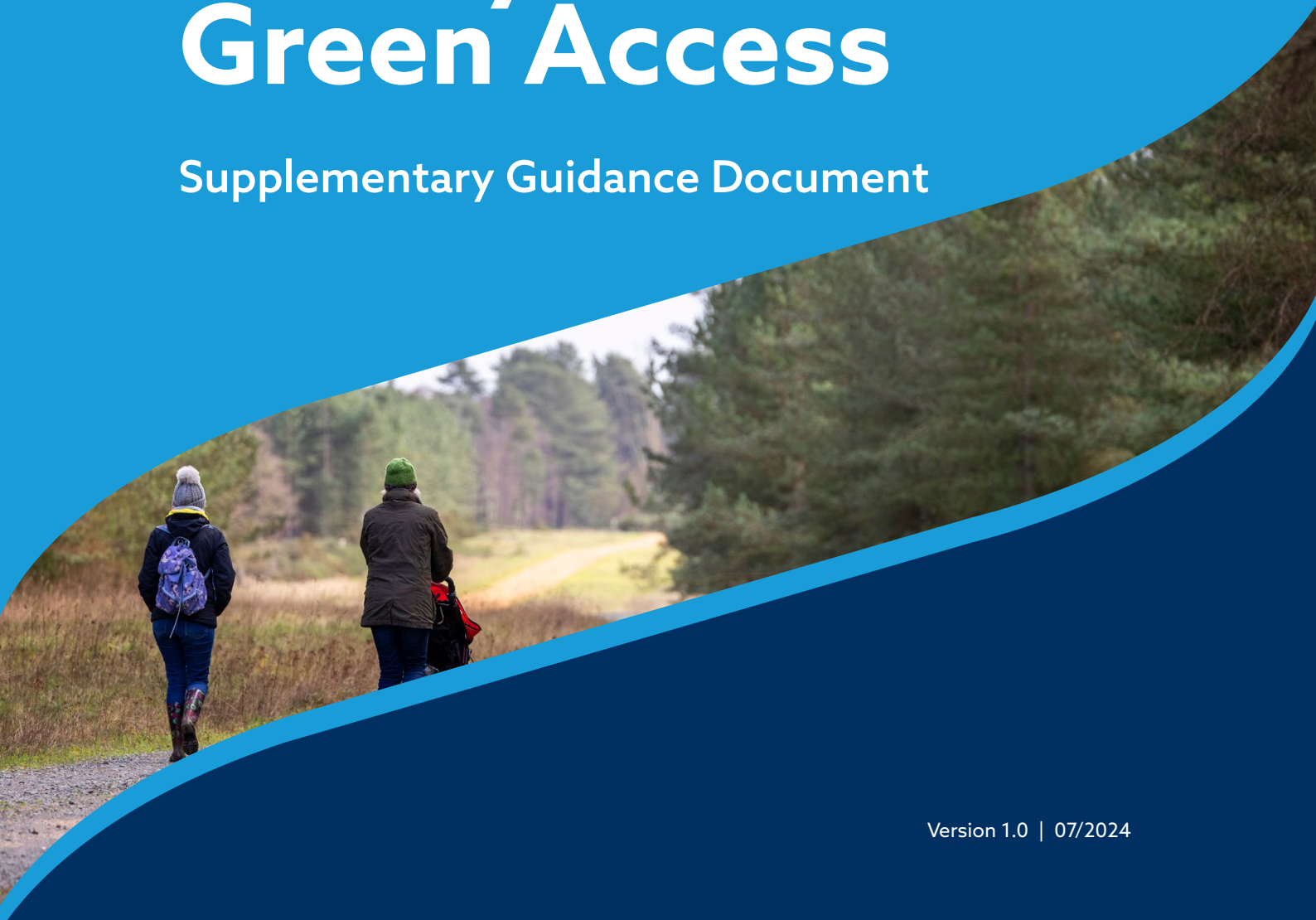
Suffolk County Council

Energy and Climate Adaptive Infrastructure Policy

Public Rights of Way and Green Access

Supplementary Guidance Document



Version 1.0 | 07/2024

This is a supplementary guidance document, to support the Energy and Climate Adaptive Infrastructure Policy, which was adopted by Suffolk County Council's cabinet, on the 16th of May 2023.

Definition

As defined in the Suffolk Green Access Strategy 2020 – 2030[1], (a document required by the Countryside and Rights of Way Act 2000) Green Access includes, Public Rights of Way, open access and informal routes, and moving about on foot, on bicycle or on horseback. It covers access to green space but also relates to accessing services, workplaces, and schools. It is especially relevant to sustainable transport, health, and wellbeing.

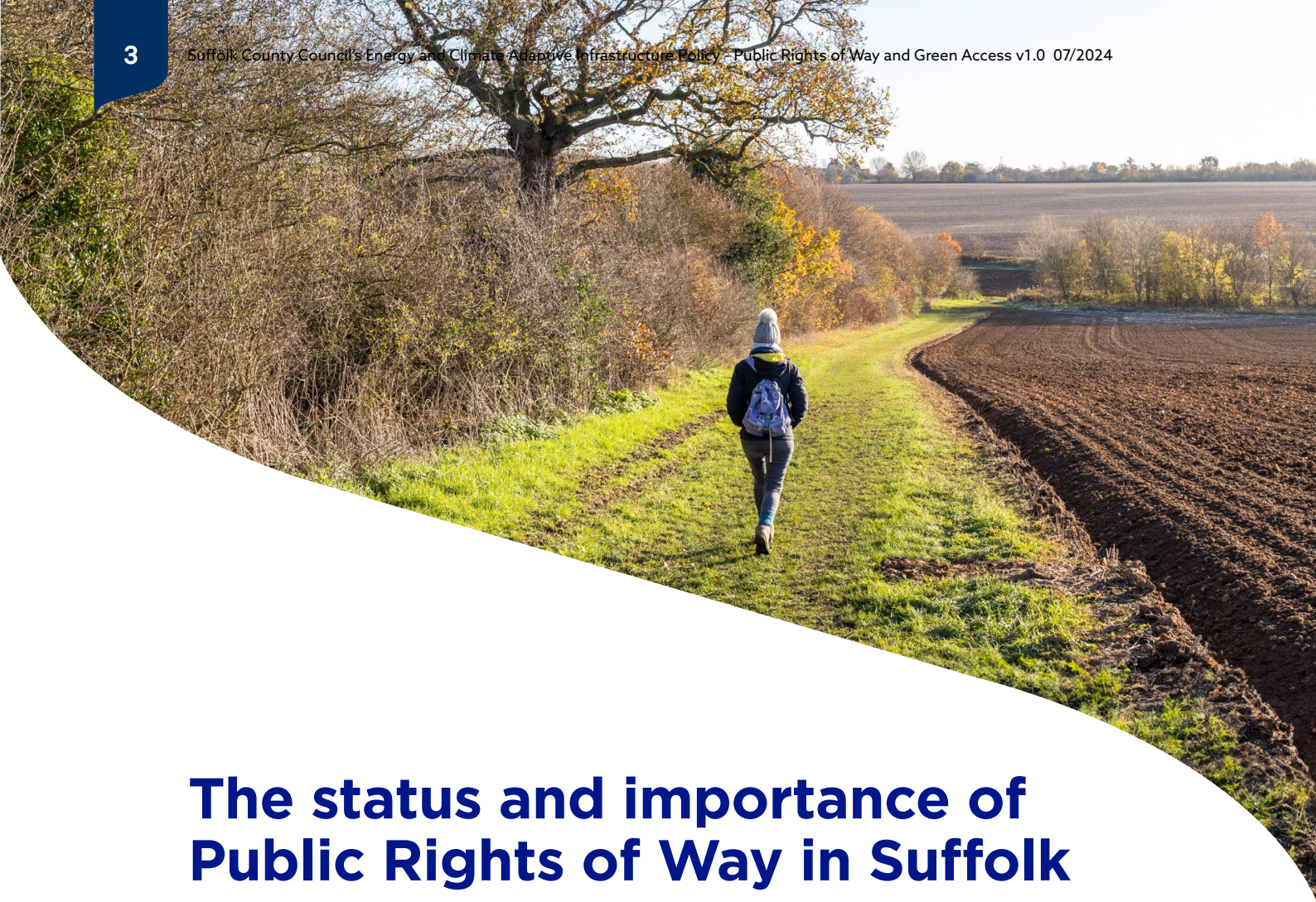
The scope and purpose of this guidance document

Suffolk has natural and geographic advantages that make it attractive for locating specific low- carbon technologies. This, therefore, creates significant challenges for the economy, environment, and communities of Suffolk.

The purpose of this Supplementary Guidance Document is to outline how, in principle, the Council:

- Expects promoters of infrastructure projects to consider the importance of, and impacts upon, Public Rights of Way or Green Access when developing their projects.
- Considers that Public Rights of Way and Green Access need to be treated by applicants in a different way to other types of highways, because of their unique characteristics and status, specifically in terms of their relationship to place, public amenity, historic and landscape character, well-being, and access to nature. Therefore, for example, it is wholly inappropriate to equate a car journey with a countryside walk, when assigning value to usage of rights of way and public open space.
- Expects that infrastructure scheme promoters will mitigate and compensate for the adverse impact of construction and operation of their schemes, in accordance with the mitigation hierarchy, as set out in National Policy Statement NPS EN -1 (November 2023).

1 https://www.suffolk.gov.uk/asset-library/imported/suffolk-green-access-strategy-2020-2030.pdf



The status and importance of Public Rights of Way in Suffolk

The Public Rights of Way network in Suffolk makes up almost half of the total highway network. Public Rights of Way and Green Access make a significant contribution to the local communities' public amenity, sense of place, mental wellbeing, physical health, and overall well-being. Particularly in rural areas of Suffolk, the quality of the network strongly supports the visitor economy, and the offer to Suffolk's visitors.

Maintaining and improving quality of user experience on both urban and rural rights of way has become increasingly important in Suffolk. This is set out in more detail in the Suffolk Green Access Strategy 2020 – 2030.

The impacts and interaction of infrastructure projects with Public Rights of Way in Suffolk is of particular significance for the County Council, to meet the objectives of the Energy and Climate Adaptive Infrastructure Policy, as well as the Council's Corporate Objectives[2], that is:

- Promoting and supporting the health and wellbeing of all people in Suffolk.
- Strengthening our local economy.
- Protecting and enhancing our environment.
- Providing value for money for the Suffolk taxpayer.

2 https://www.suffolk.gov.uk/asset-library/imported/master-corp-strategy-report-2022-26.pdf

The treatment of Public Rights of Way and Green Access within the Environmental Impact Assessment

The County Council's clear preference is that Public Rights of Way and amenity should be dealt with in their own chapter of the Environmental Impact Assessment, in order that the impact of a scheme on the rights of way network and its receptors can be properly understood, including the interactions between different parts of the scheme, both temporally and spatially.

The County Council considers that this approach is appropriate and reasonable because Public Rights of Way have unique additional characteristics that are not generally shared with other highways. Specifically, they make a significant contribution to the local communities' sense of place, mental health, physical health, and overall well-being.

In addition, the contribution that Public Rights of Way make to community access, and sense of place, has an important relationship to the offer and function of the visitor economy, particularly in rural areas of Suffolk, where economic activity beyond food production and processing, is limited.

Therefore, whilst Public Rights of Way do form part of the whole transport network, they have a unique function and relationship to people, and place, which should be effectively evaluated by project promoters. This will ensure the impacts are properly understood and weighed in the planning balance, and effective mitigation measures can be designed and delivered to maintain and, where appropriate, enhance these unique characteristics and their contribution to Suffolk's countryside and communities.

The effective evaluation of impacts, both temporary and permanent, on the Public Rights of Way network and its users, is particularly important for very large projects such as, but not limited to, solar or wind energy schemes, and energy transmission infrastructure, as these projects are likely to have widespread impacts across the Public Rights of Way (PRoW) network, both during their operation and construction.

Assessment of the impacts on the Public Rights of Way network during project construction and operation

The Environmental Impact Assessment (EIA) methodology should consider the combination of effects that will impact (negatively or positively) on the quality of the amenity experienced by the receptors, (i.e. walkers, cyclists, equestrians, wheeled users) as well as the effect on the physical resource (PRoW, Open Access Land).

The effects to be considered are: -

- Physical changes to resources (i.e. changes to Public Rights of Way through diversions or temporary and permanent closures, severance, loss of connectivity, and changes to journey length).
- Changes to the quality of the experience people have when using recreational resources, due to perceptual or actual changes to views, noise, air quality, light pollution, and traffic.
- The creation of user stress, that is, effects experienced by receptors due to route uncertainty and safety fears.
- Changes to the experience people have when using recreational resources, due to increases in numbers of people using them, i.e. displacement of people from one area to another.
- Impacts on the tranquillity and ambience experienced by recreational receptors.

A detailed explanation of the methodology is set out in the Appendix. This methodology has been developed based on the guidance prepared by the Institute of Public Rights of Way and Access, complemented by best practice derived from the experience of Suffolk County Council. It is intended to be the basis for discussion between the Council and project promoters, to establish an agreed detailed methodology for assessing the impacts of a project, both alone and in combination with other projects, on Public Rights of Way, Green Access, and amenity.

Following the mitigation hierarchy

Mitigation and compensation measures (including financial compensation) for residual adverse impacts during construction and operation

Project promoters are expected to follow the mitigation hierarchy, as set out in the Glossary of NPS EN-1. This requires avoidance and minimisation of adverse impacts on Public Rights of Way and Green Access; and where this is not possible, any temporary or permanent loss of access and amenity, due to the construction or operation of new infrastructure will need to be mitigated and compensated for, through the development of alternative routes, and/or improvement to the existing PRoW network.

It is the Council's clear preference that adverse impacts on Public Rights of Way and Green Access should, in all cases, be fully mitigated and compensated for with embedded mitigation as part of the project design. However, where this is not possible, financial compensation will be required.

Appendix

Assessment of impacts on Public Rights of Way and amenity (Green Access)

The EIA methodology should consider the combination of effects that impact (negatively or positively) on the quality of the amenity experienced by the receptors (i.e. walkers, cyclists, equestrians, wheeled users) as well as the effect on the physical resource (PRoW, Open Access Land).

The effects to be considered are:

- **Physical changes to resources** (i.e. changes to PRoW through diversions or temporary and permanent closures, severance, loss of connectivity, changes to journey length).
- **Changes to the quality of the experience** people have when using recreational resources due to perceptual or actual changes to views, noise, air quality, light pollution, and traffic.
- **User stress**, that is effects experienced by receptors due to route uncertainty and safety fears.
- **Changes to the experience** of people using recreational resources, due to increases in numbers of people using them i.e. displacement of people from one area to another.
- **Tranquillity and ambience experienced** by recreational receptors.

This methodology is developed from the guidance from the Institute of Public Rights of Way and Access and other best practice and adapted based on Suffolk County Council experience. It is intended to be the basis for discussion with applicants on an agreed methodology for assessing the impacts on Public Rights of Way, access, and amenity.

The assessment considers the sensitivity of the resources and receptors and the magnitude of impacts as illustrated below:

Sensitivity

Comprises value of the resource to the receptors, and susceptibility, the capacity to accommodate change.

Very high	Value	PRoW of high importance, e.g. recognised at a national level for recreation (National Trail) or within designated landscapes that draw people nationally to experience their special qualities or used frequently for daily commuting & recreation (access to schools, shops, services, employment, community facilities).
	Susceptibility	Receptor has no, or very limited capacity to accommodate the proposed change, i.e. no alternative PRoW available. Receptors may be vulnerable travellers such as elderly, school children, people with disabilities who could be disproportionally affected by small changes.
High	Value	PRoW is of high importance to the community as the only link to a wider network and connecting communities. This could include regional trails and promoted routes likely to be used for recreation and some commuting.
	Susceptibility	Very limited potential to be substituted with other routes.
Medium	Value	PRoW and routes valued by the local communities used mainly for recreational purposes that link to a wider network and connecting communities.
	Susceptibility	Receptors have some potential to access other route options to the wider network or community facilities.
Low	Value	Resource that is little used as it doesn't offer meaningful routes for recreation or utility and no evidence of being valued by the community.
	Susceptibility	Receptors not dependant on the resource which the area has to offer. Receptors have alternative routes available.
Negligible	Value	Resource degraded and not used.
	Susceptibility	Receptor is tolerant to changes and other PRoW are available to them.

Magnitude

The 3 components of magnitude are:

- **Scale** - The degree of change which would arise from the development i.e. alteration to the ability to perform the amenity activity or to the amenity and recreation experience.
- **Duration** - Timescale over which it would be experienced -short, medium, long term, permanent or temporary
- **Extent** - Geographic area of the resource used by the receptors over which the impacts will be felt.

The degree to which each of the three criteria of scale, duration and extent influence the assessment of magnitude will need to be weighed by professional judgement and clearly described.

Scale	
Large	Total or major alteration to the ability to perform the amenity and recreation activity and/or to the amenity and recreation experience. Proposals would cause a substantial change to existing patterns and levels of use of recreational resources and only poor-quality alternatives available. For example, the closure of a strategically important route for several months during peak season with a poor-quality alternative route alongside a busy road with restricted mobility. This could include substantial changes in travel patterns and increased/decreased opportunities for users to access the wider network and community infrastructures.
Medium	Partial alteration to the ability to perform the amenity and recreation activity and/or to the amenity and recreation experience. Proposals would cause a modest change to existing patterns and levels of use of recreational resources or a more substantial change for a limited period such as a few weeks. For example, a temporary reduction in levels of use and displacement to alternative resources, particularly amongst users for whom the resource is only marginally preferable to others available to them. This could include noticeable changes in travel patterns and increased/decreased opportunities for users to access the wider network and community infrastructures.

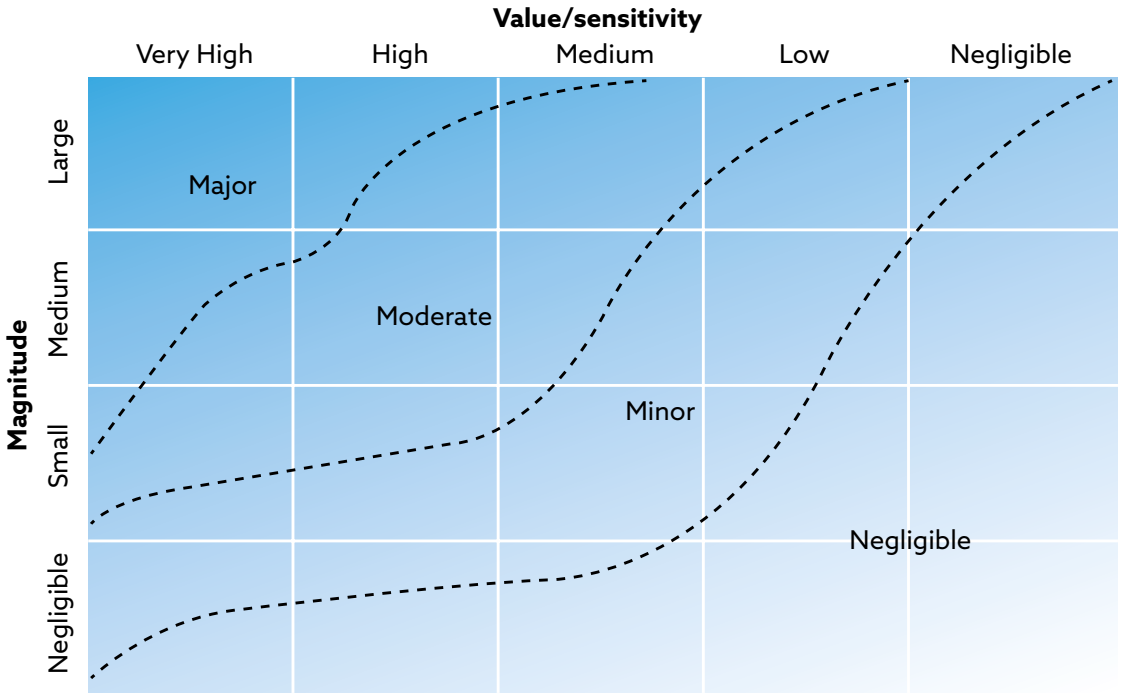
Small	Minor alteration to the ability to perform the amenity and recreation activity. Minor adverse impact on the amenity and recreation experience. Proposals would cause a slight or short-term change to existing patterns and levels of recreational resources with a slight reduction in overall numbers and a low level of displacement. This could include slight changes in travel patterns and increased/decreased opportunities for users to access the wider network and community infrastructures.
Low	Very minor alteration to the ability to perform the amenity and recreation activity and/or to the amenity and recreation experience. No discernible changes in levels or patterns of use are expected and/or change in travel patterns and increased/ decreased opportunities for users to access the wider network and community infrastructures.

Duration	
Permanent	Permanent
Long term	E.g. over 6 months
Medium term	E.g. Under 6 months
Short term	Under 1 month

Extent	
Wide	More than half of receptor area and/or a substantial increase/ decrease in journey length
Intermediate	Approx half of receptor area and/or a noticeable increase/ decrease in journey length
Localised	Part of the receptor area (up to 25%) and/or a slight increase/ decrease in journey length
Limited	Small part of the receptor area (less than 10%) (Sizewell C) and no increase/decrease in journey length

Examples of an impact assessment matrix (from Ref 2 & Ref 3)

Ref 2



Ref 3

		Magnitude of impact (degree of charge)				
		No change	**Negligible**	**Minor**	**Moderate**	**Major**
Environmental value (sensitivity)	**Very high**	Neutral	Slight	Moderate or large	Large or very large	Very large
	High	Neutral	Slight	Slight ot moderate	Moderate or large	Large or very large
	Medium	Neutral	Neutral or slight	Slight	Moderate	Moderate or large
	Low	Neutral	Neutral or slight	Neutral or slight	Slight	Slight ot moderate
	Negligible	Neutral	Neutral	Neutral or slight	Neutral or slight	Slight

References

1. Sizewell C Project 6.3 Vol2 Main Development Site Chapter 15 Amenity and Recreation
2. National Grid Sealink – Oct 2023 PEIR
3. DMRB LA 104 Environmental assessment and monitoring A Methodology
4. IPROW Environmental Impact Assessment -Appraising Access
5. DMRB LA112 Population & Human Health
6. HS2 Phase 2b: EIAR -Scope & Methodology Report (9.1.7/8)

Version 1.0 | 07/2024