

Habitats Regulations Assessment - Screening

Land East of Red Lodge

Habitat Regulations Assessment – screening

Outline application - demolition of Hundred Acre Farm and the construction of up to 268 dwellings, new public open space, drainage ditches, associated access, landscaping, infrastructure and ancillary works on land East of Red Lodge and the construction of up to 225 sq, metres of Class A1 retail floorspace on land forming part of Phase 4a Kings Warren.

Full application - (Phase A): construction of 106 dwellings (including the relocation of 3 committed dwellings from Phase 4a), new public open spaces, associated access, landscaping, infrastructure and ancillary works on land East of Red Lodge. Restoration of open Breck grassland on land South East of Herringswell, as amended.

European sites and location in relation to the development site:

Breckland Special protection Area (SPA) is located is located approximately 1.2 Km to the east of the application site

Breckland Special Area of Conservation (SAC) is located 3.9km north east of the application site

Qualifying features and conservation objectives:

Breckland Special Protected Area (SPA) qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting internationally important populations of Stone Curlew *Burhinus oedicephalus*, Woodlark *Lullula arborea* and Nightjar *Caprimulgus europaeus*.

With regard to the individual species and/or assemblage of species for which the site has been classified ("the Qualifying Features" listed below);
Avoid the deterioration of the habitats of the 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.

Subject to natural change, to maintain or restore:

- 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.

Qualifying Features:

A133 *Burhinus oedicephalus*; Stone-curlew (Breeding)

A224 *Caprimulgus europaeus*; European nightjar (Breeding)

A246 *Lullula arborea*; Woodlark (Breeding)

Breckland Special Area of Conservation (SAC) is designated for the habitats supported.

With regard to the natural habitats and/or species for which the site has been designated ("the Qualifying Features" listed below);

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.

Subject to natural change, to maintain or restore:

- The extent and distribution of 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.

Qualifying Features:

H2330. Inland dunes with open *Corynephorus* and *Agrostis* grasslands; Open grassland with grey-hair grass and common bent grass of inland dunes

H3150. Natural eutrophic lakes with Magnopotamion or Hydrocharition-type vegetation; Naturally nutrient-rich lakes or lochs which are often dominated by pondweed

H4030. European dry heaths

H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*); Dry grasslands and scrublands on chalk or limestone

H91E0. Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*); Alder woodland on floodplains*

S1166. *Triturus cristatus*; Great crested newt

Is the plan or project directly connected with or necessary to the management of the site for nature conservation?

No, the proposal is not necessary for the management of the European sites

Is the qualifying feature likely to be directly affected?

The development is located outside of the 400m buffer for woodlark and nightjar and no significant direct effects are likely

No effects on the SAC have been identified

The proposal advances the line of built development at Red Lodge towards Breckland SPA. The section of the SPA that may be subject to an increased

avoidance effect by nesting stone curlew is immediately adjacent to the village of Herringswell and already subject to an influence from existing housing at Herringswell and Red Lodge, as evidenced by the lack of nest records (section 4.3.6 of Appendix 3). For this reason there will not be a likely significant effect on Breckland SPA from this proposal.

Stone Curlew also rely on areas outside of the SPA boundary. These supporting habitats may be used by SPA populations or some individuals of the population for some or all of the time. These supporting habitats can play an essential role in maintaining SPA bird populations, and proposals affecting them may therefore have the potential to affect the SPA. The proposals include mitigation located outside Breckland SPA to account for historic records of stone curlew in the Nesting Attempts Constraint Zone which may be subject to increased avoidance effects arising from the development.

The mitigation site, located South East of Herringswell and 1.4km from the development site at Red lodge, which will be managed to benefit stone curlew (as detailed in Aspect Ecology's report entitled 'Stone Curlew Habitat Restoration Area, Land South East of Herringswell, Suffolk – Habitat Restoration and Management Plan', May 2013) is acceptable subject to the additional measures as follows:

- provision of additional screening along the public footpath to be implemented as part of the initial habitat restoration,
- management of the site (or any agreed alternative – see below) in perpetuity
- monitoring of the restoration site for stone curlew for five years
- review of the monitoring after five years between Natural England, the developer and the local authority so that the site management can be updated if necessary; and
- in the event of this site or the immediately adjacent arable land not being used by stone curlew on average 4 years in every 10 (to provide mitigation for the identified impact of 0.4 pairs of stone curlew affected per year) in addition to current use, additional measures must be delivered, e.g. a nest plot on arable land on suitable soils outside the SPA to the satisfaction of Natural England.

Under the above circumstance there will not be a likely significant effect on the SPA

Is the qualifying feature likely to be indirectly affected?

There is the potential for indirect recreational impacts on the SPA associated with increased residential properties within the vicinity. The masterplan provides opportunities for dog walkers within the application site to reduce the need for dogs to be exercised on more sensitive sites. The proposal includes for a permissive path which will follow the eastern edge of the development site, link with the existing sports and amenity area through a new amenity land extension and link to other pedestrian routes through Red Lodge. This link will be secured at an early stage by condition, and is likely to be attractive to residents of the new development being immediately accessible on the doorstep. There will therefore not be a likely significant effect on the SPA.

Are there any in-combination effects?

No in-combination effects have been identified. Currently there are no other

significant development proposals within Red Lodge or neighbouring villages.

Conclusion

The proposal will not have a likely significant effect on any European site, and can therefore be screened out from any requirement for further assessment

Documents referred to:

Land East of Red Lodge, Suffolk. Ecological Assessment May 2013 including appendices and in particular:

- Appendix 3 – Habitats Regulations Assessment (HRA) Framework Report May 2013
- Appendix 4 – NE letters of 03.05.12, 11.07.12 and 01.02.13
- Appendix 5 – Stone Curlew Habitat Restoration Area, Land south east of Herringswell, Suffolk – Habitat Restoration and management Plan May 2013
- Appendix 6 – Stone Curlew Habitat Restoration Area, Land south east of Herringswell, Suffolk – Ecological Assessment May 2013
- Natural England's letters of 07.02.14, 13.12.13, 01.07.14
- RSPB's letters of 25.07.13 and 04.02.14
- Aspect Ecology letters of 18.09.13, 05.02.14

JMF 25 April 2014

Approved:



13.04.14