

Habitat Regulation Assessment (HRA) Record
 • >100 dwellings
Colchester Borough Council

Application details	
Case officer	James Ryan
Application reference	190647
Application description	Residential Development (130 dwellings)
Application address	Land off Kelveden Road, Tiptree
HRA Stage 1: screening assessment	
<p>Test 1 – the significance test: Based on the development type and proximity to European designated sites, a judgement should be made as to whether the development constitutes a ‘likely significant effect’ (LSE) to a European site in terms of increased recreational disturbance¹</p> <p>The whole of Colchester Borough is within the zone of influence (Zol) for the Essex Coast RAMS.</p> <p>The proposal is for > 100 dwellings and it is anticipated that such development is likely to have a significant effect upon the interest features of Habitat sites [Colne Estuary SPA and Ramsar site, Blackwater Estuary SPA and Ramsar site, Dengie SPA and Ramsar site, Stour and Orwell Estuaries SPA and Ramsar site (south shore) and Essex Estuaries SAC] through increased recreational pressure, when considered either alone or in-combination with other plans and projects. Therefore, an appropriate assessment is needed to assess recreational disturbance impacts. The qualifying features of these sites are set out at the end of this report.</p>	
HRA Stage 2: Appropriate Assessment	
<p>Test 2 – the integrity test: The applicant must provide sufficient evidence to allow the Appropriate Assessment to be made, which is the stage at which avoidance and/or mitigation measures can be considered</p> <p>The appropriate assessment will need to consider both alone and in-combination effects and incorporate bespoke mitigation measures into the proposal. The following are examples of bespoke mitigation measures that may be necessary, in addition to a contribution to the Essex Coast RAMS:</p> <ul style="list-style-type: none"> • High-quality, informal, semi-natural areas • Circular dog walking routes of 2.7 km within the site and/or with links to surrounding public rights of way (PRoW) • Dedicated ‘dogs-off-lead’ areas • Signage/information leaflets to householders to promote these areas for recreation • Dog waste bins • A commitment to the long term maintenance and management of these provisions <p>A contribution in line with the Essex Coast RAMS should be secured to address likely significant effects in-combination.</p>	
Summary of the Appropriate Assessment	
<p>Summary of recreational disturbance mitigation package:</p>	

The applicants have provided a shadow HRA which the LPA is broadly in agreement with.

A contribution to the Essex Coast RAMS at the following amount will be secured via the Legal Agreement:

130 dwellings x £127.30 = **£16,549.00**

The shadow HRA/note provided by the applicants also suggests the following provisions:

10% of site provided as public open space, centrally located, and well connected to circular pedestrian routes within the site

Provision of benches/dog bins at key points around site to encourage use of routes within

Proposal for crossing over Kelvedon Road for connection to existing footpaths

Western and southern site boundaries maintained open to allow pedestrian through-routes

Proposed contributions for improvements at Warriors Rest (Tiptree Heath), and Highwoods Country Park as requested by the relevant service at Development Team. Warriors Rest would be accessible on foot from the site, and Highwoods whilst Country Park would require car use, the purpose of RAMS is to relieve pressure on the 3 local SPAs, which this would therefore do. Visits have been made to these locations to establish the benefits that such improvements could make and a note on this assessment accompanies this letter, confirming the potential for improvements at Warriors Rest to reduce the need for local residents to travel to the coast in particular.

Conclusion

Having considered the proposed avoidance and mitigation measures above, Colchester Borough Council concludes that with mitigation the project will not have an Adverse Effect on the Integrity of the European sites included within the Essex Coast RAMS.

Having made this appropriate assessment of the implications of the plan or project for the site(s) in view of that (those) site(s)'s conservation objectives, and having consulted Natural England and fully considered any representation received, the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017.

Local Planning Authority Case Officer comments, signed and dated:

It considered the financial payment towards the Essex RAMS and the on site measure suggested above (along with other financial contributions secured via the DT process towards the improvement of local alternative sites) is sufficient to mitigate against the off-site harm on the Integrity of the European sites included within the Essex Coast RAMS.

James Ryan
14.4.2021

Qualifying features

Colne Estuary SPA (Mid Essex Coast Phase 2) and Ramsar site

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.

Qualifying features of the Colne Estuary SPA:

Dark-bellied brent goose (non-breeding) (*Branta bernicla bernicla*)

Common pochard (breeding) (*Aythya farina*)

Hen harrier (non-breeding) (*Circus cyaneus*)

Ringed plover (breeding) (*Charadrius hiaticula*)

Common redshank (non-breeding) (*Tringa totanus*)

Little tern (breeding) (*Sterna albifrons*)

Waterbird assemblage

Blackwater Estuary SPA (Mid Essex Coast Phase 4) and Ramsar site

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.

Qualifying features of Blackwater Estuary SPA:

Dark-bellied brent goose (non-breeding) (*Branta bernicla bernicla*)

Common pochard (breeding) (*Aythya farina*)

Hen harrier (non-breeding) (*Circus cyaneus*)

Ringed plover (breeding) (*Charadrius hiaticula*)

Grey plover (non-breeding) (*Pluvialis squatarola*)

Dunlin (non-breeding) (*Calidris alpina alpina*)

Black-tailed godwit (non-breeding) (*Limosa limosa islandica*)

Little tern (breeding) (*Sterna albifrons*)

Waterbird assemblage

Dengie SPA (Mid Essex Coast Phase 1) and Ramsar site

Ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and 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 populations of qualifying features
- the distribution of qualifying features within the site

Qualifying features of the Dengie Estuary SPA:

Dark-bellied brent goose (non-breeding) (*Branta bernicla bernicla*)

Grey plover (non-breeding) (*Pluvialis squatarola*)

Hen harrier (non-breeding) (*Circus cyaneus*)

Knot (non-breeding) (*Calidris canutus*)

Waterbird assemblage

Stour and Orwell Estuaries SPA and Ramsar site

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.

Qualifying features of the Stour and Orwell Estuaries SPA:

Dark-bellied brent goose (non-breeding) (*Branta bernicla bernicla*)

Northern pintail (non-breeding) (*Anas acuta*)

Pied avocet (breeding) (*Recurvirostra avosetta*)

Grey plover (non-breeding) (*Pluvialis squatarola*)

Red knot (non-breeding) (*Calidris canutus*)

Dunlin (non-breeding) (*Calidris alpina alpina*)

Black-tailed godwit (non-breeding) (*Limosa limosa islandica*)

Common redshank (non-breeding) (*Tringa tetanus*)

Waterbird assemblage

Essex Estuaries SAC

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Condition 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 rely.

Qualifying features of the Essex Estuaries SAC:

Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks
Estuaries

Mudflats and sandflats not covered by seawater at low tide; Intertidal mudflats and sandflats

Salicornia and other annuals colonising mud and sand; Glasswort and other annuals colonising mud and sand

Spartina swards (*Spartinion maritimae*); Cord-grass swards

Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

Mediterranean and thermos-Atlantic halophilous scrubs
(*Sarcocornetea fruticose*); Mediterranean saltmarsh scrub

