

Reptile Strategy SPD Habitats Regulations Assessment Screening Statement

Ipswich Borough Council

Habitats Regulations Assessment Screening Report for the Ipswich Borough Council Draft Reptile Strategy Supplementary Planning Document 2020.

Introduction

Ipswich Borough Council is preparing a draft Reptile Strategy Supplementary Planning Document (SPD) to implement the following policies, set out in the Ipswich Local Plan (2017):

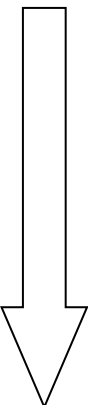
- **CS4 Protecting Our Assets** – this strategic policy states that:
The Council will also seek to conserve and enhance local biodiversity in accordance with the National Planning Policy Framework and national legislation by: ...b. Requiring new development to incorporate provision for conserving and enhancing local biodiversity, canopy cover and geodiversity interests;
- **DM31 The Natural Environment** – this detailed policy states that:
Proposals which would result in significant harm or net loss to biodiversity, having appropriate regard to the 'mitigation hierarchy', will not normally be permitted. Enhancements for protected sites and protected and priority species will be expected where possible.
- Those **site allocations** made through the Site Allocations and Policies (incorporating IP-One Area Action Plan) development plan document, which are accompanied by site sheets in Appendix 3A of the plan that identify the requirement for reptile surveys to be undertaken before planning applications are submitted, and mitigation where appropriate.

What is the mitigation hierarchy and why is this SPD necessary?

When the sites come forward for development, the mitigation hierarchy applies:

Table 1: The Mitigation Hierarchy¹

| Hierarchy | Examples |
|------------------|---|
| Avoidance | Can significant harm to wildlife species and habitats be avoided for example through changing scheme layout to avoid area occupied by reptiles or changing the timing of work? |
| Minimise | If not, can harm be minimised by design or by the use of effective mitigation measures that can be secured by, for example, conditions or planning obligations (including translocation)? |
| Compensate | If not, can this be properly compensated for by measures to provide for an equivalent value of biodiversity e.g. through creating links to other habitats, habitat creation or improvement of existing habitat? |



If reptile populations cannot be retained on site, they need to be translocated to sites nearby. However, there is currently little capacity for suitable receptor sites in the locality. These sites

¹ Planning Practice guidance

are required for developments to comply with legislation, and ensure Ipswich has an enhanced biodiversity heritage for future generations to enjoy².

What is the purpose of this statement?

The purpose of this statement is to assess the need for appropriate assessment in relation to the Reptile Strategy Supplementary Planning Document (SPD).

The SPD does not create new policy but provides detail in respect of the implementation of the policies identified above. The primary purpose of the SPD is to ensure that there are sufficient receptor sites ahead of major developments and thereby ensure compliance with nature conservation legislation, the Biodiversity Duty and the National Planning Policy Framework (NPPF).

In this respect the SPD will set out a co-ordinated, strategic approach to identifying, managing and monitoring receptor sites for reptiles, so that development can proceed in a timely, appropriate, legally and policy compliant manner in Ipswich.

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.

European Sites are Special Protection Areas and Special Areas of Conservation. Ramsar sites should also be given the same level of protection, as stated within the National Planning Policy Framework. The Stour and Orwell Estuaries Special Protection Area and Ramsar site lies partly within Ipswich Borough. The Habitats Regulations Assessments³ (Appropriate Assessments) for the Ipswich Borough Council Local Plan 2011 – 2031 (adopted in February 2017), identified a list of European sites outside the Borough which may also be potentially be affected by development in Ipswich.

What were the conclusions of the appropriate assessment?

The Local Plan was subject to 'appropriate assessment' under the Habitats Regulations as part of its production. The Appropriate Assessments 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 were put in place to address the identified impacts.

The 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 include the provision of a new Country Park, provision of green spaces as part of new development, visitor management measures for key European sites

² All Suffolk's reptiles have partial protection under the Wildlife and Countryside Act 1981, which means that they are protected against intentional killing and injuring and against sale or transporting for sale. All reptiles are UK Biodiversity Action Plan species, which means that they are a priority for conservation.

- ³ 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)

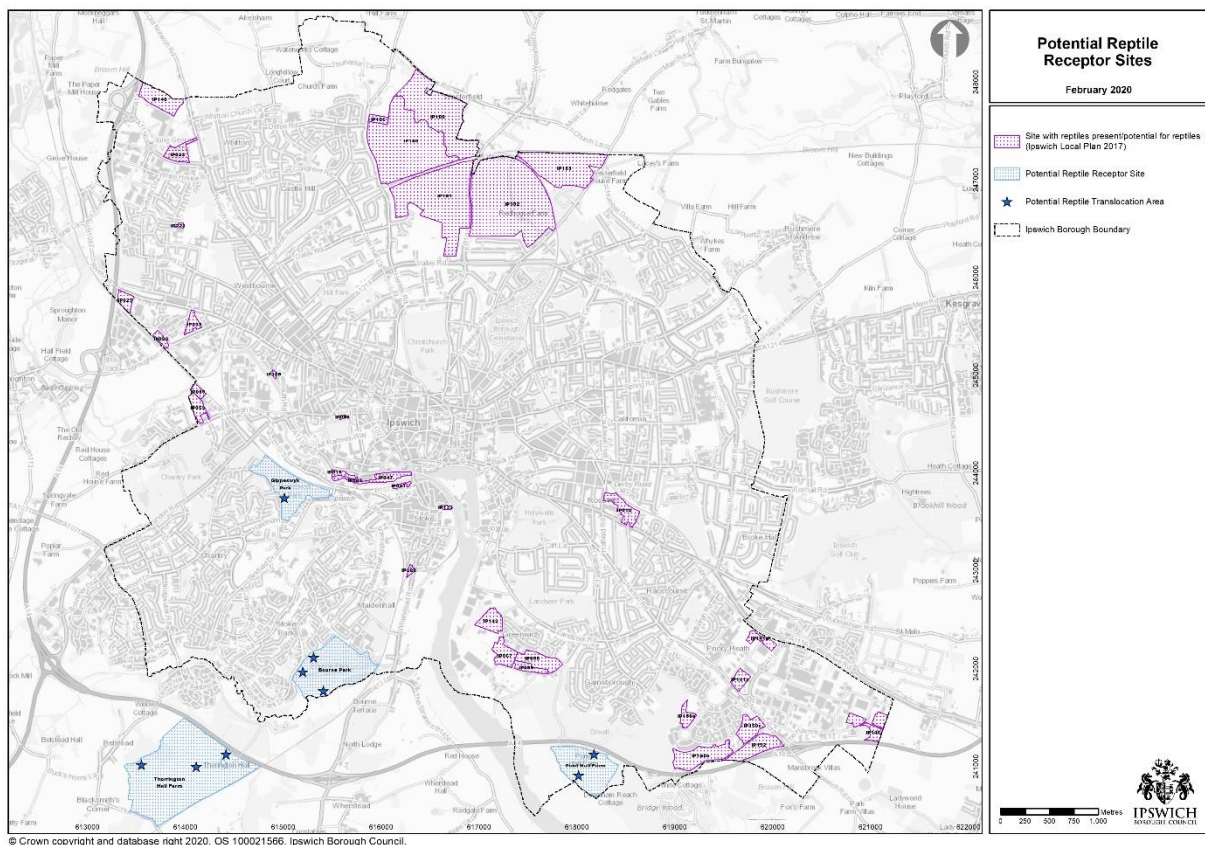
and monitoring the impact of recreational pressure on birds in protected sites. To make mitigation delivery more co-ordinated, efficient and effective a joint and strategic approach, known as the Recreational disturbance Avoidance and Mitigation Strategy (RAMS) is being established by Ipswich Borough, in partnership with Suffolk Coastal District and Babergh District.

Does this SPD need an additional appropriate assessment?

The draft Reptile Strategy SPD seeks to facilitate mitigation of the potential impacts of development on reptiles by setting out a co-ordinated, strategic approach to identifying, managing and monitoring receptor sites for reptiles, so that development can proceed in a timely, appropriate, legally and policy compliant manner in Ipswich. This approach is consistent with the ongoing work on the RAMS.

The draft SPD lists proposed receptor sites for reptiles. Three of the potential receptor sites are located within Ipswich Borough and (Gippeswyk Park, Bourne Park and Pond Hall Farm) one lies just outside the Borough boundary (Thorington Hall Farm), all on land in Ipswich Borough Council's ownership.

Fig. 1 Map of Potential Reptile Receptor Sites



One of the proposed receptor sites consists of part of the land holding at Pond Hall Farm, which is located adjacent to the Orwell Estuary Special Protection Area. The process involved in preparing land as a receptor site is set out in the SPD. The site at Pond Hall Farm currently consists of areas of grass that have been cut back over winter, and to prepare this habitat for translocation, a future cutting regime would be introduced and reptile hibernacula and log pile refuges would be installed. To ensure that reptile populations are protected from future land uses on site, appropriate fencing may be installed, and this would be carried out in such a way

as to minimise any disturbance to over-wintering birds e.g. using limited machinery at appropriate times of year.

Translocation of reptiles to the site would occur between March and September and as such would have no impact on over-wintering birds. To ensure successful translocation, a management regime would be introduced which would involve a grass cutting regime throughout the year, with minimal activity taking place over the winter months. As such, disturbance to over-wintering birds within the SPA would be avoided.

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 have been consulted on this Screening Assessment and concur with this conclusion.