



Shimpling Neighbourhood Plan 2025-2037

Habitats Regulations Assessment Screening Report

Babergh & Mid Suffolk District Councils

Final report

Prepared by LUC

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Shimpling Neighbourhood Plan 2025-2037

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Chapter 1

Introduction

1.1 LUC has been commissioned by Babergh and Mid Suffolk District Councils (the Councils) to carry out Habitats Regulations Assessment (HRA) Screening of the Shimpling Neighbourhood Plan 2025-2037. The Neighbourhood Plan has been prepared by Shimpling Parish Council in accordance with the requirements of the Government's Neighbourhood Planning Regulations. This HRA Screening Report relates to the Pre-Submission Draft version of the Shimpling Neighbourhood Plan (January 2026).

The requirement to undertake Habitats Regulations Assessment of development plans

1.2 The requirement to undertake HRA of development plans was confirmed by the amendments to the Habitats Regulations published for England and Wales in 2007 [See reference 1]; the currently applicable version is the Habitats Regulations 2017 [See reference 2], as amended. Neighbourhood Plans, once 'made' (adopted), become part of the statutory development plan therefore an HRA is required by law to be carried out by the 'competent authority' (the Councils). The Councils can commission consultants to undertake HRA work on their behalf and this (the work documented in this report) is then reported to and considered by the Councils as the 'competent authority'. The Councils will consider this work and would usually only progress a Plan if it considers that the Plan will not adversely affect the integrity [See reference 3] of any 'European site', as defined below (the exception to this would be where 'imperative reasons of overriding public interest' can be demonstrated; see paragraph 1.14). The requirement for authorities to comply with the Habitats Regulations when preparing a Plan is also noted in the Government's online Planning Practice Guidance (PPG) [See reference 4].

1.3 HRA refers to the assessment of the potential effects of a development plan on one or more sites afforded the highest level of protection in the UK: Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). These were classified under European Union (EU) legislation but, since 1 January 2021, are protected in the UK by the Habitats Regulations 2017 (as amended). Although the EU Directives from which the UK's Habitats Regulations originally derived are no longer binding, the Regulations still make reference to the lists of

habitats and species that the sites were designated for, which are listed in annexes to the EU Directives:

- SACs are designated for particular habitat types (specified in Annex 1 of the EU Habitats Directive [See reference 5]) and species (Annex II). The listed habitat types and species (excluding birds) are those considered to be most in need of conservation at a European level. Before EU exit day, designation of SACs also had regard to the coherence of the ‘Natura 2000’ network of European sites. After EU exit day, regard is had to the importance of such sites for the coherence of the UK’s ‘national site network’.
- SPAs are classified for rare and vulnerable birds (Annex I of the EU Birds Directive [See reference 6]), and for regularly occurring migratory species not listed in Annex I.

1.4 The term ‘European sites’ has been commonly used in HRA to refer to ‘Natura 2000’ sites [See reference 7] and Ramsar sites (international designated under the Ramsar Convention). However, a Government Policy Paper [See reference 8] on changes to the Habitats Regulations 2017 post-Brexit states that:

- Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new ‘national site network’;
- The national site network includes existing SACs and SPAs; and new SACs and SPAs designated under these Regulations; and
- Designated Wetlands of International Importance (known as Ramsar sites) do not form part of the national site network. Many Ramsar sites overlap with SACs and SPAs and may be designated for the same or different species and habitats.

1.5 Although Ramsar sites do not form part of the new national site network, Government guidance [See reference 9] states that:

“Any proposals affecting the following sites would also require an HRA because these are protected by government policy:

- Proposed SACs
- Potential SPAs
- Ramsar sites – wetlands of international importance (both listed and proposed)

- Areas secured as sites compensating for damage to a European site.”

1.6 Furthermore, the NPPF [See reference 10] and practice guidance [See reference 11] currently state that competent authorities responsible for carrying out HRA should treat Ramsar sites in the same way as SACs and SPAs. The legislative requirement for HRA does not apply to other nationally designated wildlife sites such as Sites of Special Scientific Interest or National Nature Reserves.

1.7 For simplicity, this report uses the term ‘European site’ to refer to all types of designated site for which Government guidance [See reference 12] requires an HRA.

1.8 The overall purpose of an HRA is to conclude whether or not a proposal or policy, or whole development plan would adversely affect the integrity of the European site in question. This is judged in terms of the implications of the plan for a site’s ‘qualifying features’ (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated). Significantly, HRA is based on the precautionary principle. Where uncertainty or doubt remains, an adverse effect should be assumed.

Stages of Habitat Regulation Assessment

1.9 The HRA of development plans is undertaken in stages (as described below) and should conclude whether or not a proposal would adversely affect the integrity of the European site in question.

1.10 LUC has been commissioned by Babergh and Mid Suffolk District Councils to carry out HRA work on the Councils’ behalf, and the outputs will be reported to and considered by the Councils as the competent authority.

1.11 The HRA also requires close working with Natural England as the statutory nature conservation body [See reference 13] in order to obtain the necessary information, agree the process, outcomes and mitigation proposals. The Environment Agency, while not a statutory consultee for the HRA, is also in a strong position to provide advice and information throughout the process as it is required to undertake HRA for its existing licences and future licensing of activities.

Requirements of the Habitats Regulations

1.12 In assessing the effects of a Plan in accordance with Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), there are potentially two tests to be applied by the competent authority: a 'Significance Test', followed, if necessary, by an Appropriate Assessment which would inform the 'Integrity Test'. The relevant sequence of questions is as follows:

- Step 1: Under Reg. 105(1)(b), consider whether the plan is directly connected with or necessary to the management of the sites. If not, proceed to Step 2.
- Step 2: Under Reg. 105(1)(a) consider whether the plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects (the 'Significance Test'). [These two steps are undertaken as part of Stage 1: Screening, shown below in the 'Typical stages' section.] If yes, proceed to Step 3.
- Step 3: Under Reg. 105(1), make an Appropriate Assessment of the implications for the European site in view of its current conservation objectives (the 'Integrity Test'). In so doing, it is mandatory under Reg. 105(2) to consult Natural England, and optional under Reg. 105(3) to take the opinion of the general public. [This step is undertaken during Stage 2: Appropriate Assessment, described in the 'Typical stages' section below.]
- Step 4: In accordance with Reg. 105(4), but subject to Reg. 107, give effect to the land use plan only after having ascertained that the plan would not adversely affect the integrity of a European site. [This step follows Stage 2 where a finding of 'no adverse effect' is concluded. If it cannot be it proceeds to Step 5 as part of Stage 3 of the HRA process.]
- Step 5: Under Reg. 107, if Step 4 is unable to rule out adverse effects on the integrity of a European site and no alternative solutions exist then the competent authority may nevertheless agree to the plan or project if it must be carried out for 'imperative reasons of overriding public interest' (IROPI). [This step is undertaken during Stage 3: Assessment where no alternatives exist and adverse impacts remain considering mitigation, described in the 'Typical stages' section overleaf.]

Typical stages

1.13 The section below summarises the stages and associated tasks and outcomes typically involved in carrying out a full HRA of a development plan, based on various guidance documents [See reference 14] [See reference 15] [See reference 16]. This report presents the methodology and findings of Stage 1: Screening.

Stage 1: Screening (the ‘Significance Test’)

Tasks

- Description of the development plan and confirmation that it is not directly connected with or necessary to the management of European sites.
- Identification of potentially affected European sites and their conservation objectives [See reference 17].
- Assessment of likely significant effects of the development plan alone or in combination with other plans and projects, prior to consideration of avoidance or reduction (‘mitigation’) measures [See reference 18].

Outcome

- Where effects are unlikely, prepare a ‘finding of no significant effect report’.
- Where effects judged likely, or lack of information to prove otherwise, proceed to Stage 2.

Stage 2: Appropriate Assessment (the ‘Integrity Test’)

Task

- Information gathering (development plan and data on European sites [See reference 19]).
- Impact prediction.
- Evaluation of development plan impacts in view of conservation objectives of European sites.

- Where impacts are considered to directly or indirectly affect qualifying features of European sites, identify how these effects will be avoided or reduced ('mitigation').

Outcome

- Appropriate Assessment report describing the plan, European site baseline conditions, the adverse effects of the plan on the European site, how these effects will be avoided or reduced, including the mechanisms and timescale for these mitigation measures.
- If effects remain after all alternatives and mitigation measures have been considered proceed to Stage 3.

Stage 3: Assessment where no alternatives exist and adverse impacts remain taking into account mitigation

Task

- Identify 'imperative reasons of overriding public interest' (IROPI).
- Demonstrate no alternatives exist.
- Identify potential compensatory measures.

Outcome

- This stage should be avoided if at all possible. The test of IROPI and the requirements for compensation are extremely onerous.

1.14 It is normally anticipated that an emphasis on Stages 1 and 2 of this process will, through a series of iterations, help ensure that potential adverse effects are identified and eliminated through the inclusion of mitigation measures designed to avoid or reduce effects. The need to consider alternatives could imply more onerous changes to a plan document. It is generally understood that so called 'imperative reasons of overriding public interest' (IROPI) are likely to be justified only very occasionally and would involve engagement with the Government.

Case law changes

1.15 This HRA Screening Report has been prepared in accordance with relevant case law findings, including most notably the ‘People over Wind’ and ‘Holohan’ rulings from the Court of Justice for the European Union (CJEU).

1.16 The People over Wind, Peter Sweetman v Coillte Teoranta (April 2018) judgment ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment and should not be taken into account at the Screening stage. The precise wording of the ruling is as follows:

“Article 6(3)... must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the Screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site.”

1.17 In light of the above, this HRA Screening does not rely upon avoidance or mitigation measures to draw conclusions as to whether the Neighbourhood Plan could result in likely significant effects on European sites, with any such measures are to be considered at the Appropriate Assessment stage as relevant.

1.18 This HRA also fully considers the Holohan v An Bord Pleanala (November 2018) judgment which stated that:

“Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora must be interpreted as meaning that an ‘appropriate assessment’ must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.”

1.19 In undertaking this HRA, LUC will (where necessary) fully consider the potential effects on species and habitats, including those not listed as qualifying

features, to result in secondary effects upon the qualifying features of European sites, including the potential for complex interactions and dependencies. In addition, the potential for offsite impacts, such as through impacts to functionally linked land, and/or species and habitats located beyond the boundaries of European site, but which may be important in supporting the ecological processes of the qualifying features, will also be fully considered where needed.

1.20 Similarly, effects on both qualifying and supporting habitats and species on functionally linked land (FLL) or habitat will be considered where needed in this HRA, in line with the High Court judgment in *RSPB and others v Secretary of State and London Ashford Airport Ltd* [2014 EWHC 1523 Admin] (paragraph 27), which stated that:

“There is no authority on the significance of the non-statutory status of the FLL. However, the fact that the FLL was not within a protected site does not mean that the effect which a deterioration in its quality or function could have on a protected site is to be ignored. The indirect effect was still protected. Although the question of its legal status was mooted, I am satisfied... that while no particular legal status attaches to FLL, the fact that land is functionally linked to protected land means that the indirectly adverse effects on a protected site, produced by effects on FLL, are scrutinised in the same legal framework just as are the direct effects of acts carried out on the protected site itself. That is the only sensible and purposive approach where a species or effect is not confined by a line on a map or boundary fence. This is particularly important where the boundaries of designated sites are drawn tightly as may be the UK practice.”

1.21 In addition to this, this HRA will take into consideration the ‘Wealden’ judgment from the Court of Justice for the European Union.

1.22 *Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority* (2017) ruled that it was not appropriate to scope out the need for a detailed assessment for an individual plan or project based on the annual average daily traffic (AADT) figures detailed in the Design Manual for Roads and Bridges or the critical loads used by Defra or Environmental Agency without considering the in-combination impacts with other plans and projects.

1.23 In light of this judgment, this HRA will therefore where needed consider traffic growth based on the effects of development from the Neighbourhood

Plan in combination with other drivers of growth such as development proposed in neighbouring districts and demographic change.

1.24 The HRA also takes into account the Grace and Sweetman (July 2018) judgment from the CJEU which stated that:

“There is a distinction to be drawn between protective measures forming part of a project and intended avoid or reduce any direct adverse effects that may be caused by the project in order to ensure that the project does not adversely affect the integrity of the area, which are covered by Article 6(3), and measures which, in accordance with Article 6(4), are aimed at compensating for the negative effects of the project on a protected area and cannot be taken into account in the assessment of the implications of the project”

“As a general rule, any positive effects of the future creation of a new habitat, which is aimed at compensating for the loss of area and quality of that habitat type in a protected area, are highly difficult to forecast with any degree of certainty or will be visible only in the future”

“A mitigation strategy may only be taken into account at AA (a.6(3)) where the competent authority is “sufficiently certain that a measure will make an effective contribution to avoiding harm, guaranteeing beyond all reasonable doubt that the project will not adversely affect the integrity of the area””

“Otherwise it falls to be considered to be a compensatory measure to be considered under a.6(4) only where there are “imperative reasons of overriding public interest””

1.25 Therefore, if an Appropriate Assessment of the Neighbourhood Plan is required, it will only consider the existence of measures to avoid or reduce its direct adverse effects (mitigation) if the expected benefits of those measures are beyond reasonable doubt at the time of the assessment.

Structure of this report

1.26 This chapter (Chapter 1) has described the background to the production of the Shimpling Neighbourhood Plan and the requirement to undertake HRA. The remainder of the report is structured as follows:

- Chapter 2: Shimpling Neighbourhood Plan - summarises the content of the plan, which is the subject of this report.
- Chapter 3: Method - sets out the approach and the specific tasks undertaken during the Screening stage of the HRA.
- Chapter 4: Screening Assessment - describes the findings of the Screening stage of the HRA.
- Chapter 5: Conclusions and Next Steps - summarises the HRA Screening conclusions for the Shimpling Neighbourhood Plan and describes the next steps to be undertaken.

Chapter 2

Shimpling Neighbourhood Plan

Vision and Objectives

2.1 The overarching vision for Shimpling for the period up to 2037 is:

In 2037 Shimpling will remain a discrete small village, notable for its rural location, its significant past and its strong sense of community. Existing facilities will have been retained and enhanced and opportunities for new facilities taken. Any new development will have been directed to within the Settlement Boundary where it can be supported by existing or improved infrastructure and does not have a detrimental impact on the vicinity and the unique natural and historic environment of the parish.

2.2 The vision is supported by 11 objectives. Each objective has informed and guided the content of the planning policies within the Neighbourhood Plan. The objectives are as follows:

1. The scale and location of new development will be in keeping with the rural setting of Shimpling.
2. Shimpling's housing growth will be commensurate with the level of services and facilities in the village.
3. New housing will be tailored to meet the needs of local residents.
4. The impact of development on the natural environment will be minimal and biodiversity levels will be improved.
5. The rural setting of the village will be maintained.
6. Recognise and protect the historic importance of buildings, features and character areas.
7. Maintain and enhance a strong rural identity and sense of place for the parish, through environmentally sustainable and sensitive small-scale development.

8. Ensure new development is designed to reflect local character and incorporates measures that reduces environmental impact.
9. Retain existing facilities and encourage the provision of new services and facilities.
10. Reduce the impact of through traffic in the village.
11. Improve safety and routes for walkers, cyclists and horse riders.

Policies

2.3 The policies within the Shimpling Neighbourhood Plan are as follows:

- Policy SPG 1 – Development Location
- Policy SPG 2 – Housing Development
- Policy SPG 3 – Housing Mix
- Policy SPG 4 – Affordable Housing on Exception Sites
- Policy SPG 5 – Replacement Dwellings and Conversions outside the Settlement Boundary
- Policy SPG 6 – Protecting Landscape Character
- Policy SPG 7 – Area of Local Landscape Value
- Policy SPG 8 – Important Views
- Policy SPG 9 – Biodiversity and Habitats
- Policy SPG 10 – Local Green Spaces
- Policy SPG 11 – Special Character Area
- Policy SPG 12 – Design Considerations
- Policy SPG 13 – Flooding and Sustainable Drainage
- Policy SPG 14 – Minimising Light Pollution
- Policy SPG 15 – Village Services and Facilities
- Policy SPG 16 – Parking Standards
- Policy SPG 17 – Public Rights of Way

2.4 The Neighbourhood Plan does not allocate any sites for new housing or other built development. Policy SPG 1 – Development Location states that the Neighbourhood Plan Area will accommodate development commensurate with the adopted Babergh and Mid Suffolk Local Plan – Part 1. It notes that the focus for new development will be within the defined settlement boundary where the principle of development is accepted. The policy also outlines that proposals for development located outside the settlement boundary will only be permitted where they are in accordance with national, district and neighbourhood level policies and, additionally, where they would not have a detrimental impact on heritage and landscape designations. The Neighbourhood Plan is therefore in line with development proposed within the adopted Joint Local Plan (Part 1) which has been subject to its own HRA.

Chapter 3

Methodology

Screening Assessment

3.1 HRA Screening of the Shimpling Neighbourhood Plan has been undertaken in line with current available guidance and has sought to meet the requirements of the Habitats Regulations. The tasks that have been undertaken during the Screening stage of the HRA are described in detail below and the conclusions are presented in the next chapter.

3.2 The purpose of the Screening stage is to:

- Identify all aspects of the plan that would have no effect on a European site. These can be eliminated from further consideration in respect of this and other plans.
- Identify all aspects of the plan that would not be likely to have a significant effect on a European site (i.e. would have some effect because of links/connectivity but the effect is not significant), either alone or in combination with other aspects of the same plan or other plans or projects. These do not require 'Appropriate Assessment'.
- Identify those aspects of the plan where it is not possible to rule out the risk of significant effects on a European site, either alone or in combination with other plans or projects. This provides a clear scope for the parts of the plan that will require Appropriate Assessment.

Identifying European sites that may be affected and their conservation objectives

3.3 As a first step in identifying European sites that could potentially be affected by a development, it is established practice in HRA to consider sites within the area covered by the plan, and other sites that may be affected beyond this area.

3.4 A distance of 20km from the boundary of the plan area was used in the first instance to identify European sites with the potential to be affected by the proposals within the Neighbourhood Plan. Consideration was then given to whether any more distant European sites may be connected to the plan area via effects pathways, for example through hydrological links or recreational visits by residents. The 20km distance has been agreed with Natural England for HRAs

in this region [See reference 20]. In line with HRA requirements, the application of a 20km buffer is considered a highly precautionary distance with relation to potential impacts to the surrounding area.

3.5 The assessment also considers areas that may be functionally linked to the European sites. The term ‘functional linkage’ is used to refer to the role or ‘function’ that land beyond the boundary of a European site might fulfil in terms of supporting the species populations for which the site was designated or classified. Such an area is therefore ‘linked’ to the site in question because it provides a (potentially important) role in maintaining or restoring a protected population at favourable conservation status.

3.6 While the boundary of a European site will usually be drawn to include key supporting habitat for a qualifying species, this cannot always be the case where the population for which a site is designated or classified is particularly mobile. Individuals of the population will not necessarily remain in the site all the time. Sometimes, the mobility of qualifying species is considerable and may extend so far from the key habitat that forms the SAC or SPA that it would be entirely impractical to attempt to designate or classify all of the land or sea that may conceivably be used by the species [See reference 21]. This HRA therefore considers whether any European sites make use of functionally linked habitats, and the impacts that could affect those habitats.

3.7 One European site has been identified for inclusion in the HRA: Breckland SPA which is located approximately 17km from the Neighbourhood Plan area, as shown in Figure A.1 in Appendix A. Detailed information about Breckland SPA is provided in Appendix B, described with reference to Standard Data Forms for the SPA and Natural England’s Site Improvement Plan [See reference 22]. Natural England’s conservation objectives [See reference 23] for the SPA have also been reviewed. These state that site integrity must be maintained or restored by maintaining or restoring the habitats of qualifying features, the supporting processes on which they rely, and populations of qualifying species.

Assessment of ‘likely significant effects’ of the plan

3.8 As required under Regulation 105 of the Conservation of Habitats and Species Regulations 2017 [See reference 24] (as amended), an assessment has been undertaken of the ‘likely significant effects’ of the plan. The assessment has been prepared in order to identify which policies or site

allocations would be likely to have a significant effect on European sites. The Screening assessment has been conducted without taking mitigation into account, in accordance with the 'People over Wind' judgment.

3.9 If the potential for policies to have likely significant effects is identified, consideration would then be given to the potential for the development proposed to result in significant effects associated with:

- Physical loss or damage to habitat;
- Non-physical disturbance (noise, vibration and light pollution);
- Non-toxic contamination;
- Air pollution;
- Recreational pressure; and
- Changes to hydrology, including water quantity and quality.

3.10 This thematic/impact category approach allows for consideration to be given to the cumulative effects of policies and any site allocations, rather than focussing exclusively on individual developments provided for by the plan.

3.11 A Screening assessment was undertaken (Chapter 4) to document consideration of the potential for likely significant effects resulting from each policy in the Neighbourhood Plan. A risk-based approach involving the application of the precautionary principle was adopted in the assessment, such that a conclusion of 'no significant effect' would only be reached where it was considered unlikely, based on current knowledge and the information available, that a policy would have a significant effect on the integrity of a European site.

Interpretation of 'likely significant effects'

3.12 Relevant case law helps to interpret when effects should be considered as a likely significant effect, when carrying out HRA of a land use plan.

3.13 In the Waddenzee case [[See reference 25](#)], the European Court of Justice ruled on the interpretation of Article 6(3) of the Habitats Directive (translated into Reg. 102 in the Habitats Regulations), including that:

An effect should be considered 'likely', "if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site" (paragraph 44). An effect should be considered 'significant', "if it

undermines the conservation objectives” (paragraph 48). Where a plan or project has an effect on a site “but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on the site concerned” (paragraph 47).

3.14 A relevant opinion delivered to the Court of Justice of the European Union commented that:

“The requirement that an effect in question be ‘significant’ exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans or projects capable of having any effect whatsoever on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill.”

3.15 This opinion (the ‘Sweetman’ case) therefore allows for the authorisation of plans and projects whose possible effects, alone or in combination, can be considered ‘trivial’ or de minimis; referring to such cases as those “that have no appreciable effect on the site”. In practice such effects could be screened out as having no likely significant effect – they would be ‘insignificant’.

3.16 The HRA Screening Assessment therefore considers whether the Pre-Submission Draft Shimpling Neighbourhood Plan policies could have likely significant effects either alone or in combination.

Mitigation provided by the plan

3.17 Some of the potential effects of a plan could be mitigated through the implementation of other policies in the plan itself, such as the provision of green infrastructure within new developments (which could help mitigate increased pressure from recreation activities at European sites). Nevertheless, in accordance with the ‘People over Wind’ judgment, avoidance and mitigation measures cannot be relied upon at the Screening stage, and therefore, where such measures exist, they will be considered at the Appropriate Assessment stage for impacts and policies where likely significant effects, either alone or in combination, cannot be ruled out.

Assessment of potential in-combination effects

3.18 Regulation 105 of the Habitats Regulations 2017 requires an Appropriate Assessment where “a land use plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site”. Therefore, where likely insignificant effects are identified for the plan alone, it is necessary to consider whether these may become significant effects in combination with other plans or projects.

3.19 Where the plan is likely to have an effect on its own (due to impact pathways being present), but it is not likely to be significant, the in-combination assessment at Screening stage needs to determine whether there may also be the same types of effect from other plans or projects that could combine with the plan to produce a significant effect. If so, this likely significant effect arising from the plan in combination with other plans or projects, would then need to be considered through the Appropriate Assessment stage to determine if the impact pathway would have an adverse effect on integrity of the relevant European site. Where the Screening assessment has concluded that there is no impact pathway between development proposed in the plan and the conditions necessary to maintain qualifying features of a European site, then there will be no in-combination effects to assess at the Screening or Appropriate Assessment stage. This approach accords with recent guidance on HRA [**See reference 26**].

3.20 If impact pathways are found to exist for a particular effect but it is not likely to be significant from the plan alone, the in-combination assessment will identify which other plans and programmes could result in the same impact on the same European site. This will focus on planned growth (including housing, employment, transport, minerals and waste) around the affected site, or along the impact corridor.

3.21 The potential for in-combination impacts will therefore focus on plans prepared by local authorities that overlap with European sites that are within the scope of this HRA. The findings of any associated HRA work for those plans will be reviewed where available. Where relevant, any strategic projects in the area that could have in-combination effects with the plan will also be identified and reviewed.

3.22 The online HRA Handbook [**See reference 27**] suggests the following plans and projects may be relevant to consider as part of the in-combination assessment:

- Applications lodged but not yet determined, including refusals subject to an outstanding appeal or legal challenge;
- Projects subject to periodic review e.g. annual licences, during the time that their renewal is under consideration;
- Projects authorised but not yet started’;
- Projects started but not yet completed;
- Known projects that do not require external authorisation; and
- Proposals in adopted plans.

Chapter 4

Screening Assessment

4.1 As described in Chapter 3, a Screening assessment was carried out in order to identify the likely significant effects of the Shimpling Neighbourhood Plan on the scoped-in European site. The detailed Screening assessment of the policies in the emerging Neighbourhood Plan can be found below.

HRA Screening of policies

Policy SPG 1 – Development Location

Potential likely significant effects

4.2 None – This policy sets out how the Neighbourhood Area will accommodate development commensurate with the adopted Babergh and Mid Suffolk Joint Local Plan – Part 1. It also outlines that the focus for new development will be within the defined settlement boundary where the principle of development is accepted. The policy also states that proposals for development located outside the settlement boundary will only be permitted where they are in accordance with national, district and neighbourhood level policies and where they do not have a detrimental impact on heritage and landscape designations. No site allocations are made, and this policy will not directly result in development.

Policy SPG 2 – Housing Development

Potential likely significant effects

4.3 None – This policy sets out that within the settlement boundary there is a general presumption in favour of housing development in the form of small infill dwellings where proposals are within an existing frontage, would not result in backland development; and would not have a detrimental impact on the built and natural character of the site and its surroundings, the amenity of residents and infrastructure, including highways. This policy will not directly result in development.

Policy SPG 3 – Housing Mix

Potential likely significant effects

4.4 None – This policy sets out that housing development must contribute to meeting the existing and future needs of the Neighbourhood Area. The policy states that proposals for new dwellings will be supported where they provide two and three bedroom dwellings to meet the needs of both first time buyers and an ageing population. The policy will not directly result in development.

Policy SPG 4 - Affordable Housing on Rural Exception Sites

Potential likely significant effects

4.5 None – This policy sets out requirements for proposals for the development of small-scale affordable housing schemes on rural exception sites outside but well connected to an existing settlement, where housing would not normally be permitted by other policies, but there is a proven local need provided by that housing. This policy will not directly result in development.

Policy SPG 5 – Replacement Dwellings and Conversions outside the Settlement Boundary

Potential likely significant effects

4.6 None – This policy sets out the requirements for development proposals of the replacement of existing dwellings outside the defined settlement boundary. The policy also outlines that proposals for replacement dwellings outside the settlement boundary would be expected to provide a detailed analysis of the visual impacts of the new dwelling on the landscape or countryside setting, and that the conversion of buildings to residential must demonstrate the structure is capable of accommodating the use and the development would reuse redundant or disused buildings and enhance its immediate setting. This policy will not directly result in development.

Policy SPG 6 – Protecting Landscape Character

Potential likely significant effects

4.7 None – This policy sets out that development proposals in the Neighbourhood Plan Area must demonstrate how the landscape characteristics of the site and its vicinity have informed the design, and how the proposal has regard to, conserves and enhances, the rural and landscape character and setting of the Parish’s built-up areas. The policy will not result in development.

Policy SPG 7 – Area of Local Landscape Value

Potential likely significant effects

4.8 None – This policy aims to ensure that all development proposals in the Shimpling Area of Local Landscape Value will be permitted only where they protect or enhance the special landscape qualities of the area and are designed and sited so as to harmonise with the landscape setting. This policy will not result in development.

Policy SPG8 - Important Views

Potential likely significant effects

4.9 None – the policy sets out that any proposed development should not have a detrimental visual impact on the key landscape and built development features of the Parish’s 11 important views. This policy will not result in development.

Policy SPG 9 – Biodiversity and Habitats

Potential likely significant effects

4.10 None – This policy aims to ensure that all development proposals avoid the loss of, or significant harm to priority habitats. It states that where such losses or harm are unavoidable, adequate mitigation measures or, as a last

resort, compensation measures will be sought. The policy will not result in development.

Policy SPG 10 - Local Green Spaces

Potential likely significant effects

4.11 None - This policy identifies four Local Green Spaces within the Neighbourhood Plan area. This policy will not result in development.

Policy SPG 11 – Special Character Area

Potential likely significant effects

4.12 None – The policy identifies a Special Character Area within the Neighbourhood Plan area and sets out that within the Special Character Area, as well as having regard to the need to preserve or enhance the significance of the heritage assets in or adjoining the area, development proposals should respond positively to the distinctive characteristics of the area. This policy will not result in development.

Policy SPG 12 – Design Considerations

Potentially likely significant effects

4.13 None – This policy sets out requirements for the design of development in the Parish. This includes that development proposals will be supported where they recognise the key features and special qualities of the area, where they reflect the character and nature of the village, and do not involve the loss of gardens, important open, green or landscaped areas, which make a significant contribution to the character and appearance of that part of the village. This policy will not result in development.

Policy SPG 13 – Flooding and Sustainable Drainage

Potential likely significant effects

4.14 None – This policy requires all development proposals to detail how on-site drainage and water resources will be managed so as not to cause or exacerbate surface water and fluvial flooding elsewhere. The policy will not result in development.

Policy SPG 14 – Minimising Light Pollution

Potential likely significant effects

4.15 None – The policy sets out that dark skies are preferred over lighting while ensuring that new developments are secure in terms of occupier and vehicle safety. The policy will not result in development.

Policy SPG 15 – Village Services and Facilities

Potential likely significant effects

4.16 None - The policy outlines that the provision and enhancement of community facilities and services will be supported where they are in accessible locations. Furthermore, the policy states that development proposals resulting in the loss of valued facilities or services will only be permitted where certain criteria are met. This policy will not result directly in development.

Policy SPG 16 – Parking Standards

Potential likely significant effects

4.17 None - The policy aims to ensure that development proposals maintain or enhance the safety of the highway network and ensure all vehicle parking is designed to be integrated into the site without creating an environment dominated by vehicles. This policy will not result in development.

Policy SPG 17 – Public Rights of Way

Potential likely significant effects

4.18 None - The policy outlines that measures to maintain, improve and extend the existing network of public rights of way will be supported where certain criteria are met. This policy will not result in development.

Screening Conclusion

4.19 Since none of the policies of the Shimpling Neighbourhood Plan are expected to directly result in development (for the reasons detailed above), they will not result in significant effects on European sites. Therefore, consideration does not need to be given to the potential impact pathways to each European site.

Chapter 5

Conclusion and next steps

5.1 At the Screening stage of the HRA, no likely significant effects are predicted on European sites as a result of the Shimpling Neighbourhood Plan, either alone or in combination with other policies and proposals.

Next steps

5.2 An Appropriate Assessment is not required for the Shimpling Neighbourhood Plan as none of the policies will result directly in development and likely significant effects from the plan can therefore be ruled out.

5.3 HRA is an iterative process and as such, this assessment should be updated if any relevant, newly available evidence or comments from key consultees are received prior to the plan being finalised. It is recommended that this report is subject to consultation with Natural England to confirm that the conclusions of the assessment are considered appropriate at this stage of plan-making.

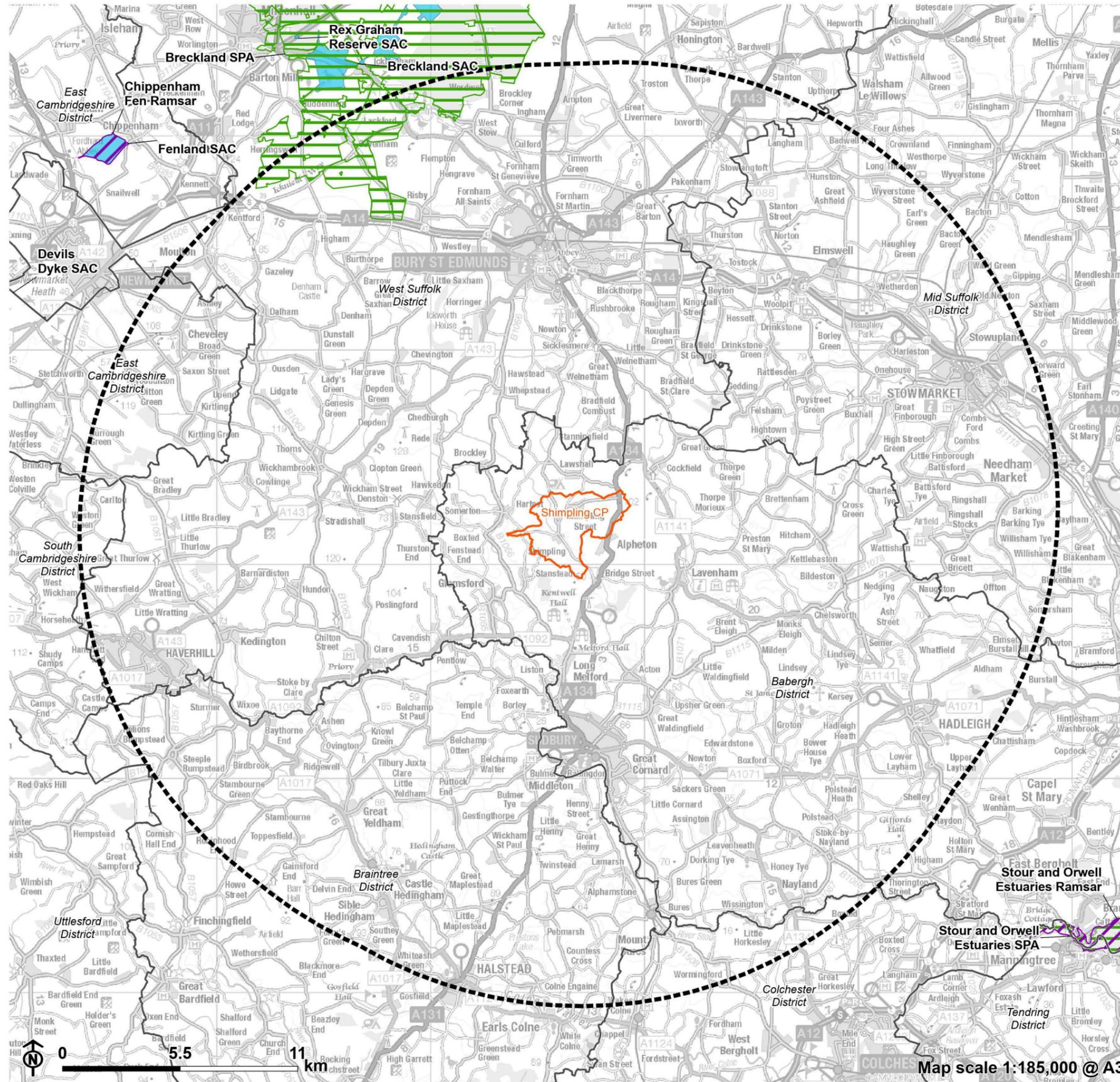
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February 2026

Appendix A

Map of European Sites within 20km of Shimpling Neighbourhood Plan Area

Figure A.1 European Designated Sites within 20km of Shimpling Neighbourhood Plan



Habitat Regulations Assessment
Screening
for Babergh Mid Suffolk Neighbourhood
Plans



European Designated Sites within 20km of
Shimpling Neighbourhood Plan Area

- Neighbourhood Plan area
- 20km buffer from Neighbourhood Plan area
- Local Authority boundary
- Ramsar
- SPA
- SAC

Map scale 1:185,000 @ A3

Appendix B

Attributes of European Sites

B.1 This appendix contains information on the European site that has been scoped into the HRA – Breckland SPA. The site area and designated features are drawn from the SPA Standard Data Form **[See reference 28]**. The overviews of the site and its location are drawn from Natural England’s Site Improvement Plan **[See reference 29]**. Site conservation objectives are drawn from Natural England’s website **[See reference 30]**.

Breckland SPA

Overview of site and its location

B.2 The Breckland SPA is located in parts of both Norfolk and Suffolk in the heart of East Anglia. It forms part of The Brecks National Character Area (NCA 85), which has an ages-old identity, a very particular land use history and a richly distinctive wildlife, which sets it apart from all surrounding landscapes. The area consists of a gently undulating plateau underlain by a bedrock of Cretaceous Chalk, which is covered largely by thin deposits of sand and flint of glacial origin. The semi-continental climate, with low rainfall and free-draining soils, has led to the development of dry heath and grassland communities. The complex of soils has led to the creation of intimate mosaics of heather dominated heathland with acid and calcareous grassland rarely found elsewhere. The remnants of the dry heath and grassland that remain within the SPA today support populations of Annex 1 heathland breeding birds, where grazing by sheep and rabbits is sufficiently intensive to create short turf and open ground.

Qualifying features

B.3 Annex I of the Wild Birds Directive:

Appendix B Attributes of European Sites

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

Conservation objectives

B.4 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.

B.5 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.

B.6 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.

Key vulnerabilities

B.7 Key threats facing the Breckland SPA include:

- Air pollution and airborne contaminants;

- Human induced changes in hydraulic conditions;
- Changes in biotic conditions;
- Forest and plantation management and use; and
- Grazing.

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

B.8 In general, the three qualifying species all rely on:

- The site's ecosystem as a whole (see list of habitats below);
- Maintenance of populations of species that they feed on (see list of diets below);
- Off-site habitat foraging habitat for these species. In particular, this includes open grassland, heathland and arable land; and
- Open landscape with unobstructed line of sight within nesting, foraging or roosting habitat. The individual qualifying species of the SPA also rely on the following habitats and species:

Stone curlew; *Burhinus oediconemus*

- Habitat preferences: This species breeds on grassland, heathlands, arable and sometimes conifer plantations, particularly in areas with heath glades.
 - In addition to this, stone curlew are known to use arable land and heathland for post-breeding flocks.
 - This species tends to prefer foraging within 1km from a nest site.
- Diet: Invertebrates that are found on the ground, including earthworms, ground and dung beetles.

Woodlark; *Lullula arborea*

- Habitat preferences: This species uses open grassland and heather heaths to breed; and grassland and arable land to forage. This species is also sometimes observed nesting along the margins of arable areas.
 - More recently this species has taken to nesting on fallow land and the system of rotational clear-felling within the conifer plantations has provided ideal breeding conditions for woodlark.
 - This species primarily uses the SPA for breeding; however they are also known to use the SPA during the winter.
- Diet: Insects, including beetles, caterpillars and spiders during the breeding season and seeds during the winter.

Nightjar; *Caprimulgus europaeus*

- Habitat preferences: This species exclusively uses afforested land, including clear fells and young plantations for breeding; and open heathlands, grasslands and arable land for foraging.
- Diet: Insects, especially moths and beetles.

References

- 1 [HM Government \(2007\) The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(SI No. 2007/1843\)](#)
- 2 [HM Government \(2017\) The Conservation of Habitats and Species Regulations 2017 \(SI No. 2017/1012\), as amended by HM Government \(2019\) The Conservation of Habitats and Species \(Amendment\) \(EU Exit\) Regulations 2019 \(SI No. 2019/579\)](#)
- 3 The integrity of a site is the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated. (Source: UK Government Planning Practice Guidance)
- 4 [Department for Levelling Up, Housing and Communities \(2019\) Appropriate assessment: Guidance on the use of Habitats Regulations Assessment](#)
- 5 Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive').
- 6 Directive 2009/147/EC of 30 November 2009 on the conservation of wild birds (the 'Birds Directive').
- 7 [The network of protected areas identified by the EU: European Commission \(2008\) Natura 2000](#)
- 8 [Department for Environment, Food and Rural Affairs \(2021\) Changes to the Habitats Regulations 2017](#)
- 9 [Department for Environment, Food and Rural Affairs, Natural England, Welsh Government and Natural Resources Wales \(2021\) Habitats regulations assessments: protecting a European site](#)
- 10 [Ministry of Housing, Communities and Local Government \(2024\) National Planning Policy Framework \(paragraph 194\)](#)
- 11 [David Tyldesley & Associates \(undated\) The HRA Handbook \(Section A3\)](#)
– A subscription based online guidance document
- 12 [Department for Environment, Food and Rural Affairs, Natural England, Welsh Government and Natural Resources Wales \(2021\) Habitats regulations assessments: protecting a European site](#)
- 13 Regulations 5 of the Habitats Regulations 2017.

- 14 [Department for Levelling Up, Housing and Communities \(2019\) Appropriate assessment: Guidance on the use of the Habitats Regulations Assessment](#)
- 15 European Commission (2001) Assessment of plans and projects significantly affecting European Sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC
- 16 [David Tyldesley & Associates \(undated\) The HRA Handbook \(Section A3\)](#)
– A subscription based online guidance document
- 17 [Natural England \(undated\) Conservation Objectives for European Sites](#)
- 18 In line with the CJEU judgement in Case C-323/17 People Over Wind v Coillte Teoranta, mitigation must only be taken into consideration at this stage and not during Stage 1: HRA Screening.
- 19 In addition to SAC and SPA citations and conservation objectives, key information sources for understanding factors contributing to the integrity of the sites include (where available) conservation objectives supplementary advice and Site Improvement Plans prepared by Natural England: [Natural England \(undated\) Site Improvement Plans by region](#)
- 20 A buffer distance of 20 kilometres has been applied based on the buffer distance applied to North Essex HRAs. This seems relevant given the large distances identified in relation to recreation.
- 21 Chapman, C. & Tyldesley, D. (2016) Functional linkage: How areas that are functionally linked to European sites have been considered when they may be affected by plans and projects 0 a review of authoritative decisions. Natural England Commissioned Reports, Number 207.
- 22 Obtained from the [Natural England website](#).
- 23 [Natural England \(undated\) Conservation Objectives for European Sites](#)
- 24 SI No. 2017/2012.
- 25 ECJ Case C-127/02 “Waddenzee” Jan 2004.
- 26 [David Tyldesley & Associates \(undated\) The HRA Handbook \(Section A3\)](#)
– A subscription based online guidance document
- 27 [David Tyldesley & Associates \(undated\) The HRA Handbook \(Section A3\)](#)
– A subscription based online guidance document
- 28 [JNCC \(2019\) UK Protected Area Datasets for Download](#)

29 [Natural England \(2014-2015\) Site Improvement Plans: East of England](#)

30 [Natural England \(undated\) Conservation Objectives for European Sites](#)

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