

Comment



Address RSPB
 Unit 1, Brantham Mill Industrial Estate
 Brantham, Manningtree,
 CO11 1QT

Event Name Consultation on the Schedule of Main Modifications
 May 2019



Comment ID 5

Response Date 09/07/19 12:03

Consultation Point Response Form ([View](#))

Status Processed

Submission Type Web

Version 0.3

To which proposed Main Modification does your representation relate? Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications e.g. MM1

MM120

Do you consider the proposed modification is: . Legally compliant?
 (please mark the appropriate box)

If you consider the proposed Main Modification to be UNSOUND, please identify which test of soundness your representation relates to? . Is it justified?

Please give us details as to why you think the Local Plan with proposed modifications is NOT legally compliant or sound?

The two new paragraphs suggested for insertion on pages 109 and 110 respectively are contradictory. The former states that LSE can be concluded beyond the 1500m buffer, whilst the latter suggests that a project level assessment may be necessary for large developments.

In order to be considered justified, the formation of these two paragraphs should be reset to provide clarity for the plan-user.

Please set out what changes you consider necessary to make the proposed main modifications to the Local Plan legally compliant or sound.

We suggest that "can" is altered to "may probably" in the first line of the 3rd para on page 109:

"A conclusion of no likely significant effect may probably be met where the proposed building is located further than the 1500m away from the SPA boundary (red primary buffer) or the identified (blue secondary buffer) or possible (orange square cells) areas that have a functional link (see Map 5.1)."

It should not be definitive that LSE can be concluded. Leaving the wording as presented will not be in keeping with the overall spirit of the policy which is so positively set to conserve and enhance biodiversity. To say that LSE can be concluded for any projects just outside the buffer will, by implication, potentially limit the expansion and recovery of Stone Curlew populations around the Brecks and abrogate any responsibility for an applicant to consider conducting an HRA in the future should the population have increased.

Would you like to be notified of future stages of the Local Plan? Yes

How would you like to be notified? . By email to my email address