

St Edmundsbury Borough Council & Forest Heath District Council

**Development Management Policies Document**

**Habitats Regulations Assessment: Stage 1 - Screening**

**Record of Assessment of Likely Significant Effect on a  
European Site Required by the Conservation of Habitats and  
Species Regulations 2010(as amended)**

February 2015

<b>Section</b>	<b>Page</b>
<b>1. Introduction and Background</b>	<b>3</b>
1.1 Background to this Assessment	3
1.2 Background to Habitats Regulations Assessment (HRA)	3
<b>2. Methodology</b>	<b>5</b>
2.1 The Plan	5
2.2 Determination of the International Sites included in the HRA	5
2.3 Obtaining Information on International Sites with the Potential to be Affected	7
2.4 Obtaining Information on Other Projects and Plans	7
2.5 Assessing the Impacts of the Plan 'Alone' and 'In Combination'	7
<b>3. The International Sites</b>	<b>9</b>
<b>4. Plan Details</b>	<b>14</b>
4.1 Proposed Plan	14
4.2 Brief Description of Plan	14
4.3 Provisions within the Plan that Protect International Sites	15
<b>5. Other Projects and Plans</b>	<b>18</b>
<b>6. HRA Results</b>	<b>22</b>
<b>7. Conclusions</b>	<b>26</b>

## **Tables**

Table 3.1: Information about the Breckland SAC/SPA

Table 3.2: Information about the Waveney Little Ouse Valley Fens SAC

Table 3.3: Information about the Rex Graham Reserve SAC

Table 3.4: Information about the Devils Dyke SAC

Table 5.1: HRAs carried out to assess likely significant effects on Breckland SAC, Breckland SPA, Waveney and Little Ouse Valley Fens SAC, Devils Dyke SAC and Rex Graham Reserve SAC

## **Appendices**

HRA Screening Results

Table 1 – Policies Not Leading to Development

Table 2 - Policies Potentially Leading to Development

Natural England Consultation response

# 1. Introduction and Background

## 1.1 Background to this Assessment

St Edmundsbury Borough Council and Forest Heath District Council resolved to produce and adopt a joint Development Policies Management Document in September 2011. This Habitats Regulations Assessment (HRA) screening has been carried out by St Edmundsbury Borough Council and Forest Heath District Council for the ***St Edmundsbury Borough Council & Forest Heath District Council Development Management Policies Document (February 2015)***.

St Edmundsbury Borough Council and Forest Heath District Council consulted on their Development Management Document: Preferred Options in December 2011 and Submission Draft between October and December 2012. They also sought comments on their Development Management Document: Habitats Regulations Assessment: Stage 1 – Screening document November 2011 and October 2012 respectively. This document now supersedes that report by updating the relevant material and encompassing all amended policies including the Inspectors final Modifications (January 2015).

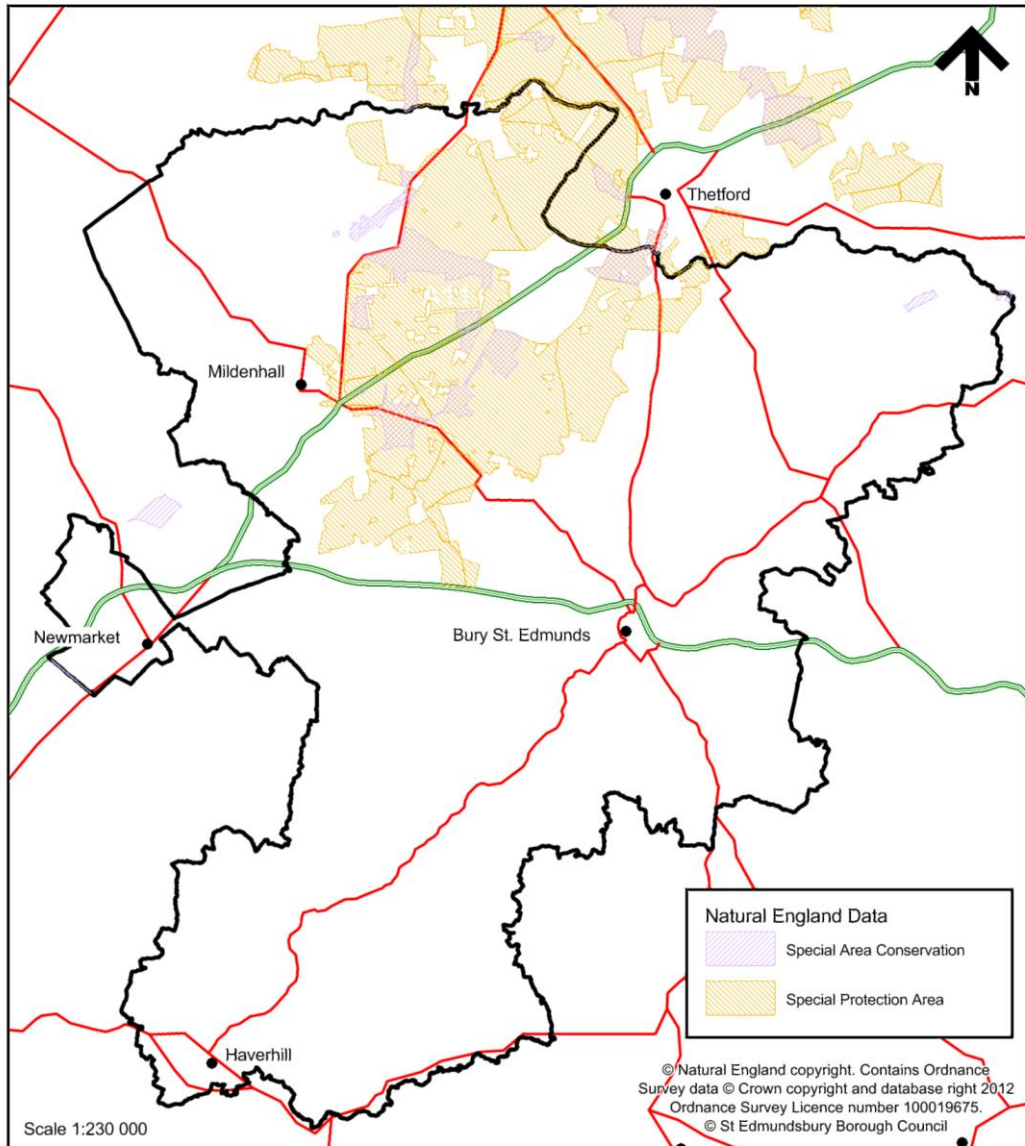
The Development Management Policies Document (DMD) including the Inspectors Modifications is referred to as 'the Plan' for the purpose of this report. It forms part of the St Edmundsbury Local Plan and the Forest Heath Local Plan which are both made up of a number of documents that set out policies for the sustainable development and use of land within the respective borough and district. St Edmundsbury Borough Council adopted its Core Strategy in December 2010. Forest Heath District Council adopted its Core Strategy in May 2010. Both these high level documents set out the vision and strategic goals and policies for the borough/district for the period to (SEBC) 2031 & (FHDC) 2026 (with housing projected to 2031). The DMD sets out the more detailed local policies to protect the local character, heritage and distinctiveness across the two authorities. It is based on national policies and the National Planning Policy Framework (March 2012) and the strategic policies set out in the two Core Strategies. The Plan is intended to flow from, and complement, the policies of the two Core Strategies.

## 1.2 Background to Habitats Regulations Assessment (HRA)

An HRA is required by the Conservation of Habitats and Species Regulations 2010 (the Regulations) for all plans and projects which may have adverse effects on European sites. European sites include Special Areas of Conservation (SAC) and Special Protection Areas (SPA). HRA is also required, as a matter of UK Government policy for potential SPAs (pSPA), candidate SACs (cSAC) and listed Wetlands of International Importance (Ramsar sites) for the purposes of considering plans and projects, which may affect them. Hereafter all of the above designated nature conservation sites are referred to as 'international sites'.

Local development plans include general policies or proposals (i.e. such as development limits for settlements) that often do not relate to specific development proposals but provide an overall strategy for development which is desirable within the boundary of the plan (such as the County, District or Unitary boundary). If the policies/proposals do not relate to a specific development proposal then it can be difficult to assess the effects on an international site from the policies. For instance, a development limit set around a village will be considered to control the growth of the settlement but will not include specific development proposals. It is not possible to conclude whether the development limit will have a likely significant effect on an international site without knowledge of design, type and location of any development within the newly set development limit.

However, the local development plan can be written in such a way that international sites are considered. For instance, the plan can state that any proposed developments under the plan must have regard to and consider any adverse effects upon international sites. When a local authority considers a development proposal they must have regard to the whole plan including the introductory text and supporting text to the policies/proposals. Therefore the plan may include text which states that consideration of international sites must be given in the development control process. This should ensure that developments are not permitted which could have significant adverse impacts on international sites. In these cases, further information will be required at the more detailed planning stage (e.g. preparation of Area Action Plans or other Development Plan Documents, Supplementary Planning Documents) and the development management stage for certain projects / proposals to allow the competent authority (in this case St Edmundsbury Borough Council or Forest Heath District Council) to assess whether the next stage of the HRA process is required (e.g. Stage 2 Appropriate Assessment).



**Figure 1 Map of SEBC and FHDC showing location of international sites**

## 2. Methodology

### 2.1 The Plan

The first step of the HRA process is to gather together all available information regarding the Plan. This information is pivotal for the analysis of the Plan and its impact on the international sites. A summary of the Plan and its contents is given in Section 4.

### 2.2 Determination of the International Sites included in the HRA

The next step is to determine which international sites should be included within the HRA. This initial review looked at the geographic extent, or zone of influence, of any impacts which could arise as a result of the Plan and considered which international sites should be included within the assessment.

#### St Edmundsbury

All sites within St Edmundsbury and up to 20 km from the Borough boundary were identified.

There are three international sites within the Borough: Breckland SPA, Breckland SAC and Waveney and Little Ouse Valley Fens SAC. Breckland SPA is a large international site, part of which falls within St Edmundsbury and Forest Heath District. Breckland SAC is made up of several smaller sites which aren't physically connected. Although the two designations may overlap their qualifying features differ. The remaining part of the SPA and a large area of the SAC are within Breckland Council and the Borough of Kings Lynn and West Norfolk. Waveney and Little Ouse Valley Fens SAC is located at the north-eastern extent of the Borough, near Hopton.

There are also seven other international sites within 20 km of the borough boundary. These are:

- Redgrave and South Lopham Fens Ramsar site: 1.8 km east of the Borough;
- Rex Graham Reserve SAC: approximately 5 km north of the Borough;
- Norfolk Valley Fens SAC: approximately 8 km north of the Borough;
- Devils Dyke SAC: approximately 9.6 km north-west of the Borough;
- Fenland SAC: approximately 10.5 km north-west of the Borough;
- Chippenham Fen Ramsar site: approximately 10.5 km north-west of the Borough (within the extents of Fenland SAC); and
- Wicken Fen Ramsar site: approximately 17.5 km north-west of the Borough.

## Forest Heath District Council

The same approach was carried out for Forest Heath District Council where all sites within the district and up to 20 km from the authority's boundary were identified.

There are three international sites within the district: Breckland SPA, Breckland SAC and Rex Graham Reserve SAC. Rex Graham SAC is located 3km to the east of Mildenhall south of the A11. Devils Dyke SAC is located on the Boundary of Forest Heath within East Cambridgeshire District.

There are also seven other international sites within 20 km of the district boundary. These are:

- Redgrave and South Lopham Fens Ramsar site: 19 km east of the District;
- Norfolk Valley Fens SAC: approximately 10 km north of the District;
- Fenland SAC: approximately 1 km north-west of the District;
- Chippenham Fen Ramsar site: approximately 1 km north-west of the District (within the extents of Fenland SAC); and
- Wicken Fen Ramsar site: approximately 4 km north-west of the District.
- Ouse Washes site (which has three designations; SAC, Ramsar, SPA but the same site boundary): approximately 14 km north west of the District.
- Waveney and Little Ouse Valley Fens SAC: approximately 13 km east of the District

The policies within the Plan do not directly instigate or allocate development but rather they outline how any development being permitted within the two authorities will be managed and controlled. As such, effects from the Plan are considered unlikely to extend beyond the Plan boundary.

A number of policies may, as an incidental result, lead to very small scale development within the Plan area, and could potentially result in impacts to international sites located within the Plan boundary only. Any development arising from these policies would generally be so small in scale that it is considered extremely unlikely it would lead to any significant effects on the international sites located outside of the borough or district boundary, such as from emissions to air or water.

Whilst there is potential for increased recreational use of international sites outside of the area as a result of the plan, this is considered unlikely. Redgrave and South Lopham Fens Ramsar, Fenland SAC, Chippenham Fen Ramsar and Wicken Fen Ramsar are all National Nature Reserves and there are also two visitors centres (RSPB and WWT) located adjacent to the Ouse washes. These international sites are set up to receive visitors and are managed accordingly.

Redgrave and South Lopham Fens Ramsar site, Norfolk Valley Fens SAC, Fenland SAC, Chippenham Fen Ramsar site, Wicken Fen Ramsar site and Ouse Washes SAC, SPA and Ramsar have therefore been eliminated from the HRA process.

This HRA is a record of the assessment of 'likely significant effects' from the Plan on the five international sites: Breckland SPA, Breckland SAC, Waveney and Little Ouse Valley Fens SAC, Rex Graham SAC and Devil's Dyke SAC. Further details of these international sites including their location and designation details are provided in Section 3.

## 2.3 Obtaining Information on International Sites

In June 2012, Natural England published conservation objectives for European sites<sup>1</sup>. The conservation objectives for the sites potentially affected by the Main Modifications to the Development Management Policies Local Plan Document are tabulated in section 3.

## 2.4 Obtaining Information on Other Projects and Plans

In accordance with the Habitat Regulations there is a need to consider the potential for likely significant effects of the Plan 'in combination' with other projects and plans. In particular plans and major projects within the following organisations were screened to identify potential for adverse effects upon the five international sites:

- Suffolk County Council;
- Norfolk County Council;
- Cambridgeshire County Council;
- St Edmundsbury Borough Council;
- Forest Heath District Council
- Mid-Suffolk District Council;
- Babergh District Council;
- South Cambridgeshire District Council;
- East Cambridgeshire District Council;
- Borough Council of Kings Lynn and West Norfolk;
- Breckland Council;
- South Norfolk Council;
- Natural England; and
- Highways Agency.

---

<sup>1</sup> <http://www.naturalengland.org.uk/ourwork/conservation/designations/sac/eastofengland.aspx>



## 2.5 Assessing the Impacts of the Plan 'Alone' and 'In Combination'

Following the gathering of information on the Plan and the international sites, an assessment has been undertaken to predict the likely significant effects of the Plan (with Inspectors Modifications on the international sites 'alone'). In order to inform this process, all parts of the Plan have been assessed to see if they could result in likely significant effects on the Breckland SAC and Breckland SPA, Waveney and Little Ouse Valley Fens SAC, Rex Graham SAC and Devil's Dyke SAC. This HRA assesses all 50 policies contained within the Plan.

Each of the policies within the Plan has been examined in detail to see if they could have a significant effect on the five international sites. A brief description of each policy as well as the findings of this assessment are given in Table 1 and Table 2 in Appendix A. Section 6 records the findings of the HRA in relation to the 5 international sites.

The potential for likely significant effects of the Plan 'in combination' on these international sites with other projects and plans has also been considered in this HRA. All relevant available HRAs that have been completed due to possible impacts on Breckland SPA and Breckland SAC, Little Ouse Valley Fens SAC, Devils Dyke SAC and Rex Graham Reserve SAC have been reviewed in order to determine whether there is the potential for 'in combination' effects (section 5).

HRA is an iterative process. Where necessary, suggestions can be made of how to amend the Plan to avoid likely significant effects on an international site. This iterative approach has been adopted as part of this assessment.

### 3. The International Sites

This section includes information about Breckland SAC/SPA, Waveney and Little Ouse Valley Fens SAC, Rex Graham SAC and Devils Dyke SAC their designation status, the location of the sites, a brief description of the sites and the conservation objectives of the component Sites of Special Scientific Interest that relate to the international site qualifying features are indicated.

Table 3.1: Information about the Breckland SPA

Site Designation Status	Breckland SPA
Location of International Site	<p>Breckland SPA is an extremely large site and part of the SPA falls into St Edmundsbury Borough and Forest Heath District. The majority of the SPA falls within Breckland although another section is also located within King’s Lynn and West Norfolk.</p> <p>The SPA is located in close proximity to Mildenhall as well as a number of rural villages in both St Edmundsbury and Forest Heath including Herringswell, Tuddenham, Eriswell, Lackford, Wordwell and Barnham. Lakenheath Airfield is also immediately adjacent to the SPA</p>
Conservation Objectives of the International Site	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul> <p>Qualifying Features:  A133 <i>Burhinus oedicanus</i>; Stone-curlew (Breeding)  A224 <i>Caprimulgus europaeus</i>; European nightjar (Breeding)  A246 <i>Lullula arborea</i>; Woodlark (Breeding)</p>

Table 3.2: Information about the Breckland SAC

Site Designation Status	Breckland SAC
Location of International Site	The Breckland SAC designation refers to a number of separate sites which are not physically linked. These sites are present in both St Edmundsbury Borough and Forest Heath District particularly to the east and north east of Mildenhall. A significant

	proportion of the site is located outside of the Plan area north of Thetford
Conservation Objectives of the International Site and qualifying features	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul> <p>Qualifying Features:</p> <p>H2330. Inland dunes with open <i>Corynephorus</i> and <i>Agrostis</i> grasslands; Open grassland with grey-hair grass and common bent grass of inland dunes</p> <p>H3150. Natural eutrophic lakes with <i>Magnopotamion</i> or <i>Hydrocharition</i>-type vegetation; Naturally nutrient-rich lakes or lochs which are often dominated by pondweed</p> <p>H4030. European dry heaths</p> <p>H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>); Dry grasslands and scrublands on chalk or limestone</p> <p>H91E0. Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>); Alder woodland on floodplains*</p> <p>S1166. <i>Triturus cristatus</i>; Great crested newt</p>

Table 3.3: Information about the Waveney Little Ouse Valley Fens SAC

Site Designation Status	Waveney and Little Ouse Valley Fens SAC
Location of International Site	The site is located in the north-eastern corner of the Borough of St Edmundsbury. It is a small site that is split into three separate sections (two in St Edmundsbury and one in Breckland/Mid Suffolk).

Conservation Objectives of the International Site	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul> <p>Qualifying Features:</p> <p>H6410. Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae); Purple moor-grass meadows H7210. Calcareous fens with Cladium mariscus and species of the Caricion davallianae; Calcium-rich fen dominated by great fen sedge (saw sedge)*</p> <p>S1016. Vertigo moulinsiana; Desmoulin`s whorl snail</p>
---	--

Table 3.4: Information about the Rex Graham Reserve SAC

Site Designation Status	Rex Graham Reserve SAC
Location of International Site	<p>This is a small site located to the east of Mildenhall, south of the A11. The site is located within Forest Heath District</p> <p>The SAC is a disused chalk pit located within Mildenhall woods and is surrounded by forest. The site is in close proximity to the villages of Barton Mills.</p>
Conservation Objectives of the International Site	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats</li> <li>• The structure and function (including typical species) of qualifying natural habitats, and</li> <li>• The supporting processes on which qualifying natural habitats</li> </ul> <p>Qualifying Features:</p> <p>H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (Festuco-Brometalia) (important orchid sites); Dry grasslands and scrublands on chalk or limestone (important orchid sites)*</p>

Table 3.5: Information about the Devils Dyke SAC

Site Designation Status	Devils Dyke SAC
Location of International Site	<p>This is a linear site located to the south west of Newmarket adjacent to Newmarket Heath and extending between the A14 in the north west and the A1034 to the south east.</p> <p>The course of the dyke is a Scheduled Ancient Monument, as well as Site of Special Scientific Interest. A well-kept footpath runs the full length of the dyke.</p>
Conservation Objectives of the International Site	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats</li> <li>• The structure and function (including typical species) of qualifying natural habitats, and</li> <li>• The supporting processes on which qualifying natural habitats rely</li> </ul> <p>Qualifying Features:</p> <p>H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (Festuco-Brometalia) (important orchid sites); Dry grasslands and scrublands on chalk or limestone (important orchid sites)*</p>

## 4. Plan Details

### 4.1 Proposed Plan

The St Edmundsbury & Forest Heath Joint Development Management Policies Document has been produced to accompany the adopted St Edmundsbury Core Strategy and the adopted Forest Heath Core Strategy which set out detailed policies to protect the local character, heritage and distinctiveness of the respective authorities areas.

None of the proposals within the Plan are directly connected with, or necessary to the nature conservation management of the Breckland SAC, Breckland SPA, Rex Graham Reserve SAC, Devils Dyke SAC or Waveney and Little Ouse Valley Fen SAC.

### 4.2 Brief Description of Plan

The Plan comprises a total of 50 policies designed to protect the local character, heritage and distinctiveness of the borough/district. The Plan is sub-divided into nine sections to implement the vision and strategic objectives set out in the adopted Core Strategies. The nine sections comprise:

- **Introduction**
- **Context:** including policy DM1 on the presumption in favour of sustainable development
- **Sustainable Growth and Development and Design Principles:** including policies DM2 – DM9 on the built environment, design quality, masterplans, development briefs, SUDS and climate change;
- **The Natural and Historic Environment:** includes policies DM10 – DM21 which seek to protect biodiversity, protected species, landscape, listed buildings, conservations areas, other heritage assets including buildings covered by 'article 4 directions';
- **Housing and Homes:** including policies DM22 - DM29 on residential design, extensions and alteration to existing property, extensions to domestic gardens in the countryside, reuse of rural buildings and essential workers dwellings;
- **Sustainable Economic and Tourism Development:** including policies DM30 - DM34 on employment development, business and domestic equine related activities, farm diversification, and tourism development;
- **Retail, Community Facilities and Leisure:** including policies DM35 - DM44 on town centres, local centres shop fronts and advertisements community facilities, leisure facilities and rights of way;
- **Transport:** including policies DM45 - DM46 on travel plans, transport assessments and parking standards;

- **Horse Racing:** includes policies DM47 - DM50 on restoration of horse racing assets, development surrounding horse racing and redevelopment of sites;

### 4.3 Provisions within the Plan that Protect International Sites

When planning applications are determined, all of the relevant policies and supporting text in the Plan will be taken into account and used as the basis for decision-making (section 1.9).

Section 4 of the Plan refers to 'The Natural and Historic Environment' and policies DM10 and DM11 make provision for protecting international sites and species.

- **Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance.** This policy aims to protect the environment, and as such seeks to protect the international sites. The policy states that development which would adversely affect the integrity of areas of international nature conservation or geological importance will be determined in accordance with the Conservation of Habitats and Species Regulations 2010(as amended). The policy also aims to protect nationally designated sites, to examine opportunities to create new habitat areas and improve the conservation status of locally vulnerable species;
- **Policy DM11 – Protected Species:** This policy states that development should not have an adverse effect on protected species. As protected species may be a qualifying feature of an international site, by promoting their protection, the policy makes provision to protect the integrity of the international sites;

Other sections within the Plan also make provision for protecting international sites.

- **Policy DM2 Creating Places - Development Principles and Local Distinctiveness.** This policy states development should not adversely affect sites, habitats, species and features of ecological interest;
- **Policy DM3 Masterplans.** This policy requires masterplans for development proposals to include a comprehensive biodiversity plan, including species and habitat protection, mitigation, compensation and new habitat creation measures for sustainability for the whole development site;
- **Policy DM4 Development Briefs.** This policy requires development briefs to include details of how existing wildlife will be considered and enhanced;
- **Policy DM5 Development in the Countryside.** This policy states that economic growth and all types of business and enterprise will only be permitted where there will be no significant detrimental impact on nature conservation and biodiversity interests;

- **Policy DM8 Low and Zero Carbon Energy Generation.** Policy seeks to protect nature conservation sites unless it can be demonstrated that no alternative sites are available;
- **Policy DM9 Infrastructure Services and Telecommunication Development.** Policy seeks to protect biodiversity interests from significant detrimental effects;
- **Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity.** This policy requires new development which is shown to contribute to recreational disturbance and visitor pressure within Breckland SPA and SAC to make appropriate contributions towards management and monitoring of visitor pressure and urban effects on key biodiversity sites;
- **Policy DM13 Landscape Features.** This policy states that development will only be permitted where it does not have an unacceptable adverse impact on wildlife;
- **Policy DM25 Extensions to Domestic Gardens within the Countryside** This policy states that extensions to domestic gardens will only be approved if there will be no significant detrimental effect upon biodiversity interests;
- **Policy DM29 Rural Housing Exception Sites in St Edmundsbury.** This policy seeks to ensure that development does not negatively impact on biodiversity and geodiversity interests;
- **Policy DM31 Farm Diversification.** Policy seeks to ensure that development would not have a significant detrimental impact on biodiversity, geodiversity and no unacceptable effect upon water quality;
- **Policy DM32 Business and Domestic Equine Related Activities in the Countryside.** Policy seeks to ensure that development would not have a significant detrimental impact on biodiversity, geodiversity and the surrounding landscape character;
- **Policy DM34 Tourism Development.** Policy seeks to ensure that development would have no significant adverse impact on nature conservation interests and biodiversity interests;
- **Policy DM43 Leisure and Cultural Facilities.** Development will not be permitted if it would have a significant impact on nature conservation and biodiversity interests.

These policies therefore permit development only where it seeks to avoid significant impacts on biodiversity interests and as such help to protect international sites.

Furthermore, text present within section 2 of the Plan entitled 'Habitat Regulations Assessment' (see Inset 4.1 below) clearly states that any plan or project that may have an adverse effect on internationally important sites will be subject to an Appropriate Assessment (AA). The Plan therefore ensures that the competent



authority (in this case St Edmundsbury Borough Council and/or Forest Heath District Council) in consultation with Natural England will give consideration to international sites in order to inform development management decisions. Therefore, any specific development proposals will need to conform with the Plan and will need to satisfy the relevant authority and Natural England that there will either be no likely significant effects from the development on an international site or that any significant effects can be effectively mitigated/compensated.

Inset 4.1: Text included in Section 2 of the Plan 'Habitat Regulations Assessment'

#### Habitat Regulations Assessment

In accordance with Regulation 102 of the Conservation of Habitats and Species Regulations 2010 a Habitats Regulation Assessment (HRA) screening has been carried out to determine whether this Development Management DPD is likely, either alone or in combination with other plans and projects, to have a significant effect upon the international sites identified. The results of the HRA screening show that there are no likely significant effects on the international sites.

If a proposed development could have a likely significant effect on an international site, further consideration and assessment will need to be made for these proposals at the development management stage or as part of lower tier development plan documents. This will require a thorough ecological assessment of the potential effects upon the relevant international site(s) so as to allow the Competent Authority (in this case Forest Heath District Council or St Edmundsbury Borough Council depending on the location of the development site) the ability to determine whether the development is likely to result in adverse impacts on the integrity of the site(s).

Any development that cannot demonstrate that it would not have an adverse effect upon the integrity of a European site, or that impacts can be adequately mitigated, will be refused (and in the case of lower tier development plan documents, these site allocations will not be taken forward in the final plans). This is in accordance with the precautionary principle enshrined within the Habitats Regulations. Where the Authority is satisfied that, there being no alternative solutions, the development must be carried out for imperative reasons of over-riding public interest, permission may be granted notwithstanding a negative assessment of the implications for the European site. In such situations the Authority will notify the Secretary of State and determine the application accordingly, and ensure that any necessary compensation measures are secured.

## 5. Other Projects and Plans

The potential for likely significant effects of the Plan 'in combination' on these international sites with other projects and plans has also been considered in this HRA.

In combination effects assessment recognises that de minimis or minor residual effects which are not considered to be significant when considered alone may in combination with minor effects from other plans or projects, lead to cumulative effects which may be significant. Therefore, in combination effects are considered where the screening has identified that there could be residual / minor effects from the Local Plan.

The Habitats Regulations Assessment Screening Report of the Submission version of the DMD, published in 2012, identified surrounding plans to be considered in combination, and identified no likely significant effects of the options explored in combination with those other plans. This was subject to consultation, including with Natural England, who agreed there were no likely significant effects.

An updated version of the list of plans and projects used in the previous assessments, which has been used in this assessment, is provided in Table 5.1. This also gives details of the Habitats Regulations Assessment findings on those plans, where available

Table 5.1: HRAs carried out to assess likely significant effects on Breckland SAC, Breckland SPA, Waveney and Little Ouse Valley Fens SAC, Devils Dyke SAC and Rex Graham Reserve SAC

Statutory Body	Title of HRA	Findings of HRA
Breckland Council	<p>Habitat Regulations Assessment: Breckland Council Core Strategy and Development Controls Policies Document (November 2008)</p> <p>HRA Breckland Council Site Specific Policies and Proposals Document Submission Version (April 2011)</p> <p>HRA Breckland Council Thetford Area Action Plan Submission Version 2011</p>	<p>Initial assessment of the Core Strategy showed likely significant effects from the Plan on the Breckland SAC/SPA and Waveney and Little Ouse Valley Fens SAC. Mitigation has been put in place in the Plan so as to avoid likely significant effects on these three international sites.</p> <p>The screening of the site specific policies identifies likely significant effects on Breckland SPA/SAC. Mitigation has been put in place</p> <p>Assessment of the TAAP showed likely significant effects from the Plan on the Breckland SAC/SPA. Mitigation has been recommended in the Plan so as to avoid likely significant effects on these international sites.</p>
Mid-Suffolk Council	Habitats Regulations Assessment	The assessment found no likely significant effects from the Plan on the Breckland SAC/SPA and Waveney and Little

Statutory Body	Title of HRA	Findings of HRA
	<p>(Appropriate Assessment) (October 2007) Core Strategy</p> <p>Habitats Regulations Assessment (Stowmarket Area Action Plan) (September 2009)</p>	<p>Ouse Valley Fens SAC or Rex Graham Reserve SAC.</p> <p>The assessment found no likely significant effects from the Plan on the Waveney and Little Ouse Valley Fens SAC, Breckland SAC and Redgrave and Lopham Fen SAC</p>
<p>East Cambridgeshire District Council</p>	<p>Habitats Directive Assessment (Core Strategy Development Plan Document) (April 2008)</p> <p>Habitats Directive Assessment Screening Document Submission Draft Local Plan April 2014(revision)</p>	<p>The assessment found no likely significant effects from the Plan on the Breckland SAC/SPA or Devils Dyke SAC.</p> <p>The assessment found no likely significant effects from the Plan on any Natura 2000 sites.</p>
<p>Kings Lynn and West Norfolk Borough Council</p>	<p>Core Strategy Regulation 25: Habitat Regulations (Appropriate Assessment) Report (undated November 2010)</p> <p>Habitats Regulations Assessment of Detailed Policies and Site Plan: Preferred Options Document (July 2013)</p>	<p>The contents of the Proposed submission document are sound, in accordance with Regulation 85B (1) of the Habitats Regulations, and that any potential adverse effects on the integrity of European sites have been adequately avoided or mitigated for.</p> <p>Initial assessment of the Policies showed likely significant effects from the Plan on the Breckland SAC/SPA. Mitigation has been put in place in the Plan so as to avoid likely significant effects on these two international sites.</p>
<p>Suffolk County Council</p>	<p>Habitats Regulation Assessment Suffolk County Council Waste Core Strategy (March 2010)</p> <p>Appropriate Assessment Suffolk Minerals Core Strategy (September 2007)</p> <p>Habitats Regulations Assessment for Suffolk Local Transport Plan 3 (May 2011)</p> <p>Minerals Specific Site</p>	<p>The assessment found no likely significant effects from the Plan on the Breckland SAC/SPA, Waveney and Little Ouse SAC, Devils Dyke SAC or Rex Graham Reserve SAC.</p> <p>The initial Stage 1 Appropriate Assessment has concluded that there are no likely significant impacts on the integrity of Suffolk's Natura 2000 sites. Whilst negative impacts have been discussed, it has been shown that policies and mitigation measures can be put in place to ensure that the appropriate species and habitats will be protected.</p> <p>The assessment concluded that the only LTP3 scheme identified as having potential to lead to a significant effect on a European site is Brandon relief road. To remove any likely significant effect on the conservation objectives of Breckland Special Protection Area, a project level Habitats Regulations Assessment would be required for the Brandon Relief Road at the design stage.</p> <p>The assessment concluded that there is potential for</p>

Statutory Body	Title of HRA	Findings of HRA
	Allocations Final Sustainability Appraisal Report Submission August 2008	impacts on Breckland SPA however mitigation is proposed that will have beneficial effects.
Norfolk County Council	Habitats Regulations Assessment: Minerals Site Allocations Development Plan Document- Pre submission (December 2011)	A number of sites have been identified which could potentially result in likely significant effects on European and Ramsar designated sites, however no likely significant effects from the proposed locations for mineral extraction have been identified on Breckland SPA and SAC, Waveney and Little Ouse Valley Fens SAC, Devils Dyke SAC and Rex Graham Reserve SAC
	Habitats Regulations Assessment; Waste Site Allocations Development Plan Document (March 2011)	Assessment of the Plan showed likely significant effects from two of the proposed locations for a waste site on Breckland SPA and Breckland SAC. However it was concluded that the potential impacts on the SAC SPA could be appropriately mitigated and controlled.
	Habitats Regulations Assessment: Core Strategy and Minerals and Waste Development Management Policies DPD (October 2012)	The assessment concluded that the Core Strategy is unlikely to result in a significant effect on any of Natura 2000 sites.
Babergh District Council	Core Strategy Submission Draft HRA: Screening September 2011	The assessment concluded that Babergh Core Strategy Submission Draft is not predicted to have likely significant effects on any European site, either alone or in combination with other plans and projects.
South Norfolk Council	Joint Core Strategy for Broadland, Norwich and South Norfolk Habitat Regulations Assessment (February 2010)	The assessment deemed it highly unlikely that the Plan would have a significant direct or indirect impact on Breckland SAC/SPA. Mitigation has been recommended so as to avoid any uncertainty raised regarding potential 'in combination' or cumulative effects to these international sites.
	Habitats Regulation assessment for SNC Site Allocations Document, WAAP, LSAAP and CNDP(October 2013)	The report concluded that no likely significant effects on Natural 2000 sites
Cambridgeshire County Council	Cambridgeshire & Peterborough Minerals and Waste LDF HRA: Full Assessment of the Core Strategy DPD Submission Plan (September 2009)	The assessment alone and 'in combination' identified no adverse impacts to Breckland SAC/SPA, Rex Graham Reserve SAC and Devils Dyke SAC that could not be avoided by legally enforceable measures.
	Cambridgeshire & Peterborough Minerals and Waste LDF HRA:	The assessment identified no adverse impacts to Breckland SAC/SPA, Rex Graham Reserve SAC and Devils Dyke SAC from any of the proposed sites that could

Statutory Body	Title of HRA	Findings of HRA
	<p>Full Assessment of the Site Specific Proposals DPD Submission Plan (September 2009)</p> <p>Habitat Regulations Assessment: Screening Report for the Location and Design of Waste Management facilities Draft SPD (2010)</p> <p>Addendum to the habitats regulations assessment (stage one screening) of the cambridgeshire and Peterborough minerals and waste: Recap partnership waste management design guide (spd) Cambridgeshire county council and Peterborough city council July 2011</p> <p>LTP3: Cambridgeshire Local Transport Plan 2014 Refresh, incorporating Transport Strategy for Cambridge and South Cambridgeshire (April 2014) &amp; draft Long Term Transport Strategy (April 2014) Habitats Regulations Assessment: Stage 1 - Screening May 2014</p>	<p>not be avoided by legally enforceable measures.</p> <p>The assessment concluded that no harm has been identified to the integrity of Breckland SAC/SPA, Rex Graham Reserve SAC and Devils Dyke SAC either alone or in combination with other plans or projects.</p> <p>The assessment concluded that taking into account the additional screening assessments shown within this addendum report, it is considered that there will be no likely significant adverse effect on the integrity of the Natura 2000 sites as a result of the PWMDG</p> <p>The findings of the HRA Screening are that none of the schemes, interventions or strategies contained within the LTP3 will result in likely significant effects on any of the international sites included within this assessment.</p>
South Cambridgeshire District Council	<p>Core Strategy - Development Plan Document. Habitats Directive Assessment January 2007</p> <p>Local Development Framework - Development Control Policies Habitats Directive Assessment April 2007</p>	<p>The assessment concluded that there would be no likely significant adverse effects on the integrity of Devils Dyke SAC either alone or in combination with other plans/projects.</p> <p>The assessment concluded that the Development Control Policies DPD is not likely to have any significant effects on Devils Dyke SAC.</p>

Statutory Body	Title of HRA	Findings of HRA
	Local Development Framework Site Specific Policies Development Plan Document Habitats Directive Assessment August 2007	The assessment concluded that the Site Specific Policies Development Plan Document is not likely to have any significant effects on Devils Dyke SAC
	South Cambridgeshire Local Plan Submission Habitats Regulations Assessment March 2014	There are no likely significant effects from the Local Plan either alone or in combination with other reasonably foreseeable plans and projects on the identified European sites.

## 6. HRA Results

### 6.1 Individual elements of the Plan likely to give rise to impacts on the International Site

None of the 50 policies within the Plan will lead to likely significant effects on the Breckland SAC or the Breckland SPA, Waveney and Little Ouse SAC, Devils Dyke SAC, Rex Graham Reserve SAC

One of the 50 policies seeks solely to protect sites of biodiversity and geological importance including international sites. This is Policy DM10 – Impact of Development on Sites of Biodiversity and Geological Importance. Policy DM11- Protected Species seeks to protect the species that may be a qualifying feature of an international site and by promoting their protection, the policy makes provision to protect the integrity of the international sites. Additionally any development must also comply with the policies within the relevant authorities Core Strategy (in particular CS2 of the St Edmundsbury Core Strategy and CS 2 of the Forest Heath Core Strategy) which seeks to protect the natural environment. The protection of the natural environment is also specifically recognised in Policies DM2, DM3, DM4, DM5, DM8, DM9, DM11, DM12, DM13, DM25, DM29, DM31, DM32, DM34, and DM43 contained within this Plan.

26 of the 50 policies will not lead directly to development (e.g. they relate to design and other qualitative criteria). These are Policies:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places - Development Principles and Local Distinctiveness
- Policy DM3 Masterplans
- Policy DM4 Development Briefs
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management, and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM15 Listed Buildings
- Policy DM16 Local Heritage Assets and Buildings Protected by an Article 4 Direction
- Policy DM17 Conservation Areas
- Policy DM18 New Uses for Historic Buildings
- Policy DM19 Development Affecting Parks and Gardens of Special Historic or Design Interest
- Policy DM20 Archaeology

- Policy DM22 Residential Design
- Policy DM36 Local Centres
- Policy DM37 Public Realm Improvements
- Policy DM28 Shop Fronts and Advertisements
- Policy DM39 Street Trading and Street Cafes
- Policy DM45 Transport Assessments and Travel Plans
- Policy DM46 Parking Standards
- Policy DM48 Development Affecting the Horse Racing Industry
- Policy DM49 Re-development of Existing Sites Relating to the Horse Racing

The Initial HRA Screening Results Table 1 in Appendix A gives further details of these 27 policies which will not lead directly to development, and justification of these conclusions.

24 of the 50 policies may lead to development in the long term. These are Policies:

- Policy DM5 Development in the Countryside
- Policy DM8 Low and Zero Carbon Energy Generation
- Policy DM9 Infrastructure Services and Telecommunications Development
- Policy DM21 Enabling Development
- Policy DM23 Special Housing Needs
- Policy DM24 Alterations or Extensions to Dwellings and Self Contained Annexes or Development in their Curtilage
- Policy DM25 Extensions to Domestic Gardens within the Countryside
- Policy DM26 Agricultural and Essential Workers Dwellings
- Policy DM27 Housing in the Countryside
- Policy DM28 Residential Use of Redundant Buildings in the Countryside
- Policy DM29 Rural Housing Exception Sites in St Edmundsbury
- Policy DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
- Policy DM31 Farm Diversification
- Policy DM32 Business and Domestic Equine Related Activities
- Policy DM33 Re-use or Replacement of Buildings in the Countryside
- Policy DM34 Tourism Development
- Policy DM35 Proposals for Main Town Centre Uses
- Policy DM40 Ancillary Retail Uses
- Policy DM41 Community Facilities and Services
- Policy DM42 Open Space, Sport and Recreation Facilities
- Policy DM43 Leisure and Cultural Facilities
- Policy DM44 Rights of Way
- Policy DM47 Development Relating to the Horse Racing Industry
- Policy DM50 Horse Walks

There will be no likely significant effects on the international sites due to these policies, as any development arising from these policies would be incidental and the type and location of any development which may occur is not specified in the Plan. As such it is not possible to assess these potential developments as part of this HRA Screening.

The Plan seeks to directly protect international sites in Policy DM10 and protect species (such as the qualifying interests of Breckland SAC and Breckland SPA,



Waveney and Little Ouse SAC, Devils Dyke SAC, and Rex Graham Reserve SAC) in Policy DM11. Policy DM6 requires that new development will address flooding, run-off and water management and therefore seeks to protect sites including adjacent sites (and subsequently the international sites). Policies DM2, DM3, DM4, DM5, DM8, DM9, DM12, DM13, DM25, DM29, DM31, DM32, DM34, and DM43 also seek to protect habitats, protected species, nature conservation and/or other ecological or biodiversity interest. Additionally any development must also comply with the policies within the relevant authorities Core Strategy which seeks to protect the natural environment.

Furthermore, the Habitats Regulations Assessment text contained within section 2 of the Plan states any development arising from the Plan will need to consider the impacts on internationally important sites and the need for HRA at the development management stage. If it cannot be proven that there will be no significant impacts on the international sites and/or it is not possible to mitigate/compensate for these impacts, the Plan states that the development will not be granted planning permission. As such the Plan seeks to protect the international sites and none of the policies within the document will lead to likely significant effects on the Breckland SAC or Breckland SPA, Waveney and Little Ouse SAC, Devils Dyke SAC, or Rex Graham Reserve SAC.

The HRA Screening Results (Table 2 in Appendix A) gives further details of these 24 policies which could lead to development in the long term, and justification of the conclusions.

## 6.2 Likely direct, indirect or secondary impacts of the Plan on the International Site

The Plan seeks to protect international sites in line with Policy DM10 and the protection of the natural environment is also recognised in Policies DM2, DM3, DM4, DM5, DM8, DM9, DM11, DM12, DM13, DM25, DM29, DM31, DM32, DM34, and DM43

Due to the high level strategic nature of the Plan, there are no details of future development possibly arising from Policies. As such the Plan commits to HRAs being carried out of any future planning applications when they are submitted (in accordance with the Habitats Regulations Assessment text within section 2 of the Plan). Planning applications will only be permitted if it can be proven through HRA that there will either be no likely significant effects from any of the proposed development on Breckland SAC, Breckland SPA, Waveney and Little Ouse SAC, Devils Dyke SAC, and/or Rex Graham Reserve SAC or that any significant effects can be effectively mitigated or compensated.

As such there are no likely direct, indirect or secondary impacts of the Plan on Breckland SAC, Breckland SPA, Waveney and Little Ouse SAC, Devils Dyke SAC, and /or Rex Graham Reserve SAC

## 7. Conclusions

### **Is the St Edmundsbury Borough Council & Forest Heath District Council Development Management Policies Document likely to have a significant effect 'alone or in combination' on the international sites Breckland SAC, Breckland SPA, Waveney and Little Ouse Valley Fens SAC, Devils Dyke SAC or Rex Graham Reserve SAC?**

A total of 26 of the 50 policies contained within the Development Management Policies Document (DMD) will not lead directly to development, as they relate to design and other qualitative criteria. Of the 50 policies a total of 16 policies (DM2, DM3, DM4, DM5, DM8, DM9, DM10, DM11, DM12, DM13, DM25, DM29, DM31, DM32, DM34, and DM43) include stipulations which aim to protect the natural environment. Policy DM10 seeks to directly protect international sites.

A total of 24 of the 50 policies contained within the Development Management Policies Document may lead to development. These are:

- Policy DM5 Development in the Countryside
- Policy DM8 Low and Zero Carbon Energy Generation
- Policy DM9 Infrastructure Services and Telecommunications Development
- Policy DM21 Enabling Development
- Policy DM23 Special Housing Needs
- Policy DM24 Alterations or Extensions to Dwellings and Self Contained Annexes or Development in their Curtilage
- Policy DM25 Extensions to Domestic Gardens within the Countryside
- Policy DM26 Agricultural and Essential Workers Dwellings
- Policy DM27 Housing in the Countryside
- Policy DM28 Residential Use of Redundant Buildings in the Countryside
- Policy DM29 Rural Housing Exception Sites in St Edmundsbury
- Policy DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
- Policy DM31 Farm Diversification
- Policy DM32 Business and Domestic Equine Related Activities
- Policy DM33 Re-use or Replacement of Buildings in the Countryside
- Policy DM34 Tourism Development
- Policy DM35 Proposals for Main Town Centre Uses
- Policy DM40 Ancillary Retail Uses
- Policy DM41 Community Facilities and Services
- Policy DM42 Open Space, Sport and Recreation Facilities
- Policy DM43 Leisure and Cultural Facilities
- Policy DM44 Rights of Way
- Policy DM47 Development Relating to the Horse Racing Industry
- Policy DM50 Horse Walks

It is not anticipated that there will be likely significant effects to the international sites due to these policies. Any development arising from these policies would be incidental and the type and location of any development which may occur is not specified in the

Plan. However, the Plan seeks to protect international sites through Policy DM10. Additionally any development must also comply with the policies within the relevant authorities Core Strategy which seeks to protect the natural environment. The protection of the natural environment is also specifically recognised in Policies DM2, DM3, DM4, DM5, DM8, DM9, DM10, DM11, DM12, DM13, DM25, DM29, DM31, DM32, DM34, and DM43 contained within this Plan. Furthermore, the Habitats Regulations Assessment text contained within section 2 and the Introduction to section 4 of the Plan states that any development arising from the Plan will need to consider the impacts on internationally important sites and the need for HRA at the development control stage. If it cannot be proven that there will be no significant impacts on the international sites and/or it is not possible to mitigate/compensate for these impacts, the Plan states that the development will be determined in accordance with the Conservation of Habitats and Species regulations 2010(as amended). As such the Plan seeks to protect the international sites and none of the policies within the document will lead to likely significant effects on Breckland SAC or SPA, Waveney and Little Ouse Valley Fens SAC, Devils Dyke SAC or Rex Graham Reserve SAC.

As such, it is therefore considered that there will be no likely significant effects to international sites due to any of the policies included in the Plan. Furthermore, there is no potential for 'in combination' effects as either no other current plans or projects that could lead to likely significant effects on the Breckland SAC/SPA or the Waveney and Little Ouse Valley Fens SAC, Devils Dyke SAC or Rex Graham Reserve SAC have been identified, or where such likely significant effects have been identified, mitigation has been recommended to ensure that no likely significant effects occur.

# Appendix A

## Initial HRA Screening Results Table

This appendix contains Tables 1 and 2 (see below) which summarise the features of each of the proposed policies within the Plan and whether each policy is considered to have a likely significant effect on the three international sites.

The likely significant effects take into account the measures in the Plan which seek to protect the international sites.

Table 1 contains policies that are considered unlikely to lead to development and/or contain measures to protect an international site. These policies have been categorised into four different types:

- **Policy Type 1:** policies that will not themselves lead to development (e.g. because they relate to design or other qualitative criteria for development, or they are not a land use planning policy);
- **Policy Type 2:** policies intended to protect the natural environment, including biodiversity;
- **Policy Type 3:** policies intended to conserve or enhance the natural, built or historic environment, where enhancement measures will not be likely to have any negative effect on an international site; and
- **Policy Type 4:** policies that positively steer development away from international sites and associated sensitive areas.

This is based on *The Habitats Regulations Assessment of Regional Spatial Strategies and sub-Regional Strategies (Draft Guidance)* produced by Natural England in March 2007.

Table 2 contains policies that could potentially lead to development, and includes justification as to why they are considered unlikely to have a significant effect on the three international sites.

<b>Table 1 – Initial HRA Screening Results – Policies Not Leading to Development</b>							
<b>Policy Number</b>	<b>Policy Title</b>	<b>Detail of Policy Content</b>	<b>Likely Significant Effects on International Sites</b>	<b>Justification</b>			
				<b>Policy Type 1</b>	<b>Policy Type 2</b>	<b>Policy Type 3</b>	<b>Policy Type 4</b>
DM1	Presumption in Favour of Sustainable Development	Policy states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.	No	✓			
DM2	Creating Places - Development Principles and Local Distinctiveness	Policy states new development must recognise key features, characteristics, character and local distinctiveness of the area. Any development should not involve loss of large gardens and important open, green or landscaped areas and should provide open space, play and leisure facilities as appropriate in line with other policies included in this Plan. Policy also states proposals for all development should not adversely affect sites, habitats, species and features of ecological interest.	No	✓	✓	✓	
DM3	Masterplans	Policy states Masterplans will be required for all proposals on land allocated in Area Action Plans and the Rural Sites Allocations DPD, major development and any sites determined to require a master planning approach. Masterplans will include a biodiversity plan, including species/habitat protection, mitigation, compensation and new habitat creation.	No	✓	✓	✓	
DM4	Development Briefs	Policy states a Development Brief will be required for development schemes identified by the Local Planning Authority as being of a size, location or proposed mix of uses and/or of significant local interest. Development Briefs should identify the manner in which existing/proposed wildlife features will be incorporated/enhanced within development proposals.	No	✓		✓	

**Table 1 – Initial HRA Screening Results – Policies Not Leading to Development**

Policy Number	Policy Title	Detail of Policy Content	Likely Significant Effects on International Sites	Justification			
				Policy Type 1	Policy Type 2	Policy Type 3	Policy Type 4
DM6	Flooding and Sustainable Drainage	Policy states new developments must address flooding, and submit schemes that demonstrate how on-site drainage will be managed so as not to cause or exacerbate flooding elsewhere. Examples are given which include: run-off and water management such as sustainable urban drainage (SUDS), greywater recycling and rainwater harvesting.	No	✓	✓		
DM7	Sustainable Design and Construction	Policy states all proposals for development will be expected to adhere to broad principles of sustainable design and construction and maximise energy efficiency through the use of design layout, orientation, materials, insulation and construction technique.	No	✓			
DM10	Impact of Development on Sites of Biodiversity and Geological Importance	<p>Policy states when considering development proposals that may have an adverse impact on nature conservation sites or interests, due regard will be given to expert nature conservation advice. The following criteria will also be considered:</p> <ul style="list-style-type: none"> <li>• ecological value and objectives of the site;</li> <li>• integrity of the site;</li> <li>• cumulative impact of the proposal;</li> <li>• presence of protected species/ habitats areas;</li> <li>• opportunity to create new habitat areas/improve conservation status of locally vulnerable species;</li> <li>• guidance set down within Biodiversity Action Plans/Management Plans and Strategies;</li> <li>• extent to which the imposition of conditions would mitigate/compensate for development.</li> </ul> <p>Policy states development which would adversely affect the integrity of areas of international nature conservation or geological importance will not be determined in accordance with the Conservation of Habitats and Species regulations 2010(as amended).</p> <p>Policy states development which would result in significant harm to biodiversity having appropriate regard to the mitigation hierarchy will not be permitted. Developments which have an</p>	No	✓	✓	✓	✓

**Table 1 – Initial HRA Screening Results – Policies Not Leading to Development**

Policy Number	Policy Title	Detail of Policy Content	Likely Significant Effects on International Sites	Justification			
				Policy Type 1	Policy Type 2	Policy Type 3	Policy Type 4
		adverse impact on SSSI's will not be permitted unless the benefits of the development outweighs the impacts on the features of the site and the broader network of SSSI's					
DM11	Protected Species	Policy states development which would have an adverse impact on protected species will not be permitted, unless there is no alternative and suitable measures have been undertaken to reduce disturbance to a minimum, maintain the population identified on site and provide adequate alternative habitats to sustain at least the current levels of population.	No	✓	✓	✓	
DM12	Mitigation, Enhancement, Management and Monitoring of Biodiversity	Policy states, measures should be included for the protection, mitigation or enhancement of biodiversity. Smaller developments will also be expected to enhance biodiversity. New development shown to contribute to recreational disturbance and visitor pressure within Breckland SPA and SAC will be required to contribute to monitoring and/or management of urban effects and visitor pressure on key biodiversity sites.	No	✓	✓	✓	
DM13	Landscape Features	Policy states that development will only be permitted where it will not have an adverse impact on the character of the landscape, landscape features, wildlife or amenity value Developers will be required to demonstrate that relevant proposals will protect and enhance the character of the landscape and will be required to submit landscaping schemes where appropriate.	No	✓	✓	✓	
DM14	Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards	Policy states that all new developments should minimise all emissions and other forms of pollution (including light and noise) and ensure no deterioration to either air or water quality. Policy states development will not be permitted where there is an unacceptable risk due to suspected unstable or contaminated land or due to the storage or use of hazardous substances.	No	✓	✓		
DM15	Listed Buildings	Policy states alterations or extensions to a listed building or development within its curtilage should not be detrimental to the special architectural or historic interest of the building or its	No	✓		✓	

**Table 1 – Initial HRA Screening Results – Policies Not Leading to Development**

Policy Number	Policy Title	Detail of Policy Content	Likely Significant Effects on International Sites	Justification			
				Policy Type 1	Policy Type 2	Policy Type 3	Policy Type 4
		surroundings. Policy states demolition of Listed buildings will only be granted in exceptional circumstances and where sustaining the existing use, finding viable new uses is not possible. All proposals must provide clear justification for the works.					
DM16	Local Heritage Assets and Buildings Protected by an Article 4 Direction	Policy states that proposals for demolition, extension or alteration of Local Heritage Sites will consider the effect on the historic fabric and design of the building and its setting and the extent of loss or damage.	No	✓		✓	
DM17	Conservation Areas	Policy states proposals for new development within a Conservation Area must preserve or enhance the area, and have regard to the special architectural or historic character appearance of their setting. Proposals for demolition will only be granted in exceptional circumstances and where the building or structure is structurally unsound, sustaining the existing use, finding viable new uses is not possible and planning permission has been granted for the redevelopment of the site. All proposals must provide clear justification for the works.	No	✓		✓	
DM18	New Uses for Historic Buildings	Policy states permission for the adaptation of an historic building to sustain a new use will only be permitted where the proposal has protected the special architectural or historic interest of the building.	No	✓		✓	
DM19	Development Affecting Parks and Gardens of Special Historic or Design Interest	Policy states that permission for any development which affects the character/view of parks and gardens of special historic or design interest will consider the impact upon design and layout and impact on features/views which are an integral part of the design.	No	✓		✓	
DM20	Archaeology	Policy states that proposals which affect sites of archaeological interest and their setting or of potential importance must have regard to preserving in situ and recording or excavation prior to	No	✓		✓	



**Table 1 – Initial HRA Screening Results – Policies Not Leading to Development**

Policy Number	Policy Title	Detail of Policy Content	Likely Significant Effects on International Sites	Justification			
				Policy Type 1	Policy Type 2	Policy Type 3	Policy Type 4
		development commencing.					
DM22	Residential Design	Policy states that all residential development proposals should maintain or create a sense of place and/or character. Residential development should be laid out to optimise amenity with streets and parking facilitating this primary objective. New dwellings should also be of a high architectural quality.	No	✓			
DM36	Local Centres	Policy states that the mix of uses in a local centre will be maintained and that applications for the change of use from shops or other services to other uses in a Local Centre will only be approved if the need for the existing use is no longer viable and the proposal would not have an adverse impact on the vitality/viability of the Local Centre. The policy also states that new local centres should be well served by public transport and within walking distance of all parts of a development.	No	✓			
DM37	Public Realm Improvements	Policy states proposals for new major development/ re-development in towns will be required to reasonably provide or contribute towards public realm improvements.	No	✓	✓		
DM38	Shop Fronts and Advertisements	Policy states proposals to alter an existing shop front or create a new shop front must preserve/enhance the character of the building and the street scene.	No	✓		✓	
DM39	Street Trading and Street Cafes	Policy states proposals for street trading and street cafes in defined shopping centres will not be permitted where they can have an adverse impact on amenity and the movement and safety of existing users.	No	✓			
DM45	Transport Assessments and Travel Plans	Policy states that for major developments a transport assessment and /or travel plan will be required as appropriate. Planning permission will not be permitted where travel impacts cannot be mitigated or sustainable modes of transport provided	No	✓			
DM46	Parking Standards	Policy states all proposals for development will be required to provide car and cycle parking. In town centres and other locations with good accessibility, a reduced level of car parking	No	✓			

<b>Table 1 – Initial HRA Screening Results – Policies Not Leading to Development</b>							
<b>Policy Number</b>	<b>Policy Title</b>	<b>Detail of Policy Content</b>	<b>Likely Significant Effects on International Sites</b>	<b>Justification</b>			
				<b>Policy Type 1</b>	<b>Policy Type 2</b>	<b>Policy Type 3</b>	<b>Policy Type 4</b>
		will be sought. Proposals for new mixed use sites will be expected to minimise provision of car parking.					
DM48	Development Affecting the Horse Racing Industry	Policy states that development which would adversely affect an existing site within the horse racing industry will not be permitted unless the benefits outweigh the harm to the horse racing industry	No	✓			
DM49	Re-development of Existing sites Relating to the Horse Racing Industry	Policy states that the change of use of land and buildings relating to the horse racing industry will only be permitted if allocated as a proposal in an adopted local plan.	No	✓			

**Table 2 – Initial HRA Screening Results – Policies Potentially Leading to Development**

<b>Policy Number</b>	<b>Policy Title</b>	<b>Detail of Policy Content</b>	<b>Potential Development ?</b>	<b>Likely Significant Effect on international Sites?</b>	<b>Justification</b>
DM5	Development in the countryside	<p>Policy states that the countryside will be protected from unsustainable development.</p> <p>New or extended buildings will be permitted where they are directly related to forestry or agriculture, are local needs affordable housing, equine related development, essential small scale facilities for sport or recreation, key worker residences, small scale residential development or the replacement of an existing dwelling.</p> <p>The policy also allows proposals for economic growth and expansion of business and enterprise where it recognises the character of the countryside and will not result in loss of the best agricultural land, detrimental impact on the historic environment, landscape and biodiversity and the highway network.</p>	Yes	No	<p>This policy could lead to development.</p> <p>The supporting text contained within the Plan states that any policies relating to development (e.g. from which development could arise) must comply with all policies within the adopted relevant Core Strategy (section 1.8). Development which may arise must also comply with policies contained within the DMD (section 1.9). The Plan seeks to protect international sites (through Policy DM10 and the HRA text in section 2.3 – 2.5 of the Plan). Therefore, should development arise from this policy which has the potential for likely significant effects on an international site, the need for HRA will be highlighted and will be undertaken at the development control stage and /or lower tier development plan stage. If it cannot be proven that there will no significant impacts on the international sites and/or it is not possible to mitigate for these impacts, the Plan states that the development will not be granted planning permission unless the tests of the Conservation of Habitats and Species Regs 2010 (as amended) are met.</p>

**Table 2 – Initial HRA Screening Results – Policies Potentially Leading to Development**

<b>Policy Number</b>	<b>Policy Title</b>	<b>Detail of Policy Content</b>	<b>Potential Development ?</b>	<b>Likely Significant Effect on international Sites?</b>	<b>Justification</b>
DM8	Low and Zero Carbon Energy Generation	<p>Policy states that proposals for low carbon/renewable energy such as wind turbines, biomass and combined heat and power will be considered favourably, subject to criteria set out in the policies of this DPD and that:</p> <ul style="list-style-type: none"> <li>the proposal does not have an unacceptable impact (in isolation or cumulatively) on the environment;</li> <li>provision is made for mitigation and compensation measures such as habitat enhancement or relocation</li> </ul> <p>In the case of proposals in nature conservation sites, or within or visible from Conservation Areas or other heritage assets, the developer or operator must be able to demonstrate to the satisfaction of the Local Planning Authority that the proposal represents the highest standards of siting and design appropriate to the location.</p>	Yes	No	This policy could lead to development. See policy DM5
DM9	Infrastructure Services and Telecom Development	<p>Policy states permission for connection or supply of power to the national grid and for telecommunication developments will normally be granted where, in the case of nature conservation sites, there will be no significant detrimental effect upon biodiversity interests and the proposal represents the highest standards of siting and design appropriate to the location.</p>	Yes	No	This policy could lead to development. See policy DM5
DM21	Enabling Development	<p>Policy states in exceptional circumstances permission for development may be granted which would not usually be acceptable to secure the proper repair of a listed building or other heritage asset, subject to policies stated elsewhere in the Plan.</p>	Yes	No	This policy could lead to development. See policy DM5

**Table 2 – Initial HRA Screening Results – Policies Potentially Leading to Development**

<b>Policy Number</b>	<b>Policy Title</b>	<b>Detail of Policy Content</b>	<b>Potential Development ?</b>	<b>Likely Significant Effect on international Sites?</b>	<b>Justification</b>
DM23	Special Housing Needs	<p>Policy states proposals for new/extensions to existing specialist accommodation will be acceptable on sites appropriate for residential development provided they a) meet specific needs of residents, b) include appropriate amenity space c) are close to community facilities and served by public transport and d) doesn't create an over concentration of similar accommodation.</p> <p>Proposals for similar accommodation outside areas otherwise suitable for residential development will be permitted if a need can be demonstrated and proposals meet criteria above.</p>	Yes	No	This policy could lead to development. See policy DM5
DM24	Alterations or Extensions to Dwellings and Self Contained Annexes or Development within the Curtilage	<p>Policy states that permission for alterations/extensions to existing dwellings and development within the curtilage of dwellings will be permitted provided proposals will not result in over-development or adversely affect the residential amenity of neighbouring occupants.</p> <p>The policy goes on to state that proposals for alterations and extensions to existing dwellings in the countryside will need to demonstrate they are not capable of becoming separate dwelling</p>	Yes	No	This policy could lead to development. See policy DM5
DM25	Extensions to Domestic Gardens within the Countryside	<p>Policy states that extensions to gardens in the countryside will only be allowed where development will: not involve the loss of the best and most versatile agricultural land; the loss of important hedgerows or other important landscape feature; and will not impact on biodiversity interests. A suitable landscaping scheme will be required</p>	Yes	No	This policy could lead to development. See policy DM5

**Table 2 – Initial HRA Screening Results – Policies Potentially Leading to Development**

<b>Policy Number</b>	<b>Policy Title</b>	<b>Detail of Policy Content</b>	<b>Potential Development ?</b>	<b>Likely Significant Effect on international Sites?</b>	<b>Justification</b>
DM26	Agricultural and Essential Workers Dwellings	Policy states new housing development in rural areas will only be permitted where it relates to a key worker essential to the operation of agriculture, forestry or a commercial equine related business where there is an essential need for someone to live permanently on site.	Yes	No	This policy could lead to development. See Policy DM5
DM27	Housing in the Countryside	Policy states that proposals for new dwellings may be permitted in the countryside subject to a) the dwelling is within a close knit cluster of 10 or more existing dwelling, b) the development consists of infilling a small undeveloped plot commensurate with the scale and character of the existing dwellings	Yes	No	This policy could lead to development. See Policy DM5
DM28	Residential Use of Redundant Buildings in the Countryside	Policy states proposals for the conversion of barns or other redundant/under used buildings in the countryside will be permitted where there are special circumstances and where alternative uses have been explored and discounted, the building is structurally sound and capable of conversion.  The conversion should retain the character and historic interest of the building and not have a harmful effect on the character of the site or setting of the building/surrounding area.	Yes	No	This policy could lead to development. See Policy DM5
DM29	Rural Housing Exception Sites in St Edmundsbury	Policy states that as an exception, permission will be given to rural affordable housing schemes adjoining but outside a Housing Settlement Boundary or built up area provided that it meets a proven need, is on the edge of a Key Service Centres, Local service Centre or Infill Village, well related to existing community services, the	Yes	No	This policy could lead to development. See policy DM5

**Table 2 – Initial HRA Screening Results – Policies Potentially Leading to Development**

<b>Policy Number</b>	<b>Policy Title</b>	<b>Detail of Policy Content</b>	<b>Potential Development ?</b>	<b>Likely Significant Effect on international Sites?</b>	<b>Justification</b>
		site is the most suitable, will not negatively impact on biodiversity and safeguards restrict occupation to those with local needs for affordable housing.			
DM30	Appropriate Employment Uses and Protection of Employment Land and Existing Businesses	Policy states non-employment use on sites and premises designated for employment purposes and is expected to have an adverse effect on employment generation will only be permitted where the proposal complies with other policies in the local plan and that it complies with one of the following points: there is sufficient supply of alternative and suitable employment land available; genuine attempts have been made to sell/let the site; the existing use has created overriding environmental problems; an alternative use would assist in urban regeneration; it is an employment related support facility.	Yes	No	This policy could lead to development. See Policy DM5
DM31	Farm Diversification	Policy states proposals for farm diversification will be permitted where they retain existing or provide new employment opportunities and don't threaten the viability of the farm unit. New building should be kept to a minimum and the proposal should not have a detrimental impact to the rural environment caused by its remote location/traffic movements.	Yes	No	This policy could lead to development. See Policy DM5
DM32	Business and Domestic Equine Related Activities in the Countryside	Policy states proposals for equestrian development in the countryside will be permitted where they are appropriate and in keeping with the locality. New buildings should be erected as part of existing building groups and traffic generation, parking and access should be satisfactorily accommodated. In addition there should be no impact on biodiversity.	Yes	No	This policy could lead to development. See Policy DM5

**Table 2 – Initial HRA Screening Results – Policies Potentially Leading to Development**

<b>Policy Number</b>	<b>Policy Title</b>	<b>Detail of Policy Content</b>	<b>Potential Development ?</b>	<b>Likely Significant Effect on international Sites?</b>	<b>Justification</b>
DM33	Re-use or Replacement of Buildings in the Countryside	Policy states re-use/conversion/alteration/extension of buildings in the countryside for employment, tourist accommodation, recreational or community use will be considered favourably where the building is structurally sound and capable of conversion, alterations do not harm its appearance as a rural building or its rural setting and the nature of proposed use is compatible with its location.	Yes	No	This policy could lead to development. See Policy DM5
DM34	Tourism Development	Policy states proposals for new tourism development, including visitor centres and attractions will be permitted where the proposal is accessible to non-car users, in rural areas supports the local community services and facilities, has no adverse impact on biodiversity and the character of the countryside and is of a scale related to its setting.	Yes	No	See Policy DM5
DM35	Proposals for main town centre uses	Policy states in town centres proposals will be supported which result in a mix, provided that proposals for non-retail uses do not undermine the vitality/shopping character, detract from the area's appearance or adversely affect the amenity of the surrounding area by noise, congestion or disturbance. Proposals for main town centre uses not in defined centres must apply a sequential approach and may require an impact assessment.	Yes	No	This policy could lead to development. See Policy DM5
DM40	Ancillary Retail Use	Policy states proposals for extensions and/or change of use to provide ancillary retail sales facilities to existing businesses (e.g. petrol stations, horticultural centres etc.) will be considered. The sale of goods should be small in scale and ancillary to the primary use or activity.	Yes	No	This policy could lead to development. See Policy DM5



**Table 2 – Initial HRA Screening Results – Policies Potentially Leading to Development**

<b>Policy Number</b>	<b>Policy Title</b>	<b>Detail of Policy Content</b>	<b>Potential Development ?</b>	<b>Likely Significant Effect on international Sites?</b>	<b>Justification</b>
DM41	Community Facilities and Services	Policy states that provision and enhancement of community facilities and services will be permitted and development that will result in the loss of community services will only be permitted where it can be proven there is no demand or need for that use or the site is no longer required for that purpose or an alternative social, community or leisure use.	Yes	No	This policy could lead to development. See policy DM5
DM42	Open Space, Sport and Recreation Facilities	Policy states that proposals for the provision, enhancement and expansion of amenity, sport or recreation open space or facilities will be permitted. Existing open space, sport and recreation facilities will be normally be protected. New facilities will be required associated with new housing developments where necessary to the acceptability of the development.	Yes	No	This policy could lead to development. See policy DM5
DM43	Leisure and Cultural Facilities	Policy states that new and extensions to leisure or cultural facilities will normally be permitted where they are in sustainable locations, meet parking standards, and have no impact on biodiversity and the character and appearance of the countryside.	Yes	No	This policy could lead to development. See policy DM5
DM44	Rights of Way	Policy states development which would adversely affect existing /proposed Public Right of Way will not be permitted unless alternative provision/ diversions can be arranged which are equally attractive, safe and convenient. Improvements to rights of way will be sought in association with new development.	Yes	No	This policy could lead to development. See policy DM5
DM47	Development Relating to the Horse racing Industry	Policy states that development relating to the horse racing industry will normally be permitted provided that there is a need for the scale of the development, access proposals and the impact on the highway is acceptable and residential	Yes	No	This policy could lead to development. See policy DM5

**Table 2 – Initial HRA Screening Results – Policies Potentially Leading to Development**

<b>Policy Number</b>	<b>Policy Title</b>	<b>Detail of Policy Content</b>	<b>Potential Development ?</b>	<b>Likely Significant Effect on international Sites?</b>	<b>Justification</b>
		accommodation is restricted.			
DM50	Horse Walks	Policy states that existing horse walks will be retained and new ones will be promoted where necessary to the acceptability of the proposal	Yes	No	This policy could lead to development. See policy DM5

# Appendix B

## Consultation response from Natural England

Date: 23<sup>rd</sup> March 2012  
Our ref: 46184  
Your ref:



Nicola Baker  
Planning Policy Department  
Forest Heath District Council and St Edmundsbury Borough Council  
Forest Heath District Council  
District Offices  
College Heath Road  
Mildenhall  
Suffolk IP28 7EY

Natural England  
Consultation Service  
Hornbeam House  
Electra Way  
Crewe Business Park  
CREWE  
CW1 6GJ

T: 0300 060 3900

### BY E-MAIL ONLY

Dear Ms Baker

#### **Forest Heath District Council and St Edmundsbury Borough Council's Draft Habitat Regulations Assessment - Screening Opinion**

Thank you for your consulting Natural England on the Forest Heath District Council and St Edmundsbury Borough Council's Draft Habitat Regulations Assessment, in your e-mail dated 17<sup>th</sup> February 2012.

As you know, Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is satisfied that the assessment has been prepared in accordance with the requirements of the Conservation (of Habitats and Species) Regulations (2010). We concur with the conclusion of the screening assessment that the Joint Development Management Plan policies are unlikely, alone or in-combination with other plans or projects, to give rise to significant effects on international sites. We note that the Plan seeks to protect international sites through Policy 10 and that any development must also comply with the policies within the relevant authorities Core Strategy which seeks to protect the natural environment. Protection of the natural environment is also specifically recognised in Policies 1, 2, 4, 8, 11, 29, 30, 32 and 41 of the Plan and, crucially, section 4 states that any development arising from the Plan will need to consider the impacts on internationally important sites and will require HRA at the development control stage. Furthermore development will not be granted where it cannot be proven that there will be no significant impacts on the international sites and/or it is not possible to mitigate/compensate for these impacts.

We trust that the above comments are useful. For any correspondence or queries relating to this consultation response please do not hesitate to contact me using the contact details below. For all other correspondence, please contact the Natural England consultations email address at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Yours sincerely

A handwritten signature in black ink, appearing to be "John Smith", written over a light blue horizontal line.

Natural England  
Foundry House  
3 Millsands  
Riverside Exchange  
Sheffield S3 8NH

[www.naturalengland.org.uk](http://www.naturalengland.org.uk)

Janet Nuttall CEnv MIEEM  
Planning and Conservation Advisor  
Land Use Operations  
Cambridge

T: 0300 060 1239

[janet.nuttall@naturalengland.org.uk](mailto:janet.nuttall@naturalengland.org.uk)