



Beyton Neighbourhood Plan 2018 - 2037: Pre-Submission Consultation Version

Habitats Regulations Assessment (HRA): Screening Report – April 2021





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Report version control:

Version	Date	Author	Description of changes
1.1	14/04/21	Zara Hanshaw	Drafted
1.2	15/04/21	Sue Hooton	Reviewed
1.3	15/04/21	Sue Hooton	Final



Glossary of Acronyms

AA	Appropriate Assessment
BDC	Babergh District Council
DC	District Council
DPD	Development Plan Document
EA	Environment Agency
Ha	Hectare
HRA	Habitats Regulations Assessment
IFCA	Inshore Fisheries Conservation Authority
IRZ	Impact Risk Zone (for SSSIs)
Km	Kilometre
LPA	Local Planning Authority
NDP/NP	Neighbourhood Development Plan / Neighbourhood Plan
NE	Natural England
NPPF	National Planning Policy Framework
PRoW	Public Right of Way
RAMS	Recreational disturbance Avoidance and Mitigation Strategy
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SIP(s)	Site Improvement Plans(s)
SPA	Special Protection Area
SSSI	Site of Specific Scientific Interest
SuDS	Sustainable Drainage System
ZOI	Zone of Influence



1. Introduction

1.1 The Purpose of This Report

This report screens to determine whether the Beyton Neighbourhood Plan 2018- 2037: Pre-Submission Consultation Version Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). A Stage 1 HRA is required when it is deemed that likely adverse significant effects may occur on protected Habitats (European) Sites as a result of the implementation of a plan or project, either alone or in combination with other plans and projects.

1.2 The Beyton Neighbourhood Plan 2018- 2037: Pre-Submission Consultation Version

The main purpose of the Plan is to set out and identify the best ways to direct local planning towards community wants and needs, while protecting the natural environment and cultural assets, ensuring a more sustainable future for the community. The Beyton Neighbourhood Plan 2018- 2037 will set out planning policies for Beyton Parish and within the confines of the Neighbourhood Plan boundary as defined (see Appendix 1).

Once formally 'made' or 'adopted', a Neighbourhood Plan carries the same legal weight as Local Development Plans adopted up by the Local Planning Authority (LPA), in this case Mid Suffolk District Council.



2. Legislative Background

2.1 Habitats Regulations Assessment (HRA)

Under the provisions of the Habitats Regulations, *The Conservation of Habitats and Species Regulations 2017, (as amended)*, a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any Habitats Site, in terms of impacting the site's conservation objectives.

The first stage of HRA is the screening assessment of the impacts of a land use proposal against the conservation objectives of Habitats sites. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would potentially damage the internationally designated features of that site. European sites are also known as Habitats Sites in the NPPF (2019).

This HRA Screening Report has been undertaken in order to support the Beyton Neighbourhood Plan which is being produced by Beyton Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012. The area covered by the Plan is shown in Appendix 1.

The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA.

In line with the Court judgement (CJEU *People Over Wind v Coillte Teoranta C-323/17*), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats Site.

On 23 June 2016, the United Kingdom (UK) held a referendum and voted to leave the European Union (EU). On 29 March 2017 the Prime Minister triggered Article 50 of the Treaty on European Union, which commenced a period of negotiations regarding the UK's exit from the EU. On 26 June 2018 The European Union (Withdrawal) Act 2018 received Royal Assent and work to prepare the UK statute book for Brexit is complete and the UK has now left the EU. The European Union (Withdrawal) Act 2018 made sure that UK laws continue to operate following the UK's exit. There is no immediate change to legislation or policy affecting national infrastructure. Relevant EU Directives have been transposed into UK law and those are unchanged until amended by Parliament. The requirements for HRA under the Conservation of Habitats and Species Regulations 2017 (as amended) remain in place with minor changes being affected by the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019. Parliament will however be at liberty to introduce future changes to the Conservation of Habitats and Species Regulations 2017 (as amended) since, after 31 December 2020, the UK will no longer be bound by the EU Habitats and Wild Birds Directives.

At the present time the position, under section 6(3) EU (Withdrawal) Act 2018 (as amended), is that the courts in the UK, with the sole exception of the Supreme Court, will continue to be bound by HRA judgements handed down by the CJEU and by domestic courts *prior to 31 December 2020* when interpreting the Conservation of Habitats and Species Regulations 2017 (as amended). This is the case as long as the Conservation of Habitats and Species Regulations 2017 (as amended) remain unmodified by Parliament.



3. HRA Screening

3.1 Habitat Regulations Assessment of Development Plans

This section forms a plan level Habitats Regulations Assessment (HRA) screening report as required by Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended).

This section of this Report aims to:

- Identify the Habitats sites within 20km of the Beyton Neighbourhood Plan area.
- Summarise the reasons for designation and Conservation Objectives for each site to be considered in this assessment.
- Screen the Beyton Neighbourhood Plan for its potential to impact upon a Habitats site.
- Assess the potential for in combination effects from other projects and plans in the area.
- Identify if there are any outstanding issues that need further investigation.

3.2 Court Judgements and their consideration in this Report

3.2.1 CJEU People Over Wind v Coillte Teoranta C-323/17

As previously mentioned, in line with the Court judgement (CJEU People Over Wind v Coillte Teoranta C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Habitats Site.

This HRA Screening Report does not therefore consider mitigation measures within the assessment of Likely Significant Effects resulting from the Beyton Neighbourhood Plan.

3.2.2 CJEU Holohan C- 461/17

This Court judgement now imposes more detailed requirements on the competent authority for any plans or projects at Appropriate Assessment stage:

1. [...] an 'Appropriate Assessment' must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.
2. [...] the competent authority is permitted to grant to a plan or project consent which leaves the developer free to determine subsequently certain parameters relating to the construction phase, such as the location of the construction compound and haul routes,



only if that authority is certain that the development consent granted establishes conditions that are strict enough to guarantee that those parameters will not adversely affect the integrity of the site.

3. [...] where the competent authority rejects the findings in a scientific expert opinion recommending that additional information be obtained, the 'Appropriate Assessment' must include an explicit and detailed statement of reasons capable of dispelling all reasonable scientific doubt concerning the effects of the work envisaged on the site concerned.

Within this Stage 1 HRA Screening report, the assessment will determine the requirement for whether or not a Stage 2 Appropriate Assessment is needed for the Beyton Neighbourhood Plan.

3.3 Habitats (European) Sites

'Habitats sites' is the term used in the (revised) NPPF (2019) to describe the network of sites of nature protection areas. The aim of the network is to assure the long-term survival of Europe's most valuable and threatened species and Habitats.

The sites are designated under the European Union (EU) Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) and the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora).

The Birds Directive requires the establishment of Special Protection Areas (SPAs). The Habitats Directive similarly requires Special Areas of Conservation (SACs) to be designated for other species, and for Habitats. Wetlands of International Importance (Ramsar sites) are also part of the Habitats (Sites) network. This is because all SPAs and SACs are comprised of Sites of Special Scientific Interest (SSSIs) and all Ramsar sites in England are SSSIs. Together, SPAs, SACs and Ramsar Sites make up the Habitats Sites in England. The following offers a description and explanation of SPAs, SACs and Ramsar Sites.

3.3.1 Explanation of SPAs, SACs and Ramsar Sites

Special Protection Areas (SPAs)

SPAs are areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within EU countries. Example: Deben Estuary SPA is internationally important for wintering waterfowl. *Legislation: EU Birds Directive.*

Special Areas of Conservation (SACs)

SACs are areas designated to protect habitat types that are in danger of disappearance, have a small natural range, or are highly characteristic of the region; and to protect species that are endangered, vulnerable, rare, or endemic. Example: Waveney and Little Ouse Valley Fens for calcareous fens, *Molinia* meadows and Desmoulin's whorl snail *Legislation: EU Habitats Directive.*



Ramsar Sites (Wetlands of International Importance)

Ramsar Sites are designated to protect the biological and physical features of wetlands, especially for waterfowl Habitats. Example: Redgrave and South Lopham Fens is an extensive example of lowland base-rich valley, remarkable for its lack of fragmentation which supports many rare and scarce invertebrates, including a population of the fen raft spider *Dolomedes plantarius*. Ramsar sites often overlap with SACs and SPAs and UK planning policy determines that they should be accorded the same importance when developments are proposed. *Legislation: Ramsar Convention (1971) – Wetlands of International Importance.*

3.3.2 Habitats Sites to be considered

There are 4 Habitats sites (SAC/Ramsar) which lie within 20 km of Beyton parish and are shown on the map in Appendix 2.

Table 1: Habitats Sites within 20km of the development

SAC	Ramsar	SPA
Breckland	Redgrave & South Lopham Fens	Breckland
Waveney & Little Ouse Valley Fens		

After consideration of the Zones of Influence as shown on MAGIC website www.magic.gov.uk, the Plan area does not lie within the Impact Risk Zone for any of the aforementioned Habitats Sites.

3.3.3 Conservation Objectives

Information on each of the above Habitats sites has been obtained from the Natural England website.

The justification for the importance of each Habitats site and the reasons for designation - the Conservation Objectives and Designation Features - for each site are included in Appendix 3. It also reflects the Supplementary Advice for Conservation Objectives which describes the range of ecological attributes that are most likely to contribute to a site's overall integrity and key vulnerabilities to consider within Habitats Regulations assessments.

3.4 Method and Approach

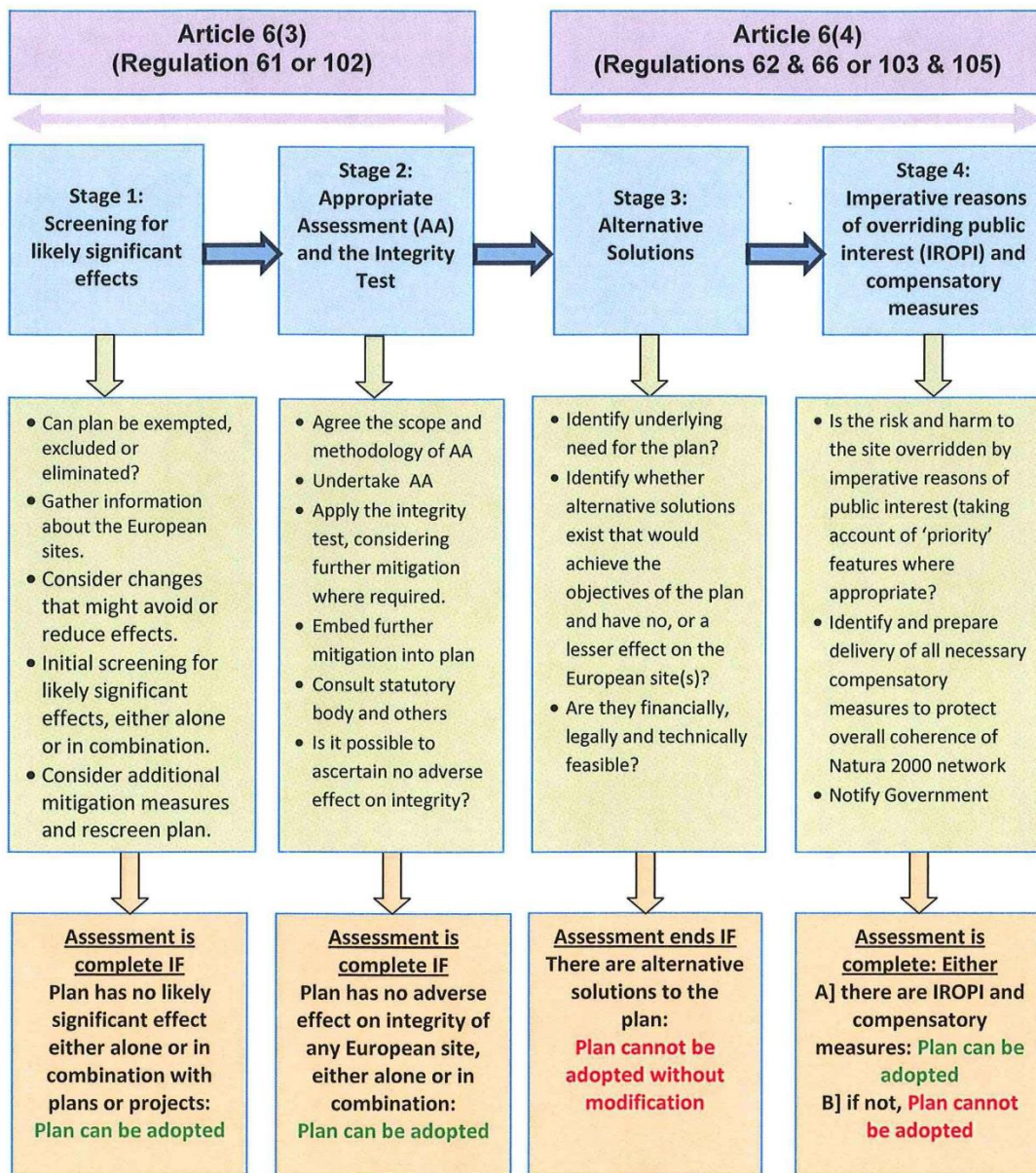
The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA



screening report; this is necessary to ensure the making of the neighbourhood plan is not likely to have a significant effect on a Habitats (European site or a European offshore marine site), either alone or in combination with other plans or projects.



Outline of the four stage approach to the assessment of plans under the Habitats Regulations



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Figure 1: Outline of the Four Stage Approach to the Assessment of Plans under the Habitats Regulations



3.4.1 Stage 1: HRA screening

This screening stage identifies if alternatives are needed because any policies or projects will have an impact on a Habitats Site, amendments need to be made in Neighbourhood Development Plans. Table 4 identifies the different categories assigned to each policy in the plan: Category A identifies those policies or projects that may not result in a Likely Significant Effect and are considered to have No Negative Effect. Category B identifies those policies or projects that will have No Likely Significant Effect. Category C identifies those policies or projects that might have Likely Significant Effect and thus upon a European Site either alone or in combination with other plans or projects.

Each of the policies in the Beyton Neighbourhood Plan has been screened to identify whether they would have any impact on a Habitats Site and allocated to a category as shown in Table 2.

Table 2: Screening categorisation

Category A: No negative effect
Policies or projects that will not be likely to have any negative effect on a Habitats site.
Category B: No Likely Significant Effect
Policies or projects that could have an effect but would not be likely to have a likely significant effect on a Habitats site alone or in combination. This conclusion could only be reached if the effects, even in combination and taking the precautionary principle into account, are considered trivial.
Category C: Likely Significant Effect
Policies or projects which are predicted to have a likely significant effect on a Habitats Site either on its own or in combination with other plans and projects and require revision or further assessment (Appropriate Assessment).

3.4.2 Potential impacts of the Beyton Neighbourhood Plan on Habitats Sites

There are a wide range of potential impacts from development which can be summarised as -

- Land take by developments;
- Impact on protected species found within but which travel outside the protected sites (functionally linked land) may be relevant where development could result in effects on qualifying interest species within the Habitats site, for example through the loss of feeding grounds for an identified species.
- Increased disturbance, for example from recreational use resulting from new housing development and / or improved access due to transport infrastructure projects;
- Changes in water availability, or water quality as a result of development and increased demands for waste water treatment, and changes in groundwater regimes due to increased impermeable areas;
- Changes in atmospheric pollution levels due to increased traffic, waste management facilities etc.



Pollution discharges from developments such as industrial Developments, quarries and waste management facilities.

Each policy in the neighbourhood plan will therefore be assessed against the above criteria in the table below.

Table 3: Assessment of potential impacts

Nature of potential impact	How the Beyton Neighbourhood Plan (alone or in combination with other plans and project) could affect a Habitats site?	Why these effects are/ not considered likely to be significant?
Land take by development	No development is allocated on designated land.	N/A.
Impact on protected species outside the protected sites	<p>Suitable habitat outside of the designated sites is referred to as Functionally Linked Land and could serve to further support the Qualifying species that make up the designations for the Habitats sites within scope.</p> <p>The loss of functionally linked land could result in a decrease in the carrying capacity of the Habitats sites for Qualifying features.</p>	<p>The Beyton Neighbourhood Plan area is outside of the Impact Risk Zones for any of the designated sites. The development land within the plan area does not act as Functionally Linked Land for any designated features of the wetland Habitats sites within scope as it is used as recreational land.</p> <p>No significant effects from the Neighbourhood Plan impacts on protected species outside the Habitats sites are considered likely. It is therefore considered that this impact pathway can be screened out from further assessment.</p>
Recreational pressure and disturbance	Potential visual disturbance resulting in increased bird energy expenditure from take-off/ landing from machinery & buildings during construction and operation of facility.	<p>The Beyton Neighbourhood Plan area is outside of the Impact Risk Zones for any of the designated sites. Additionally, the Plan area is not within an evidenced Zone of Influence for recreational disturbance and no significant effects from the Neighbourhood Plan impacts from recreational pressure and disturbance are considered likely.</p> <p>It is therefore considered that this impact pathway can be screened out from further assessment.</p>
Water quantity and quality	The development is within an Impact Risk Zone for any Habitats sites <i>“Any discharge of water or liquid waste of more than 20m³/day to ground (ie to seep away) or to surface water, such as</i>	<p>The Beyton Neighbourhood Plan area is outside of the Impact Risk Zones for any of the designated sites.</p> <p>No development which falls within this IRZ is proposed.</p>



Nature of potential impact	How the Beyton Neighbourhood Plan (alone or in combination with other plans and project) could affect a Habitats site?	Why these effects are/ not considered likely to be significant?
	<p><i>a beck or stream.</i>" This does not include discharge to a main sewer.</p> <p>Unmitigated runoff could lead to changes in water quality in offsite watercourses and the resultant downstream Habitats sites</p>	<p>. No significant effects from the Neighbourhood Plan impacts on water quantity or quality are considered likely. It is therefore considered that this impact pathway can be screened out from further assessment</p>
Changes in air & noise pollution levels	<p>Atmospheric nitrogen deposition exceeds the relevant critical loads for all of the aforementioned Habitats sites.</p> <p>Acid, nitrogen, ammonia deposition caused by traffic pollutants could cause degradation of Estuary habitats at the aforementioned designated and therefore the Qualifying bird features.</p>	<p>The Beyton Neighbourhood Plan area is outside of the Impact Risk Zones for any of the designated sites.</p> <p>No significant effects from the Neighbourhood Plan impacts on air and noise pollution are considered likely. It is therefore considered that this impact pathway can be screened out from further assessment..</p>

3.5 Results of HRA Screening of Beyton Neighbourhood Plan Policies

The HRA Screening exercise explores whether there will be any Likely Significant Effect resulting from the Plan's policies. These Policies are:

- Policy BTN 1 - Spatial Strategy
- Policy BTN 2 - Housing Development
- Policy BTN 3 - Land At The Former Nursery, Tostock Road
- Policy BTN 4 - Land South Of Bury Road
- Policy BTN 5 – Land Opposite The Bear Public House, Tostock Road
- Policy BTN 6 - Affordable Housing On Rural Exception Sites
- Policy BTN 7 - Housing Mix
- Policy BTN 8 - Measures For New Housing Development
- Policy BTN 9 - Area Of Local Landscape Sensitivity
- Policy BTN 10 – Biodiversity
- Policy BTN 11 – Protection Of Important Views
- Policy BTN 12 - Local Green Spaces



- Policy BTN 13 - Buildings Of Local Significance
- Policy BTN 14 - Heritage Assets
- Policy BTN 15 - Protecting Existing Services And Facilities
- Policy BTN 16 - Open Space, Sport And Recreation Facilities
- Policy BTN 17 - Design Considerations
- Policy BTN 18 - Sustainable Building
- Policy BTN 19 - Dark Skies
- Policy BTN 20 - Flooding And Sustainable Drainage

This section considers each policy in turn and the results of the screening exercise is recorded in Table 4.

Table 4: Summary of findings from the HRA screening

Policy	Will Policy have Likely Significant Effect on a Habitats Site?	Recommendations
<p>Policy BTN 1 - Spatial Strategy</p> <p>The Neighbourhood Plan area will accommodate development commensurate with Beyton's designation as a Hinterland Village in the Joint Local Plan. The focus for new development will be within the Settlement boundary, as defined on the Policies Map, where the principle of development is accepted. Proposals for development located outside the Settlement Boundary will only be permitted for those that are essential for the operation of agriculture, horticulture, forestry, outdoor recreation and other exceptional uses, where:</p> <ol style="list-style-type: none"> i. It can be satisfactorily demonstrated that there is an identified local need for the proposal; and ii. It cannot be satisfactorily located within the Settlement Boundary. 	No, Category A	No specific recommendations
<p>Policy BTN 2 - Housing Development</p> <p>Plan provides for around 43 additional dwellings to be developed in the Neighbourhood Plan area between 2018 and 2037. This growth will be met through:</p> <ol style="list-style-type: none"> i. The implementation of planning permissions that had not been completed as at 1 April 2018 and new planning permissions granted between 2018 and 1 December 2020; and ii. Site allocations identified in Policies BTN3, BTN4 and BTN5 in the Plan and on the Policies Map; and iii. Small brownfield "windfall" sites and infill plots within the Settlement Boundary that come forward iv. during the plan period and are not identified in the Plan; and 	No, Category A	No specific recommendations



<p>v. In exceptional circumstances, dwellings outside the Settlement Boundary where it can be demonstrated that the dwelling is essential for the operation of existing businesses, agriculture, horticulture, forestry, outdoor recreation and other exceptional uses for which it can satisfactorily be demonstrated that it needs to be located in the countryside.</p> <p>In addition, proposals for the conversion of redundant or disused agricultural barns outside the Settlement Boundary into dwellings will be supported where:</p> <ul style="list-style-type: none"> a) The building is structurally sound and capable of conversion without the need for extension, significant alteration or reconstruction; and b) The proposal is a high-quality design and the method of conversion retains the character and historic interest of the building; and c) The proposal would lead to an enhancement to the immediate setting of the building, and the creation of a residential curtilage and any associated domestic paraphernalia would not have a harmful effect on the character of the site or setting of the building, any wider group of buildings, or the surrounding area. 		
<p>Policy BTN 3 - Land At The Former Nursery, Tostock Road</p> <p>A site measuring approximately 0.65 hectares at the former Plant Nursery, Tostock Road, as indicated on Map 5 and the Policies Map, is allocated for around 10 dwellings including 35% affordable housing. The development is required to ensure that:</p> <ul style="list-style-type: none"> i. Improvements are undertaken to Tostock Road to deliver suitable traffic calming and speed reduction measures as agreed by the highways authority; ii. All existing trees, shrubs and other natural features surrounding the site, shall be fully safeguarded; and iii. All features on site that are particularly sensitive for bats are identified and protected. Any external lighting should be installed in such a way (through the provision of appropriate technical specifications) that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. 	No, Category A	No specific recommendations.
<p>Policy BTN 4 - Land South Of Bury Road</p> <p>A site measuring approximately 1.1 hectares south of Bury Road, as indicated on the Policies Map, is allocated for around 12 dwellings including 35% affordable dwellings. At least 70% of the dwellings shall comprise a mix of one,</p>	No, Category A	No specific recommendations.



<p>two and three bedroomed properties (with a preference for two-bedroom homes).</p> <p>Development of the site shall be undertaken in accordance with the Development Principles set out in paragraph 6.24 of the Plan and the Site Concept illustrated in Diagram 1. (See page 26 of Plan)</p>		
<p>Policy BTN 5 – Land Opposite The Bear Public House, Tostock Road</p> <p>A site measuring approximately 1.1 hectares opposite the Bear public house, Tostock Road, as indicated on the Policies Map, is allocated for around 10 additional dwellings including 35% affordable dwellings. At least 70% of the dwellings shall comprise a mix of one, two and three bedroomed properties (with a preference for two-bedroom homes).</p> <p>Development of the site shall be undertaken in accordance with the Development Principles set out in paragraph 6.28 of the Plan and the Site Concept illustrated in Diagram 2. (See page 27 of thr Plan)</p>	No, Category A	No specific recommendations.
<p>Policy BTN 6 - Affordable Housing On Rural Exception Sites</p> <p>Proposals for the development of small-scale affordable housing schemes, including entry level homes for purchase (as defined by paragraph 71 of the NPPF) on rural exception sites outside the Settlement Boundaries, where housing would not normally be permitted by other policies, will be supported where there is a proven local need and provided that the housing:</p> <ul style="list-style-type: none"> i. remains affordable in perpetuity; and ii. is for people that are in housing need because they are unable to buy or rent properties in the village at open-market prices; and iii. is offered, in the first instance, to people with a demonstrated local connection, as defined by the Mid Suffolk Choice Based Lettings Scheme. Where there is no need, a property should then be offered to those with a demonstrated need for affordable housing in neighbouring villages. <p>These restrictions should be delivered through a legal agreement attached to the planning consent for the housing.</p> <p>Applications for such development will be considered in relation to the appearance and character of the surrounding area, the potential impact on residential amenity and highway safety.</p>	No, Category A	No specific recommendations.



<p>To be acceptable, proposals should demonstrate that a local need exists which cannot be met by applying normal planning policy for the provision of affordable homes in association with market housing.</p> <p>Any application for affordable housing in respect of this policy should be accompanied by a detailed need and the accommodation proposed should contribute to meeting this proven need.</p> <p>In exceptional circumstances, a small number of market homes will be permitted where it can be demonstrated:</p> <ul style="list-style-type: none"> a) that no other means of funding the construction of the affordable homes is available; and b) the market housing is subsidiary to the affordable housing element of the proposal and the amount of market housing required is, as demonstrated through a viability assessment, the minimum required to deliver the affordable housing. <p>Where sites for affordable housing in the countryside are brought forward with an element of market housing, both housing tenures should be built to the same design standards and contribute towards the character of the area.</p>		
<p>Policy BTN 7 - Housing Mix</p> <p>In all housing developments there shall be an emphasis on providing a higher proportion of homes of one, two or three bedrooms within the scheme (with a preference for two bedroom), unless it can be demonstrated that:</p> <ul style="list-style-type: none"> i. the particular circumstances relating to the tenure of the housing dictate otherwise; or ii. the latest publicly available housing needs information for the Neighbourhood Plan Area identify a need for a different mix. <p>The provision of bungalows will also be supported where the proposal would not have a detrimental impact on the character of the area in the vicinity of the site.</p>	No, Category A	No specific recommendations.
<p>Policy BTN 8 – Measures For New Housing Development</p> <p>All new dwellings shall achieve appropriate internal space through adherence to the latest Nationally Described Space Standards.</p> <p>Dwellings should also make adequate provision for the covered storage of all wheelie bins and cycles. Cycle parking provision shall be in accordance with the adopted cycle parking standards.</p>	No, Category A	No specific recommendations.



<p>Policy BTN 9 – Area Of Local Landscape Sensitivity</p> <p>Development proposals in the Area of Local Landscape Sensitivity, as identified on the Policies Map, will be permitted only where they:</p> <ul style="list-style-type: none"> i. protect and enhance the special landscape qualities of the area, as identified in the Beyton Special Landscape Area Appraisal; and ii. are designed and sited so as to harmonise with the landscape setting 	No, Category A	No specific recommendations.
<p>Policy BTN 10 – Biodiversity</p> <p>Development proposals should avoid the loss of, or substantial harm to, important trees, hedgerows, scrub and other natural features such as ponds and watercourses. Where such losses or harm are unavoidable:</p> <ul style="list-style-type: none"> i. the benefits of the development proposal must be demonstrated clearly to outweigh any impacts; and ii. suitable mitigation measures, that may include equivalent or better replacement of the lost features, will be required. <p>It is expected that the mitigation proposals will form an integral part of the design and layout of any development scheme, and that development will be landscape-led and appropriate in relation to its setting, context and ongoing management.</p> <p>Where new access is created, or an existing access is widened, through an existing hedgerow, a new hedgerow of native species shall be planted on the splay returns into the site to maintain the appearance and continuity of hedgerows in the vicinity.</p> <p>Development proposals will be supported where they provide a net gain in biodiversity through, for example:</p> <ul style="list-style-type: none"> a) the creation of new natural habitats including ponds; b) the planting of additional trees and hedgerows (reflecting the character of the locality's hedgerows); and c) restoring and repairing fragmented biodiversity networks. 	No, Category A	No specific recommendations.
<p>Policy BTN 11 – Protection Of Important Views</p> <p>To conserve the essential landscape, heritage and rural character setting of the Neighbourhood Plan Area, development proposals shall, where appropriate, demonstrate how they will ensure that there is no detrimental impact on the key features of important views</p>	No, Category A	No specific recommendations.



<p>identified on Map 8 (see page 37 of the Plan) and the Policies Maps.</p>		
<p>Policy BTN 12 – Local Green Spaces</p> <p>The following Local Green Spaces are designated in this Plan and identified on Map 8 and the Policies Map.</p> <ol style="list-style-type: none"> 1. Thurston Road 2. Adjacent to Old Thatch, Thurston Road. 3. The Green. 4. The Pond, east of The Green. 5. Verges between The Green and The Bear Public House. 6. Community Woodland at Thurston Community College Beyton Sixth Campus. 7. West of Church Road. 8. The Churchyard. 9. Ponds north of Quaker Lane. 10. Meadow south of Quaker Lane. 11. Meadow adjoining Quaker Farmhouse, Quaker Lane. 12. 12. Open space opposite Beyton House. 	<p>No, Category A</p>	<p>No specific recommendations.</p>
<p>Policy BTN 13 - Buildings Of Local Significance</p> <p>The retention and protection of local heritage assets and buildings of local significance, including buildings, structures, features and gardens of local interest, must be appropriately secured.</p> <p>Proposals for any works that would lead to the loss of, or substantial harm to, a building of local significance should be supported by an appropriate analysis of the significance of the asset to enable a balanced judgement to be made having regard to the scale of any harm or loss and the significance of the heritage asset.</p> <p>Appendix 3 describes the significance of the Buildings of Local Significance and their locations are identified on the Policies Map.</p>	<p>No, Category A</p>	<p>No specific recommendations.</p>
<p>Policy BTN 14 – Heritage Assets</p> <p>To ensure the conservation and enhancement of the village's heritage assets, proposals must:</p> <ol style="list-style-type: none"> a) preserve or enhance the significance of the heritage assets of the village, their setting and the wider built environment; b) retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area; c) contribute to the village's local distinctiveness, built form and scale of its heritage assets, through the use of appropriate design and materials; 	<p>No, Category A</p>	<p>No specific recommendations.</p>



<p>d) be of an appropriate scale, form, height, massing, alignment and detailed design which respects the area’s character, appearance and setting, in line with the AECOM Design Guidelines for Beyton;</p> <p>e) demonstrate a clear understanding of the significance of the asset and the wider context in which the heritage asset sits, alongside an assessment of the potential impact of the development on the heritage asset and its context; and</p> <p>f) provide clear justification, through the submission of a heritage statement, for any works that would lead to harm to a heritage asset yet be of wider substantial benefit.</p> <p>Where a planning proposal affects a heritage asset, it must be accompanied by a Heritage Statement identifying, as a minimum, the significance of the asset, and an assessment of the impact of the proposal on heritage assets. The level of detail of the Heritage Statement should be proportionate to the importance of the asset, the works proposed and sufficient to understand the potential impact of the proposal on its significance and/or setting.</p>		
<p>Policy BTN 15 - Protecting Existing Services And Facilities</p> <p>Proposals that would result in the loss of valued facilities or services which support a local community (or premises last used for such purposes) will only be permitted where:</p> <p>a) it can be demonstrated that the current use is not economically viable nor likely to become viable. Where appropriate, supporting financial evidence should be provided including any efforts to advertise the premises for sale for a minimum of 12 months; and</p> <p>b) it can be demonstrated, through evidenced research, that there is no local demand for the use and that the building/site is not needed for any alternative social, community or leisure use; or</p> <p>c) alternative facilities and services are available, or replacement provision is made, of at least equivalent standard, in a location that is accessible to the community it serves with good access by public transport or by cycling or walking.</p>	<p>No, Category A</p>	<p>No specific recommendations.</p>
<p>Policy BTN 16 – Open Space, Sport And Recreation Facilities</p>	<p>No, Category A</p>	<p>No specific recommendations.</p>



<p>Proposals for the provision, enhancement and/or expansion of sport or recreation open space or facilities will be permitted subject to compliance with other Policies in the Development Plan. Development which will result in the loss of existing sport or recreation open space or facilities will not be supported unless:</p> <ul style="list-style-type: none"> a) it can be demonstrated that the space or facility is surplus to requirement against the local planning authority’s standards for that location, and the proposed loss will not result in a likely shortfall during the plan period; or b) replacement for the space or facilities lost is made available, of at least equivalent quantity and quality, and in a suitable location to meet the needs of users of the existing space or facility. Any replacement provision should take account of the needs of the settlement where the development is taking place and the current standards of open space and sports facility provision adopted by the local planning authority. <p>Clubhouses, pavilions, car parking and ancillary facilities must be of a high standard of design and internal layout. The location of such facilities must be well related and sensitive to the topography, character and uses of the surrounding area, particularly when located in or close to residential areas. Proposals which give rise to intrusive floodlighting will not be permitted.</p> <p>Where necessary to the acceptability of the development, the local planning authority will require developers of new housing to provide open space including play areas and amenity open space or to provide land and a financial contribution towards the cost and maintenance of existing or new facilities, as appropriate. These facilities will be secured through the use of conditions and/or planning obligations.</p>		
<p>Policy BTN 17 – Design Considerations</p> <p>Proposals for new development must reflect the local characteristics and circumstances in the Neighbourhood Plan Area and create and contribute to a high quality, safe and sustainable environment. Planning applications should demonstrate how they satisfy the requirements of the Development Design Checklist in Appendix 4 of the</p>	<p>No, Category A</p>	<p>No specific recommendations.</p>



<p>Neighbourhood Plan, as appropriate to the proposal. In addition, proposals will be supported where they:</p> <ul style="list-style-type: none"> a) recognise and address the key features, characteristics, landscape/building character, local distinctiveness and special qualities of the area and, where necessary, prepare a landscape character appraisal to demonstrate this; b) maintain the village’s sense of place and/or local character; c) do not involve the loss of gardens, important open, green or landscaped areas, which make a significant contribution to the character and appearance of that part of the village; d) taking mitigation measures into account, do not affect adversely: <ul style="list-style-type: none"> i. any historic, architectural or archaeological heritage assets of the site and its surroundings, including those identified Buildings of Local Significance and the Listed Buildings set out in Appendix 3; ii. important landscape characteristics including trees and ancient hedgerows and other prominent topographical features; iii. identified important views into, out of, or within the village as identified on the Policies Map; iv. sites, habitats, species and features of ecological interest; v. the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume or type of vehicular activity generated; and/or residential amenity; e) do not locate sensitive development where its users and nearby residents would be significantly and adversely affected by noise, smell, vibration, or other forms of pollution from existing sources, unless adequate and appropriate mitigation can be implemented; f) produce designs that respect the character, scale and density of the locality; g) produce designs, in accordance with standards, that maintain or enhance the safety of the highway network ensuring that all vehicle parking is provided within the plot and seek always to ensure permeability through new housing areas, connecting any new development into the heart of the existing settlement; h) wherever possible ensure that development faces on to existing roads; 		
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<ul style="list-style-type: none"> i) do not result in water run-off that would add-to or create surface water flooding; j) where appropriate, make adequate provision for the covered storage of all wheelie bins and cycle storage in accordance with adopted cycle parking standards; k) include suitable ducting capable of accepting fibre to enable superfast broadband; and l) provide one electric vehicle charging point per new off-street parking place created. 		
<p>Policy BTN 18 - Sustainable Building</p> <p>Proposals that incorporate current best practice in energy conservation will be supported where such measures are designed to be integral to the building design and minimise any detrimental impact on the building or its surroundings. Development proposals should accord with the following energy hierarchy (in order of preference):</p> <ol style="list-style-type: none"> 1. Minimise energy demand; 2. Maximise energy efficiency; 3. Utilise renewable energy; 4. Utilise low carbon energy; 5. Utilise other energy sources. <p>Proposals should:</p> <ul style="list-style-type: none"> a) incorporate best practice in energy conservation, be designed to achieve maximum achievable energy efficiency through the use of high quality, thermally efficient building materials; b) maximise the benefits of solar gain in site layouts and orientation of buildings; c) where viable, incorporate other renewable energy systems such as Ground Sourced Heat Pumps or Air Sourced Heat Pumps; and d) avoid fossil fuel-based heating systems. 	No, Category A	No specific recommendations.
<p>Policy BTN 19 - Dark Skies</p> <p>Dark skies are to be preferred over lighting while ensuring that new developments are secure in terms of occupier and vehicle safety. Any future outdoor lighting systems should have a minimum impact on the environment, minimising light pollution and adverse effects on wildlife, subject to highway safety, the needs of particular individuals or groups, and security. Schemes should reduce the consumption of energy by promoting efficient outdoor lighting technologies, keeping the night-time skies dark and reducing glare.</p>	No, Category A	No specific recommendations.
<p>Policy BTN 20 - Flooding And Sustainable Drainage</p> <p>Proposals for all new development will be required to submit schemes appropriate to the scale of the proposal</p>	No, Category A	No specific recommendations.



detailing how on-site drainage will be managed so as not to cause or exacerbate surface water and fluvial flooding elsewhere. Examples include rainwater and stormwater harvesting and greywater recycling, and run-off and water management such as Sustainable Drainage Systems (SDS) or other natural drainage systems where easily accessible maintenance can be achieved.		
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3.5.1 Recommendations

There are no recommendations for the policies in this draft Neighbourhood Plan as they have all been assigned to Category A (no negative effect) with no need to amend policy text.

However, there will be a need for any development subsequently coming forward to be subject to a project level HRA and secure sufficient mitigation measures, to avoid a Likely Significant Effect on any Habitats sites at planning application stage.

The in-combination effects from other plans and projects are considered in the following section.

3.6 Other Plans & Projects: In-Combination Effects

There are seven relevant Plan level HRAs that have been carried out by Mid Suffolk DC, or other organisations, and these have been found not to have an adverse effect on the integrity of Habitats sites when being assessed in-combination with other plans and projects. There are no Projects considered to be relevant to this section.

Although the Plan allocates sites for development, the parish does not lie within an evidenced Zone of Influence for recreational disturbance impacts on Habitats sites in combination with other plans and projects. There is therefore no requirement for any mitigation measures to be embedded in the Plan to avoid any likely significant effects. Monitoring of recreational disturbance impacts is not currently required but may be requested in the future from Norfolk LPAs from Mid Suffolk DC.

Table 5: Other plans or projects considered for in combination effects

Statutory Body	Title of HRA or Project	Findings of HRA or Project	Potential for in combination effects
Babergh and Mid Suffolk Joint Local Plan	Babergh and Mid Suffolk Local Plan Reg 19: Habitat Regulations Assessment and Appropriate Assessment (Place Services, 2021)	The HRA report including Appropriate Assessment indicates that the Babergh & Mid Suffolk Joint Local Plan is not predicted to have any adverse effect on integrity (AEOI) on any Habitats Sites, either alone	N/A



		or in combination with other plans and projects.	
Babergh and Mid Suffolk Joint Local Plan	Babergh and Mid Suffolk Local Plan Reg 18: Habitat Regulations Assessment and Appropriate Assessment (Place Services, 2019)	The HRA report including Appropriate Assessment indicates that the Babergh & Mid Suffolk Joint Local Plan is not predicted to have any adverse effect on integrity (AEOL) on any Habitats Sites, either alone or in combination with other plans and projects.	N/A
Mid Suffolk District Council	Core Strategy Habitats Regulations Assessment (Appropriate Assessment) October 2007)	The HRA found no likely significant effects from the Plan on the Breckland SAC or SPA and Waveney and Little Ouse Valley Fens SAC.	N/A
West Suffolk Forest Heath and St Edmundsbury Councils	St Edmundsbury BC & Forest Heath DC Local Plan Joint Development Management Policies Document Habitats Regulations Assessment (HRA): Stage 1 - screening (2015)	The results of the HRA screening show that there are no likely significant effects on the international sites.	N/A
St Edmundsbury Borough Council	Core Strategy HRA screening (2010)	The HRA found no potential for in combination effects as no other current plans or projects that are likely to lead to significant effects on the Breckland SAC or SPA or the Waveney and Little Ouse Valley Fens SAC have been identified, or where impacts have been identified they have been adequately mitigated.	N/A



<p>Breckland Council</p>	<p>Habitat Regulations Assessment of the Breckland Local Plan Part 1 Main Modifications Stage. Footprint Ecology, unpublished report for Breckland Council (2019).</p>	<p>The Norfolk wide GI and RAMS, once implemented by Breckland Council, will act to ensure that in-combination effects of residential development would not have an adverse impact on the integrity of any Habitats site, in combination with other plans and projects.</p>	<p>N/A</p>
<p>Greater Norwich Development Partnership (including South Norfolk Council)</p>	<p>Habitats Regulations Assessment of Greater Norwich Regulation 18 Draft Plan (2019)</p>	<p>The Norfolk wide GI and RAMS, once implemented by South Norfolk Council, will act to ensure that in-combination effects of residential development would not have an adverse impact on the integrity of any Habitats site, in combination with other plans and projects.</p>	<p>N/A</p>

As there is currently no potential for any likely significant effects in combination with other plans and projects, there is no requirement for this HRA screening of the draft Beyton Neighbourhood Development Plan to progress to Appropriate Assessment.



4. Conclusion

This HRA Screening Report concludes that the Beyton Neighbourhood Plan 2018- 2037: Pre-Submission Consultation Version is not predicted to have any Likely Significant Effect on any Habitats site, either alone or in combination with other plans and projects.

The content of the pre-submission draft Beyton Neighbourhood Plan has therefore been **screened out** for any further assessment and Mid Suffolk DC can demonstrate its compliance with the Conservation of Habitats and Species Regulations 2017 (as amended).



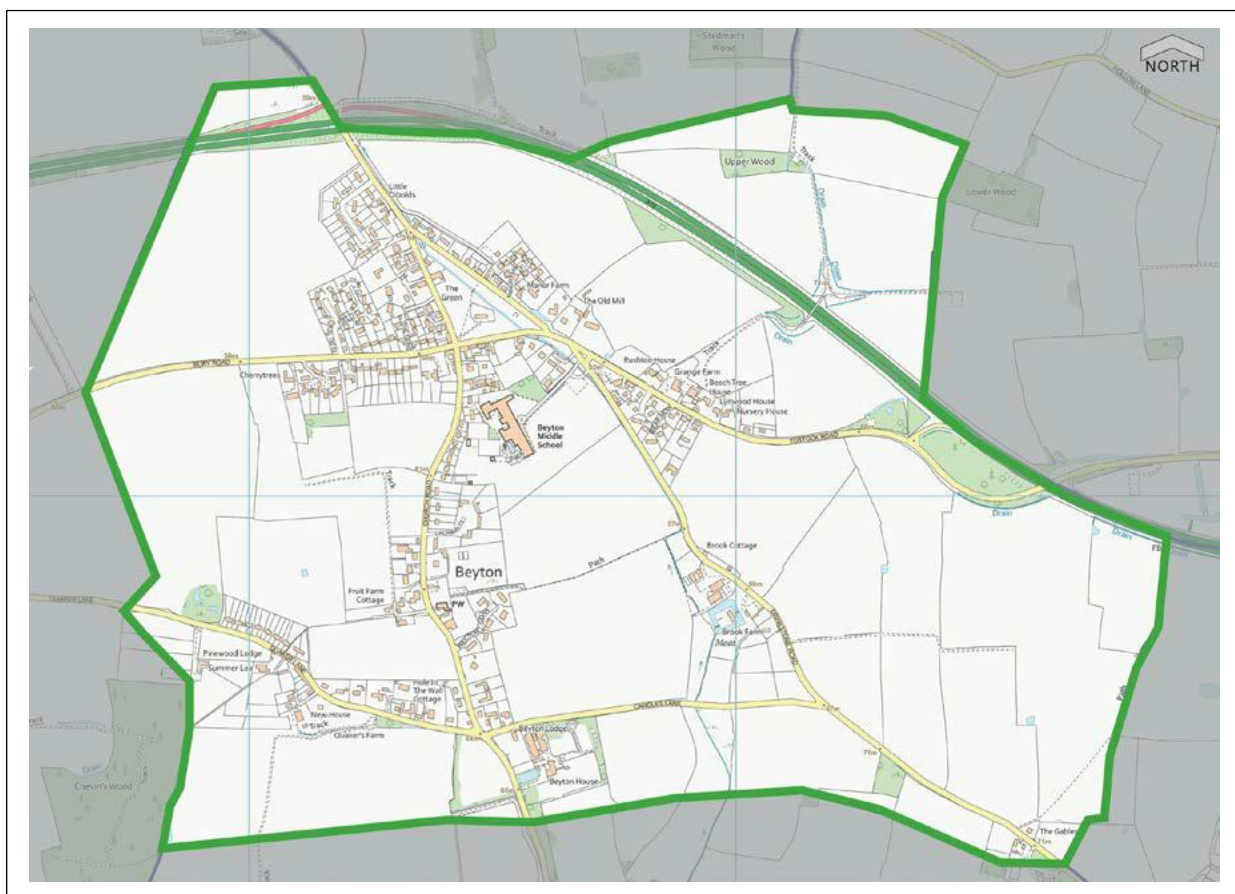
5. References

- Babergh and Mid Suffolk District Councils Joint Local Plan (2019)
- Natural England Conservation objectives for European Sites: East of England Website: <http://publications.naturalengland.org.uk/category/6581547796791296#content>
- Natural England Site Improvement Plans: East of England <http://publications.naturalengland.org.uk/category/4873023563759616>
- Place Services (March 2021) Babergh and Mid Suffolk District Councils Joint Local Plan Habitats Regulations Assessment including Appropriate Assessment
- Place Services (June 2019) Babergh and Mid Suffolk District Councils Joint Local Plan Habitats Regulations Assessment including Appropriate Assessment
- Beyton Parish Council (2020) Beyton Neighbourhood Plan 2018- 2037: Pre-Submission Consultation Version)



6. Appendices

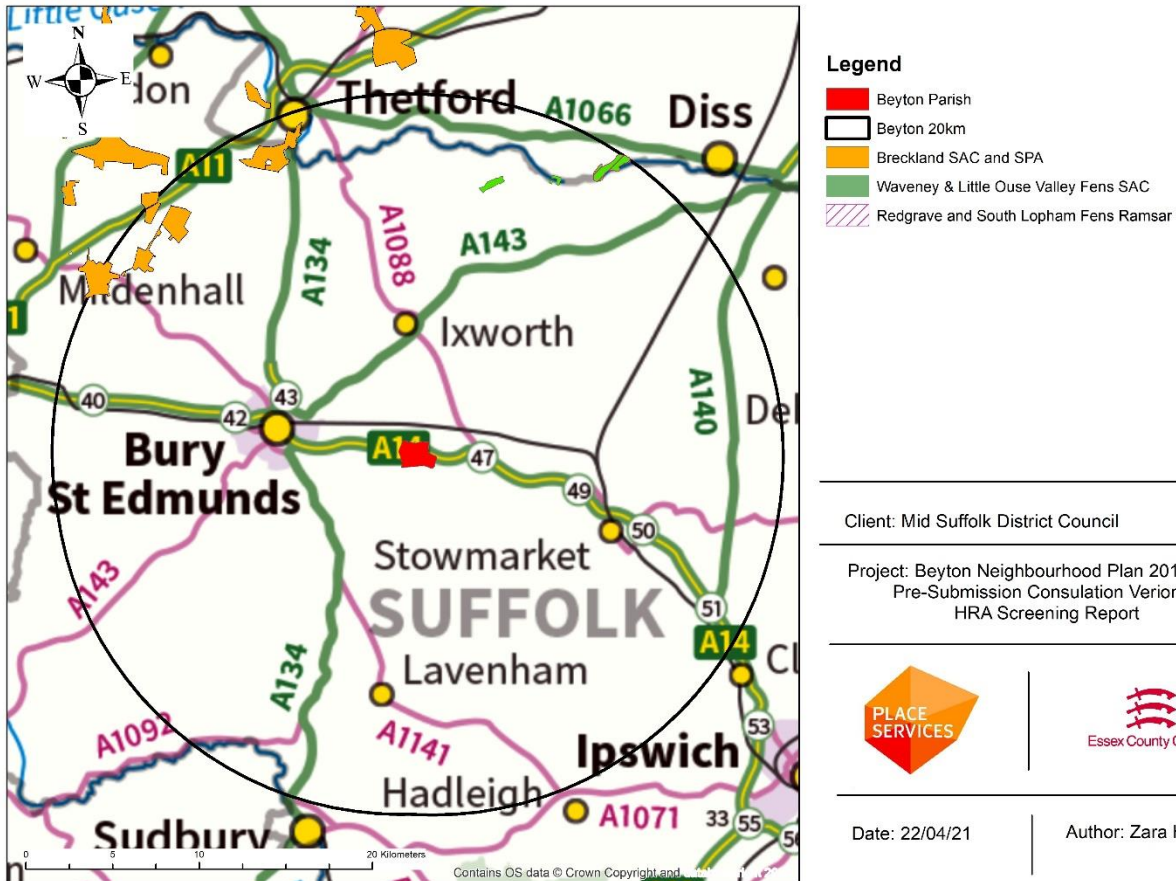
Appendix 1 Beyton Neighbourhood Plan Area



Source: Beyton Neighbourhood Plan 2018- 2037: Pre-Submission Consultation Version.



Appendix 2 Beyton parish and Habitats Sites within 20km



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Appendix 3 Characteristics of Habitats Sites

This appendix contains information about the Habitats Sites included in the scoping for this HRA. Information about each site's area, the site descriptions, qualifying features and pressures and threats are drawn from Natural England's Site Improvement Plans (SIPs) and the Standard Data Forms or Ramsar Information Sheets (RIS) available from the JNCC website. Site conservation objectives are drawn from Natural England's website and are only available for SACs and SPAs. Supplementary Advice has also been added to describe the range of ecological attributes that are most likely to contribute to a site's overall integrity and key vulnerabilities to consider within Habitats Regulations assessments. The notes in the RIS for Ramsar sites of factors affecting site's ecological character are not considered as necessary for HRA screening purposes and noteworthy features are not treated as qualifying features in the application of HRA tests. The assessment under the provisions of the Habitats Regulations is strictly limited to the qualifying features which meet the Ramsar criteria.



Site name	Area (ha)	Qualifying Features	Conservation objectives (only available for SACs & SPAs)	Key vulnerabilities / factors affecting site integrity
<p>Waveney & Lt Ouse Valley Fens</p> <p>This site which lies predominantly within the South Norfolk and High Suffolk Claylands Natural Character Area (NCA Profile 83) occurs in the East Anglian centre of distribution of calcareous fens and contains very extensive great fen-sedge <i>Cladium mariscus</i> beds, including managed examples, as well as stands in contact zones between small sedge mire and species-poor <i>Cladium</i> beds. The habitat type here occurs in a number of spring-fed valley fens in the headwaters of the Little Ouse and Waveney rivers.</p> <p>Purple moor-grass – meadow thistle (<i>Molinia caerulea</i> – <i>Cirsium dissectum</i>) fen-meadows are associated with the spring-fed valley fen systems. The <i>Molinia</i> meadows occur in conjunction with black bog-rush – blunt-flowered rush (<i>Schoenus nigricans</i> – <i>Juncus subnodulosus</i>) mire and calcareous fens with great fen-sedge. Where the fen-meadow is grazed it is more species-rich, with frequent southern marsh-orchid <i>Dactylorhiza praetermissa</i>.</p>				
<p><u>Waveney & Lt Ouse Valley Fens SAC</u></p> <p>EU Code: UK0012882</p>	192.37	<p><u>H6410</u>. <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinia caerulea</i>); Purple moor-grass meadows</p> <p><u>H7210</u>. Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i>; Calcium-rich fen dominated by great fen sedge (saw sedge)*</p> <p><u>S1016</u>. <i>Vertigo moulinsiana</i>; Desmoulin's whorl snail</p>	<p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;</p> <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</p>	<p>Inappropriate Scrub Control: Historically sections of the fen have been allowed to scrub over. These now form wet woodland and scrub with glades containing the remnants of the qualifying features.</p> <p>The aim is to ensure the site includes the same area of <i>Cladium</i> fen (H7210 Calcium-rich fen dominated by great fen sedge (saw sedge)) present at the time of designation.</p>



			<p>Status of its Qualifying Features, by maintaining or restoring;</p> <p>The extent and distribution of qualifying natural habitats and habitats of qualifying species</p> <p>The structure and function (including typical species) of qualifying natural habitats</p> <p>The structure and function of the habitats of qualifying species</p> <p>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</p> <p>The populations of qualifying species, and,</p> <p>The distribution of qualifying species within the site.</p>	<p>Inappropriate Water Levels: Concerns have been expressed about water levels in the SAC. Some areas such as Beyton and Lopham Fens have already been worked on. Others (Blo' Norton and Thelnetham Fens) are currently being investigated through the Water Level Management Plan process. Historical evidence suggests that water levels have significantly dropped over time and as a result habitats and features have been damaged. Parts of the fen supported swingmoor habitats and these are a poor representation of their former selves.</p> <p>Air Pollution - impact of atmospheric nitrogen deposition: Nitrogen deposition exceeds site relevant critical loads.</p> <p>Water Pollution: Poor water quality arising from agricultural run-off particularly from nearby outdoor poultry and pig units causes nutrient enrichment and can lead to a reduction in biodiversity.</p>
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Redgrave and South Lopham Fens

Redgrave and South Lopham Fens. The site is an extensive example of lowland base-rich valley, remarkable for its lack of fragmentation. The diversity of the site is due to the lateral and longitudinal zonation of the vegetation types characteristic of valley mires, such as dry birch woodland, scrub and carr, floristically-rich fen grassland, mixed fen, wet heath and areas of reed and saw sedge. The site supports many rare and scarce invertebrates, including a population of the fen raft spider *Dolomedes plantarius*.

Beyton and South Lopham Fens Ramsar Site No. 513 EU Code: UK11056	127.09	<p>Ramsar criterion 1 – The site is an extensive example of spring-fed lowland base-rich valley, remarkable for its lack of fragmentation.</p> <p>Ramsar criterion 2 – The site supports many rare and scarce invertebrates, including a population of the fen raft spider <i>Dolomedes plantarius</i>. This spider is also considered vulnerable by the IUCN Red List.</p> <p>Ramsar criterion 3 - The site supports many rare and scarce invertebrates, including a population of the fen raft spider <i>Dolomedes plantarius</i>. The diversity of the site is due to the lateral and longitudinal zonation of the vegetation types characteristic of valley mires.</p>	None	
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Breckland SPA

The Breckland of Norfolk and Suffolk lies in the heart of East Anglia on largely sandy soils of glacial origin. In the nineteenth century the area was termed a sandy waste, with small patches of arable cultivation that were soon abandoned. The continental climate, with low rainfall and freedraining soils, has led to the development of dry heath and grassland communities. Much of Breckland has been planted with conifers throughout the twentieth century, and in part of the site, arable farming is the predominant land use.

The remnants of dry heath and grassland which have survived these recent changes support heathland breeding birds, where grazing by rabbits and sheep is sufficiently intensive to create short turf and open ground. These breeding birds have also adapted to live in forestry and arable habitats. Woodlark *Lullula arborea* and nightjar *Caprimulgus europaeus* breed in clear-fell and open heath areas, whilst stone curlews *Burhinus oedicnemus* establish nests on open ground provided by arable cultivation in the spring, as well as on Breckland grass-heath.

Breckland SPA EU Code: UK9009201	39432.55	A224, b - Nightjar, <i>Caprimulgus europaeus</i> A133, b - Stone-curlew, <i>Burhinus oedicnemus</i> A246, b - Woodlark, <i>Lullula arborea</i>	<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"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species; • The structure and function (including typical species) of qualifying natural habitats; 	<p>Current pressures</p> <p>Lack of ground disturbance, under grazing, inappropriate scrub and weed control, inappropriate cutting/mowing.</p> <p>Water pollution: There has been a considerable loss of aquatic species in Ringmere and high nutrient levels recorded in previous water analysis suggest nutrients are impacting the mere. Langmere too shows signs of nutrient enrichment. Changes in species distributions.</p>
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			<ul style="list-style-type: none"> • The structure and function of the habitats of qualifying species; • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely; • The populations of qualifying species; and, • The distribution of qualifying species within the site. 	<p>Potential future threats</p> <p>Air pollution: impact of atmospheric nitrogen deposition.</p> <p>Public access / disturbance – SAC features may be affected through eutrophication (dog fouling, unauthorised fires) and disturbance of soils.</p> <p>Climate change.</p> <p>Habitat fragmentation.</p>
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April 2021



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