Statement of Common Ground between East Suffolk Council and Natural England

Matters relating to the Natural Environment
Key Issues | SCLP2.2 | SCLP5.15 | SCLP10.3

Local Plan covering the former Suffolk Coastal area

August 2019
Purpose of Statement

1  This Statement of Common Ground sets out the agreed position between Natural England and East Suffolk Council (the Council) with respect to the Suffolk Coastal Local Plan.

2  Natural England made a number of representations to the Regulation 19 Final Draft Local Plan consultation in relation to the historic environment. The Inspector’s Matter, Issues and Questions issued on 24th June 2019 are relevant to a number of the representations. This Statement of Common Ground relates to the following representations/policies:

   •  Key Issues (Chapter 1) (Rep ID:417)
   •  Policy SCLP2.2 Strategic Infrastructure Priorities (Rep ID: 421 and Inspector’s Question 2.36)
   •  Policy SCLP5.15 Residential Moorings, Jetties and Slipways (Rep ID: 682)
   •  Policy SCLP10.3 Environmental Quality (Rep ID: 743 and Inspector’s Question 4.32)

Agreed Position

3  The parties agree to the main and additional modifications below. The parties agree that subject to the modifications the Plan is sound in respect of matters below. Insertions are shown in underline and deletions are shown in strikethrough.

Key Issues (Chapter 1)

Natural England representation (Rep 417) states that the revised National Planning Policy Framework has significantly strengthened policy in relation to biodiversity net gain and an additional bullet point to highlight biodiversity net gains should be added. The modifications below would resolve this issue.

Changes to supporting text

Amend bullet point:

“Need to ensure that areas of biodiversity value are protected and enhanced, and that net gains for biodiversity are delivered.”
Policy SCLP2.2: Strategic Infrastructure Priorities

Natural England have stated in their representation (Rep ID: 421) that criterion j) should include reference to biodiversity net gain. The Inspector’s question 2.36 asks whether criterion j) of Policy SCLP2.2 Strategic Infrastructure Priorities is consistent with national policy as set out in paragraph 170 of the Framework in regard to net gains in biodiversity. The parties agree that a modification to paragraph 2.17 would resolve the issue.

Changes to supporting text

Modification to paragraph 2.17:

“Over the plan period, the Council will continue to work with neighbouring authorities, service providers and statutory bodies to ensure that strategic infrastructure as detailed in Policy SCLP2.2 is delivered in a timely and effective manner through appropriate funding and delivery mechanisms. Providing a range of infrastructure such as education, health and leisure provision will meet the needs of local communities and businesses and further promote sustainable communities across the District. The provision of green infrastructure would also be expected to contribute to the delivery of net gains for biodiversity.”

Policy SCLP5.15: Residential moorings, jetties and slipways

Natural England have stated in their representation (Rep ID: 682) that role of Natural England is not recognised in paragraph 5.81. Natural England have suggested wording changes to paragraph 5.81 to better recognise the role of Natural England in providing consent for houseboats and jetties. The modifications below would resolve this issue.

Changes to supporting text

Modification to paragraph 5.81:

Reword para 5.81 to say “In addition to planning permission, some works may also require consent from the Marine Management Organisation, the Crown Estate, or Natural England. The advice of the Environment Agency in relation to potential risk from flooding, and the advice of Natural England in relation to the Habitat Regulations will be considered. Works in, under, over or within 8 metres from a fluvial main river and from any flood defence structure or culvert may also require an environmental "Flood Risk Activity” permit from the Environment Agency.”
Policy SCLP10.3: Environmental Quality

Natural England have stated in their representation (Rep ID: 743) that the points arising from the Habitats Regulations Assessment of the Final Draft Local Plan in relation to risks to designated sites from traffic emissions and due to water quantity and water quality issues should be referred to in this section of the Plan. Inspector’s question 4.32 asks whether the policy would be effective in regard to impacts on European designated wildlife sites given the requirements of the Habitats Regulations recognise the role of Natural England in providing consent for houseboats and jetties. The modifications below would resolve this issue.

Changes to supporting text

Modification to include new paragraph after paragraph 10.26:

“The Habitats Regulations Assessment of the Local Plan has identified the potential for emissions from vehicles and impacts on water quality and water quantity to have an effect on European protected sites, and has made recommendations in relation to monitoring as referred to in the Monitoring Framework in Appendix C. Where necessary, potential effects on European protected sites would need to be considered through the Habitats Regulations Assessment process.”

Signatures

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Print name: Philip Ridley
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Authority: East Suffolk Council

Signature: [Redacted]
Print name: FRANCESCA SHAPLAND
Position: Lead Adviser, Planning & Conservation
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