; Clarke *et al.* 2013) and coastal sites (Saunders *et al.* 2000; Randall 2004; Liley & Sutherland 2007; Clarke, Sharp & Liley 2008; Liley 2008; Stillman *et al.* 2009) where links between housing, development and nature conservation impacts are demonstrated.
- 4.5 Once a likely significant effect has been identified, the purpose of the appropriate assessment is to examine evidence and information in more detail to establish the nature and extent of the predicted impacts, in order to answer the question as to whether such impacts could lead to adverse effects on European site integrity.
- 4.6 An appropriate assessment should be based on evidence, and that can take different forms (direct evidence, comparable evidence, modelling, expert opinion, Natural England's advice etc). In reality however, appropriate assessments at the plan stage are often undertaken with enough evidence to



give confidence in potential mitigation options, but that project level HRAs remain critical in determining the detail of such mitigation. The assessment at plan level is therefore often drawing on the knowledge and experience of the assessors, to make scientifically justified decisions about eliminating risk whilst recognising the need for further detailed considerations.

- 4.7 The 'precautionary principle' is described in the screening section. It is equally relevant for the appropriate assessment as it is for screening likely significant effects. It is an accepted principle that is embedded within the wording of the legislation, and latterly within case decisions, both European and domestic. Essentially, the appropriate assessment stage is, in accordance with the Habitats Regulations, an assessment that enables a competent authority to only give effect to a plan or authorise/undertake a project after having ascertained that it will not adversely affect the integrity of the European site.
- 4.8 It is for the competent authority to gather the information and evidence necessary for the appropriate assessment to give them certainty that adverse effects will not occur. Fundamentally that therefore means that in the absence of certainty, the plan or project should not normally proceed (subject to the further exceptional tests explained in Appendix 1). Hence the precaution is in the competent authority's duty to only allow plans or projects to proceed whether there is certainty and to apply a precautionary approach where uncertainties remain. Competent authorities should have enough evidence to satisfy themselves that there are feasible measures to prevent adverse effects. These should be feasible in terms of cost, practical implementation, timeliness and attributing responsibility.

## Appropriate assessment topics

- 4.9 The screening stage has been informed by evidence and professional expertise, along with ongoing discussions with Natural England, particularly in relation to the development of the RAMS. The following appropriate assessment chapters cover the following impact pathways identified by the screening for likely significant effects.

### *Recreation*

- 4.10 This will focus on residential growth, but also a check that tourism does not bring additional issues. Checking that the RAMS remains fit for purpose as a mechanism to mitigate for the housing within the current Local Plan and reviewing its progress towards adoption. The impact of recreation on the coastal and heathland European sites has already been recognised in previous HRA work and the identification of recreation pressure as a key concern for the Suffolk European wildlife sites has been echoed within neighbouring local

planning authority plan level HRAs. This has led to the collaborative working between the five Suffolk local planning authorities that lie within 13km of the coastal and heathland European sites with the development of the Suffolk HRA RAMS.

- 4.11 The Ipswich Borough is entirely within the 13km zone of influence already established for the RAMS. This strategic mitigation strategy is a means by which residential development can contribute towards a multi local planning authority initiative for protecting the Suffolk coastal and heathland European sites from additional recreation pressure. RAMS will be delivered jointly by Waveney, Suffolk Coastal, Babergh, Mid Suffolk District authorities alongside Ipswich Borough.
- 4.12 The appropriate assessment will have regard for the RAMS. The RAMS is anticipated to require developer contributions, through Section 106 legal agreement, towards strategic avoidance and mitigation measures that have been planned to manage access at the coastal and heathland European wildlife sites. Measures are anticipated to include dedicated staff to deliver projects, wardens for on site liaison with visitors, a range of visitor education measures and further data gathering in relation to visitor use. The evidence supporting the RAMS indicates that developer contributions would be required for all additional housing development within 13km of the European wildlife sites. The appropriate assessment will test the applicability of the HRA RAMS to the additional housing that will come forward with the allocations within the Ipswich Local Plan Review.
- 4.13 By making a proportionate financial contribution, the need for complex individual mitigation to be designed and implemented for each development project is removed. This takes a considerable burden away from individual developers, and ensures a Suffolk wide approach to effectively protecting the European sites on the basis of robust evidence and assessment.
- 4.14 The appropriate assessment will consider the role of the Ipswich Garden Suburb Country Park as a complementary measure to alleviate recreation pressure, alongside the strategic measures that form part of the RAMS and are focussed on the European sites. Much of this large housing site has planning permission, and so the HRA will check progress in relation to this bespoke mitigation commitment.

### *Other urbanisation effects*

- 4.15 The appropriate assessment will check development in close proximity to the Orwell Estuary, for any urbanisation risks other than recreation.

- 4.16 Urban effects relate to issues where development is close to the European site boundary and is an umbrella term relating to impacts such as cat predation, fly tipping, increased fire risk and vandalism (see Underhill-Day 2005 for review).
- 4.17 A number heathland European sites<sup>9</sup> have a 400m zone around the boundary where there is a presumption of no further development (net increase in residential properties). This presumption reflects the issues with urbanisation and the lack of suitable mitigation and avoidance measures. For example, for development so close to the European sites the options to divert access or provide suitable alternatives are very limited.
- 4.18 The choice of 400m is based on the literature (summarised in Underhill-Day 2005) and to some extent is a pragmatic choice. Studies of cat roaming behaviour have shown 400m to be an appropriate buffer width to limit cats in very urban environments (Thomas, Baker & Fellowes 2014), however in more rural areas cats can roam considerably further and some studies have suggested ranges over 2km for more rural situations (Metsers, Seddon & van Heezik 2010; Hall *et al.* 2016).
- 4.19 Studies of fire incidence have shown that heathland sites with high levels of housing within 500m of the site boundary have a higher fire incidence (Kirby & Tantram 1999). Fires can start in a range of ways, including deliberate arson, children playing, campfires, barbeques, sparks from vehicles, discarded cigarettes etc.
- 4.20 Where housing is directly adjacent to sites, access can occur directly from gardens and informal access points. Parking areas can be used as residential parking and access can include short-cuts and a range of other uses that are not necessarily compatible with nature conservation. Fly-tipping and dumping of garden waste can be more common. As such managing and looking after such sites can be more challenging.
- 4.21 The sites in very close proximity to the Orwell Estuary will be considered in terms of the potential for these types of impacts, and what measures may be needed to prevent them. The principle of development at each of the site allocations is not affected by this additional assessment.

### Water

- 4.22 Water issues include water quality and water quantity (i.e. water availability), and flood management. Run-off, outflow from sewage treatments and overflow from septic tanks can result in increased nutrient loads and contamination of

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<sup>9</sup> E.g. the Thames Basin Heaths, the Dorset Heaths, the East Devon Pebblebed Heaths

water courses. Abstraction and land management can influence water flow and quantity, resulting in reduced water availability at certain periods or changes in the flow. Such impacts particularly relate to aquatic and wetland habitats.

- 4.23 A check of evidence and studies that inform water quality and water resource provision, including discussion with Anglian Water will be undertaken to inform this section of the appropriate assessment. This will include water cycle study work and SFRA.
- 4.24 The upper part of the Orwell Estuary within the Borough is outside the administrative boundary, but this part of the Estuary then flows down into the SPA.

### *Air Quality*

- 4.25 Reductions in air quality associated with increased traffic are primarily as a result of increased nitrogen deposition, but are also related to increases in both sulphur and ammonia. Traffic generated air quality reductions can impact on vegetation communities (Bobbink, Hornung & Roelofs 1998; Stevens *et al.* 2011). The Design Manual for Roads and Bridges (DMRB) currently advises that the effect of traffic emissions is focussed on the first 200m to the side of a road. There is a declining effect out to 200m and beyond this it is currently agreed that the effects are *de minimis*, i.e. of no consequence against background levels. Following a recent case decision from Ashdown Forest (Wealden v SSCLG 2017) it is essential that air quality considerations have appropriate regard for any impacts that may act in-combination in HRA work.
- 4.26 The appropriate assessment will consider the traffic modelling undertaken for the Suffolk County and any emerging studies relating to air quality. The length of roads within 200m of the Orwell Estuary will be checked and consideration given to how those road sections relate to proposed site allocations. Map 5 gives an initial indication of road stretches of relevance to the Borough that are within 200m of European sites.

### *Site allocations check*

- 4.27 A more detailed consideration of site allocations that have been identified in the screening table as being in close proximity to the Stour and Orwell Estuaries SPA/Ramsar site will be included within this appropriate assessment section. The consideration of site allocations is potentially relevant within each of the above sections of the appropriate assessment, but a check at appropriate assessment will enable any risks to be explored further and any project level HRA requirements to be flagged. The principle of development at each of the site allocations is not affected by this additional assessment.

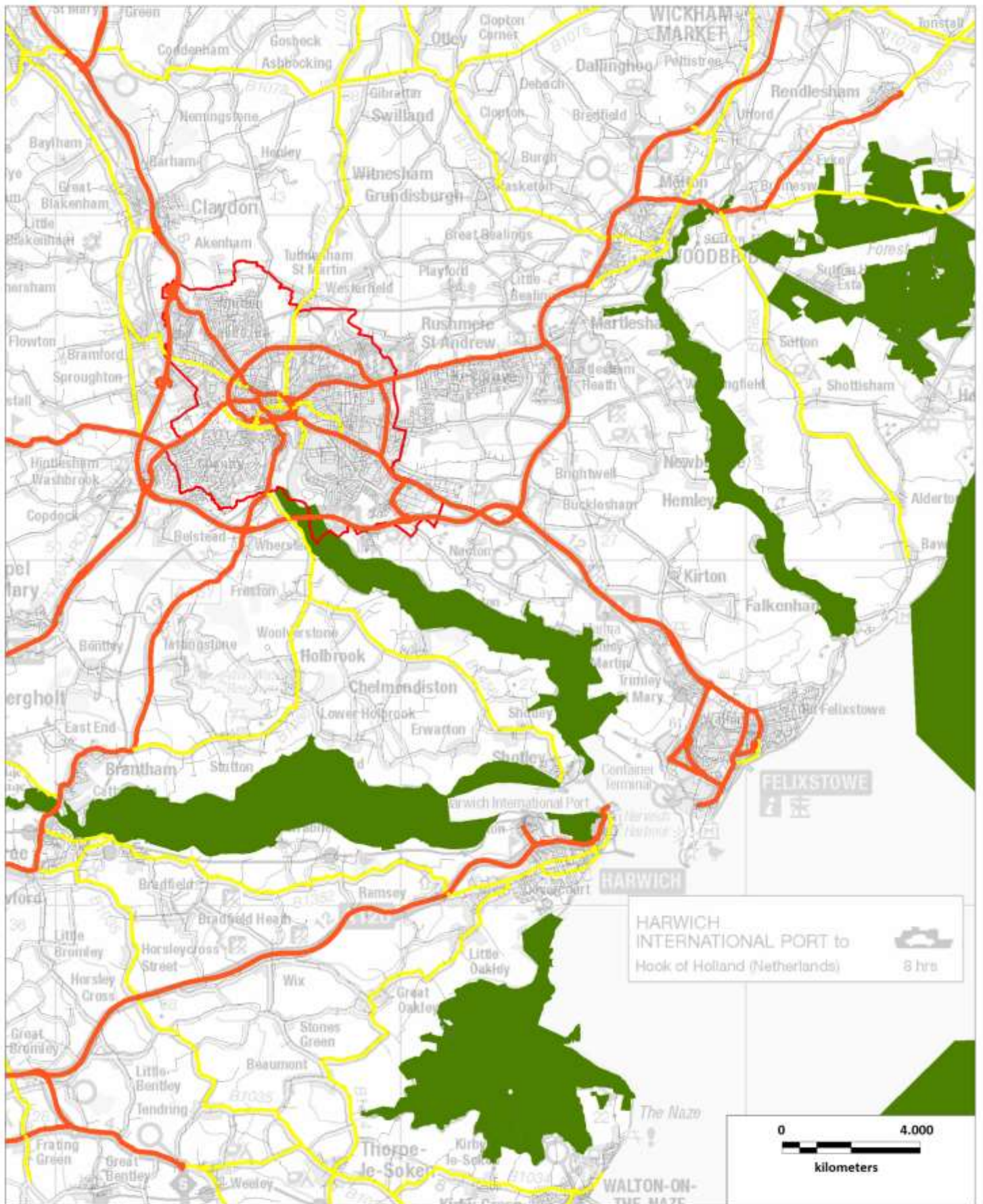
- 4.28 It is important to note that whilst the RAMS has been developed to provide strategic mitigation for the quantum of housing coming forward in Local Plans, there is a need to check allocations to have confidence that the strategic approach is appropriate in each case. There may be allocations that pose additional risks to the European sites and there may be a need for additional assessment and mitigation measures. This may be the case for example where an allocation is particularly large or particularly close to a European site.
- 4.29 In commencing work on the HRA, the preferred allocations have been mapped to consider their type, size, and their proximity to European sites (see Map 4). For the Ipswich Borough, the main concern is whether residential development is in close proximity to the Orwell Estuary, or is particularly large so that a concentration of residential development may result in concentrated access at a particular European site location.
- 4.30 Initial considerations, that will be explored in more detail within the HRA, are as follows.
- 4.31 **Broad location for residential growth post 2031** - The local plan review identifies a preferred broad location to deliver housing post 2031 to the north east of the Borough, which would be taken forward through future master planning, in conjunction with Suffolk Coastal District Council. This broad location will need to be further considered within the HRA in terms of its potential recreation impacts. This is likely to include assessing the need for additional greenspace to function as an alternative to the coast, with formal mitigation provision of this type being a SANG (Suitable Alternative Natural Greenspace) and how the nearby SANG being delivered as part of the Ipswich Garden Suburb, and wider footpath network, may be linked to any new SANG provision.
- 4.32 **Orwell Country Park** - The Local Plan Review identifies Orwell County Park as a location for potential expansion of greenspace into Pond Hall Farm, for which a key mitigation measure will be the diversion of the shoreline footpath to bring it further back and reduce disturbance at the estuary. This footpath work is already identified as being part of the RAMS. The appropriate assessment will check the current plans for the country park and extension, to ensure they remain complementary to the RAMS objectives.
- 4.33 **Housing in close proximity to the Orwell Estuary** - There are a number of preferred housing allocations that are in relatively close proximity to the Orwell Estuary, and it will therefore be necessary to check that the RAMS can provide adequate strategic mitigation for these sites, recognising that access to the estuary may be easily undertaken directly on foot from the housing sites. The proximity of preferred site allocations to the Orwell Estuary are shown in Table 4. The HRA will consider the following:

- The current access options, and whether any of these can be changed, or need to be a particular focus of access management as part of the HRA RAMS.
- How new residents may use alternative recreation locations, particularly for daily dog walking, and whether there might be options to improve dog walking areas away from the estuary.
- The role of the Orwell Country Park as a recreation space for these developments
- The education and interpretation need for these new developments.

### *Biodiversity net gain*

- 4.34 The final section of the appropriate assessment will look at the extent to which the emerging Local Plan provides protection of the natural environment as an intrinsic part of sustainable development, including taking forward opportunities for restoration, reconnection and biodiversity net gain.
- 4.35 The future health of designated sites is very much dependant on the future health of wider biodiversity and the ecological networks that sustain them. In planning for the long-term sustainability of designated sites, it is therefore necessary to protect and enhance wider biodiversity through the planning system as well as the designated sites. The National Planning Policy Framework sets out comprehensive requirements for the protection, restoration, enhancement and expansion of biodiversity. A Local Plan should include protecting, enhancing and improving biodiversity, and moving from a net loss of biodiversity to achieving net gains. The Government is currently promoting a number of initiatives in relation to biodiversity net gain, including a comprehensive update to the metric that can be used to account for biodiversity losses and gains, due to be published in early 2019.
- 4.36 By ensuring that wider biodiversity is adequately protected and that new growth is making a meaningful contribution to biodiversity restoration, the national and European site assets are better supported into the long term through a robust ecological network that surrounds and underpins them.

**Map 5: Roads and European sites**



- |  |                                 |   |                             |
|--|---------------------------------|---|-----------------------------|
|  | Ipswich Borough                 |  | <b>Roads</b>                |
|  | European sites (SPA/SAC/Ramsar) |  | A Road                      |
|  |                                 |  | B Road                      |
|  |                                 |   | Unclassified/Not classified |

## 5. Conclusions and Next Steps

- 5.1 This HRA, undertaken at the Preferred Options stage for the Ipswich Local Plan review, has recommendations from the screening assessment for policy wording changes, and also identifies key topic areas for consideration at appropriate assessment.
- 5.2 The next stage is the public consultation on the Preferred Options, which may yield consultation responses that specifically relate to the HRA work undertaken to date and the scope of the appropriate assessment. Any such responses will be considered as the HRA is updated and the appropriate assessment chapters prepared. The appropriate assessment will inform the next stage of plan making and the public consultation at Regulation 19 stage.
- 5.3 It is currently too early to give a conclusion that the plan will not lead to any adverse effects on European wildlife sites within and in the vicinity of the Ipswich Borough. However, at this early stage, the screening of the Preferred Options has not identified any issues that flag a major concern that would significantly alter the direction and quantum of growth for the Borough. There are key themes that need further assessment, and these may lead to some recommendation that will inform the next stage of the Local Plan preparation.
- 5.4 This report will continue to be updated at each plan making stage, to give a final HRA record before adoption of the Ipswich Borough Local Plan.



## 6. References

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## 7. Appendix 1 - The Habitats Regulations Assessment Process

- 7.1 The designation, protection and restoration of European wildlife sites is embedded in the Conservation of Habitats and Species Regulations 2017, which are commonly referred to as the 'Habitats Regulations.' The most recent version of the Habitats Regulations does not affect the principles of European site assessment as defined by the previous Regulations, and which forms the focus of this report. Regulation numbers have changed from the 2010 Regulations.
- 7.2 The Habitats Regulations are in place to transpose European legislation set out within the Habitats Directive (Council Directive 92/43/EEC), which affords protection to plants, animals and habitats that are rare or vulnerable in a European context, and the Birds Directive (Council Directive 2009/147/EC), which originally came into force in 1979, and which protects rare and vulnerable birds and their habitats. These key pieces of European legislation seek to protect, conserve and restore habitats and species that are of utmost conservation importance and concern across Europe. Although the Habitats Regulations transpose the European legislation into domestic legislation, the European legislation still directly applies, and in some instances, it is better to look to the parent Directives to clarify particular duties and re-affirm the overarching purpose of the legislation.
- 7.3 European sites include Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) classified under the Birds Directive. The suite of European sites includes those in the marine environment as well as terrestrial, freshwater and coastal sites. European sites have the benefit of the highest level of legislative protection for biodiversity. Member states have specific duties in terms of avoiding deterioration of habitats and species for which sites are designated or classified, and stringent tests have to be met before plans and projects can be permitted, with a precautionary approach embedded in the legislation, i.e. it is necessary to demonstrate that impacts will not occur, rather than they will. The overarching objective is to maintain sites and their interest features in an ecologically robust and viable state, able to sustain and thrive into the long term, with adequate resilience against natural influences. Where sites are not achieving their potential, the focus should be on restoration.
- 7.4 The UK is also a contracting party to the Ramsar Convention, which is a global convention to protect wetlands of international importance, especially those wetlands utilised as waterfowl habitat. In order to ensure compliance with the requirements of the Convention, the UK Government expects all competent

authorities to treat listed Ramsar sites as if they are part of the suite of designated European sites, as a matter of government policy, as set out in Section 118 of the National Planning Policy Framework. Most Ramsar sites are also a SPA or SAC, but the Ramsar features and boundary lines may vary from those for which the site is designated as a SPA or SAC.

7.5 It should be noted that in addition to Ramsar sites, the National Planning Policy Framework also requires the legislation to be applied to potential SPAs and possible SACs, and areas identified or required for compensatory measures where previous plans or projects have not been able to rule out adverse effects on site integrity, yet their implementation needs meet the exceptional tests of Regulation 64 of the Habitats Regulations, as described below.

7.6 The step by step process of HRA is summarised in the diagram below. Within the Habitats Regulations, local planning authorities, as public bodies, are given specific duties as 'competent authorities' with regard to the protection of sites designated or classified for their species and habitats of European importance. Competent authorities are any public body individual holding public office with a statutory remit and function, and the requirements of the legislation apply where the competent authority is undertaking or implementing a plan or project, or authorising others to do so. Regulation 63 of the Habitats Regulations sets out the HRA process for plans and projects, which includes development proposals for which planning permission is sought. Additionally, Regulation 105 specifically sets out the process for assessing emerging land use plans.

7.7 The step by step approach to HRA is the process by which a competent authority considers any potential impacts on European sites that may arise from a plan or project that they are either undertaking themselves, or permitting an applicant to undertake. The step by step process of assessment can be broken down into the following stages, which should be undertaken in sequence:

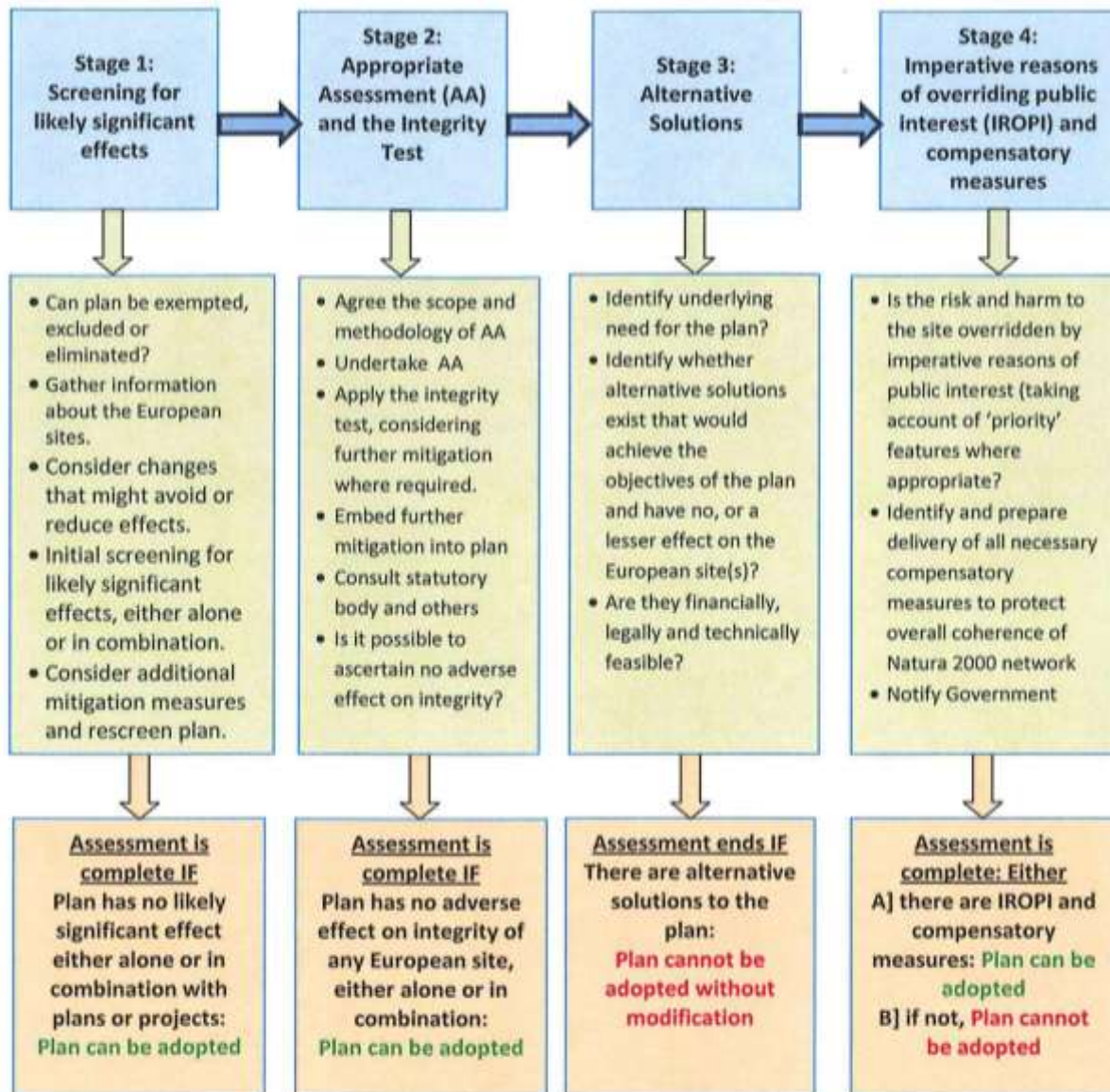
- Check that the plan or project is not directly connected with or necessary for the management of the European site
- Check whether the plan or project is likely to have a significant effect on any European site, from the plan or project alone
- Check whether the plan or project is likely to have a significant effect on any European site, from the plan or project in-combination with other plans or projects
- Carry out an Appropriate Assessment
- Ascertain whether an adverse effect on site integrity can be ruled out

7.8 Throughout all stages, there is a continual consideration of the options available to avoid and mitigate any identified potential impacts. A competent authority may consider that there is a need to undertake further levels of evidence gathering and assessment in order to have certainty, and this is the Appropriate

Assessment stage. At this point the competent authority may identify the need to add to or modify the project in order to adequately protect the European site, and these mitigation measures may be added through the imposition of particular restrictions and conditions.

- 7.9 For plans, the stages of HRA are often quite fluid, with the plan normally being prepared by the competent authority itself. This gives the competent authority the opportunity to repeatedly explore options to prevent impacts, refine the plan and rescreen it to demonstrate that all potential risks to European sites have been successfully dealt with.
- 7.10 When preparing a plan, a competent authority may therefore go through a continued assessment as the plan develops, enabling the assessment to inform the development of the plan. For example, a competent authority may choose to pursue an amended or different option where impacts can be avoided, rather than continue to assess an option that has the potential to significantly affect European site interest features.
- 7.11 After completing an assessment, a competent authority should only approve a project or give effect to a plan where it can be ascertained that there will not be an adverse effect on the integrity of the European site(s) in question. In order to reach this conclusion, the competent authority may have made changes to the plan, or modified the project with restrictions or conditions, in light of their Appropriate Assessment findings.
- 7.12 Where adverse effects cannot be ruled out, there are further exceptional tests set out in Regulation 64 for plans and projects and in Regulation 107 specifically for land use plans. Exceptionally, a plan or project could be taken forward for imperative reasons of overriding public interest where adverse effects cannot be ruled out and there are no alternative solutions. It should be noted that meeting these tests is a rare occurrence and ordinarily, competent authorities seek to ensure that a plan or project is fully mitigated for, or it does not proceed.
- 7.13 In such circumstances where a competent authority considers that a plan or project should proceed under Regulations 64 or 107, they must notify the relevant Secretary of State. Normally, planning decisions and competent authority duties are then transferred, becoming the responsibility of the Secretary of State, unless on considering the information, the planning authority is directed by the Secretary of State to make their own decision on the plan or project at the local level. The decision maker, whether the Secretary of State or the planning authority, should give full consideration to any proposed 'overriding reasons' for which a plan or project should proceed despite being unable to rule out adverse effects on European site interest features, and ensure that those reasons are in the public interest and are such that they override the

potential harm. The decision maker will also need to secure any necessary compensatory measures, to ensure the continued overall coherence of the European site network if such a plan or project is allowed to proceed.



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Figure 1: Outline of the assessment of plans under the Habitat Regulations

## 8. Appendix 2 –Conservation Objectives

- 8.1 As required by the Directives, 'Conservation Objectives' have been established by Natural England, which should define the required ecologically robust state for each European site interest feature. All sites should be meeting their conservation objectives. When being fully met, each site will be adequately contributing to the overall favourable conservation status of the species or habitat interest feature across its natural range. Where conservation objectives are not being met at a site level, and the interest feature is therefore not contributing to overall favourable conservation status of the species or habitat, plans should be in place for adequate restoration.
- 8.2 Natural England has embarked on a project to renew all European site Conservation Objectives, in order to ensure that they are up to date, comprehensive and easier for developers and consultants to use to inform project level HRAs in a consistent way. In 2012, Natural England issued now a set of generic European site Conservation Objectives, which should be applied to each interest feature of each European site. These generic objectives are the first stage in the project to renew conservation objectives, and the second stage, which is to provide more detailed and site-specific information for each site to support the generic objectives, is now underway.
- 8.3 The new list of generic Conservation Objectives for each European site includes an overarching objective, followed by a list of attributes that are essential for the achievement of the overarching objective. Whilst the generic objectives currently issued are standardised, they are to be applied to each interest feature of each European site, and the application and achievement of those objectives will therefore be site specific and dependant on the nature and characteristics of the site. The second stage, provision of the more supplementary information to underpin these generic objectives, will provide much more site-specific information, and this detail will play a fundamental role in informing HRAs, and importantly will give greater clarity to what might constitute an adverse effect on a site interest feature.
- 8.4 In the interim, Natural England advises that HRAs should use the generic objectives and apply them to the site-specific situation. This should be supported by comprehensive and up to date background information relating to the site.
- 8.5 For SPAs, the overarching objective is to:
- 8.6 'Avoid the deterioration of the habitats of 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.'

8.7 This is achieved by, subject to natural change, maintaining and 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 populations of the qualifying features.
- The distribution of the qualifying features within the site.

8.8 For SACs, the overarching objective is to:

*'Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.'*

8.9 This is achieved by, subject to natural change, maintaining and restoring:

- The extent and distribution of the qualifying natural habitats and habitats of qualifying species.
- The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species.
- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely.
- The populations of qualifying species.
- The distribution of qualifying species within the site.

8.10 Conservation objectives inform any HRA of a plan or project, by identifying what the interest features for the site should be achieving, and what impacts may be significant for the site in terms of undermining the site's ability to meet its conservation objectives.

## 9. Appendix 3 – The Nature Conservation Interest of the European Sites

- 9.1 The Ipswich Borough has the Stour and Orwell Estuaries SPA within its administrative boundary, and a number of additional European sites are located outside the administrative area, but are of relevance to the Local Plan. The range of sites, habitats and designations is complex with some areas having more than one designation.
- 9.2 The relevant European sites are summarised in Table 5 below, where the interest features, threats and pressures and links to the relevant conservation objectives are listed. These are the sites screened in as being of relevance to the HRA.

**Table 5: Summary of relevant European sites, their interest features and relevant pressures/threats. Pressures/threats are taken from the [site improvement plans](#) (SIP) and are listed in priority order. Hyperlinks in the first column link to the relevant site page on the Natural England website, providing details of the site’s conservation objectives, citation etc. Pale blue shading indicates marine sites.**

Site	Reason for designation (# denotes UK special responsibility)	Pressures and threats (from relevant SIP)
<a href="#">Alde-Ore &amp; Butley Estuaries SAC, Alde-Ore Estuary SPA</a> Also a Ramsar site	H1330 Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritima</i> ) H1130 Estuaries H1140 Mudflats and sandflats not covered by seawater at low tide A151(NB) <i>Philomachus pugnax</i> : Ruff A132(NB) <i>Recurvirostra avosetta</i> : Pied avocet A081(B) <i>Circus aeruginosus</i> : Eurasian marsh harrier A162(NB) <i>Tringa totanus</i> : Common redshank A132(B) <i>Recurvirostra avosetta</i> : Pied avocet A183(B) <i>Larus fuscus</i> : Lesser black-backed gull A191(B) <i>Sterna sandvicensis</i> : Sandwich tern A195(B) <i>Sterna albifrons</i> : Little tern	Hydrological changes, public access/disturbance, inappropriate coastal management, coastal squeeze, inappropriate pest control, changes in species distributions, invasive species, air pollution, fisheries (commercial marine and estuarine)
<a href="#">Sandlings SPA</a>	A224(B) <i>Caprimulgus europaeus</i> : European nightjar A246(B) <i>Lullula arborea</i> : Woodlark	Changes in species distributions, inappropriate scrub control, deer, air pollution, public access/disturbance,
<a href="#">Deben Estuary SPA</a> Also a Ramsar site	A675(NB) <i>Branta bernicla bernicla</i> : Dark-bellied brent goose A132(NB) <i>Recurvirostra avosetta</i> : Avocet	Coastal squeeze, disturbance to birds, water and air pollution
<a href="#">Orfordness to Shingle Street SAC</a>	H1210 Annual vegetation of drift lines H1220 Perennial vegetation of stony banks H1150# Coastal lagoons	
<a href="#">Stour and Orwell Estuaries SPA</a> Also a Ramsar site	A156(NB) <i>Limosa limosa islandica</i> : Black-tailed godwit A143(NB) <i>Calidris canutus</i> : Red knot A149(NB) <i>Calidris alpina alpina</i> : Dunlin Waterbird assemblage A162(NB) <i>Tringa totanus</i> : Common redshank A141(NB) <i>Pluvialis squatarola</i> : Grey plover A046a(NB) <i>Branta bernicla bernicla</i> : Dark-bellied brent goose A054(NB) <i>Anas acuta</i> : Northern pintail	Coastal squeeze, disturbance to birds, air pollution and new development

Site	Reason for designation (# denotes UK special responsibility)	Pressures and threats (from relevant SIP)
	<b>A132(B) <i>Recurvirostra avosetta</i>: Pied avocet</b>	