
Shadow Habitats Regulations Assessment

18 High Street, Lakenheath

for

Brian Rutteford & Partners

4 September 2023



Client

Brian Rutteford & Partners

Planning authority

West Suffolk Council

Time limit of reliance

Please note that the reported surveys were conducted on the date(s) stated in the report and that it represents site conditions at the time of the visit. The findings and recommended mitigation are based on these conditions. If site conditions change materially after the site survey, the original report cannot be relied upon and will need to be updated. Ecological reports and surveys can typically be relied on for 18 to 24 months from the date of survey.

Surveys supporting European Protected Species Mitigation Licence applications must be within the current or most recent survey season for bats (May to September), or within two survey seasons for great crested newts (March to June).


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<i>Signed disclosure</i> <i>The information, data, advice and opinions provided in this report which I have provided is true and has been prepared in accordance with the Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. I confirm that the opinions expressed are my true and professional bona fide opinions.</i> <i>Nathan Duszynski, ACIEEM</i>	
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SUMMARY

- Greenlight Environmental Consultancy Ltd. has been commissioned to carry out a Shadow Habitats Regulations Assessment (“HRA”) of a site for development at 18 High Street, Lakenheath, Suffolk, IP27 9JS (grid reference: TL 71325 82980).
- West Suffolk Council is, for this project, the competent authority responsible for ensuring that development control decisions do not adversely affect the integrity of Natura 2000 sites.
- This document provides an assessment of the likely significant effects of the proposed development on all European or internationally protected sites within 11km of the proposed site, as well as the necessary information to assist West Suffolk Council to discharge their duty. This document is therefore a *Shadow HRA*.
- The overall study concludes that the proposed development is likely to result in limited but potential negative effects on the nearby Breckland SPA through recreational pressure in the absence of any mitigation measures.
- Information leaflets will be distributed to new residents detailing information of alternative recreation provisions within the local area to help direct pressure away from protected sites.
- The proposed development is of a nature and scale that there are no other significant effects predicted on the integrity of the Natura 2000 network beyond those being mitigated for through this strategy.

1. INTRODUCTION

- 1.1. Greenlight Environmental Consultancy Ltd. has been commissioned to carry out a Habitats Regulations Assessment (“HRA”) of a site for development 18 High Street, Lakenheath, Suffolk, IP27 9JS (grid reference: TL 71325 82980).
- 1.2. Habitats Regulations Assessment is the assessment of the impacts of implementing a plan or policy on a Natura 2000 site. Its purpose is to consider the impacts of a land-use plan against conservation objectives of the site and to ascertain whether it would adversely affect the integrity of the site. Where significant negative effects are identified, alternative options should be examined to avoid any potential damaging effects.
- 1.3. Under Part 6 of the Habitats Regulations (Regulation 61) a “competent authority” is responsible for undertaking an “appropriate assessment” of the impacts of a proposed plan on a European or internationally protected site, if the plan is expected to have a likely significant effect on any European or internationally protected sites, either alone or in combination with other projects.
- 1.4. While it is the duty of the competent authority to undertake the assessment, the applicant is required to provide relevant information to enable the competent authority to make the assessment.
- 1.5. West Suffolk Council is, for this project, the competent authority responsible for ensuring that development control decisions do not adversely affect the integrity of Natura 2000 sites.

2. HRA PROCEDURE

- 2.1. The European Union Habitats Directive protects certain species of plants and animals which are particularly vulnerable. The Directive specifically relates to Special Protection Areas (“SPA”), Special Areas of Conservation (“SAC”) and Ramsar sites known as Natura 2000 sites. The UK Habitats Regulations are used to implement the EU Directive and to ensure that European sites of importance for nature conservation are protected in the determination of a planning application. To enable this, local authorities are required to carry out a Habitat Regulations Assessment, which involved two main tests.
 - i. The process of HRA usually involves an initial “Screening Assessment”, which considers whether or not a project is likely to have a significant effect on a European protected site either alone or in combination with other projects. If the project is not likely to have any significant effects on a European protected site, either alone or in combination with other projects, the HRA procedure is complete and there will be no further constraint to granting the planning permission under these Regulations.

- ii. If the screening finds that the proposals are likely to have a significant adverse impact on a Natura 2000 site, an “Appropriate Assessment” will be required. Following the conclusions of the assessment, the competent authority shall agree to the plan only after having ascertained that no adverse effects will impact the integrity of the protected sites.
- 2.2. Recent case law (‘People Over Wind’ and ‘Sweetman v Coillte Teoranta’) established that mitigation cannot be taken account of at the screening stage of a Habitats Regulation Assessment. Case law has also established that it should be assessed if the proposal will impact site integrity in relation to the individual site conservation objectives.

3. BASELINE INFORMATION

Application proposal

- 3.1. The planning application is for the construction of one new residential dwelling and the retrospective application for an extension to the current building for use as a coffee shop.

West Suffolk Council

- 3.2. The Forest Heath area of West Suffolk Council Site Allocations Local Plan (SALP) (2019) has allocated five areas in Lakenheath for residential and mixed used development. The proposed development site falls within Policy SA7 (SA7(a) Matthews Nursery).
- 3.3. The Joint Development Management Policies Document for West Suffolk (2015) identifies that there are a number of internationally important sites within the two former districts that will be protected. Parts of the Brecks are designated as a SPA and SAC. In accordance with the avoidance measures identified in the former Forest Heath District Council Core Strategy (2010), development which falls within 1,500m of components of the Breckland SPA designated for Stone Curlew and within 400m of components of the Breckland SPA designated for Woodlark or Nightjar require a project level HRA.
- 3.4. The HRA for the Forest Heath District Council Core Strategy Development Plan Document (2009) looked at sites within 20km of the district which included:
 - i. Breckland SPA/SAC
 - ii. Ouse Washes SPA/SAC & Ramsar
 - iii. Rex Graham Reserve SAC
 - iv. Devils Dyke SAC
 - v. Fenland SAC
 - vi. Waveney and Little Ouse Valley Fens SAC

- vii. Norfolk Valley Fens SAC
- viii. Redgrave and Lopham Fen Ramsar
- ix. Chippenham Fen Ramsar
- x. Wicken Fen Ramsar

Visitor survey at European protected sites across Norfolk

- 3.5. A survey was conducted in 2015 and 2016 by Panter *et al.* (2016) which analysed the current and projected visitor patterns to European protected sites across Norfolk.
- 3.6. The survey found that two thirds (66%) of interviewees were on a short trip from home whilst 32% were 'on holiday'. Only 5% of interviewees visiting the Brecks were holidaymakers with 95% visiting from home.
- 3.7. Half of all interviewees from home were also found to live within 11km of the protected site visited (median value).

European protected sites

- 3.8. Considering the findings of the above documents, this *shadow* HRA assesses the likeliness of adverse impacts from the proposed development on all European protected sites located within 11km of the proposed development site. Natura 2000 sites within 11km were found using the government managed website MAGIC. The applicable sites and their conservation objectives are:

- i. Breckland SAC, located approximately 1.78km southeast of the site at the nearest point.

"Site Conservation Objectives (Appendix B, updated February 2019):

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;

- *The extent and distribution of qualifying natural habitats and habitats of qualifying species,*
- *The structure and function (including typical species) of qualifying natural habitats,*
- *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."*

- ii. Breckland SPA, located approximately 3.2km northeast of the site at the nearest point.

Site Conservation Objectives (Appendix B, updated February 2019):

“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;

- *The extent and distribution of the habitats of the qualifying features,*
- *The structure and function of the habitats of the qualifying features,*
- *The supporting processes on which the habitats of the qualifying features rely,*
- *The population of each of the qualifying features, and,*
- *The distribution of the qualifying features within the site.”*

- iii. Rex Graham Reserve SAC, located approximately 8.5km southeast of the site.

Site Conservation Objectives (Appendix B, updated February 2019):

“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;

- *The extent and distribution of qualifying natural habitats,*
- *The structure and function of qualifying (including typical species) natural habitats and,*
- *The supporting processes on which qualifying natural habitats rely,*

4. LIKELIHOOD OF SIGNIFICANT EFFECT

- 4.1. The proposed development is not directly connected with, or necessary to the management of any European protected sites. Therefore, it is necessary to determine whether the proposals are likely to have a significant effect upon the European protected sites to determine if an appropriate assessment is required.
- 4.2. This section assesses whether the proposed development, alone or in combination with other projects, and without mitigation measures, is likely to have a significant effect on any European protected sites presented.

Direct land loss/Annex I habitats to be removed.

- 4.3. The proposed development site lies outside all European protected sites' boundaries.
- 4.4. No land within the Natura 2000 sites will be removed, and no Annex I habitats for which any of the sites are designated will be removed as a result of the proposed plans.

Direct impact on designated protected species (habitat loss, noise, light, visual disturbance and cat predation)

- 4.5. Breckland SPA is located approximately 3.2km northeast of the site at the nearest point. This falls outside of the SPA 1500m and 400m buffers for stone curlew and woodlark and nightjar respectively.
- 4.6. Owing to the distance between the proposed development site and the closest Natura 2000 site (1.73km), no direct impacts are predicted on any of the designated sites through habitat loss, noise, light or visual disturbance.
- 4.7. The proposed development is mixed use with only residential property proposed. Breckland SPA is located 3.2km from the site at the nearest point, which is likely to be further than a domestic cat would travel.

Loss of habitat connectivity

- 4.20. The habitats to be impacted by the proposed development is predominately bare ground and hardstanding. The habitats onsite are not suitable for the species which qualify under the Natura 2000 sites designation.
- 4.21. Furthermore, the development site is not located along, or does not form part of any ecological corridor which is likely to be used by European protected sites' designated species for dispersing or as a significant food resource.
- 4.22. The proposed development is therefore not expected to have any significant impacts on habitat connectivity for the species designated by the Natura 2000 sites.

Degradation of the physical, chemical or biological processes that support habitats and species for which the site was designated (water quality, air quality)

- 4.23. Treatment of foul water will be implemented through the existing sewage system and the surface water will be discharged via soakaway. No impacts to the protected sites are expected from the development site's sewage system.
- 4.24. The proposed development is for residential and hospitality and is therefore not expected to result in the generation of hazardous substances or toxic emissions from combustion or waste.
- 4.25. The construction phase of the development will require the use of machinery and the residential property and café will result in an increase in traffic. The site is already run as a farm shop and therefore the addition of the café is not expected to result in a significant increase in traffic.

In-combination effects

4.26. Breckland SPA covers 39,434ha and spans multiple district council boundaries. It therefore was not possible to ascertain information on all the permitted developments within Breckland SPA and its 1.5km constraint zone. The most noticeable and local developments (within the IP27 9 postcode) within the last five years are detailed below:

West Suffolk Council:

- DC/23/0043/FUL – two new residential dwellings in 2023.
 - DC/22/1678/FUL – one new residential dwelling (conversion) in 2022.
 - DC/21/2321/FUL – one new residential dwelling in 2022.
 - DC/20/2247/FUL – one new residential dwelling in 2021.
 - DC/20/0122/FUL – one office (Class B1) in 2021.
 - DC/19/1727/FUL – two new residential dwellings in 2019.
 - DC/19/1240/FUL – one new residential dwelling in 2019.
- 4.27. Although there has only been permission for a small number of development within the last five years, a reserved matters application is currently live after outline permission was granted for 139 residential dwellings in 2013 (F/2013/0394/OUT).
- 4.28. The proposed development is for a single residential development which is expected to have minimal impacts on statutory protected sites. The proposal for a café is not expected to impact statutory protected sites with visitors likely to come from the local area.
- 4.29. Although other developments may negatively impact these sites, there will be a minimal increase from in-combination impacts as a result of the proposed development.

Indirect impacts on species for which the sites are designated due to loss or degradation of their habitat (recreational pressure)

- 4.30. The main impact predicted from the proposed development on the protected sites is an increase in recreational pressure from residents.
- 4.31. The café is likely to be used by local residents and therefore it is not expected to result in an increase in visitors to protected sites.
- 4.32. Residents are likely to use the protected sites for walking, dog walking, wildlife viewing and other activities such as cycling. Such activities have the potential to disturb the designated species and to damage the habitats of the protected sites through trampling, disturbance and dog-fouling.

- 4.33. The proposed development is located 1.73km from the closest protected site (Breckland SAC), however the component closest to the proposed development is located within RAF Lakenheath and therefore not accessible to the public.
- 4.34. The closest component to the Breckland SPA is >3km and is farmland and therefore unlikely to be visited by new residents. However, areas of forestry within the SPA are located within 5km and therefore likely to be utilised by new residents.
- 4.35. The proposed development is situated in an area with opportunities for recreation which could take away the pressure from protected Natura 2000 sites.
- 4.36. Maidencross Hill SSSI is located approximately 1.2km southeast of the site, however the condition of the SSSI is declining and sensitive to recreational impacts.
- 4.37. There are public footpaths to the west of the site starting at the community centre. There are also playing fields to the south of Lakenheath, which provides alternative opportunities for recreation in the area.
- 4.38. The proposals are for one residential dwelling and a café and therefore provision for alternative open space is not available, however the dwelling includes a garden for amenity.
- 4.39. Although there will be an increase in recreational pressure from the development, this is not considered significant due to being limited to one dwelling.

5. MITIGATION TO ADDRESS LIKELY SIGNIFICANT EFFECTS

- 5.1. The overall study concludes that the proposed development is likely to result in limited but potential negative effects on the nearby Breckland SPA through recreational pressure from the new residential dwelling.
- 5.2. The predicted impacts and the associated mitigation measures recommended to minimise the negative effects on protected site are as follows:
 - i. To mitigate for the increase in recreational pressure and to promote recreation away from protected site, leaflets will be issued to the new residents of the proposed dwelling with information about local footpaths in the vicinity of the site.
- 5.3. After the implementation of these mitigation measures, there will be negligible impacts upon statutory protected sites and their qualifying features.
- 5.4. The proposed development is of a nature and scale that there are no other significant effects predicted on the integrity of the Natura 2000 network beyond those being mitigated for through the strategy.

6. BIBLIOGRAPHY

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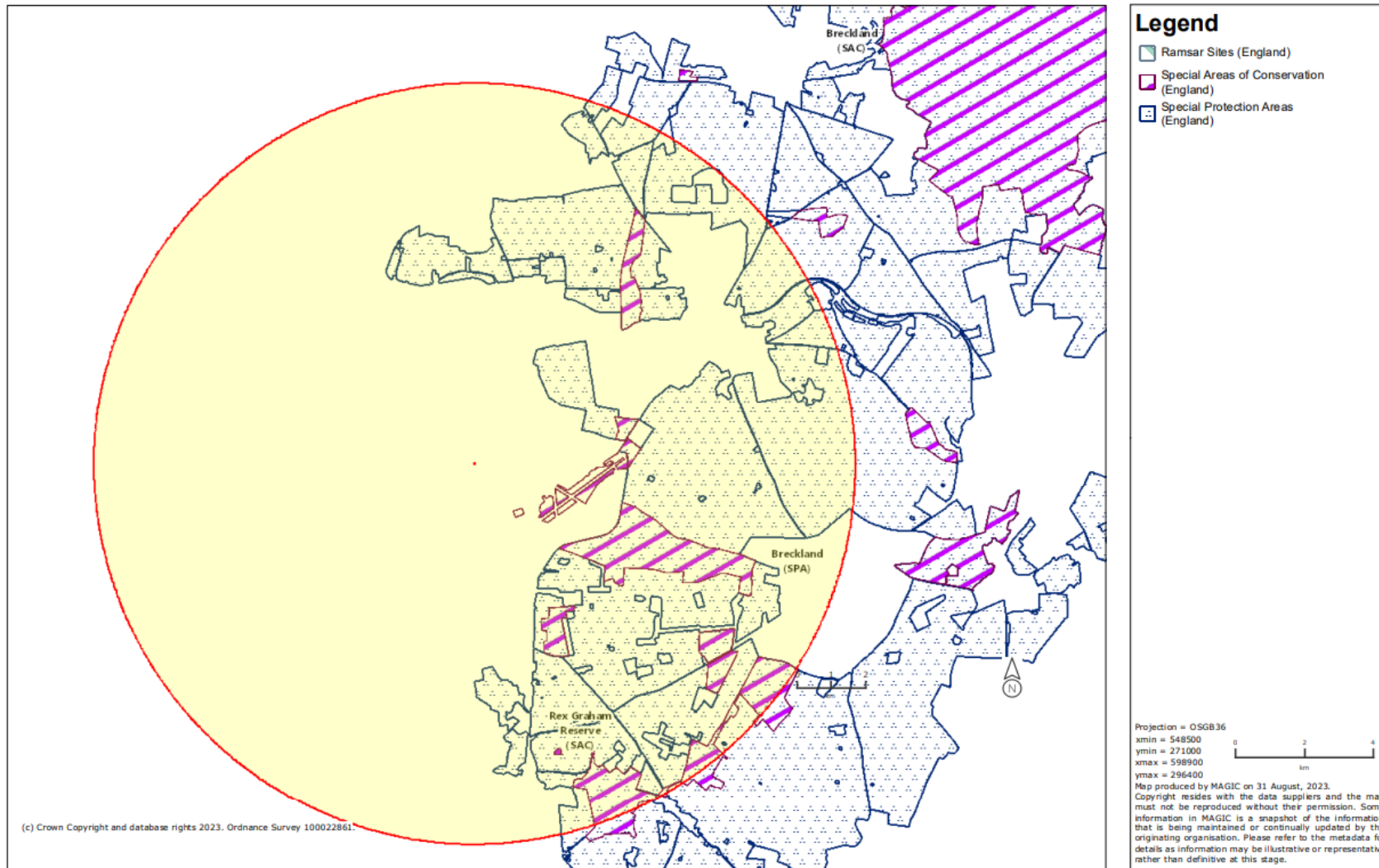
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Appendix A
Map of protected sites within 2km

MAGiC

Magic Map



Appendix B

Protected Site Conservation Objectives

**European Site Conservation Objectives for
Breckland Special Protection Area
Site Code: UK9009201**



With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

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;

- **The extent and distribution of the habitats of the qualifying features**
- **The structure and function of the habitats of the qualifying features**
- **The supporting processes on which the habitats of the qualifying features rely**
- **The population of each of the qualifying features, and,**
- **The distribution of the qualifying features within the site.**

This document should be read in conjunction with the accompanying *Supplementary Advice* document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

Qualifying Features:

- A133 *Burhinus oedicnemus*; Stone-curlew (Breeding)
- A224 *Caprimulgus europaeus*; European nightjar (Breeding)
- A246 *Lullula arborea*; Woodlark (Breeding)

European Site Conservation Objectives for Breckland Special Area of Conservation Site Code: UK0019865



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;

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;

- **The extent and distribution of qualifying natural habitats and habitats of qualifying species**
- **The structure and function (including typical species) of qualifying natural habitats**
- **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.**

This document should be read in conjunction with the accompanying *Supplementary Advice* document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

Qualifying Features:

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

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

H4030. European dry heaths

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

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

S1166. *Triturus cristatus*; Great crested newt

* denotes a priority natural habitat or species (supporting explanatory text on following page)

**European Site Conservation Objectives for
Rex Graham Reserve Special Area of Conservation
Site code: UK0019866**



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;

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;

- **The extent and distribution of qualifying natural habitats**
- **The structure and function (including typical species) of qualifying natural habitats, and**
- **The supporting processes on which qualifying natural habitats**

This document should be read in conjunction with the accompanying *Supplementary Advice* document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

Qualifying Features:

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)*

* denotes a priority natural habitat or species (supporting explanatory text on following page)

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Appendix C

Red line boundary

