

Subject: Update to adopted Habitats Monitoring and Mitigation Strategy

Report to: Policy and Resources Committee – 5 February 2019

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SUBJECT MATTER

Amendment of the adopted Habitats Monitoring and Mitigation Strategy

RECOMMENDATION

That the Policy and Resources Committee adopts the revised Habitats Monitoring and Mitigation Strategy,

1. INTRODUCTION

1.1 It was previously agreed by Policy and Resources Committee (in July 2018) that the adopted Habitats Monitoring & Mitigation Strategy would be reviewed after consultation in August/September 2018. This report constitutes that review.

1.2 It is proposed to make only modest changes. These respond to comments received in consultation, a further review of evidence, and the recent significant changes/clarifications in the legal position in relation to protected habitats. The most significant of these changes is the exclusion of an area approximately corresponding to Hopton parish from the charging area, on the basis of evidence and expert opinion about the zone of influence of potential recreation impacts.

1.3 Updating the Strategy now will assist in easing the current difficulties both the Council and applicants face in processing planning applications as a result in recent changes in the interpretation of habitat protection laws.

2. BACKGROUND

2.1 The need for the Strategy was identified during the Examination of the Local Plan Core Strategy. It is fundamental to meeting the relevant legal obligations relating to the development provided for in the Local Plan.

2.2 In July 2018, Policy and Resources Committee adopted the current Habitats Monitoring and Mitigation Strategy. It also agreed at that time to review that document again in the light of then-already emerging issues with habitats law, and the opportunity to consult on the Strategy as part of the supporting documentation for the Draft Local Plan Part 2.

2.3 The current Strategy provides for the Council to collect a sum of £110 for each new dwelling or equivalent tourist accommodation to mitigate and avoid harm to internationally protected habitats (such as Winterton-Horsey Dunes Special Protection Area) which could arise from the cumulative impacts of new

housing and tourist accommodation. Without such arrangements, the Council could not lawfully grant planning permission.

2.4 New development planned in the Core Strategy accommodates new residents or visitors, and it is their potential impacts (not any existing or other impacts) which the Council must show are avoided or sufficiently mitigated, and which are addressed by the Strategy. The main potential harm arises from recreation, especially with dogs, in or near protected sites, which can disturb protected ground nesting birds.

2.5 The monies collected under the Strategy are to fund mitigation measures (such as wardening, signage, fencing, etc.), and also monitoring work to identify the effectiveness, targeting, etc. of these measures. (Note that the Strategy deals only with the cumulative impacts: individual developments may be of such a scale, location or nature as to require specific mitigation measures in addition.)

3. PROPOSED UPDATES

3.1 There are two main changes proposed to the Strategy:

- A small reduction to the area to which the charge applies
- Reference to additional guidance for planning applications

3.2 In reviewing the Strategy and the challenges presented, it is proposed that the area to which the charge applies is altered to reflect more detailed evidence and expert opinion, this being the 'indicative habitat impact zones' which have been identified. These are based on the plan-wide Habitat Regulations Assessment (HRA) which used distance zones of 400m, 2.5km and 5km to determine the potential influence of developments on internationally protected habitat sites (Natura 2000 Sites).

3.3 The (revised) chargeable area would cover the majority of the plan area, with the exception of the parish of Hopton and a small part of South Gorleston: (see Appendix 2: the blue coloured area is excluded from the charge, and the charge applies in the rest of the plan area). Further evidence from Norfolk survey data, and the opinion of the Council's ecology consultants, Footprint Ecology, suggest that at distances beyond 5km (such as areas like Hopton), visitor rates are low. *(Note that in a previous change to the Strategy, the chargeable area was extended to the whole Borough to capture development in the southern parishes, with particular emphasis on potential impacts to Breydon Water.)* Therefore, based on this evidence and expert opinion, a charge is no longer considered to be justified for new development sites 5km or further from any Natura 2000 sites.

3.4 Following a series of recent European Court rulings in 2018 on the content of HRAs (the most notable of which is known as the 'Sweetman' case) and having worked with Footprint Ecology and Natural England, a Guidance Note has been prepared to help applicants to meet the necessary requirements when applying for planning permission. The court rulings clarify how authorities should adequately assess potential impacts (known as 'likely significant effects'), and where such impacts are identified, undertake an 'appropriate assessment' which includes the consideration of potential mitigation mechanisms to ensure there are no adverse effects on the integrity of Natura 2000 sites. It is therefore important that the Borough Council has guidance in place to ensure that the legal requirements are met, and that it is referred to in the Strategy.

3.5 In order to minimise the need for the proposers of some smaller-scale and 'low risk' (from a Natura 2000 perspective) developments to commission and undertake individual shadow HRAs (which can be costly), officers have worked closely with Natural England to agree a 'template' shadow HRA, which can be populated fairly quickly and easily by such applicants and submitted alongside their planning application. The Guidance Note contains the details of how and when the 'template' HRA could be used.

3.6 The Guidance Note and the related 'template' shadow HRA, as technical documents, were published on the Council's website on 25th January 2019 and are therefore already in use.

3.7 Both of the changes mentioned in paragraph 3.1 are recommended to be made to the Strategy with immediate effect. This will help ensure that planning applications are being determined lawfully in meeting the legislative requirements to protect internationally-designated habitats.

4 FINANCIAL IMPLICATIONS

4.1 There is no change proposed to the current charge of £110 per net dwelling (or equivalent accommodation). The reduced charging area is likely only to result in a modest drop in income to fund monitoring and mitigation measures. The charge will be reviewed annually along with the measures to ensure that they are fit for purpose.

5 RISK IMPLICATIONS

5.1 If the Council were unable to resolve the Habitats Regulations challenges, then this could have serious repercussions, but the measures outlined above seek to address those challenges. The situation, however, will be kept under close review, as this remains a fast-moving area of law and planning policy.

6 CONCLUSIONS

6.1 The Habitats Monitoring and Mitigation Strategy has been amended to meet the latest legislative requirements and is supported by more detailed evidence. It is recommended that this Strategy is adopted with immediate effect, enabling officers to ensure that relevant planning applications also meet the latest legislative requirements when assessing impacts on internationally protected habitats.

7 RECOMMENDATION

That the Policy and Resources Committee adopts the revised Habitats Monitoring and Mitigation Strategy.

8 APPENDICES

Appendix 1 - Updated Habitats Monitoring & Mitigation Strategy (with tracked-changes)

Appendix 2 – Indicative Habitat impact Zones Map

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated?

Area for consideration	Comment
Monitoring Officer Consultation:	n/a
Section 151 Officer Consultation:	n/a
Existing Council Policies:	Local Plan Core Strategy. The revised Habitats and Monitoring Strategy recommended above replaces that agreed as Council Policy in July 2018.
Financial Implications:	See section 4, above.
Legal Implications (including human rights):	Addressed in the report
Risk Implications:	See section 5, above.
Equality Issues/EQIA assessment:	n/a
Crime & Disorder:	n/a
Every Child Matters:	n/a

Habitats Monitoring and Mitigation Strategy

~~July 2018~~ January 2019



Great Yarmouth Borough Council

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1.0 Summary

- 1.1 This Monitoring and Mitigation Strategy sets out a plan to implement a programme of monitoring and mitigation measures to address potential adverse effects on European protected wildlife sites (Natura 2000 sites), which can be caused from increased visitor pressures resulting from new planned residential and tourist development.
- 1.2 The Strategy recommends a planning contribution of £110 per net new dwelling (including tourist and Sui Generis accommodation uses) ~~across in the Borough~~ majority of the plan area. The contribution will provide for the necessary monitoring mitigation measures as required by the Habitat Regulations Assessment for the Local Plan Part 1: Core Strategy and emerging Local Plan Part 2: Detailed Policies and Site Allocations.

2.0 Introduction

- 2.1 The Council is implementing the Monitoring and Mitigation Strategy to address potential adverse impacts on European designated wildlife sites (known as Natura 2000 sites) caused by increased visitor pressures resulting from new planned residential and tourist development. The Council will therefore be seeking planning contributions from new residential and tourist development to fund necessary monitoring and mitigation measures work.
- 2.2 The Monitoring and Mitigation Strategy is required by the Council's adopted Local Plan Part 1: Core Strategy (2015) following recommendations from its supporting Habitat Regulations Assessment (HRA). Through international law, the EU Habitats Directive requires that all local plans are assessed for their potential effects on European designated wildlife sites. The Borough's final HRA report concluded that on the basis of objective information it was not possible to rule out the likelihood of significant effects occurring as a result of increased recreational pressure on the following sites:
 - Winterton-Horsey Dunes SAC
 - Great Yarmouth North Denes SPA
 - Breydon Water SPA and Ramsar site
- 2.3 The emerging Local Plan Part 2: Detailed Policies and Site Allocations (LPP2) builds on the work of the Core Strategy. However, following changes in national planning policy (the revised draft national Planning Policy Framework), the LPP2 reduces the housing requirement, known as Local Housing Need, over the plan period by 28% from that of the original Core Strategy housing target. The consequence of this reduction is that it will likely reduce potential impacts on the integrity of Natura 2000 sites and also the required measures to mitigate effects.
- 2.4 The plan-wide HRA recommends that: a number of early warning monitoring measures, the continuation of existing monitoring and mitigation measures, potential additional mitigation measures, are implemented where necessary to prevent adverse effects on the above mentioned Natura 2000 sites.

~~2.42.5~~ A project level HRA will be required for relevant planning applications, particularly following recent European Court interpretation of the European Directives¹, which have clarified the need to adequately undertake and record a HRA in a

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¹ ['Sweetman' ruling](#)

stepwise way, with assessment of identified significant effects undertaken at the 'appropriate assessment stage,' and ensure that all development that poses a potential risk has the benefit of a HRA record. This includes small scale development such as a single new dwelling. Each should have a detailed and satisfactory HRA to demonstrate that any potential effects have been assessed. The Borough Council has published specific guidance to help applicants in the first instance, and applicants with small scale/low impact development will be able to complete and use a template shadow HRA (subject to agreement by the Borough Council as the determining authority).

3.0 Monitoring and Mitigation Planning Obligations

- 3.1 Planning obligations will be secured to provide a series of necessary monitoring and mitigation measures based on the proximity of new residential and tourist development to the relevant Natura 2000 sites. The policy requirement for contributions is set out in Policy CS11 of the Core Strategy and will be supported further ~~by the emerging~~ detailed policy on "Habitat and Species Impact Avoidance and Mitigation" in the emerging Local Plan Part 2 ~~(draft)~~ (see Table 1 below).

Table 1: Monitoring and Mitigation Planning Obligation for Draft Local Plan Part 2

Draft Policy Option: Habitats and species impact avoidance and mitigation

Natura 2000 designated sites in and around the Borough will be protected from adverse impacts through implementation of the Borough Council's Habitats Monitoring and Mitigation Strategy.

In order to avoid or mitigate the in-combination (cumulative) potential adverse impacts on these sites associated with the occupancy of new housing development, a financial charge will be levied on new housing or tourist accommodation development where relevant in the Borough plan area, and applied to monitoring and mitigation measures under the guidance of an expert advisory panel.

~~In order to avoid or mitigate the cumulative~~ The potential adverse impacts (likely significant effects) arising from particular housing development sites will be assessed in the first instance by virtue of considering their size and/or proximity to Natura 2000 designated ~~de~~ sites, and in some circumstances further site specific measures will also be required particularly where direct impacts have been identified.

CUMULATIVE IMPACTS

New housing and tourism accommodation development in the identified areas on the Indicative Habitat Impact Zones Threshold Table and Map (see Appendix 1) will be required to make the specified financial contribution to the Council's Monitoring and Mitigation Programme to address its cumulative contribution to potential adverse impacts on designated Natura 2000 sites.

The initial standard charge will be:

- £110 per net dwelling or six non-dwelling bedspaces.

The charge will be uprated annually to reflect inflation. The level of charge and identified areas will be kept under review as part of the Monitoring and Mitigation and adjusted if this is found necessary.

SPECIFIC IMPACTS

Where a proposed residential or tourism accommodation development (including on allocated sites) is identified (in the allocation of the site, or in the process of considering the planning application) as having, in itself, a potential significant adverse impact on Natura 2000 designated sites, permission will be subject to the specific provision of suitable mitigation measures appropriate to the circumstances. These may typically include one or more of the following:

- A. Enhanced informal recreational provision [Sustainable Accessible Natural Greenspace], on (or in close proximity to) the site to limit the likelihood of additional recreational pressure (particularly that relating to exercising dogs) on nearby relevant nature conservation sites. The provision will be likely to consist of an integrated combination of:
 - i. Informal open space (over and above the Council's normal standards for play space);
 - ii. Landscaping, including landscape planting and maintenance;
 - iii. A network of attractive pedestrian routes (and car access to these where they are not adjacent to the development site), which provide a variety of terrain, routes and links to the wider public footpath network).
- B. A financial contribution (in addition to the standard cumulative charge indicated above) to enhanced management of nearby designated nature conservation sites and/or alternative green spaces;
- C. A programme of publicity to raise awareness of relevant environmental sensitivities and of alternative recreational opportunities.

Definitions

3.2 For the purposes of this charging a new dwelling or equivalent bedspaces is defined as:

1. A dwelling house ()
 - a. Including Use Class C3; residential mobile home, residential park home, residential boat mooring, etc.
2. equivalent bed-spaces is defined as accommodation comprising up to 6 of the following:
 - a. bedrooms (where bedrooms are so identified or rooms that can reasonably be assumed to be available for such use), or (in the case of communal sleeping accommodation) individual bedspaces, in:
 - i. Hotels, boarding houses, or guest houses (Use Class C1), or
 - ii. Residential Institutions (Use Class C2), or
 - iii. Houses in Multiple Occupancy (HMOs) including Use Class C4 and related Sui Generis, and
 - iv. Similar residential or tourist/visitor accommodation, or
 - b. touring tent or caravan pitches, or
 - c. visitor or private boat moorings.

3.3 Planning obligations can make development acceptable which would otherwise be unacceptable in planning terms. Tariff style planning obligations can be sought for developments “to fund measures with the purpose of facilitating development that would otherwise be unable to proceed because of regulatory or EU Directive requirements”².

3.4 Section 106 agreements (a type of planning obligation) will be used to secure the provision of the monitoring and mitigation measures. Contributions will be paid on the commencement of development. The majority of such charges will be pooled for application to monitoring and mitigation under the Strategy. In the case of any mitigation measures involving infrastructure, and for which pooling is restricted by the Community Infrastructure Regulations, the specific project will be identified.

3.5 If the Council introduces a CIL then a review of this strategy will take place. It is likely that the majority of mitigation measures (infrastructure projects such as provision of signs and open space enhancements) will be funded through CIL.

3.6 Developers’ contributions (collected through these methods) for monitoring and mitigation measures will normally be payable at the time that the development commences on site. This will help minimise any time delay between occupation of the development and the implementation of appropriate mitigation projects.

3.7 The Council is exploring the use of an alternative method to collect contributions with the use of Section 111 undertakings which would be required when an

² NPPG, Planning Obligations, para 20, Ref: 23b-020-20160519

application is submitted. The system has multiple benefits in that it would avoid delays and legal costs associated with the signing of Section 106 agreements, and does not restrict the pooling of funds on required infrastructure.

Exemptions

3.8 The charges will not apply to:

- in the first instance, housing or tourist accommodation developments located in areas beyond 5km of a Natura 2000 Sites as identified on the Indicative Habitat Impact Zones Map
- developments not leading to a net gain in dwellings or non-dwelling bedspaces accommodation or increased visitation within the above mentioned
- extensions to existing dwellings (as defined above) residential properties that do not result in a net increase in residential units are not required to contribute.

3.9 Special reductions or exemptions in charges will, in very exceptional circumstances, be considered where it is clearly demonstrated that the additional bed-spaces developed will not result in any additional recreational visits to protected sites (e.g. residential institutions where the residents are not mobile). Where such special reductions/exemptions are given, conditions or other measures will be used to limit the use accordingly, in order that the charge can be applied in the event that the circumstances justifying the reduction or exemption no longer pertained.

4.0 Implementation and Monitoring of the Strategy

4.1 In order to ensure the effective implementation of this strategy, the Council will continue to work with a range of partners. A Monitoring and Mitigation Advisory Group will be set up and chaired by GYBC comprising representatives of Natural England, Norfolk Wildlife Trust, Broads Authority, Royal Society for the Protection of Birds (RSPB) - to advise on:

- The implementation and choice of measures, including prioritisation and identifying new or replacement measures;
- The relevance and effectiveness of measures in relation to activity arising from the Core Strategy planned growth;
- The consideration of 'trigger points' activating potential mitigation;
- The targeting and timing of monitoring;
- The interpreting and responding to results of monitoring

4.2 This strategy will be kept under review and its implementation will also be monitored through the Annual Monitoring Report. If the monitoring programme indicates that additional monitoring is needed, or that the mitigation measures are not working, or further measures are required then the strategy will be updated to reflect this. The strategy will also be updated should the Council introduce CIL.

5.0 Planning Justification

Strategy Aims and Objectives

- 5.1 The aim of this Strategy is to implement the protection of the main local Natura 2000 sites: Winterton-Horsey Dunes SAC, Breydon Water SPA/Ramsar site and North Denes SPA, from any significant effects resulting from increased recreational pressures which may arise from new housing and tourism development planned by the Core Strategy growth. The plan-wide HRA recommends the immediate implementation of the following measures:
- a) Monitoring of visitor numbers and vegetation change to identify any impacts from the Core Strategy planned development
 - b) Provision of mitigation measures such as bins for dog waste, interpretation boards, waymarked routes and control of dogs
 - c) Contribution to the management of the little tern colony to mitigate impacts of visitor pressures
- 5.2 It is important to appreciate that the Monitoring and Mitigation Strategy is not intended to mitigate other impacts on the protected sites and species, such as those that might arise from growth elsewhere, or more general changes in tourism and recreation. Part of the purpose of the monitoring is to seek to disaggregate such impacts from those related to Core Strategy planned growth.

Strategy Coverage and Evidence

- 5.3 The ~~Monitoring and Mitigation Strategy~~ mitigation measures apply (at this point in time) ~~ies only~~ to the three Natura 2000 sites where the HRA identified that there may be potential effects resulting from new development at Winterton-Horsey Dunes SAC, Breydon Water SPA/Ramsar and North Denes SPA. Evidence from the HRA and a recent 'Draft Visitor surveys at European protected sites across Norfolk' report, demonstrates that the majority of visitors to Natura 2000 sites travel relatively short distances, such as between 2km and 5km. The 5km band represents a useful check and visitor data from both the Broads and East Coast sites (Panter, Liley & Lowen 2017) indicates that although there may still be impacts from recreation, at distances beyond 5km visitor rates are low. There was, however, evidence also of larger journeys of up to 12km, perhaps reflecting those travelling from the main urban areas up to Winterton.
- 5.4 Based on this evidence, it is considered that residential and tourist ~~development across the Borough have~~ developments across the Borough, within 5km of designated sites, have the potential to impact on ~~the three designated~~ Natura 2000 sites. There was, however, evidence also of larger journeys of up to and beyond 12km, perhaps reflecting the draw of 'honeypot' sites such as the Winterton beach where people would visit from more distant urban areas such as Martham, Acle and even Norwich. those travelling from the main urban areas up to Winterton. (particularly in the northern areas within close proximity to Winterton-Horsey Dunes and North Denes, but acknowledging that those settlements in the south west of the Borough also have the potential to impact upon Breydon Water).

Existing Monitoring and Mitigation Measures

5.5 There are a number of monitoring and mitigation measures already in place either due to the existing pressures on the Natura 2000 sites within the Borough or through existing Council initiatives. Such measures build on the work of Site Improvement Plans (SIPs) produced by Natural England to provide an overview of the priority issues, measures and actions to be taken on Natura 2000 Sites. Some of these measures will help to accommodate pressures arising from the Core Strategy planned growth, and therefore will be appropriately supported through planning contributions. Existing projects include:

- Wardening of Little Tern Colonies at North Denes SPA (and Winterton-Horsey Dunes SAC)
- EU Life + Nature Little Tern Recovery Project
- Potential control of dogs orders

Required Monitoring and Mitigation Measures

5.6 The HRA recommends a number of monitoring requirements and mitigation measures. Some of these measures are required as upfront mitigation provide 'headroom' to accommodate any likely impacts from early Core Strategy planned growth. Other monitoring requirements will act as 'early warning' indicators that will help to determine when and which type of mitigation measures will be appropriate to avoid potential any adverse impacts resulting from new development. The monitoring measures are primarily concerned with monitoring visitor numbers, visitor origins and behaviours, and any changes in vegetation, to identify any emerging effects related to Core Strategy planned development. Some measures are already in place or are developing to manage the exacerbation of existing recreational disturbance pressures from new developments, such as currently being addressed by the RSPB's little tern wardening scheme, which is to continue to be supported. Other potential mitigation measures will be introduced as and when a need is identified through the monitoring programme.

Potential Mitigation Measures

5.7 The potential mitigation measures recommended by the HRA have been identified in relation to specific impacts. Therefore the appropriate mitigation measure will be determined by the early warning signs of such impacts. For example, if there is evidence of frequent foot access to the southern shoreline at Breydon Water SPA and Ramsar, there is the potential to mitigate this impact by providing fencing and/or re-routing paths. The full breakdown of potential mitigation measures for each Natura 2000 site is included in the Section 6.

Planning Contribution Calculations

Monitoring Costs

- 5.8 The cost of the recommended monitoring package is based on a quotation to undertake the work from Footprint Ecology who wrote the HRA. This includes visitor and vegetation monitoring at Winterton-Horsey SAC and monitoring measures at Breydon Water SPA/Ramsar. The monitoring will cost £13,000 and needs to be undertaken every 3 years which will cost £65,000 over the 15 year plan period.

Little Tern Monitoring and Mitigation Measures

- 5.9 The Little Tern monitoring and mitigation measures are required by the HRA to address the potential impacts from increased recreational visitor pressures from new development and the associated disturbance on the Little Tern colonies based at Winterton-Horsey SAC and North Denes SPA. The cost of the Little Tern management is based on information from the RSPB to fund the management package but not including staff salaries as this cannot be funded through Section 106 agreements. The RSPB expenditure cost is £5,440 per annum and necessary equipment cost £21,870 every 3 years (annualised at £7,298). Therefore the annual cost is £5,440 + £7,298 = £12,738. As the EU Life + Nature Little Tern Recovery Project provides funding for the management package to 2018 funding is being sought for last 12 years of the plan period 2018 to 2030 so the total cost is £12,738 x 12 years = £152,856.

Total Costs

- 5.10 The monitoring costs and Little Tern Management, monitoring costs, and further mitigation costs have been added together. The costs were obtained back in August 2014, and have therefore increased since, up to the publication of this strategy. The following table factors in a 10% increase in costs:

Total Cost

£65,000 + £152,856 + = £217,856	+10% = £239,641.6
Collected Contributions = £58,700	£239,641.60 - £58,700 = £180,941.60

- 5.11 To set a reasonable cost per dwelling, the total cost has been divided by the potential number of new dwellings planned in the Borough as demonstrated in the table below. The figures were updated to include allocations and assumed windfall over the remaining plan period as presented in the Draft Local Plan Part 2: Detailed Policies and Site Allocations document.

Table 2: Planned growth in Borough through (Draft) Local Plan Part 2:

Planned growth in Borough	
Total Allocations	529
Assumed windfall	817
Remaining Strategic Allocations	266
Total remaining Housing Growth	1612

Total Cost per Dwelling

$\pounds 180,941.60 / 1612 = \pounds 112.25$	£110.00
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- 5.12 The contribution cost per dwelling is slightly below what would be required to cover the full monitoring and mitigation costs (when based on the total remaining housing growth). This cost will be kept under review to ensure that the full monitoring and mitigation costs are covered (for example, a review of permissions and collected sums may conclude that a rise to £120.00 per dwelling may be appropriate).

6.0 Monitoring and Mitigation Measures Programme

The monitoring and mitigation measures for Winterton-Horsey Dunes SAC, Breydon Water SPA/Ramsar and Great Yarmouth North Denes SPA are detailed in the following tables.

Table 3: Monitoring Programme and Mitigation Measures for Winterton-Horsey Dunes SAC

Measure	What is needed	How will it be delivered?	How will it be funded?	Timeframe/ Progress
Visitor monitoring	Record visitor numbers and levels of use by interviewing a sample of visitors to ascertain details about patterns of access such as the activities undertaken during the visit, home postcode and mode of transport used to reach the site.	<p>Monitoring programme will be managed by Great Yarmouth Borough Council (GYBC) working with Natural England's Site Improvement Plan which also identifies the need to monitor the levels, patterns, impacts and solutions of recreational disturbance (Action 3A of the Site Improvement Plan).</p> <p>GYBC has jointly commissioned a Norfolk-wide visitor survey at European protected sites. As part of this work a baseline record for visitor numbers has been established including the home postcode of visitors, the mode of transport, the activities undertaken and the frequency of visit.</p> <p>Cost £3,750 to be repeated at approximately 3 year intervals.</p>	<p>GYBC will fund the initial baseline monitoring working with Natural England.</p> <p>Contributions from developers will be sought to fund subsequent years.</p>	<p>Commencing Spring 2018.</p> <p>Repeated every 3 years.</p>

Measure	What is needed	How will it be delivered?	How will it be funded?	Timeframe/ Progress
Vegetation monitoring	<p>Vegetation monitoring to establish baseline conditions, and subsequently whether changes in habitat are occurring which can be correlated to changes in recreational use of the site, and in turn any extent of this which can be attributed to Core Strategy planned growth.</p> <p>Mapping the area of bare ground and extent of basic habitat types (embryonic dune, foredune, fixed dune, dune heath) from aerial photographs.</p> <p>Identifying early warning trigger points with low thresholds of vegetation change which indicate the site is deteriorating to act as an early warning mechanism for the implementation of potential mitigation mechanisms before an adverse effect upon site integrity occurs.</p>	<p>Monitoring programme will be managed by Great Yarmouth Borough Council (GYBC) working with Natural England whose Site Improvement Plan also identifies the need to monitor the levels, patterns, impacts and solutions of recreational disturbance (Action 3A).</p> <p>Cost £5,500 to be repeated at approximately 3 year intervals.</p>	<p>GYBC will fund the initial baseline monitoring working with Natural England and the RSPB.</p> <p>Contributions from developers will be sought to fund subsequent years</p>	<p>Commencing Spring 2018.</p> <p>Repeated every 3 years</p>

Measure	What is needed	How will it be delivered?	How will it be funded?	Timeframe/Progress
Provision of dog bins	Provision of dog bins and their maintenance in key dog walking locations. Locations should be identified from baseline visitor monitoring.	Great Yarmouth Borough Council (GYBC) working with Natural England whose Site Improvement Plan also identifies the need to implement a range of management measures to reduce/minimise recreational disturbance (Action 3C & D).	GYBC will fund the initial baseline monitoring working with Natural England and the RSPB. This will identify locations for bins. Contributions from developers will be sought to fund bins as part of a package of mitigation.	Commencing Spring 2018.
Provision of interpretation boards	Provision of interpretation boards illustrating the value of sand dune and dune heath habitats and explaining the risk of fires and problems associated with dog-fouling. The most effective format is likely to be attractive information panels located at key access points.	Great Yarmouth Borough Council (GYBC) working with Natural England whose Site Improvement Plan also identifies the need to implement a range of management measures to reduce/minimise recreational disturbance (Action 3C & D).	Natural England will fund the interpretation boards required by coastal access mitigation. GYBC and contributions from developers will be sought as required to fund subsequent years to fund interpretation boards as part of a package of mitigation.	Installed

Table 4: Potential Mitigation Measures for Winterton-Horsey Dunes SAC

The monitoring programme will inform whether further mitigation measures should be implemented to prevent any adverse effects on the site's integrity as set out below:

Winterton-Horsey Dunes SAC				
Measure	What is needed	How will it be delivered?	How will it be funded?	Timeframe
Provision of way marked routes	The provision of way marked routes which will control the increase in paths, particularly through the foredunes. Routes could be simply identified with coloured posts or, it may be necessary to further guide people with the installation of boardwalks in sensitive areas. Care needs to be taken not to provide potential perches for predatory birds.	There are a number of public rights of way through the dunes at Winterton which are not currently signed from the public highway or way marked along the routes. This has been raised with Norfolk County Council as the highways authority who are investigating the issue.	Norfolk County Council as Highways Authority.	When the monitoring indicates they are needed.

Winterton-Horsey Dunes SAC

Measure	What is needed	How will it be delivered?	How will it be funded?	Timeframe
Additional wardening and dog control	Additional wardening to help promote responsible access and as necessary, enforce dog control orders and to require dog walkers to pick up dog waste.	<p>Great Yarmouth Borough Council's 3 Environmental Rangers patrol the borough 7 days a week and investigate reports of dog fouling by specific individuals or in specific locations. In addition, the Borough Council's 12 civil enforcement officers, who deal with parking enforcement, also have the power to issue on the spot fines. There is 'catch and convict' policy and a person may be issued with a £80 fixed penalty fine if they do not clean up or alternatively may be prosecuted through the Magistrates Court, where the maximum fine is £1000.</p> <p>Dog Control Orders are currently being investigated by the Borough Council following a consultation.</p> <p>In response to a PSPO consultation covering dog control orders, the Strategic Planning team has suggested a 'dogs on leads' requirement along the stretch of beach covering the Winterton Dunes SAC (i.e. the part of the designated site within Great Yarmouth Borough).</p>	GYBC The cost of additional wardening has been factored into the planning contribution.	When the monitoring indicates they are needed.

Table 5: Monitoring Programme for Breydon Water SPA/Ramsar site

Breydon Water SPA / Ramsar site				
Measure	What is needed	How will it be delivered?	How will it be funded?	Timeframe
Visitor monitoring	<p>Access monitoring along the seawall on both the north and south shores. Due to the narrow, linear nature of the routes, automated counters such as pressure pads would provide a cost effective means of recording visitor use. In addition, periodic counts of people should be made from strategic vantage points. These counts should record the numbers of people and activities undertaken, in particular recording whether any activities are taking place that could have particular impacts. The counts should take place at strategically chosen locations important for birds.</p> <p>The monitoring needs to act as an early warning trigger for the implementation of potential mitigation measures, before an adverse effect upon site integrity occurs. Scale of access to act as a trigger needs to be agreed with Natural England and the RSPB.</p>	<p>Monitoring programme will be managed by GYBC working with Natural England, the Broads Authority and the RSPB to ensure that there is no duplication.</p> <p>Cost of £3,750 to be repeated at approximately 3 year intervals.</p>	<p>GYBC will fund the initial baseline monitoring working with Natural England and RSPB.</p> <p>Contributions from developers will be sought to fund subsequent years.</p>	<p>Commencing Spring 2018.</p> <p>Repeated every 3 years</p>

Table 6: Potential Mitigation Measures for Breydon Water SPA/Ramsar site

The monitoring programme will inform the extent to which further mitigation measures should be implemented to prevent any adverse effects on the site's integrity. The measures could include some or all of the following, depending on the monitoring outcomes which needs to be agreed with Natural England and the RSPB:

Breydon Water SPA/Ramsar				
Measure	What is needed	How will it be achieved?	How will it be funded?	Timeframe
Fencing and signposting	Ensuring no informal access/access away from public footpaths takes place on the southern shore through fencing, signposting etc.	There are only 2 public access points to the southern shore of Breydon Water which are at Burgh Castle Roman Fort and Herbert Barnes Park. Both of these access points have interpretation panels and dog fouling signs. This will be investigated further if monitoring indicates that there is an issue.	Contributions from developers will be sought to fund fencing and signposting as part of a package of mitigation measures.	When the monitoring indicates they are needed.
Re-routing the path	Re-routing the path (at both the north and south shores) below the sea wall to ensure people are not visible along the skyline.	This will be investigated and implemented if monitoring indicates that there is an issue.	Contributions from developers will be sought as part of a package of mitigation measures.	When the monitoring indicates they are needed.
Ensure dogs are kept on leads	Signage and wardening to ensure that dogs are kept on leads and do not run freely on the wet grassland (southern shore) or mud-flats / saltmarsh. Interpretation boards and possibly wardening would be mechanisms to achieve this.	A new interpretation board is needed at the main entrance to the site at Breydon Bridge. This is currently being investigated.	GYBC/Natural England/Broads Authority/RSPB who sponsored the original board. Contributions from developers will be sought as part of a package of mitigation	Winter 2018

Breydon Water SPA/Ramsar

Measure	What is needed	How will it be achieved?	How will it be funded?	Timeframe
Provision of dedicated dog-friendly sites	<p>Provision of dedicated dog-friendly sites that act as alternatives to draw dog owners away from the sensitive areas. Herbert Barnes Park is ideal as it has good road access, is close to the areas where development will take place and is also adjacent to the estuary (in an area where there is no bird interest). Various improvements would be necessary at the site, such as:</p> <ol style="list-style-type: none"> 1. improved access to the site, 2. increased parking provision, 3. landscaping and a series of way-marked, dog-friendly routes to ensure most access is concentrated within the park and at the eastern end of the estuary. <p>There is also the potential, at the northern end of the estuary, to enhance the area adjacent to the A12 to provide an area where people can visit and view the estuary and its wildlife, without causing disturbance or increasing pressure on the site. Facilities could be generally improved so that visitors to this part of the shore are aware that the area is important for birds and that dogs should not be allowed to run loose on the saltings/mudflats.</p>	<p>A car park off the A12 serves Herbert Barnes Park and provides an adequate number of spaces for visitors. However, a sign is needed at the entrance of the car park to make people aware of its location.</p> <p>Herbert Barnes Park has a number of permissive paths which are illustrated on interpretation panels and will be mown regularly by the Council. The largest path is below the flood defence wall which helps reduce the disturbance of birds.</p> <p>A new interpretation board is needed at the main entrance to the site at Breydon Bridge. This is currently being investigated.</p>	<p>GYBC and contributions from developers will be sought to fund bins as part of a package of mitigation.</p> <p>GYBC/Natural England/Broads Authority/RSPB who sponsored the original board.</p>	When the monitoring indicates they are needed.

Table 7: Monitoring and Mitigation Measures for North Denes SPA

The little tern colony is potentially vulnerable and the HRA has concluded that increased adverse effects from additional development proposed in Great Yarmouth and settlements to the north of Great Yarmouth could not be ruled out on the basis of objective information. It is important to note that there are existing problems relating to the proximity of the site to urban developments which include disturbance and confinement of the colony.

The RSPB already has a management package in place, and this goes some way to counteract the effects of the existing visitor pressure for the little tern colonies at North Denes SPA in Great Yarmouth. The RSPB have received EU Life + funding to manage the little tern colonies across the SPA for 5 years from 2013 to 2018 therefore contributions will be sought for this to continue.

North Denes SPA				
Measure	What is needed	How will it be delivered?	How will it be funded?	Timeframe
Fencing during nesting season	Fencing to protect the little tern colony from ground predators, dogs and to prevent public access to the area where the birds are nesting. Extension of the fenced area and management of beach vegetation as necessary to ensure adequate areas are fenced each year and in the right areas for the birds to nest.	Management package delivered by RSPB and Natural England. Total cost for the management package is approximately £12,738 per annum not including wardening. A recent PSPO consultation by the Council has suggested a 'dogs on leads' requirement along the stretch of beach covering the North Denes SPA.	The RSPB have received EU Life + funding to manage the little tern colonies across the SPA for 5 years from 2013 to 2018. Contributions from developers will be required to ensure certainty that the management continues beyond 2018.	Annually during breeding season
Wardening during nesting season	On-site wardening to show people the birds and prevent disturbance, dogs running loose etc.			
Vandalism prevention	Measures to stop vandalism at night, such as night time wardening.			

North Denes SPA				
Measure	What is needed	How will it be delivered?	How will it be funded?	Timeframe
Access Management	<p>In the wider beach area around the colony access should be managed to create zones of low disturbance with the aim to extend the area available for the birds to nest in.</p> <p>Facilities for the public to view the birds, so that visitors can understand why access is prevented on part of the beach and so that local people, school groups, visiting birdwatchers etc. can see the birds easily from a suitable distance.</p>	<p>Management package delivered by RSPB and Natural England.</p> <p>Total cost for the management package is approximately £12,738 per annum not including wardening.</p>	<p>The RSPB have received EU Life + funding to manage the little tern colonies across the SPA for 5 years from 2013 to 2018.</p> <p>Contributions from developers will be required to ensure certainty that the management continues beyond 2018.</p>	
Predator control	Control of predators.			
Monitoring	The tern colonies around the east Norfolk and north Suffolk coast should continue to be monitored annually to check how distribution/use is changing and to ensure that the mitigation package is working. Such monitoring should be comparable between years and potentially include the number of pairs of terns, their breeding success, predators and visitor numbers and distribution.			

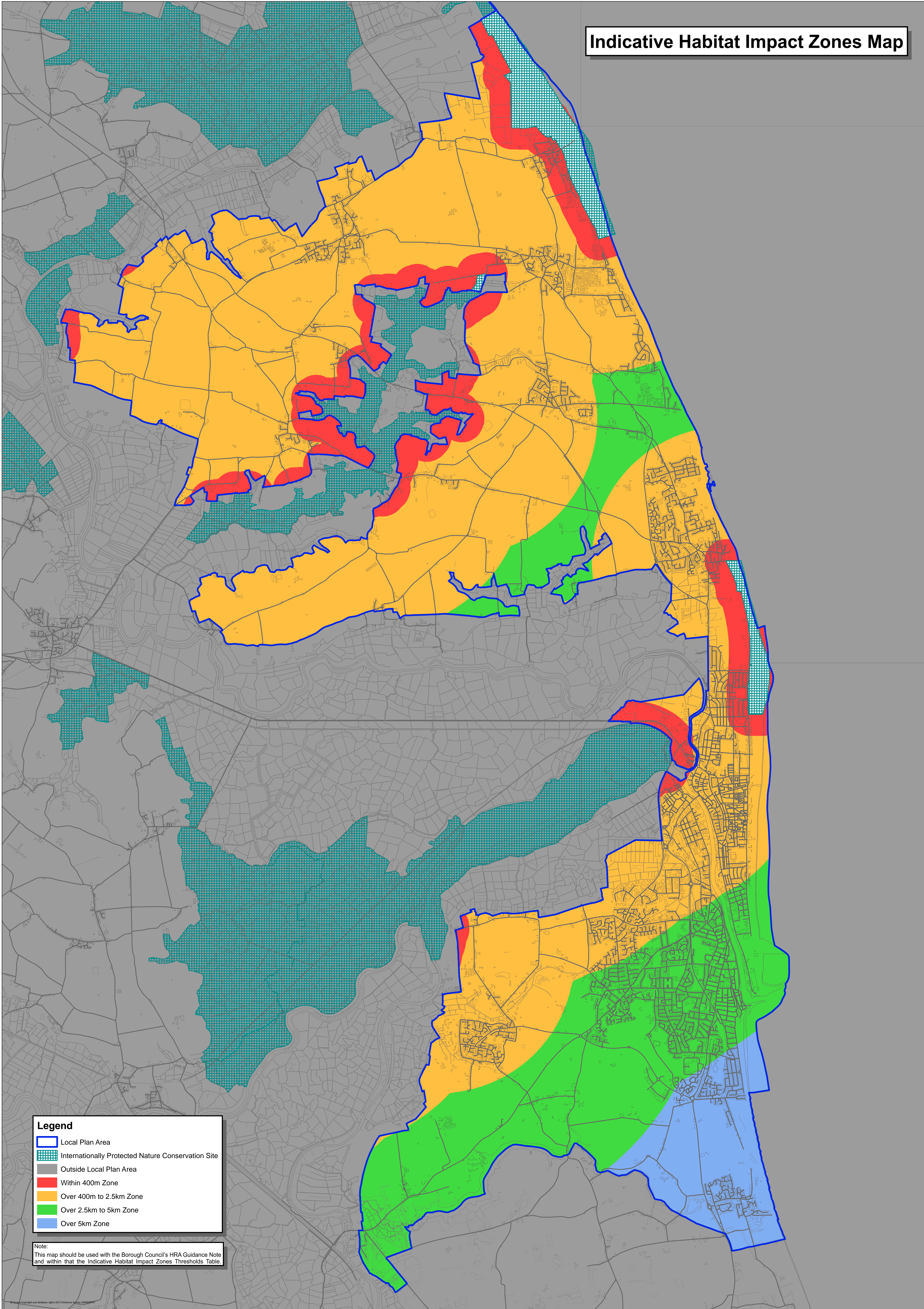
North Denes SPA				
Measure	What is needed	How will it be delivered?	How will it be funded?	Timeframe
Education	Promotion of the colony through education, events, art, and community involvement to engender local support for the colony.	<p>Management package delivered by RSPB and Natural England.</p> <p>Seashore holiday village, Great Yarmouth (adjacent to the SPA) are erecting interpretation boards about North Denes to educate their visitors.</p> <p>Interpretation boards at the southern part of North Denes SPA in Great Yarmouth.</p>	<p>EU Life + funding to 2018.</p> <p>Seashore holiday village.</p> <p>GYBC and Natural England. Contributions from developers will be sought to fund bins as part of a package of mitigation.</p>	

Appendix 1

Indicative Habitat Impact Zones Thresholds

Development Use	Scale	Within 400m (Red zone)		Over 400m to 2.5km (Orange Zone)		Over 2.5km to 5km (Green Zone)		Over 5km (Blue Zone)	
		Monitoring & Mitigation Strategy contribution	HRA type likely to be required	Monitoring & Mitigation Strategy contribution	HRA type likely to be required	Monitoring & Mitigation Strategy contribution	HRA type likely to be required	Monitoring & Mitigation Strategy contribution	HRA type likely to be required
New Housing	1 to 9 units	Contribution required	Bespoke HRA	Contribution required	Template HRA	Contribution required	Template HRA	No contribution required	None
	10 to 25 units	Contribution required	Bespoke HRA	Contribution required	Bespoke HRA	Contribution required	Template HRA	No contribution required	None
	26 to 100 units	Contribution required	Bespoke HRA	Contribution required	Bespoke HRA	Contribution required	Bespoke HRA	No contribution required	None
	100+ units	Contribution required	Bespoke HRA	Contribution required	Bespoke HRA	Contribution required	Bespoke HRA	No contribution required	Bespoke HRA
New Holiday accommodation	1 to 20 bed spaces	Contribution required	Bespoke HRA	Contribution required	Template HRA	Contribution required	Template HRA	No contribution required	None
	21 to 60 bed spaces	Contribution required	Bespoke HRA	Contribution required	Bespoke HRA	Contribution required	Template HRA	No contribution required	None
	61 to 230 bed spaces	Contribution required	Bespoke HRA	Contribution required	Bespoke HRA	Contribution required	Bespoke HRA	No contribution required	None
	230+ bed spaces	Contribution required	Bespoke HRA	Contribution required	Bespoke HRA	Contribution required	Bespoke HRA	No contribution required	Bespoke HRA

Indicative Habitat Impact Zones Map



- Legend**
- Local Plan Area
 - Internationally Protected Nature Conservation Site
 - Outside Local Plan Area
 - Within 400m Zone
 - Over 400m to 2.5km Zone
 - Over 2.5km to 5km Zone
 - Over 5km Zone

Note:
This map should be used with the Borough Council's HRA Guidance Note and within that the Indicative Habitat Impact Zones Thresholds Table.