

The Conservation of Habitats and Species Regulations 2010

Regulation 61 Assessment for Suffolk Local Transport Plan 3

1. Introduction:

This is a strategic level Habitats Regulations Assessment pursuant to Regulation 61 of **Conservation of Habitats and Species Regulations 2010**. Habitats Regulations Assessment (HRA) is the scoping assessment of the impacts of a land use proposal against the conservation objectives of a **Natura 2000** site. 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.

It is required because, in 2009, the Department of Transport issued guidance that Local transport authorities need to consider if their Local Transport Plan is likely to have a significant effect on a European site. If a significant effect is likely, the Plan must be subject to an Appropriate Assessment and Statutory environmental bodies should be consulted.

This is because in October 2005, the European Court of Justice ruled that the United Kingdom was obliged to carry out an Appropriate Assessment of any land use plan that might impact upon a designated Natura 2000 site.

The legal basis for the HRA process stems from the EC **Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats & of Wild Flora & Fauna)** passed in to domestic law by way of the **Habitat Regulations (Conservation (Habitats &c) Regulations, 1994)**. This was superseded in April 2010 by the **Conservation of Habitats and Species Regulations 2010**. As a consequence, any proposal that is not part of a specific management prescription that is reasonably likely to have a significant effect on a Natura 2000 site must be subject to Appropriate Assessment (AA).

Projects and proposals should only be permitted when it has been proven that there will be no adverse effects on the integrity of a European Designated Site. The legislation can allow projects that may result in negative impacts on the integrity of a site if there are imperative reasons of overriding public importance, however these will require suitable compensation to ensure that the overall coherence of the series of such sites is retained.

The Legislation:

<p>Assessment of implications for European sites and European offshore marine sites Regulation 61.—(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—</p>
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- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
- (b) is not directly connected with or necessary to the management of that site,
- must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.
- (2) A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable them to determine whether an appropriate assessment is required.
- (3) The competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specify.
- (4) They must also, if they consider it appropriate, take the opinion of the general public, and if they do so, they must take such steps for that purpose as they consider appropriate.
- (5) In the light of the conclusions of the assessment, and subject to regulation 62 (considerations of overriding public interest), the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).
- (6) In considering whether a plan or project will adversely affect the integrity of the site, the authority must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which they propose that the consent, permission or other authorisation should be given.
- (7) This regulation does not apply in relation to a site which is—
- (a) a European site by reason of regulation 8(1)(c), or
- (b) a European offshore marine site by reason of regulation 15(c) of the 2007 Regulations (site protected in accordance with Article 5(4) of the Habitats Directive).
- (8) Where a plan or project requires an appropriate assessment both under this regulation and under the 2007 Regulations, the assessment required by this regulation need not identify those effects of the plan or project that are specifically attributable to that part of it that is to be carried out in Great Britain, provided that an assessment made for the purpose of this regulation and the 2007 Regulations assesses the effects of the plan or project as a whole.

For the purposes of this Regulation, Suffolk County Council is the “**competent authority**”.

2. The Proposal – Suffolk's Local Transport Plan 3

Suffolk's local transport plan is in two parts. The first sets out the county council's long-term transport strategy to 2031. The second part is an implementation plan, setting out how the strategy could be delivered over the short, medium and long term, using a variety of funding and delivery mechanisms. This includes a short-term programme of county council investment for the next four years. The implementation plan will be reviewed over time to take account of any changes in priorities and funding levels.

The proposal aims to provide more effective use of Suffolk's transport network and reduce the level of demand for car travel. In the county's larger towns this will see the development of facilities to make walking; cycling and public transport a viable alternative to personal transport. In order to meet these local transport aims seven objects are proposed. The plan hopes to see the commencement and completions of:

- Dualling of the A11;
- The Ipswich major scheme, 'Ipswich- Transport fit for the 21st Century';
- The Beccles rail loop;
- The Beccles southern relief road;
- The Lowestoft A12 northern spine road;

- Ipswich rail chord;
- Copdock Interchange improvements.

3. Scoping the HRA Process:

To demonstrate sequential progress through the HRA process, this HRA has followed the flowchart in Natural England's document HRA of LDDs Revised Feb 09 Fig 1. As the LTP3 is not directly connected with or necessary to the nature conservation management of a European site, it is necessary to follow the HRA process as set out below:

(a) Identification of all European Sites that could sustain significant effects from the Proposal:

This information is available to Suffolk County Council from the regularly updated records held in our MapInfo system. This produces accurate information on each site including the name, Joint Nature Conservation Committee (JNCC) code, location and area. We also hold paper records of each designated site and are able to use the publically accessible parts of the JNCC website to confirm information. The MapInfo record is updated by Suffolk Biological Records Centre (SBRC) periodically, as appropriate.

As part of the Habitats Regulations Assessment it is necessary perform a site screening exercise to consider which sites may or may not be affected by the LTP3. This exercise is carried out to ensure that all sites and all site interest features that are likely to be significantly affected by the LTP3 have suitable avoidance measures applied.

(b) Acquisition, examination and understanding of the Conservation Objectives for each European site that could potentially be affected.

The relevant information on the Conservation Objectives for the European interest on each relevant SSSI compartment within the SPA or SAC likely to be affected has been obtained from Natural England. The complete list of Conservation Objectives is shown in Table 1. This information has been considered in detail by Suffolk County Council's Senior Ecologist.

(c) Consideration of the effects of the Proposal and the likely impact that it might have on any European Sites.

Overall the proposed plan will have strong beneficial impacts on health, social, community and accessibility for residents and the economy of Suffolk. The most significant effects of the third Local Transport Plan policies will be on reducing carbon emissions, reducing road accidents and encouraging indigenous and inward investment.

The matters of concern for each of the Natura 2000 sites listed include:

- **Breckland SPA** – impacts on internationally important populations of **Stone-curlew, Woodlark and Nightjar** and disturbance of these Annex 1 birds
- **Breckland SAC** – impacts on habitats of internationally important populations of **Stone-curlew, Woodlark and Nightjar** and disturbance of these Annex 1 birds
- **Stour & Orwell Estuary SPA** - impacts on numbers or displacement of wintering birds from reference levels and obstructions to existing bird view lines.
- **Broads SAC** - impacts on habitats for the populations of **Otter & Desmoulin's whorl snail**
- **Broadland SPA** - impacts on habitats for non-migratory bird species of European importance (**Marsh harrier, Hen harrier** for both sites; **Whooper swan** and **Ruff** for Barnby Broad and Marshes; **Bittern** for Sprat's Water and Marshes). Also impacts on habitats for migratory bird species of European importance (**Pink-footed goose** in just the Sprat's Water and Marshes, **Gadwell** and **Shoveler**).

(d) Assessment of Implications and Consultation pursuant to Regulation 102 of the Conservation of Habitats and Species Regulations 2010:

The potential implications for the relevant SPA or SAC sites include factors such as the direct effect of road improvements eg habitat loss, disturbance, pollution and the indirect effect of disturbance to Annex I birds. These potential issues have formed the basis of Suffolk County Council's consultations with Natural England, RSPB and Suffolk Wildlife Trust.

(e) Dealing with negative and potentially negative impacts on the features of European interest.

Natural England and RSPB were consulted on the draft LTP3 document and their responses indicated that the aspiration for a Brandon bypass or relief road was likely to result in adverse impacts on the designated features of the statutory sites (Breckland SPA and its component SSSIs). The document needs to be revised to ensure that any development that would be likely to have a likely significant effect, either alone or in combination, would not be in accordance with the Local Transport Plan.

(f) Mitigation

During the consultation process, Natural England have raised various concerns, stating that it needs to be revised to

- **include “policies, programmes & solutions that protect and enhance landscape, biodiversity, geodiversity and soils.”**
- **“fully evaluate the strategic need for a Brandon bypass, taking into account improvements to A11 by dualling and the housing allocation need”**
- **“recognise the importance of rights of way, quality greenspaces, greenways and corridors, for an effective non-motorised urban transport network threading through urban areas and linking to more rural areas”**
- **pursue “asset management that includes part-night lighting and dimming of street lighting”**

to mitigate of any likely significant effects upon Natura 2000 sites.

The mitigation requires including all the recommendations identified by the Sustainability Appraisal and the consultation response comments made by Senior Ecologist in terms of text revisions to ensure there will be no likely significant effects. This includes revising the text relating to any project with a likely significant effect on a European Site e.g a Brandon relief road, identifying the need to scope for a project level HRA at application stage and remove all references to the location/direction of such a project. It will also be necessary to identify the need for adequate mitigation, compensation and possibly biodiversity offsetting in conjunction if developer funding is available for this scheme in the future. If it cannot be ascertained that there would be no adverse effects on site integrity the project will have to be refused or pass the tests of Regulation 62, in which case any necessary compensatory measures will need to be secured in accordance with Regulation 66.

4. European Sites potentially affected by the LTP3

Within the County of Suffolk, there are 18 Natura 2000 sites; 10 **Special Areas for Conservation (SACs)** and 8 **Special Protection Areas (SPAs)**. There are additional Natura Sites within the 20km buffer recommended although all the out of county and the majority of the remaining sites have been screened out of the process as they are too distant from transport schemes to potentially sustain a significant effect. The European Sites which potentially could be affected by this proposal - together with the Conservation Objectives for the features of

European interest on their component Sites of Special Scientific Interest (SSSI) are set out in Table 1: “**SACs & SPAs and their Conservation Objectives**” below.

Table 1: SACs & SPAs, their Conservation Objectives and relevant targets:

Special Areas of Conservation (SAC)/Special Protection Areas (SPA)	Relevant SSSI Compartment	Conservation Objectives for the European interests on the SSSI, with potentially relevant targets included (For the purpose of this plan, maintenance implies restoration if the feature is not currently in favourable condition)
<p>Breckland SPA and Breckland SAC</p>	<p>Breckland Farmland and Breckland Forest SSSIs Lakenheath Warren SSSI RAF Lakenheath SSSI Wangford Warren & Carr SSSI</p>	<p>The Breckland Farmland SSSI’s objective is to maintain, in favourable condition, the habitats of internationally important populations of Stone-curlew, in Heathland, Arable land or Grassland. The SSSI target, relevant to this plan are:</p> <ul style="list-style-type: none"> - No significant displacement or reduction in populations from human disturbance. <p>The Breckland Forest SSSI’s objective is to maintain, in favourable condition, the habitats of internationally important populations of Woodlark and Nightjar in Coniferous woodland and Heathland. The joint SSSI targets, relevant to this plan for Woodlark and Nightjar populations are:</p> <ul style="list-style-type: none"> - No significant displacement of the birds from human disturbance. <p>The Lakenheath Warren SSSI’s objective is, to maintain in favourable condition, semi-natural dry grasslands and scrubland facies on calcareous substrates and European dry heaths and the habitats for the population of Woodlark, Stone Curlew and Nightjar. The Wangford Warren and Carr SSSI’s objective is, to maintain in favourable condition for the population of Woodlark, Stone Curlew and Nightjar, inland dunes with open <i>Corynephorus</i> and <i>Agrostis</i> grasslands; heathlands, acid grassland and chalk grassland and/or inland dune communities. The SSSI target for both SSSIs, relevant to this plan is:</p> <ul style="list-style-type: none"> - No significant reduction or displacement of these Annex 1 birds attributable to human disturbance in relation to reference level. <p>The RAF Lakenheath SSSI’s objective is, to maintain in favourable condition, inland dunes with open <i>Corynephorus</i> and <i>Agrostis</i> grasslands and semi-natural dry grasslands and scrubland facies on</p>

<p>Stour & Orwell Estuary SPA</p>	<p>Stour & Orwell Estuaries SSSIs</p>	<p>calcareous substrates. However none of the SSSI targets are relevant to this plan.</p> <p>The Stour Estuary SSSI's objective is, subject to natural change, to maintain in favourable condition, the habitats of important European populations of intertidal mudflat and saltmarsh birds. These birds are: golden plover; black-tailed godwit; dark-bellied Brent goose; dunlin; grey plover; redshank; ringed plover; shelduck; turnstone.</p> <p>The SSSI targets, relevant to this plan are:</p> <ul style="list-style-type: none"> - No significant reduction in numbers or displacement of wintering birds (measured as % of European population), from reference levels. - No significant increase in obstructions to existing bird view lines. <p>The Orwell Estuary SSSI's objective is, subject to natural change, to maintain in favourable condition, the habitats of European important populations of intertidal mudflat and saltmarsh birds. These birds are: black-tailed godwit; dark-bellied Brent goose; dunlin; grey plover; redshank; ringed plover; shelduck; turnstone.</p> <p>The SSSI targets, relevant to this plan are the same targets as previously stated for the Stour Estuary SSSI.</p>
<p>Broads SAC and Broadland SPA</p>	<p>Barnby Broad and Marshes SSSI Sprat's Water and Marshes SSSI</p>	<p>The Barnby Broad and Marshes SSSI's and the Sprat's Water and Marshes SSSI's joint objectives are:</p> <p>To maintain, in favourable condition, the:</p> <ul style="list-style-type: none"> • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i>. • Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Carex davalliana</i>. • Natural eutrophic lakes with <i>Magnopotamion</i> or <i>Hydrocharition</i>-type vegetation. <p>To maintain, in favourable condition, the habitats for the populations of:</p> <ul style="list-style-type: none"> • Otter (<i>Lutra lutra</i>) • Desmoulin's whorl snail (<i>Vertigo moulinsiana</i>) <p>To maintain, in favourable condition, the habitats for non-migratory bird species of European importance (Marsh harrier, Hen harrier for both sites; Whooper swan and Ruff for Barnby Broad and Marshes; Bittern for Sprat's Water and Marshes). Also to maintain, in favourable condition, the habitats for migratory bird species of European importance (Pink-footed goose in just the Sprat's Water and Marshes, Gadwell and Shoveler in both SSSI). With</p>

		<p>particular reference to:</p> <ul style="list-style-type: none"> • Open water • Swamp • Fen • Lowland wet grassland with ditches and water bodies. <p>To maintain, in favourable condition, the habitats of waterfowl that contribute to the wintering waterfowl assemblage of the Broadland SPA with particular reference to:</p> <ul style="list-style-type: none"> • Open water • Swamp, fen and lowland wet grassland with ditches and water bodies. <p>The Barnby Broad and Marshes SSSI's separate objectives are to maintain, in favourable condition, the:</p> <ul style="list-style-type: none"> • Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> species. • <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>). <p>The Sprat's Water and Marshes SSSI's separate objectives are to maintain, in favourable condition, the:</p> <ul style="list-style-type: none"> • Alkaline fens • Transition mires and quaking bogs <p>To maintain, in favourable condition, the habitats for non-migratory bird species of European importance (Marsh harrier, Hen harrier and Bittern) and migratory bird species of European importance (Pink-footed goose, Gadwell and Shoveler). With particular reference to:</p> <ul style="list-style-type: none"> • Reedbed <p>The joint SSSIs' targets, relevant to this plan are:</p> <ul style="list-style-type: none"> - No significant change in the hydrology, water levels and water regimes of the any of the previously stated types of water bodies. <p>In the Alluvial forests there are no relevant targets to this plan.</p> <p>In natural eutrophic lakes the relevant target is:</p> <ul style="list-style-type: none"> - Total phosphorus levels should not exceed $100\mu\text{g l}^{-1}$ and should not fall below $65\mu\text{g l}^{-1}$ <p>In the hard oligo-mesotrophic waters the relevant target is:</p> <ul style="list-style-type: none"> - <i>Chara</i> lakes phosphorus levels should not exceed $30\mu\text{g l}^{-1}$ <p>The relevant targets for Otters are:</p> <ul style="list-style-type: none"> - No significant change in human river bank
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		<p>side usage</p> <ul style="list-style-type: none"> - No significant development of public access to river <p>The relevant targets for grasslands in the are:</p> <ul style="list-style-type: none"> - No significant reduction in roosting areas for important national and important European bird species. - No significant obstruction of view lines for important European bird species, in feeding and roosting areas, during the winter season
<p>Minsmere-Walberswick SPA and SAC</p>	<p>Minsmere to Walberswick Heath and Marshes SSSI</p>	<p>Subject to natural change, to maintain, in favourable condition, the:</p> <ul style="list-style-type: none"> • Annual vegetation of drift lines • Perennial vegetation of stony banks <p>To maintain, to maintain, in favourable condition, the:</p> <ul style="list-style-type: none"> • European dry heaths <p>To maintain, in favourable condition, the habitats for the populations of Annex 1 species of European importance¹ with particular reference to:</p> <ul style="list-style-type: none"> • Shingle • Swamp, marginal and inundation communities • Saltmarsh • Standing water • Grassland • Heathland <p>¹Avocet, Bittern, Little Tern, Marsh Harrier, Nightjar, Woodlark, Hen Harrier.</p> <p>To maintain, in favourable condition, the habitats for the populations of migratory bird species of European importance² with particular reference to:</p> <ul style="list-style-type: none"> • Grassland, marsh and standing water <p>²Gadwall, Teal, Shoveler, European White-Fronted Goose.</p>

5. Assessing the Likely Significant Effects of the Proposal on the Conservation Objectives for the Features of European Interest on each SSSI:

The European Court of Justice has held that any effect likely to undermine the conservation objectives of a European site should be regarded as a likely significant effect in this context. All of the stages of the HRA process outlined in section 3 above have been consolidated into the Table 2 below. Each policy has been looked at carefully, guidance has been taken from all of the sources described in 2(b) and the range of impacts described in 2(c) applied to the Conservation Objectives listed in Table 1.

This has enabled us to categorise the likely impacts as either “Negative Effects”, “No Effects” or “Positive Effects”. These conclusions have been arrived at by using our professional judgement based on the available evidence (referred to above) and our knowledge of the sites (often personal) and the types of habitats and species found there.

Table 2 “Impacts of the Suffolk Local Transport Plan 3 on European Sites”

The policies are split into five categories, with policies of 1 relating to **transport and economy**, 2 relating to **carbon reduction**, 3 relating to a **safer and healthier** county, 4 relating to **urban areas** and finally category 5 relating to **rural areas**. For the purpose of this table “European sites” only relates to the three sites identified in Table 1.

Symbol:	Key:
✘	Negative Effects
○	No Effects
✓	Positive Effects

LTP3 Policy No (as referred to in SA):	Policy:	Explanation:	Impact: ST=Short Term LT=Long Term	Comments
1.1	The challenge of maintaining the highway network in good condition	Providing good condition highways with particular benefit for road haulage and distribution, whilst encouraging good quality A roads promoting businesses to locate within the county. The Policy will also aim to improve road safety, with the particular aim to improve cyclists’ safety within the county.	ST: ✘ LT: ○	There is potential that some short term negative effects may be subjected upon the European sites, dependant on the location of road improvement works. However there will be no effects on these sites in the long term . The improved roads may experience less congestion, therefore may experience positive effects.
1.2	Tackling congestion in the larger towns by more efficient management of traffic, reducing the demand for car travel and promoting more sustainable means of travel	Likely to encourage walking and cycling within the county. Will increase efficiency of traffic management, thus improving air quality in larger towns. No major physical works will be needed in the implementation of this policy.	ST: ○ LT: ○	There will be no significant short term or long term effects , upon the European sites, predicted from this policy.

<p>1.3</p>	<p>Improved connectivity and accessibility in rural areas</p>	<p>Likely to lead to improved rights of way in rural areas, again encouraging walking and cycling. Also this policy aims to improve accessibility to public transport within rural areas. Will require physical works within rural areas.</p>	<p>ST: ✘ LT: ✘</p>	<p>There is potential for some short term negative effects upon the European sites from the physical construction works within the rural areas. There could be some significant long term effects upon the sites where the rights of way are improved or enhanced as they will be used by pedestrians and cyclists, leading to increased disturbance of sensitive habitats and species from potential increased recreational pressure e.g. Breckland SPA and Stour & Orwell SPA.</p>
<p>1.4</p>	<p>Seeking improvement to the A11, A12 and A14 trunk roads connecting businesses in Suffolk to each other and to their markets</p>	<p>The policy aims to reduce road congestion and improve accessibility. As works will take place on the large A roads of the county substantial physical works could be undertaken.</p>	<p>ST: ✘ LT: ✘</p>	<p>There is potential for some significant short term negative effects upon the European sites, particularly the Breckland SPA, from the physical construction works that the A11 improvement and the Fiveways junction will need.</p> <p>The increased levels of traffic that the main Suffolk A roads will experience from this may have long term negative effects upon any of the European sites in the county.</p>
<p>1.5</p>	<p>Seeking improvement to the rail network for freight and passengers</p>	<p>The policy could reduce car use and road congestion; reducing journey times and benefitting air quality. This policy will encourage physical works by the rail industry.</p>	<p>ST: ✘ LT: ✘/✓</p>	<p>There is potential for some significant short term negative effects upon the European sites, from rail improvements. The Breckland SPA may be negatively affected by the Ely to Newmarket rail link.</p> <p>The long term effects experienced by the sites may be positive or negative. There may be increased usage of the rail network, resulting in increased numbers of trains travel through the areas (negative), however this could also lead to positive effects as this may reduce the traffic</p>

				loads on the roads in the areas.
1.6	Relief for our market towns suffering from high levels of through traffic	This policy aims to reduce freight movement through Suffolk's market towns and encourage sustainable travel for local trips.	ST: ○ LT: ○	There will be no short term or long term effects upon the European sites, from this policy. As this policy focuses only on the already semi-built up market towns of Suffolk.
1.7	Securing high speed broadband throughout Suffolk	Improvement of access to services particularly in rural areas is the main aim of this policy; with the aim to reduce the need to travel. This policy will require minor physical works from new data line installations.	ST: ○ LT: ○	There will be no short term or long term effects upon the European sites, from this policy. As no major physical work within the sites will be needed.
2.1	Encouraging the use of more sustainable forms of transport	Again this policy will encourage walking and cycling within the county; thus reducing the demand on roads. Small amounts of physical works are predicted from this policy as cycle lane construction will be the only main construction need arising from this policy.	ST: ○ LT: ○	There will be no short term or long term effects upon the European sites, from this policy. Due to this scheme providing alternative transport means predominantly in Suffolk's larger towns, not in areas surrounding the SSSIs.
2.2	Improving the efficiency of the highway network to reduce delays to journeys	Increasing efficiency of traffic management is the main aim of this policy. Effective highways will encourage business location within the county. Therefore although there are little physical works that will be need for the implementation of this policy, there may be an increase in construction within the area, as an indirect impact from this policy.	ST: ✘ LT: ○	There may be small short term negative effects from this policy from the initial physical works. There will be no direct long term effects from this policy.
2.3	More sustainable	This policy will promote the use of recycled and	ST: ✓	The only short term or long term effects arising from this

	processes and use of materials to reduce impact of construction and maintenance	other sustainable construction materials. This will have effect upon most of the other policies included in this strategy.	LT: ✓	policy would be positive as this policy reduces the negative effects of some of the other policies.
2.4	Supporting developments in alternative fuel types	The policy will encourage a reduction in carbon emission; therefore improving air quality.	ST: ✓ LT: ✓	The only short term or long term effects arising from this policy would be positive as this policy reduces the negative impacts of any increased travel that may arise from other policies.
2.5	Promoting technological improvements such as teleconferencing	Encouraging the use of technological improvements, to reduce the need for travel is the main aim of this policy. Many of these improvements will also prove more energy efficient than current technologies; for example teleconferencing reduces the need for travel, thus reducing carbon emissions.	ST: ✓ LT: ✓	The short term and long term effects from this policy will be positive, as it promotes less travel through the European sites.
Extra policy since SA	Investing in intelligent lighting including part night lighting and dimming	This policy will encourage a reduction in the carbon footprint from these assets; therefore improving air quality.	ST: ✓ LT: ✓	The short term or long term effects arising from this policy would be positive as this policy reduces the negative impacts of any increased travel that may arise from other policies.
3.1	Creating pedestrian friendly environments and support active transport	As stated in the title of this policy the aim is to promote walking over short distances, whilst improving road congestion and reduce the need for large physical road improvements. The creation of pedestrian environments may require some physical works, however most of these works will take place inside built up areas.	ST: ○ LT: ○	There will be no short term or long term effects upon the European sites resulting from this policy as it will only influence built up areas.

3.2	Promoting road safety through education	This policy is an educational policy, therefore will have no significant physical effect. However it will encourage the appropriate use of new services provided by other policies.	ST: ○ LT: ○	There will be no short term or long term effects upon the European sites resulting from this policy as it has no physical impacts associated with it.
3.3	Educating front-line health workers about transport options and the importance of communicating these to patients	As with many of the policies within this strategy the main aim of this policy is to promote cycling and walking as a viable commuting method for those workers that live close enough to their work. Again aiding the general strategy of reducing the traffic levels of Suffolk's roads.	ST: ✓ LT: ✓	There will be positive short term and long term effects from this policy as it aims to reduce the levels of traffic on all of Suffolk's roads, including those in and around the European sites.
3.4	Supporting engineering and enforcement to reduce the number of road crashes	This policy's will to promote and support engineering works, mainly in built up areas, with the primary aim of reducing road collisions. The new engineering works may also include adaptations to combat climate change concerns (e.g. flood risk).	ST: ✗ LT: ○	There may be negative effects upon the European sites in the short term as accident hot spots may fall on roads in and around the sites and therefore may be subjected to engineering works. However in the long term these should have little effect upon the sites.
4.1	Reduce demand for car travel	This policy, along with the others that lie along the same line, will promote the government's drive towards 'active travel'. The aim is to encourage more people to walk and cycle more often and more safely.	ST: ✓ LT: ✓	There will be positive short term and long term effects from this policy as it aims to reduce the levels of traffic on all of Suffolk's roads, including those in and around the European sites.
4.2	Making efficient use of transport networks	Increasing efficiency of transport networks will be promoted through this policy. The policy's	ST: ✓ LT: ✓	There will be positive short term and long term effects from this policy as it aims to reduce the levels of traffic on

		objectives fall mainly into operational strategies rather than engineering based objects, therefore the strategy will require little physical construction.		all of Suffolk's roads and rail lines, including those in and around the European sites, little physical construction required.
4.3	Improve infrastructure for sustainable transport	This policy could potentially lead to significant construction. To produce the benefits to health and social communities many physical works may need to be undertaken, including but not excluded to: tree removal from urban areas and increased signage and variable message signs.	ST: ✘ LT: ○	In the short term the construction needed for this policy may have negative effects, dependant on where the construction occurs. However in the long term this construction will not leave significant negative effects.
5.1	Better accessibility to employment, education and services	Reduction in car use, car accidents and carbon emission are the main aim, may promote construction, mainly in built up areas.	ST: ○ LT: ○	There will be no short term or long term effects upon the European sites resulting from this policy; as any physical construction work will take place predominantly in built up areas.
5.2	Encouraging planning policies to reduce the need to travel	This policy leads on from policy 5.1. It will also focus on adaptations to climate; including flood risk and inaccessibility caused by snow fall, with the aim to promote further policies. An important policy within the strategy, due to the high sustainability allocated to it by the sustainability appraisal.	ST: ○ LT: ○	This policy will not lead to any effects upon the European sites in the short term . However it may encourage further flood risk reduction projects, in the long term , which may have negative effects on the Broads SAC and the Stour and Orwell SPA, this is outside the remit of this plan.
5.3	Maintaining the transport network and improving its connectivity, resilience and reliability	With the improved connectivity of the transport network that this policy encourages new infrastructure must be developed, which may affect	ST: ✘ LT: ✘/✓	There is potential for some significant short term negative effects upon the European sites, from the large amount of physical construction that may occur as a result of this policy.

		sensitive areas.		The improved reliability may help to reduce congestion and thus harmful emissions around the European sites; in the long term . However this increased reliability of Suffolk's road and rail networks may encourage more travel on them, which would prove to have negative impacts.
5.4	Reducing impact of transport on communities	The aim of this policy is to reduce severance, congestion and heavy vehicle movements around rural areas. With the purpose of encouraging sustainable transport for short trips. Another important, sustainable policy.	ST: ✓ LT: ✓	There will be positive short term and long term effects from this policy; as it aims to reduce the levels of traffic on all of Suffolk's roads and rail lines, including those in and around the European sites, little physical construction required.
5.5	Support the county council's ambition of improving broadband access throughout Suffolk	Although this policy may seem the same as policy 1.7 this policy is specific to rural areas, as this would result in greater potential for reduced travel.	ST: ○ LT: ○	There will be little short term or long term effects upon the European sites, from this policy. Although this policy will require physical engineering work to be conducted, it will mainly occur along lines that are already used for data cabling.

Policies that may lead to a significant effect:

The following LTP3 policies have been identified as having potential to lead to a significant effect on a European site:

Policy 1.3 Improved connectivity and accessibility in rural areas

Policy 1.4 Seeking improvement to the A11,A12 and A14 trunk roads connecting businesses in Suffolk to each other and to their markets

Policy 1.5 Seeking improvement to the rail network for freight and passengers

Policy 5.2 Encouraging planning policies to reduce the need to travel

Policy 5.3 Maintaining the transport network and improving its connectivity, resilience and reliability

To remove any likely significant effect, the LTP3 document needs to be revised to ensure its policies do not cause either direct or indirect impacts on any European site. This will then meet the challenge of Creating the Greenest County to "retain, enhance and value Suffolk's natural and historic environment". Any development that would be likely to have a significant effect on a European site, either alone or in combination with other plans or projects, will be subject to assessment under Part IV of the Habitats Regulations at project application stage. If it cannot be ascertained that there would be no adverse effects on site integrity the project will have to be

refused or pass the tests of Regulation 62, in which case any necessary compensatory measures will need to be secured in accordance with Regulation 66.

Schemes that may lead to a significant effect:

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. For Natural England to approve such a document, adequate mitigation would need to be sought and compensation agreed in order to reduce or negate any negative impacts.

In combination effects:

This LTP has been subject to an in combination assessment, including Forest Heath DC Core Strategy to decide whether its policies **in combination with other plans and projects** would be likely to have a significant effect on an European site. As this impact has already been identified by this assessment, the conclusion of the assessment is that it would have an additional **likely significant effect, alone or in combination with other plans and projects**.

7. Mitigation:

As a result of the HRA, revisions to the LTP3 have been made to avoid likely significant effects on any European Sites before its adoption by SCC. The direct effect of road improvements and the indirect effect of disturbance to Annex I bird can be mitigated for with the application of the avoidance/mitigation measures proposed. If the mitigation measures proposed both here and within the LTP are translated into the LTP policies they will prevent any negative effects to European sites arising from the impacts of habitat loss, disturbance and pollution.

A detailed package of mitigation and monitoring measures to ensure the LTP schemes do not result in impacts on European sites will be considered at the project level.

The LTP3 objective “**Minimise the impact of transport on natural and historic environment and where possible protect and enhance the environment when implementing transport projects**” has been revised to ensure that biodiversity and geodiversity are protected and enhanced as follows:

“Protect and enhance the historic and natural environment when implementing transport initiatives“

A paragraph has been inserted into the Transport and the Economy section which cross-references these policies with the overall aim to protect and enhance the natural and historic environment when implementing transport projects, should remove the likelihood of significant effects from the LTP policies.

The plan has also been amended to recognise the importance of rights of way, quality greenspaces, greenways and corridors, for an effective non-motorised urban transport network threading through urban areas and linking to more rural areas

Policy 2.3 “**more sustainable processes and use of materials to reduce impact of construction and maintenance**” has been revised to meet this objective as follows:

“More sustainable processes and use of materials, managing the impact of construction and maintenance on biodiversity, geodiversity, historic buildings and archaeological assets”

Other text revisions have included the following wording **“A scoping assessment of the implications for European sites and European Offshore marine sites from any transport scheme is necessary to demonstrate compliance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010. Habitats Regulations Assessment is the assessment of the impacts of a land use proposal against the conservation objectives of a Natura 2000 site. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would adversely affect that site’s integrity. Any scheme which is likely to result in a significant effect, either alone or in combination with other plans or projects, will be subject to assessment under the Habitats Regulations Assessment at project application stage “**

Therefore to ensure that there will be no likely significant effect from the LTP3 document, the wording for the 4 policies identified above and the aspirational plan for a Brandon relief road has been revised as follows:

“As a Brandon Relief Road may result in a significant impact on the conservation objectives of Breckland Special Protection Area, it is likely that a Habitats Regulations Assessment would be required for this scheme at project application stage. If it cannot be ascertained that there would be no adverse effects on site integrity, the project would have to be refused or pass the 3 tests of Regulation 62 in which case any necessary compensatory measures will need to be secured in accordance with Regulation 66. “

To ensure that any project does not have a significant effect on an European site, it is necessary to remove all references to the location/direction of any scheme e.g. Brandon relief road. It will also be necessary to identify the need for adequate mitigation, compensation and possibly biodiversity offsetting in conjunction with a project level HRA if developer funding is available with this scheme in the future.

“The potential impacts of any scheme on biodiversity will be assessed by ecologists during the early design stage. Measures will be implemented to avoid, reduce & compensate for any impacts and enhance biodiversity habitats and species. This would include timing of works and habitat enhancements as part of the scheme design”.

This best practice approach will ensure that this Local Transport Plan meets the objective included in the Suffolk Community Strategy “retain, enhance and value Suffolk’s natural and historic environment”, it is essential that environmental checks are undertaken at an early stage. It is also important to ensure that the impact of all new infrastructure works and maintenance activities are considered, prioritising biodiversity and built environment assets for their own sake and opportunities are taken to enhance biodiversity as an integral part of these projects. If it cannot be ascertained that there would be no adverse effects on site integrity of a European site, any project will have to be refused or pass the tests of Regulation 62, in which case any necessary compensatory measures will need to be secured in accordance with Regulation 66.

8. Effect on Integrity of a European Designated Site:

By revising the LTP3 to ensure that protective measures are in place, I conclude that there will be no likely significant effects from this plan on the integrity of European Sites.

Dated: 6th day of May 2011.

This draft prepared with the assistance of Laurence Lewis-Jones (MSc student on work experience) under my supervision and guidance from Natural England, Suffolk Wildlife Trust and RSPB.

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