

**Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Habitat
Regulation Assessment (HRA) Record**

Application details	DRAFT FOR NATURAL ENGLAND CONSULTATION
Local Planning Authority:	East Suffolk Council
Case officer	Joe Blackmore
Application reference:	DC/22/0462/ARM
Application description:	Approval of Reserved Matters of DC/15/3288/OUT - Outline application to enable improvements to Saint Felix School to include residential development, public open space and associated infrastructure on the former playing field at Saint Felix School. Appearance, landscaping, layout and scale, pursuant to outline permission DC/15/3288/OUT for the development of 55 dwellings.
Application address:	Land South of Halesworth Road, Reydon
Status of Application:	Pending consideration
Grid Ref:	TM 49451 77047
HRA Stage 1: screening assessment	
Test 1 – the significance test: Based on the development type and proximity to European designated sites, a judgement should be made as to whether the development constitutes a ‘likely significant effect’ (LSE) to a European site in terms of increased recreational disturbance	

Is the development within 13 km of the below European sites (check NE IRZs)?

- Alde-Ore Estuary Special Protection Area (SPA) and Ramsar site
- Benacre to Easton Bavents SPA
- Deben Estuary SPA and Ramsar site
- Minsmere to Walberswick Heaths & Marshes Special Area of Conservation (SAC)
- Minsmere – Walberswick SPA
- Orfordness-Shingle Street SAC
- Sandlings SPA
- Stour and Orwell Estuaries SPA and Ramsar site (Suffolk side only)

Yes

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No

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Does the planning application constitute residential development?

- New dwellings of 1+ units included in current site allocations and windfall (excludes replacement dwellings and extensions)
- Houses in Multiple Occupancy (HMOs)
- Residential caravan sites (excludes holiday caravans and campsites)
- Gypsies, travellers and travelling show people plots
- Tourist accommodation

Conclude no LSE to the above designated sites in terms of recreational disturbance.

An Appropriate Assessment (AA) is not required where recreational disturbance to these sites is the only issue or recreational disturbance to these sites can be scoped out of any HRA covering other issues.

Yes

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No

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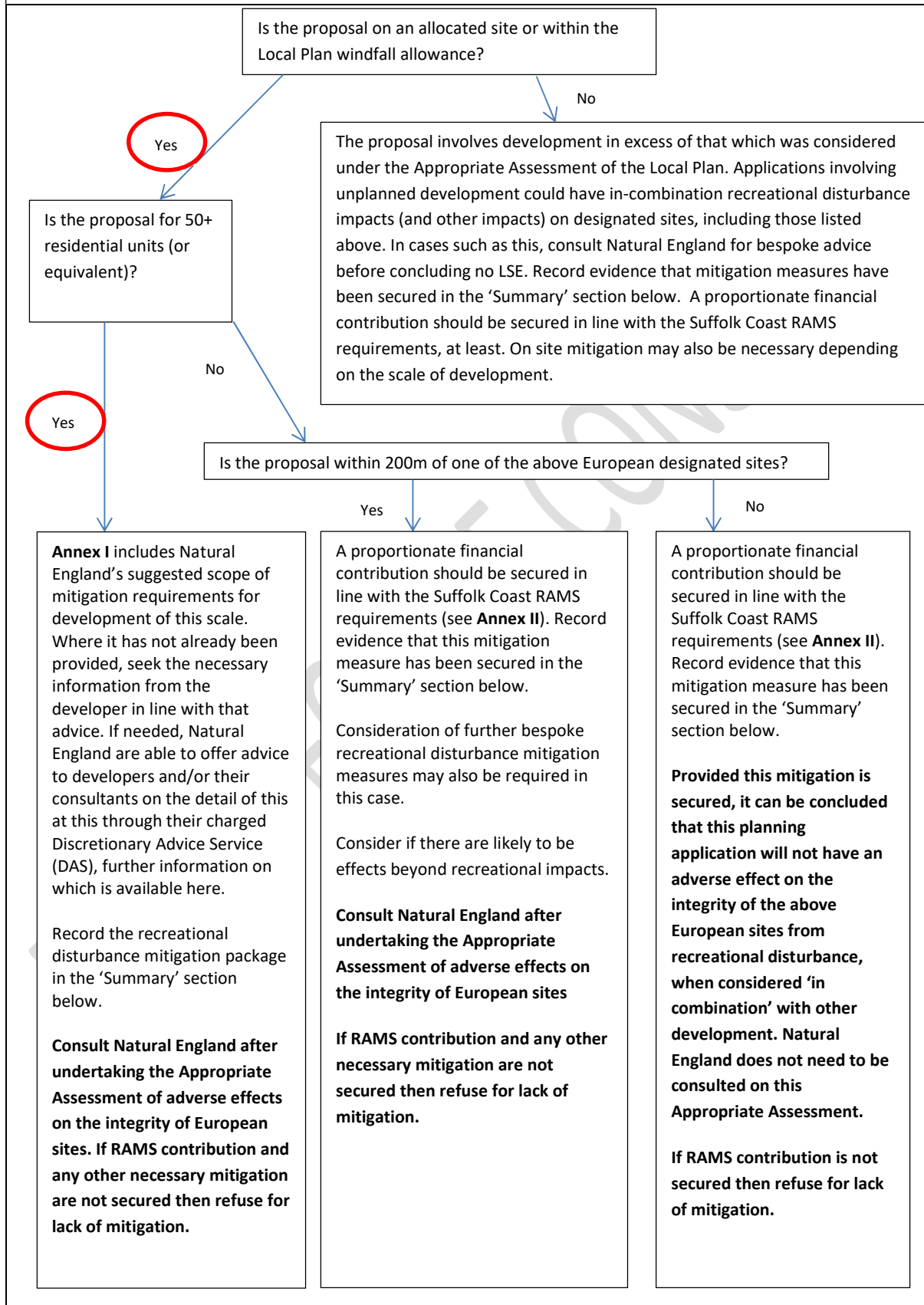
Conclude LSE. This proposal is within scope of the Suffolk Coast RAMS as it falls within the 13 km ‘zone of influence’ for likely impacts and is a relevant residential development type as listed above. It is anticipated that such development in this area is ‘likely to have a significant effect’ upon the interest features of the aforementioned designated site(s) through increased recreational pressure, when considered either alone or in combination.

Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites.

RAMS is not relevant, however other Habitats Regulations considerations should be taken into consideration for non residential developments and in some circumstances a bespoke AA may be required.

HRA Stage 2: Appropriate Assessment

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



Summary of the Appropriate Assessment:

The application site is within 13km of the Minsmere-Walberswick SPA; the Minsmere-Walberswick Ramsar Site; the Minsmere-Walberswick Heaths and Marshes SAC and the Benacre to Easton Bavents SPA. The closest European designated sites to the application site are the Minsmere-Walberswick SPA; the Minsmere-Walberswick Ramsar Site; the Minsmere-Walberswick Heaths and Marshes SAC which at the closest point are located approximately 1.3km to the south-west.

This application is for the construction of 55 new dwellings and associated infrastructure including for access, recreation and landscaping. It is a Reserved Matters application following the granting of Outline planning permission for the development under reference DC/15/3288/OUT. Prior to determination the Outline application was subject to a Habitats Regulations Assessment (HRA) (*Development Project Level Habitats Regulations Assessment – Outline application for up to 69 dwellings within the grounds of St Felix School, Southwold*. Footprint Ecology, July 2018) which concluded that, subject to securing adherence to a district-wide recreational mitigation strategy and recreational management measures as part of the development, adverse effects on the integrity of European designated sites could be ruled out. The Section 106 agreement signed as part of the determination of the Outline application secured the required mitigation measures.

As recognised above and in the HRA of the Outline planning application, new residential development will, in the absence of adequate mitigation measures, give rise to increased recreational disturbance at the identified European designated sites in-combination with other new residential development. To address this, the existing Section 106 agreement secures the payment of a financial contribution of £321.22 per dwelling to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), the delivery of two accessible green spaces areas (one in the woodland to the north of the application site and one to the south-west of the application site) and the delivery of improved walking routes (including new signage) in the area to the south of the development site (partly within the County Wildlife Site). This Reserved Matters application also includes small areas of onsite open space (including a LAP and a LEAP), along with footpath connections to the existing public right of way network and the areas to be delivered under the S106 agreement. It is considered that the combination of measures secured in the existing S106 agreement, and the measures proposed within the design of the development submitted as part of this Reserved Matters application are sufficient to mitigate the impacts identified. It is therefore concluded that the proposed development will not result in any adverse effects on the integrity of the identified European designated sites, either alone or in-combination with other developments.

In conclusions, the following suite of mitigation measures will be delivered as part of the development:

- Provision of onsite open space including LEAP and LAP areas;
- Provision of a total of approximately 0.9Ha of accessible green space across two areas (to the north and south-west of the development) (secured as part of the S106 agreement);
- Connections to offsite public rights of way (including via Footpath 4 which runs along the eastern boundary) to provide walking routes of a range of lengths, both longer and shorter than the recommended distance of 2.7 km¹, which are away from the European designated sites. The S106 agreement also includes works to ensure that the local network of walking routes to the south of the development is maintained and that adequate signage is provided for users;

¹ Taken from *Jenkinson, S., (2013), Planning for dog ownership in new developments: reducing conflict – adding value. Access and greenspace design guidance for planners and developers*

- A commitment to the long-term maintenance and management of the open space areas secured by planning condition (via Landscape and Ecology Management Plans (LEMP) secured by condition on the Reserved Matters permission and on planning permission DC/20/2191/FUL); and
- A financial contribution to the Suffolk Coast RAMS of £17,667.10 (£321.22 x 55 dwellings) (secured by the S106 agreement).

Summary of recreational disturbance mitigation package

The development will provide:

- Onsite open space including a LEAP and a LAP;
- Accessible natural greenspace to the north and south-west;
- Connections to public rights of way creating circular walking routes of various lengths away from European designated sites (including signage and management of these routes in the area to south of the development); and
- A financial contribution to the Suffolk Coast RAMS of £17,667.10 (£321.22 x 55 dwellings).

Conclusion

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

Having made this appropriate assessment of the implications of the project for the site(s) in view of those sites' conservation objectives, and subject to the opinion of Natural England, the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Local Planning Authority Case Officer comments, signed and dated:

James Meyer MCIEEM
Senior Ecologist, East Suffolk Council

23/08/2022

Annex I – Natural England’s recommendations for larger scale residential developments within the 13 km Suffolk Coast RAMS zone of influence (50 units +, or equivalent, as a guide)

Developments of this scale should include provision of well-designed open space/green infrastructure, proportionate to its scale. Such provisions can help minimise any predicted increase in recreational pressure to the European sites by containing the majority of recreation within and around the development site boundary away from European sites. We advise that the Suitable Accessible Natural Green Space (SANGS) guidance here can be helpful in designing this; it should be noted that this document is specific to the SANGS creation for the Thames Basin Heaths, although the broad principles are more widely applicable. As a minimum, we advise that such provisions should include:

- High-quality, informal, semi-natural areas
- Circular dog walking routes of 2.7 km² within the site and/or with links to surrounding public rights of way (PRoW)
- Dedicated ‘dogs-off-lead’ areas
- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long term maintenance and management of these provisions

Natural England would be happy to advise developers and/or their consultants on the detail of this at the pre-application stage through our charged Discretionary Advice Service (DAS), further information on which is available [here](#).

However, the unique draw of the above European sites means that, even when well-designed, ‘on-site’ provisions are unlikely to fully mitigate impacts when all residential development within reach of the coast is considered together ‘in combination’. We therefore advise that consideration of ‘off-site’ measures (i.e. in and around the relevant European designated site(s)) is also required as part of the mitigation package for predicted recreational disturbance impacts in these cases. Such measures are to be delivered strategically through the Suffolk Coast RAMS to make the sites more resilient to increased recreational pressures. A proportionate financial contribution should therefore be secured from these developments in line with the Suffolk Coast RAMS.

² Taken from *Jenkinson, S., (2013), Planning for dog ownership in new developments: reducing conflict – adding value. Access and greenspace design guidance for planners and developers*

Annex II – Natural England’s recommendations for smaller scale residential developments within the 13 km Suffolk Coast RAMS zone of influence (0-49 units, or equivalent, as a guide) which are not within/directly adjacent to a European designated site

Whilst the provision of well-designed open space/green infrastructure on site or contributions towards strategic green infrastructure in your district is to be welcomed for developments of this scale, we advise that consideration of ‘off-site’ measures (i.e. in and around the relevant European designated site(s)) is required as mitigation for predicted recreational disturbance impacts in these cases as a minimum. Such measures are to be delivered strategically through the Suffolk Coast RAMS to make the sites more resilient to increased recreational pressures. A proportionate financial contribution should therefore be secured from these developments in line with the Suffolk Coast RAMS.