Suffolk Coastal Local Plan Examination

Hearing Day 9

Matter 4 Policies

Note on Policy SCLP10.1: Biodiversity and Geodiversity

1. This note responds to an action arising from the Matter 4 hearing session (Friday 20th September) to reconsider the wording in the final paragraph of Policy SCLP10.1: Biodiversity and Geodiversity. Policy SCLP10.1: Biodiversity and Geodiversity can be viewed on page 156 of the Final Draft Local Plan (Document A1).

2. Inspector’s question 4.31 asked whether the approach in the policy regarding the requirement for developers to make financial contributions towards the provision of strategic mitigation was consistent with paragraph 34 of the NPPF, and whether the effect of any contribution had been assessed in terms of viability. The Council provided a response to this on page 37 of its Matter 4 statement.

3. During the hearing session there was further discussion around the relationship between the habitat mitigation contribution and other requirements such as SANG provision. This note and modification responds to that.

4. The Council’s approach to the mitigation of impacts on European Sites from increased recreational disturbance is set out in the Recreation disturbance Avoidance and Mitigation Strategy (RAMS) (Document H19). The RAMS document sets out a mechanism through which financial contributions can be collected and fed into a strategic mitigation scheme to ensure the co-ordinated delivery of mitigation measures.

5. The proposed modification to the final paragraph of Policy SCLP10.1 set out below, is considered to better reflect the approach set out in the RAMS document and the requirements of the Conservation of Habitats and Species Regulations 2017, as amended. The modification ensures that the mitigation measures are secured, either through a RAMS payment or alternative mechanisms. The modification also reflects the fact that the RAMS document has now been finalised.

6. The Council’s response to question 4.31, included a modification to Policy SCLP10.1 (see para 159 of the Matter 4 hearing statement). The modification set out below supersedes the modification included in the Council’s earlier hearing statement.
7. Modifications are shown in **strikethrough** for deleted text and in **underline** for additional text. The Council will include this revised wording in the schedule of modifications that is being collated as part of the Examination.

Modifications to Paragraph 10.16:

“The high quality natural environment is important to many local communities as it positively contributes to quality of life, quality of place and mental health. The Council recognises that issues relating to biodiversity and geodiversity need to be considered collaboratively with businesses and other stakeholders to ensure that natural assets are protected. To address the impact of development on the European Sites across the District, the Council has been working in partnership with Waveney District Council, Ipswich Borough Council, Babergh and Mid Suffolk District Councils, Suffolk County Council and Natural England to develop a Recreational disturbance Avoidance and Mitigation Strategy (RAMS). The strategy provides the practical basis and evidence to identify projects to mitigate the impact of new development on the protected sites. In the majority of cases, a RAMS contribution will be the council’s preferred mechanisms for securing mitigation.

10.17 With respect to the effect of increased recreational use of European sites as the result of Special Protection Areas (SPAs) in large scale developments throughout the District, the approach adopted has been to provide Suitable Alternative Natural Greenspaces (SANGs) as part of development proposals. Such an approach has been successfully implemented in developments such as the ‘Brightwell Lakes’ development of approximately 2,000 dwellings in the south of the District. Likewise, compensatory areas have been provided at Sizewell Nuclear Power plants to mitigate the effects of development on SSSIs. In the interests of ensuring the continued effectiveness conservation of mitigation measures such as SANGs and compensatory areas, they will be protected in perpetuity. considerable weight should be afforded to the conservation of such measures where they are included as part of large scale development proposals.”

Modifications to Policy SCLP10.1:

8. Final paragraph - “Any development with the potential to impact on a Special Protection Area, a Special Area for Conservation or Ramsar site within or outside of the District will need to be supported by information to inform a Habitat Regulations Assessment, in accordance with the Conservation of Habitats and Species Regulations 2017, as amended (or subsequent revisions).

The Recreational disturbance Avoidance and Mitigation Strategy has been prepared to provide a mechanism through which impacts from increased recreation can be avoided and mitigated via financial contributions towards the provision of strategic mitigation. Where mitigation is provided through alternative mechanisms, applicants will need to provide an Appropriate Assessment to demonstrate that all impacts are mitigated for, including in-combination effects. Depending on the size and location of the development, additional measures such as Suitable Alternative Natural Green Spaces (SANGS) may be required as part of development proposals.
A Supplementary Planning Document will be prepared to assist with the implementation of the strategic Recreational disturbance Avoidance and Mitigation Strategy in order to mitigate for potential adverse effects arising from new growth on Special Protection Areas, Ramsar Sites and Special Areas of Conservation. The Council will work with neighbouring authorities and Natural England to develop and implement this strategy. The strategy will include a requirement for developers to make financial contributions towards the provision of strategic mitigation within defined zones.”

9. As a result of the above modification there is a consequential change to paragraph 10.22. This ensures consistent wording throughout the Local Plan in relation to the Recreational disturbance and Mitigation Strategy.

Modifications to Paragraph 10.22:

“The Council has prepared a ‘Recreational disturbance Avoidance and Mitigation Strategy’ (RAMS) with Babergh and Mid Suffolk District Councils, Ipswich Borough Council and Waveney District Council. The strategy will review and monitor effectiveness and amend the approach as deemed necessary.”

10. Also for consistency, the heading at the top of page 157 of the Local Plan should be changed to reflect the title of the relevant policy. This reflects the approach taken in the rest of the plan:

Modification to page 157:

“Visitor Management of European Sites Access to the Special Protection Areas”