

Appendix 3 - Habitats Regulations Assessment Screening Report for the Draft Ipswich Borough Council Statement of Community Involvement

Introduction

Ipswich Borough Council is preparing a Statement of Community Involvement to implement the following objective and local plan policies, set out in the Ipswich Local Plan (2022).

The Ipswich Draft Statement of Community Involvement sets out how the Local Planning Authority will involve local people, local businesses and other key organisations and stakeholders when preparing planning policies and consider planning applications. All Local Planning Authorities are required under section 18 (1) of the Planning and Compulsory Purchase Act 2004, to prepare and maintain a Statement of Community Involvement.

What is the purpose of this statement?

The purpose of this statement is to assess the need for appropriate assessment in relation to the Draft Statement of Community Involvement.

The Draft Statement of Community Involvement does not create new policy but sets out how the Local Planning Authority will involve local people, local businesses and other key organisations and stakeholders when we prepare our planning policies and consider planning applications.

What is the legislative background?

The Habitats Directive (92/43/EEC) requires that an 'appropriate assessment' is carried out in relation to any plan or project which is likely to have a significant effect, either alone or in combination with other plans or projects, on European wildlife sites. Where an appropriate assessment is carried out, a plan may only be adopted after having ascertained that it will not adversely affect the integrity of the site concerned. This Directive was translated into British Law via the Conservation of Habitats and Species Regulations 2010, as amended. The regulations are often abbreviated to, simply, the 'Habitats Regulations' (Regulations 102 and 103 are of particular relevance).

European wildlife sites are those designated as Special Protection Areas (SPA) and Special Areas of Conservation (SAC). Ramsar sites should also be given the same level of protection, as stated within the National Planning Policy Framework. The Stour and Orwell Estuaries SPA and Ramsar site lies partly within Ipswich Borough. The 'Habitats Regulations Assessments¹ (Appropriate Assessment)' for the Ipswich Borough Council Local Plan 2018 – 2036 (adopted in March 2022), also identified a list of European sites outside the Borough, which may potentially be affected by development in Ipswich.

The impact on those within a 15km radius from the boundary of Ipswich Borough was chosen as the area of search, which included:

- Hamford Water candidate SAC;

¹ Habitats Regulations Assessment (Appropriate Assessment) for Ipswich Borough Council Proposed Submission Core Strategy and Policies DPD Review (The Landscape Partnership, November 2014)

- Habitats Regulations Assessment Addendum for Pre-Submission Modifications to the Ipswich Borough Council Core Strategy and Policies DPD Review (Proposed Submission stage) (The Landscape Partnership, September 2015)
- Habitats Regulations Assessment for Ipswich Borough Council Proposed Submission Site Allocations and Policies (Incorporating IP-One Area Action Plan) Development Plan Document (The Landscape Partnership, November 2014)
- Habitats Regulations Assessment Addendum for Pre-Submission Modifications to the Ipswich Borough Council Site Allocations and Policies (Incorporating IP-One Area Action Plan) DPD (Proposed Submission stage) (The Landscape Partnership, September 2015)

- Hamford Water SPA and Ramsar site;
- Deben Estuary SPA and Ramsar site;
- Sandlings SPA;
- Staverton Park and the Thicks SAC;
- Alde-Ore Estuary SPA and Ramsar site;
- Alde, Ore and Butley Estuaries SAC; and
- Orfordness – Shingle Street SAC.

The Process

The process to complete the Habitats Regulations Assessment involves a number of steps.

1. **Likely significant effect**
The Council, in consultation with Natural England, should decide whether or not the plan is likely to have a significant effect on any European site. This is a 'coarse filter' and any effect, large or small, positive or negative, should be considered.
2. **Connected to management of the site**
The Council should decide whether the plan is connected to the nature conservation management of the European sites.
3. **Screening**
The combination of decisions on likely significant effect and connections to management is often called 'screening'. If the plan is likely to have a significant effect and is not connected to the management of the site, an Appropriate Assessment is required.
4. **Scoping**
The whole plan must be assessed, but a 'scoping' exercise helps decide which parts of the plan have the significant effects and therefore where assessment should be prioritised. Natural England is an important consultee in this process.
5. **Consultations**
Natural England is a statutory consultee. The public may also be consulted if it is considered appropriate, for example if the assessment is likely to result in significant changes to the plan.
6. **Iterations and revision**
The process is iterative; the conclusions of an initial assessment may result in changes to the plan, and so a revision of the assessment would be required. If the revised assessment suggests further plan changes, the iteration will continue. It is normally expected that iterative revisions will continue until it can be ascertained that the plan will not have an adverse effect on the integrity of any European site.

Table 1 below screens the Draft Statement of Community Involvement to assess whether Habitats Regulations Assessment is needed.

Table 1 Screening of the Draft Statement of Community Involvement

HRA Step	Plan – Draft Statement of Community Involvement
Likely significant impact	<p>The Draft Statement of Community Involvement is not expected to have a significant impact on European protected sites.</p> <p>The Draft Statement of Community Involvement does not create new policy but sets out how we will involve local people, local businesses and other key organisations and stakeholders when we prepare our planning policies and consider planning applications.</p>
Connected to the conservation management of the site	No, the Draft Statement of Community Involvement does not relate to the management of a site.
Screening	The Draft Statement of Community Involvement is not connected to the conservation management of the site and is not likely to have a significant impact. Therefore, an appropriate assessment is not required.

What were the conclusions of the appropriate assessment?

The adopted Ipswich Local Plan Review 2018-2036 was subject to ‘appropriate assessment’ under the Habitats Regulations as part of its production. The Regulation 19 Appropriate Assessment concluded that there would be no adverse effect on the integrity of European sites through the delivery of the Ipswich Local Plan, provided that a suite of mitigation measures was included in the plan that would address the identified impacts arising from recreational pressures.

The Ipswich Local Plan level appropriate assessment noted the key elements of mitigation but highlighted the need for further consideration and information gathering relating to mitigation, particularly in relation to measures on the European sites to manage access.

Key mitigation measures included for Ipswich Borough in the Local Plan include:

- the provision of a new Country Park;
- provision of green spaces as part of new development;
- visitor management measures for key European sites; and
- monitoring the impact of recreational pressure on birds in protected sites. To make mitigation delivery more co-ordinated, efficient and effective, a joint and strategic approach, known as the Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

Does this Draft Statement of Community Involvement need an additional appropriate assessment?

There will not be significant impacts for the Stour and Orwell Estuary SPA and Ramsar site arising from the Ipswich Borough Council Draft Statement of Community Involvement.

It can therefore be concluded that there will be no further effects on European sites and that an appropriate assessment is not required.

Natural England agrees with the conclusion of the Strategic Environmental Assessment screening and the Habitats Regulations Assessment screening.

Date of determination: 25 November 2024